

# Abstract of Permit

This is to certify that I have examined APPLICATION 69192 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Everett and Gail Peterson of 9600 South Bank Drive, Roseburg, Oregon, 97470, phone 672-0932, for the use of the waters of the North Umpqua River,

for the PURPOSE of irrigation of 2.0 acres and domestic use for one family, 1.22

that the PRIORITY OF THE RIGHT dates from July 10, 1987,

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.03 cubic foot per second, being 0.005 cfs for domestic use and 0.025 cfs for irrigation. 0.02

The POINT OF DIVERSION is to be LOCATED: 760 North 190 West 630 feet South and 2300 feet East from the Northwest corner of Section 19, being within the NE1/4 NW1/4 of Section 19, Township 26 South, Range 4 West, W.M., in the County of Douglas. South East NE NW

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 26 South, Range 4 West, W.M., Section 19 (NE1/4 NW1/4) 1.15 2.0 acres and Lot 1 NW NE 0.97 Domestic use for one family

The AMOUNT OF WATER used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before November 24, 1988, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1989.

Complete application of the water to the proposed use shall be made on or before October 1, 1990.

Witness my hand this 24th day of November, 1987.

\_\_\_\_\_  
WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION 69192

PERMIT

50115

C/NTE FOLLOW-UP  
4/26/90 BSJ

INFO: VERIFIED SITE & EQUIPMENT.

SOURCE: ALL AS STATED. MAX SPRINKLERS = 3  
NORTH UMPQUA RIVER

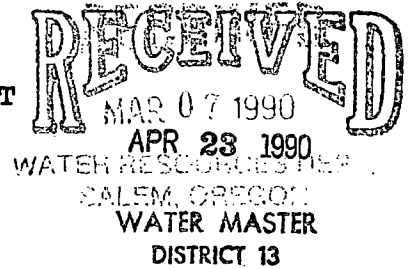
USE: LAWN & ORNAMENTAL TREES & DOMESTIC @ FAMILY

Blue Jemmer FE

SW REGION 4/26/90

CWRE FOLLOW-UP  
(DOUGLAS CO.)

CLAIM OF BENEFICIAL USE AND SITE REPORT  
IN THE NAMES OF:  
EVERETT AND GAIL PETERSON



GENERAL INFORMATION

The methods used to determine the information contained in this document are as follows:

1. Examination of Application Map (Application #69192).
2. Examination of Abstract of Permit #50115.
3. Examination of County Assessor Maps.
4. Examination of County Aerial Map.
5. Examination of Subdivision Plat Map (Eagle Point Estates).
6. On-site inspection and survey, February 22, 1990.
7. Interview with Everett Peterson, February 22, 1990.

SOURCE

The source of water provided by the permit is the North Umpqua River.

KINDS OF USE

The kinds of use are domestic for one family and irrigation.

*lawn & ornamental trees*

PLACES OF USE

The places of use of water are the NE $\frac{1}{4}$  NW $\frac{1}{4}$  for domestic and 1.15 acres of irrigation, and the NW $\frac{1}{4}$  NE $\frac{1}{4}$  for 0.07 acres of irrigation, all in Section 19, Township 26 South, Range 4 West, W.M. *OK*

POINT OF DIVERSION

The point of diversion is located 760 feet north and 190 feet west from the southeast corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 19, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 19, Township 26 South, Range 4 West, W.M. *OK*

## PUMP AND MOTOR

The pump and motor are electric submersible.

Brand: Teel Manufacturing Company  
0.5 Horsepower  
220 Volt  
Single Phase  
3450 R.P.M.  
Pump Model #: 3P622E (W.W. Grainger)  
Motor #: M4C02S-06  
Rated @ 8 gallons per minute.

OK

## PIPE

Pipe is buried polyethylene. Total pipeline length is approximately 350 feet, consisting of two sizes: 1 3/8" diameter from the point of diversion for approximately 250 feet, and the remainder being 1" diameter.

OK

## METHOD OF IRRIGATION

The method of irrigation is by garden hose from five hose bibs using portable sprinklers. - *max = 3*

## STATIC HEAD

The static head, as measured with a rod and hand level, is 112 feet from the point of diversion to the highest place of use.

