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Application for a Permit to Use **JACKSON COUNTY DEVELOPMENT SVCS**
Surface Water



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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME <i>DAVID HUGIE</i>		PHONE (HM) <i>541.613.1241</i>	
PHONE (WK) <i>N/A</i>	CELL <i>541.613.1241</i>	FAX <i>N/A</i>	
ADDRESS <i>5180 ROGUE RIVER DRIVE</i>			
CITY <i>EAGLE POINT</i>	STATE <i>OR</i>	ZIP <i>97524</i>	E-MAIL * <i>DEHUGIE@GMAIL.COM</i>

Organization

NAME <i>N/A</i>		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME <i>JOHN WARINNER, PE, CWRE / WATERSOLVING</i>		PHONE <i>541.815.4103</i>	FAX <i>N/A</i>
ADDRESS <i>23321 CHISHOLM TRAIL</i>			CELL <i>541.815.4103</i>
CITY <i>BEND</i>	STATE <i>OR</i>	ZIP <i>97702</i>	E-MAIL * <i>JOHNW@WATERSOLVING.COM</i>

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.

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



	<i>DAVID HUGIE</i>	<i>5/31/22</i>
Applicant Signature	Print Name and Title if applicable	Date
_____	_____	_____
Applicant Signature	Print Name and Title if applicable	Date

For Department Use: App. Number: _____

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.

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- 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).

N/A

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.

T34S, R01W, WM; SW QTR SEC 21 (TL 1400 & 1401), NE QTR S28 (TL 502) AND 502)

SECTION 3: SOURCE OF WATER

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: LOST CREEK RESERVOIR	Tributary to: ROGUE RIVER
TRSQQ of POD: T33S, R01E, WM, SECTION 26, SE NW	
Source 2: ROGUE RIVER	Tributary to: PACIFIC OCEAN
TRSQQ of POD: T34S, R01W, WM, SECTION 28, NW NE & SW NE	

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).

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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.)

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_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

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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.
- 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 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.

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
LOST CREEK RES.	IRRIGATION	APR 1 - OCT 31	96.75 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: 21.5 Acres Supplemental: N/A Acres Nursery Use: N/A Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 96.75

- 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): 25 HP ELECTRIC CENTRIFUGAL
 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. PUMP FROM ROGUE RIVER INTO BURIED MAINLINE PIPE.

B. Application Method

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

HIGH PRESSURE SPRINKLER

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. IRRIGATION WILL BE SCHEDULED BASED ON CROP CONSUMPTIVE USE (ET).

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SECTION 7: RESOURCE PROTECTION

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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: *DIVERSION WILL BE SCREENED*

- 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: *NO EXCAVATION OR CLEARING*

- 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: *NOT PLANNING TO RUN ANY EQUIPMENT IN THE WATER.*

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe planned actions: *NO RUNOFF WILL OCCUR*

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

WATER USER WILL CONTRACT WITH USBR FOR STORED WATER

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin:
- b) Date construction will be completed:
- c) Date beneficial water use will begin:

ALL REQUIRED INFRASTRUCTURE IS ALREADY INSTALLED, USE WILL BEGIN IMMEDIATELY UPON ISSUANCE OF PERMIT.

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 <i>N/A</i>	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).

WATER USER WILL USE INFRASTRUCTURE AUTHORIZED BY CERT 94529.

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Attachment 2: Land Use Information Form

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.oregon.gov/OWRD

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NOTE TO APPLICANTS

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In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0900.

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Attachment 2: Land Use Information Form

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.oregon.gov/OWRD

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Applicant

NAME <i>DAVID HUGIE</i>		PHONE (HM) <i>541.613.1241</i>	
PHONE (WK) <i>N/A</i>	CELL <i>541.613.1241</i>	FAX <i>N/A</i>	
ADDRESS <i>5180 ROGUE RIVER DRIVE</i>			
CITY <i>EAGLE POINT</i>	STATE <i>OR</i>	ZIP <i>97524</i>	E-MAIL* <i>TRAILMARKCORP @ GMAIL.COM</i>

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:
<i>34S</i>	<i>01W</i>	<i>28</i>	<i>NWNE</i>	<i>502</i>	<i>RR-5</i>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>IRRIG-AG</i>
<i>34S</i>	<i>01W</i>	<i>28</i>	<i>SWNE</i>	<i>501</i>	<i>EFU</i>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>IRRIG-AG</i>
<i>34S</i>	<i>01W</i>	<i>21C</i>	<i>SWQTR</i>	<i>1400 1401</i>	<i>RR-5</i>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>IRRIG-AG</i>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

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 Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) *ROGUE RIVER*

LOST CK RES.