OK

## TIE TO REFERENCE MONUMENT

A scaled tie was made to the southeast corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  using the mapping listed.

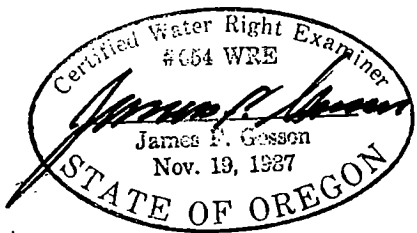
RECEIVED

MAR 07 1990

WATER RESOURCES DEPT.  
STATE OF OREGON

**CERTIFICATION**

The Final Proof Survey and inspection of the use as found, to be completed under the terms and conditions of Permit #50115 were completed by the undersigned on February 22, 1990, and the facts contained in this report and accompanying Final Proof Map are correct to the best of my knowledge.



We, Everett and Gail Peterson, agree to the findings of James F. Gosson, Certified Water Rights Examiner #54, and do submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of our Permit #50115.

Everett Peterson

3/6/90  
Date

Gail Peterson

3/6/90  
Date



# FINAL PROOF SURVEY MAP

IN THE NAMES OF EVERETT AND GAIL PETERSON

SECTION 19, T26S, R4W, W. M.

LOT #8, EAGLE POINT ESTATES SUBDIVISION

APPLICATION 69192

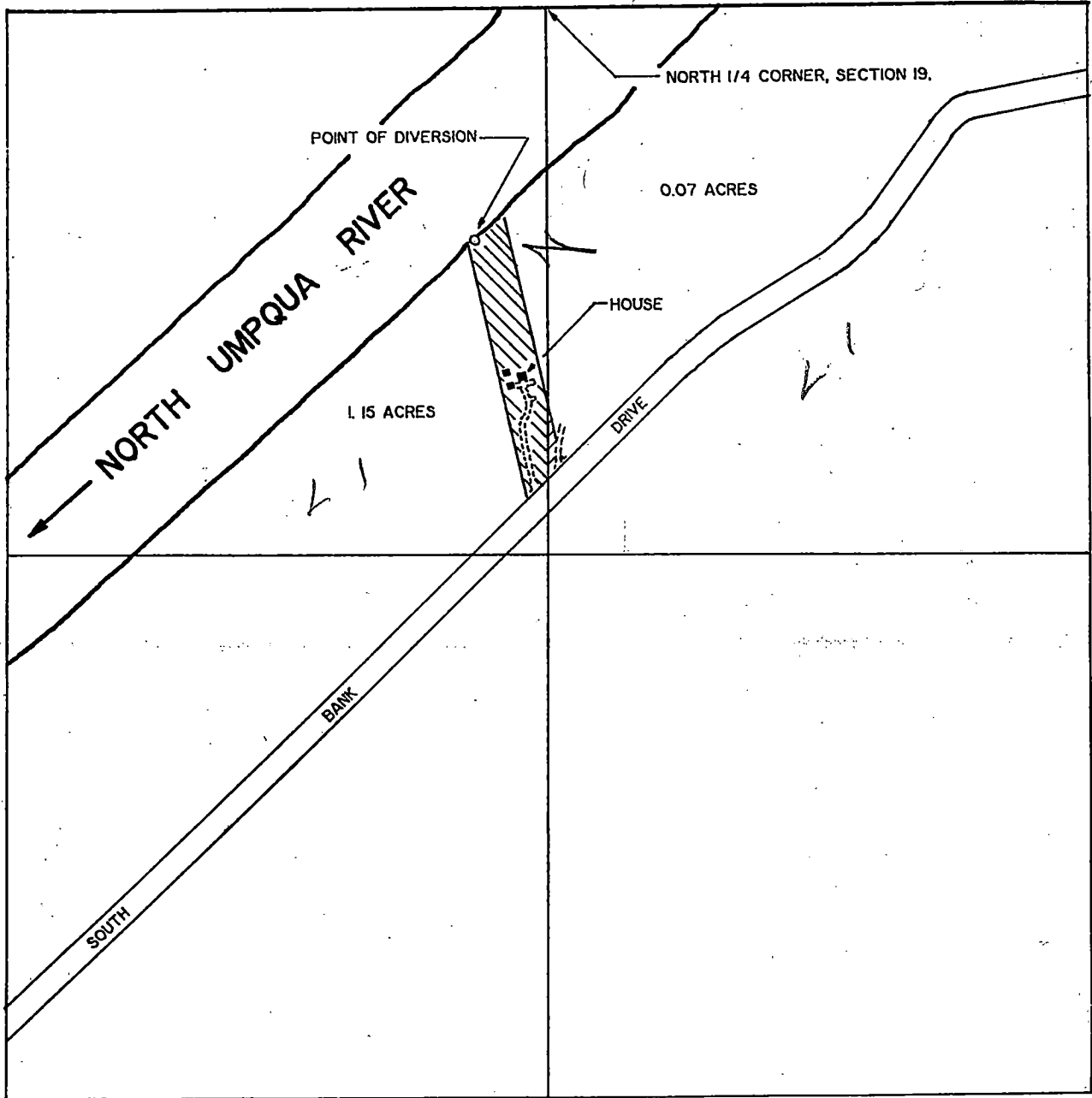
PERMIT 50115

RECEIVED

MAR 07 1990

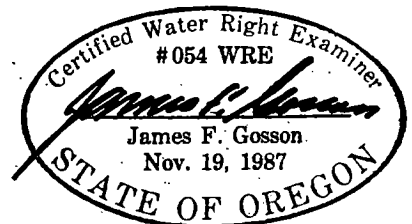
WATER RESOURCES DEPT.  
SALMON, OREGON

1 INCH = 400 FEET



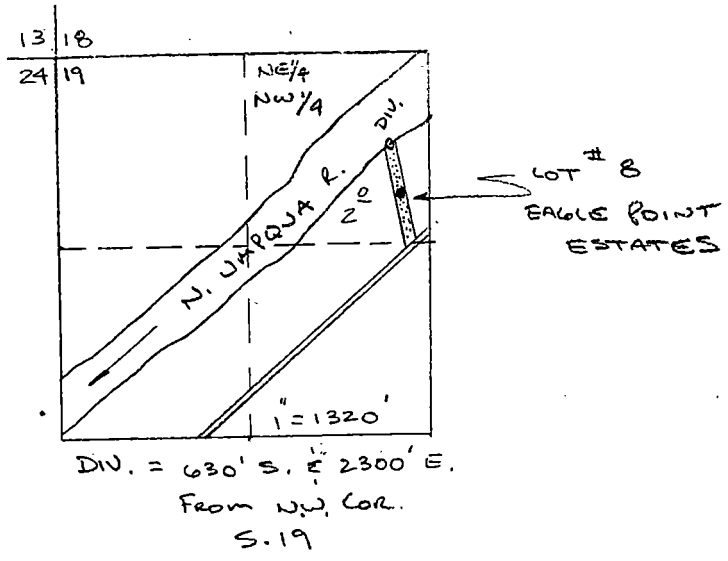
THE POINT OF DIVERSION IS LOCATED 760 FEET NORTH AND 190 FEET WEST FROM THE SOUTHEAST CORNER OF THE NE1/4 NW1/4 OF SECTION 19, BEING WITHIN THE NE1/4 NW1/4 OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 4 WEST, W. M.

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.



RECEIVED  
SEP 16 1987  
WATER RESOURCES DEPT.  
SALEM, OREGON

T. 26 S. R. 4 W S. 19



Application No. 69192  
Permit No. 50115

RECEIVED  
JUL 10 1987  
WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON  
COUNTY OF DOUGLAS  
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EVERETT AND GAIL PETERSON  
9600 SOUTH BANK DRIVE  
ROSEBURG, OREGON 97470

confirms the right to use the waters of NORTH UMPQUA RIVER, a tributary of UMPQUA RIVER, for the purpose of DOMESTIC USE FOR ONE FAMILY AND IRRIGATION OF 1.22 ACRES.