Estimated quantity of water needed: *96.75* 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:

APPLYING TO USE WATER STORED IN LOST CREEK RESERVOIR FOR IRRIGATION OF HAY, CROPS, PASTURE.

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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Attachment 2: Land Use Information Form

OWRD 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."

Table with 3 columns: Type of Land Use Approval Needed, Cite Most Significant, Applicable Plan Policies & Ordinance Section References, and Land Use Approval. Includes handwritten entries like 'Type 1 authorization for non-intensive agriculture' and '680 6.2-1'.

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.

Empty rectangular box for local government comments.

Signature block with fields for NAME, TITLE, SIGNATURE, PHONE, DATE, and GOVERNMENT ENTITY. Includes handwritten signature of Francisco M. Hernandez and title of Planner III.

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

Receipt form with fields for Applicant name (DAVID HUGIE), City or County, Staff contact, Signature, Phone, and Date.

CONTRACT DATA SHEET

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Bureau of Reclamation
Attn: PN-6323
1150 N. Curtis Road
Boise, ID 83706-1234
208-378-5346

RECLAMATION
Managing Water in the West

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1. Applicant Information:

A. Landowners

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- 1) Name of Landowner(s): David Hugie
- 2) Address: 5180 Rogue River Dr. Eagle Point OR, 97524
- 3) Mailing Address (if different): _____
- 4) Taxpayer Identification Number(s): _____
(Social Security Number or Employer Identification Number¹)
- 5) Do you own all of the land where you propose to divert and make use of water? YES

B. Water User Organizations (e.g., Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: _____
- 2) Name & Title of Applicant: _____
- 3) Mailing Address of Organization: _____
- 4) Taxpayer Identification Number: _____
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
 - (a) A description of the area served by the organization (location, total acreage, number of water users, prominent crops, etc.)
 - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of water (name of stream, river): Lost Creek Reservoir

3. Proposed point of diversion: 725 feet South and 470 feet East of N 1/4 corner of Section 28, Township 34S, Range 1W, Willamette Meridian.

4. A water right permit to divert storage water is required. Application or file number with Oregon Water Resources Department (OWRD) if you have applied for a permit to divert storage water: Application for Permit to use surface water is in progress for submittal by May 10, 2022

5. Include a map of lands and diversion points. (Same as required by OWRD for application of surface/ground water permit).

6. Do you currently hold a right to natural flows for irrigating the property described herein? NO
If yes, what is/are the priority date(s)? _____
7. Total quantity of water from storage requested: 96.75 acre-feet.
8. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
345	1W	21	NE SW	6.3	Hay/pasture
345	1W	21	SE SW	13.7	Hay/pasture
345	1W	21	NW SW	0.6	Hay/pasture
345	1W	21	SW SW	0.9	Hay/pasture
				<u>21.5</u>	

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9. What is the present use of the land identified above? (farming; idle [fallow cultivated land]; native [appears never to have been tilled]; planted pasture or other [please specify]).
Farming
10. Is the land identified above currently being irrigated? NO If yes, what is the source? (natural flows, wells, etc.) _____
11. Diversion must be screened to prevent uptake of fish and other aquatic life. Describe plan(s) to comply with State/Federal fish screen standards: Fish Screen Meeting
OPFW Requirements is already in place
12. Telephone number where you can be reached during the day: 541 613-1241

Before returning the completed Contract Data Sheet to the address provided on page 1, please ensure you have:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE². MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

¹ Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

² The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. If the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

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Grantor(s) Name and Address:

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After recording, return to:

Trailmark Corporation
P. O. Box 1235
Shady Cove, OR 97539

Until requested otherwise, send all tax statements to:

Trailmark Corporation
P. O. Box 1235
Shady Cove, OR 97539

Jackson County Official Records 2006-039318
R-BSD
Date: 08/03/2006 03:43:00 PM
Office: Street BARTLEGE
\$30.00 \$5.00 \$11.00 Total: \$46.00



Nathleen S. Beckett, County Clerk for Jackson County, Oregon
certify that the instrument identified herein was recorded in the Clerk
Records. Nathleen S. Beckett - County Clerk

Space Reserved
for
Recorder's use

_____, record or Deeds of
said County.
WITNESS my hand and seal of County
affixed.

Name _____ Title _____
By _____, Deputy.