This right has been perfected under Permit 50115. The date of priority is JULY 10, 1987. This right is limited to 0.02 CUBIC FOOT PER SECOND, BEING 0.015 CFS FOR IRRIGATION AND 0.005 CFS FOR DOMESTIC, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 1 (NE 1/4 NW 1/4), SECTION 19, T 26 S, R 4 W, W.M.; 760 FEET NORTH AND 190 FEET WEST FROM THE SE CORNER LOT 1 (NE 1/4 NW 1/4), SECTION 19.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

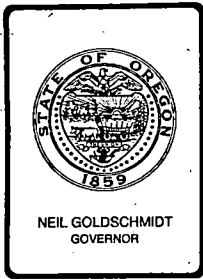
LOT 1 (NW 1/4 NE 1/4) 0.07 ACRE  
LOT 1 (NE 1/4 NW 1/4) 1.15 ACRES AND DOMESTIC  
SECTION 19  
TOWNSHIP 26 SOUTH, RANGE 4 WEST, W.M.

More explicitly described as Lot 8 of Eagle Point Estates

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

69192.DLM





## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

JAMES F. GOSSON  
1257SE WASHINGTON STREET  
ROSEBURG, OREGON 97470

Date: March 30, 1990  
File: 69192

The Claim of Beneficial Use for permit 50115 in the name of EVERETT & GAIL PETERSON was received on MARCH 7, 1990. A brief follow-up inspection by our representative will be conducted within the next few months.

If you have any questions, please contact us.

Sincerely,

Steve Applegate  
Application/Permits Section Manager

cc: EVERETT & GAIL PETERSON  
9600 SOUTH BANK DRIVE  
ROSEBURG, OREGON 97470

RECEIVED

**CLAIM OF BENEFICIAL USE AND SITE REPORT  
IN THE NAMES OF:  
EVERETT AND GAIL PETERSON**

MAR 07 1990

WATER RESOURCES DEPT.  
SALEM, OREGON

**GENERAL INFORMATION**

The methods used to determine the information contained in this document are as follows:

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4. Examination of County Aerial Map.
5. Examination of Subdivision Plat Map (Eagle Point Estates).
6. On-site inspection and survey, February 22, 1990.
7. Interview with Everett Peterson, February 22, 1990.

**SOURCE**

The source of water provided by the permit is the North Umpqua River.

**KINDS OF USE**

The kinds of use are domestic for one family and irrigation.

**PLACES OF USE**

The places of use of water are the NE $\frac{1}{4}$  NW $\frac{1}{4}$  for domestic and 1.15 acres of irrigation, and the NW $\frac{1}{4}$  NE $\frac{1}{4}$  for 0.07 acres of irrigation, all in Section 19, Township 26 South, Range 4 West, W.M.

**POINT OF DIVERSION**

The point of diversion is located 760 feet north and 190 feet west from the southeast corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 19, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 19, Township 26 South, Range 4 West, W.M.

## **PUMP AND MOTOR**

The pump and motor are electric submersible.

Brand: Teel Manufacturing Company  
0.5 Horsepower  
220 Volt  
Single Phase  
3450 R.P.M.  
Pump Model #: 3P622E (W.W. Grainger)  
Motor #: M4C02S-06  
Rated @ 8 gallons per minute.

## **PIPE**

Pipe is buried polyethylene. Total pipeline length is approximately 350 feet, consisting of two sizes: 1 3/8" diameter from the point of diversion for approximately 250 feet, and the remainder being 1" diameter.

## **METHOD OF IRRIGATION**

The method of irrigation is by garden hose from five hose bibs using portable sprinklers.

## **STATIC HEAD**

The static head, as measured with a rod and hand level, is 112 feet from the point of diversion to the highest place of use.

## **TIE TO REFERENCE MONUMENT**

A scaled tie was made to the southeast corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  using the mapping listed.

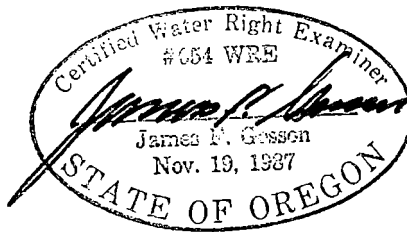
RECEIVED

MAR 07 1990

WATER RESOURCES DEPT.  
STATE OF OREGON

**CERTIFICATION**

The Final Proof Survey and inspection of the use as found to be completed under the terms and conditions of Permit #50115 were completed by the undersigned on February 22, 1990, and the facts contained in this report and accompanying Final Proof Map are correct to the best of my knowledge.



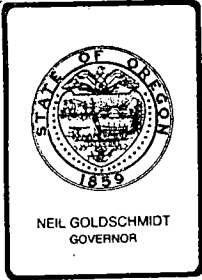
We, Everett and Gail Peterson, agree to the findings of James F. Gosson, Certified Water Rights Examiner #54, and do submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of our Permit #50115.

Everett Peterson

3/6/90  
Date

Gail Peterson

3/6/90  
Date



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

July 25, 1989

Everett and Gail Peterson  
9600 South Bank Drive  
Rosebrug, OR 97470

Reference File: 69192

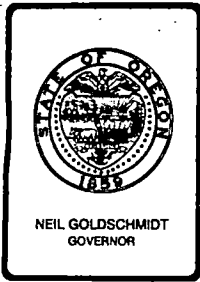
We have received your notice that complete application of water has been made under permit 50115.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before July 21, 1989. A list of certified examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Survey/Mapping Section at 378-3739.



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

December 2, 1987

Everett and Gail Peterson  
9600 South Bank Drive  
Roseburg, OR 97470

REFERENCE: File 69192

ENCLOSED: Permit 50115

### PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Your permit has been recorded in this office, but you should hold the original permit as evidence of your water right. If the land is sold, an assignment to the new owner must be recorded in this office. Assignment blanks will be furnished upon request.

The permit fixes time limits for beginning of construction, completion of construction and complete application of water to beneficial use. The law requires that you begin actual construction within one year from the date of issuance of the permit or your right will be lost. The Water Resources Director is authorized to extend the time for completion of construction and for complete application of water upon proper showing, but has no authority to extend the time limit for beginning of construction.

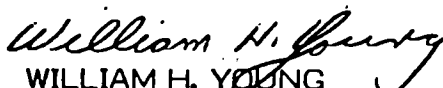
Forms A, B and C may be attached for submitting (A) Notice of Beginning of Construction, (B) Notice of Completion of Construction and (C) Notice of Complete Application of Water. If your application has stated that construction has already been started, or that construction work is completed, or that complete application of water has been made, only the required forms will be attached.

If your project will require only a portable pumping plant and pipelines, the acquisition of such equipment will be considered construction.

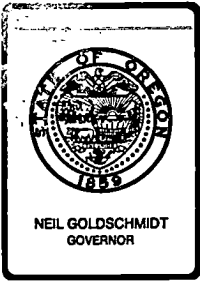
When complete application of water has been made, Form C should be submitted as the first step in proof of appropriation. When proof satisfactory to the Water Resources Director has been made, the right will be confirmed by issuance of a certificate. The certificate will limit the right to the extent that water has been applied to beneficial use in accordance with the terms of the permit.

The late summer flow in nearly all streams is required to satisfy existing rights. Your permit grants a right to use water only when there is a surplus in the source involved over and above that required to satisfy prior rights.

Sincerely,

  
WILLIAM H. YOUNG  
Director

WHY:wpc  
enclosures  
0032B/2



## *Water Resources Department*

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

October 7, 1987

Everett and Gail Peterson  
9600 South Bank Drive  
Roseburg, OR 97470

REFERENCE: File Number 69192

Dear Mr. and Mrs. Peterson:

This is to acknowledge return of your Application 69192 along with the four prints of the supporting map. The application is now in satisfactory form and will be placed with the group to be considered for approval.

Sincerely,

WAYNE J. OVERCASH  
Water Rights Specialist

September 11, 1987

Everett and Gail Peterson  
9600 South Bank Dr.  
Roseburg, OR 97470

REFERENCE: File 69192

Your Application 69192 describing the proposed use of 0.03 cubic foot per second from the North Umpqua River, being 0.005 cfs for domestic supplies for one family and 0.025 cfs for the irrigation of 2.0 acres; together with the 4 prints of a map and deed copy; has been reviewed.

According to maps we have available for Eagle Point Estates, the subdivision would be located within Range 4W instead Range 5W presently noted in the latter part of Item 2 of the application and in Item 3 of the application. Your supporting map also locates the development in Range 5W. If you agree that the subdivision is located within Range 4W, your application and map will need to be corrected.

We will need a statement relative to the ownership of the property involved in the development. If any portion of the proposed development will occur on property not wholly under your ownership, you will need to supply the names and mailing addresses of the legal owners of the property. This information may be supplied in the remarks section or on a separate sheet.

I am returning your application along with the 4 prints of the supporting map for correction and completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before November 13, 1987.

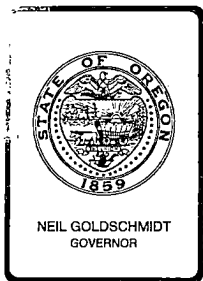
Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO:wpc  
Enclosures

1396E





## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

July 17, 1987

Everett and Gail Peterson  
9600 South Bank Drive  
Roseburg, OR 97470

REFERENCE: File 69192

We received your application July 10, 1987, for use of water for domestic use for one family and irrigation of 2.0 acres along with the supporting data and fees. Our Receipt 52816 is enclosed. Your application has been filed and assigned number 69192.

Applications which are received in proper form for a permit, including maps, supporting data and fees, will be considered for approval shortly after the mandatory 30-day waiting period. Applications which are defective, conflict with existing rights or require additional information will be reviewed in detail and will be returned for completion or correction within 45 days.

Effective July 1, 1987, the law requires the permittee to hire a private Water Right Examiner to survey the extent of use of water perfected under the terms of a permit. Within one year of application of water to beneficial use or the date to make complete application of water allowed in the permit, the permittee shall submit a map of the survey. This law (ORS 537.230 and 537.630, amended 1987) applies to all permits and transfers for which applications were filed after June 30, 1987. Only registered professional surveyors and engineers are eligible to become Water Right Examiners.

If your application is approved, the project described in the application will be subject to the Water Resources Commission's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

Sincerely,

RALPH H. JACKSON  
Application/Permit Section

RHJ:wpc

Enclosure

0003/X  
0820E



TRUST DEED

THIS TRUST DEED, made this December day of 19 86, between Everett N. Peterson and Gail I. Peterson, husband and wife

as Grantor, Commercial Title Co., as Trustee, and Peter B. Serafin and Ina V. Serafin, husband and wife, or the survivor of them

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

Lot eight (8), EAGLE POINT ESTATES, Douglas County, Oregon--

RECEIVED

JUL 10 1987

WATER RESOURCES DEPT SALEM OREGON

Application No. 69192 Permit No. 50115

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

FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of grantor herein contained and payment of the sum of TWELVE THOUSAND FIVE HUNDRED 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 by grantor, the final payment of principal and interest hereof, if not sooner paid, to be due and payable December, 1989

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.

The above described real property is not currently used for agricultural, timber or grazing purposes.

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 and 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 said 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 the 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 \$ 10,000, written in an amount acceptable to the beneficiary, with loss payable to the latter; all companies of insurance shall be delivered to the beneficiary as soon as insured; policies of insurance shall fail for any reason to procure any such insurance and to if the 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 the 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 directly 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 the 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 payment, as well as the grantor, shall be bound to the party hereinbefore described, in the same manner 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 including the cost of recording this deed, as well as the other costs and expenses of the trustee incurred in the performance of his duties and the trustee's and attorney's

- (a) consent to the making of any map or plat of said property; (b) join in granting any easement or creating any restriction thereon; (c) join in any subordination or other agreement affecting this deed or the lien or charge thereon; (d) reconvey, without warranty, all or any part of the property. The grantee in any reconveyance may be described as the "person or persons legally entitled thereto," and the recitals therein of any matters or facts shall be conclusive proof of the truthfulness thereof. Trustee's fees for any of the services mentioned in this paragraph shall be not less than \$5.
- 10. Upon any default by grantor hereunder, beneficiary may at any time without notice, either in person, by agent or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in its own name sue or otherwise collect the rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees upon any indebtedness secured hereby, and in such order as beneficiary may determine.
- 11. The entering upon and taking possession of said property, the collection of such rents, issues and profits, or the proceeds of fire and other insurance policies or compensation or awards for any taking or damage of the property, and the application or release thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
- 12. Upon default by grantor in payment of any indebtedness secured hereby or in his performance of any agreement hereunder, the beneficiary may declare all sums secured hereby immediately due and payable. In such an event the beneficiary at his election may proceed to foreclose this trust deed in equity as a mortgage or direct the trustee to foreclose this trust deed by advertisement and sale. In the latter event the beneficiary or the trustee shall execute and cause to be recorded his written notice of default and his election to sell the said described real property to satisfy the obligation secured hereby whereupon the trustee shall fix the time and place of sale, give notice thereof as then required by law and proceed to foreclose this trust deed in the manner provided in ORS 86.735 to 86.795.
- 13. After the trustee has commenced foreclosure by advertisement and sale, and at any time prior to 5 days before the date the trustee conducts the sale, the grantor or any other person so privileged by ORS 86.753, may cure the default or defaults. If the default consists of a failure to pay, when due, the default or defaults, the default may be cured by paying the sums secured by the trust deed, the default other than such portion as would not then be due had no default occurred. Any other default that is capable of not then be due had no default occurred. Any other default that is capable of being cured may be cured by tendering the performance required under the obligation or trust deed. In any case, in addition to curing the default or defaults, the person effecting the cure shall pay to the beneficiary all costs and expenses actually incurred in enforcing the obligation of the trust deed together with trustee's and attorney's fees not exceeding the amounts provided by law.
- 14. Otherwise, the sale shall be held on the date and at the time and place designated in the notice of sale or the time to which said sale may be postponed as provided by law. The trustee may sell said property either in one parcel or in separate parcels and shall sell the parcel or parcels at auction to the highest bidder for cash, payable at the time of sale. Trustee's fees shall be as required by law conveying

Application No. 69992

Permit No. ....

STATE OF OREGON WATER RESOURCES DEPARTMENT **RECEIVED**

Application for Permit to Appropriate Surface Water JUL 10 1987

I, EVERETT AND GAIL PETERSON WATER RESOURCES DEPT  
SALEM, OREGON  
(Name of Applicant)

of 9600 SOUTH BANK DRIVE, ROSEBURG  
(Mailing Address) (City)

State of OREGON, 97470 Phone No. 672-0932 do hereby  
(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is NORTH UMPQUA RIVER  
a tributary of UMPQUA RIVER

2. The point of diversion is to be located 630 ft. S. and 2300 ft. E.  
(N. or S.) (E. or W.)  
from the NW corner of S. 19  
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the NE 1/4 of the NW 1/4 of  
Sec. 19 Tp. 26S. R. 4W., W.M., in the county of DOUGLAS  
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
<u>26 S.</u>	<u>4 W.</u>	<u>19</u>	<u>NE 1/4 NW 1/4</u>	<u>2<sup>0</sup> IRRIGATION</u>
<u>26 S.</u>	<u>4 W.</u>	<u>19</u>	<u>NE 1/4 NW 1/4</u>	<u>DOMESTIC</u>

4. The amount of water which the applicant intends to apply to beneficial use is ..... 0.03 .....

cubic feet per second.....

(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is ... IRRIGATION (0.025) .....

+ DOMESTIC (0.005) .....

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

ELECTRIC PUMP, PIPED TO HOUSE

+ SPRINKLERS

If for domestic use state number of families to be supplied ..... 0.NE .....

7. Construction work will begin on or before ..... 10/11/87 .....

8. Construction work will be completed on or before ..... 10/1/88 .....

9. The water will be completely applied to the proposed use on or before ..... 10/1/89 .....

Application No. 69192

Permit No. 00000000

Remarks:

I am the sole legal owner of the property described here-with

Everitt Peterson  
Sept 14, 87

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Everitt Peterson Gail Peterson  
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before November 13, 1987

WITNESS my hand this 11th day of September, 1987

William H. Young, Water Resources Director

By Wayne J. Overcash  
WAYNE J. OVERCASH

WATER RESOURCES DEPT.  
SALEM, OREGON

SEP 16 1987

RECEIVED

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

10th day of July, 1987, at 8 o'clock

AM

Application No. 69192

Permit No.

Application No. 69192

Permit No. ....

WCR

### Permit to appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.03 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from North Umpqua River a tributary of Umpqua River

The use to which this water is to be applied is domestic & irrigation of 2.0 acres, being 0.025 cfs for domestic and 0.025 cfs for irrigation

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated 2 1/2

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is July 10, 1987

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19

Complete application of the water to the proposed use shall be made on or before October 1, 19

WITNESS my hand this day of, 19

Handwritten initials/signature