CORRECTED*
BARGAIN AND SALE DEED**

KNOW ALL BY THESE PRESENTS that ROBERT E. HUGIE, an individual; ROBERT E. HUGIE, AS TRUSTEE OF THE ROBERT E. HUGIE TRUST; DAVID E. HUGIE, an individual; DAVID E. HUGIE, AS TRUSTEE OF THE DAVID E. HUGIE TRUST; SUSAN DONNELLY (also known as SUSAN RICHARDSON, also known as SUSAN K. RICHARDSON, also known as SUSAN K. HUGIE), an individual; SUSAN DONNELLY, AS TRUSTEE OF THE SUSAN K. HUGIE TRUST; PATTI CHAMBERLAIN (also known as PATTI J. CHAMBERLAIN, also known as PATTI J. HUGIE, also known as PATTI JEAN HUGIE), an individual; PATTI CHAMBERLAIN, AS TRUSTEE OF THE PATTI JEAN HUGIE TRUST; MICHAEL E. HUGIE, an individual; MICHAEL E. HUGIE, AS TRUSTEE OF THE MICHAEL E. HUGIE TRUST; CLEO T. HUGIE, an individual; CLEO T. HUGIE, AS TRUSTEE OF THE CLEO T. HUGIE TRUST DATED AUGUST 1, 1990, hereinafter called Grantor(s), for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto TRAILMARK CORPORATION, a Oregon corporation, hereinafter called Grantee(s), and unto Grantee's heirs, successors and assigns, all that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Jackson County, State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

To have and to Hold the same unto Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ NONE. ① However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the (indicate which) consideration. ① (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

*****THIS DEED IS BEING RE-RECORDED TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION OF THE PARCEL DESCRIBED AS "CODE 9-02, ACCT. #1-022362-0, MAP #341W21D, TAX LOT #1400", CODE 9-02, ACCT. #1-093427-8, MAP #341W21C, TAX LOT #1401" and "CODE 9-02, ACCT. #1-093428-6, MAP #341W28, TAX LOT #502" OF EXHIBIT "A" TO SAID BARGAIN AND SALE DEED RECORDED ON SEPTEMBER 26, 2001 AS INSTRUMENT/DOCUMENT NO. 01-46195.**

This Deed may be signed in counter-part by the Grantors named hereinabove and each such deed executed in counter-part shall be an effective conveyance of the real property described in Exhibit "A" hereto.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 20th day of August, 2001; if Grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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

**SIGNATURES FOLLOW ON "SIGNATURE PAGE"
ATTACHED HERETO**

SUSAN K. HUGIE TRUST

By Susan Donnelly
Susan Donnelly, Trustee

Susan Donnelly
SUSAN DONNELLY (also known as Susan K. Richardson, aka Susan K. Hugie)



GRANTORS:

STATE OF OREGON, County of Multnomah) ss.

This instrument was acknowledged before me on 7-28-06 by SUSAN DONNELLY as Trustee of the Susan K. Hugie Trust, and by SUSAN DONNELLY (aka Susan K. Richardson, aka Susan K. Hugie), an individual.

Cynthia Fino Cooper
Notary Public
My commission expires: 6-21-06

ROBERT E. HUGIE TRUST

By Robert E. Hugie
Robert E. Hugie, Trustee

Robert E. Hugie
ROBERT E. HUGIE, an individual

STATE OF OREGON, County of MARION) ss.

This instrument was acknowledged before me on 7-29-06 by ROBERT E. HUGIE as Trustee of the Robert E. Hugie Trust, and by ROBERT E. HUGIE, an individual.

Forrest Kent Duvall
Notary Public for Oregon
My commission expires: 8-29-08

DAVID E. HUGIE TRUST

By David E. Hugie
David E. Hugie, Trustee

David E. Hugie
DAVID E. HUGIE, an individual

STATE OF CALIFORNIA)
COUNTY OF KERN) ss.

On 7/20, 2006, before me, Debra L. Arter, the undersigned, personally appeared DAVID E. HUGIE, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity on behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

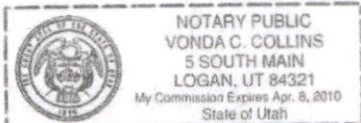
Debra L. Arter
Notary Public
My Commission Expires: 8/29/09



PATTI JEAN HUGIE TRUST

By Patti Chamberlain, Trustee
Patti Chamberlain, Trustee

Patti Chamberlain
PATTI CHAMBERLAIN (also known as PATTI J. CHAMBERLAIN, aka PATTI J. HUGIE, aka PATTI JEAN HUGIE)



STATE OF UTAH)
COUNTY OF Cache) ss.

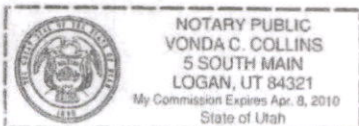
On the 26 day of July, 2006, personally appeared PATTI CHAMBERLAIN, the signer of the within instrument, who duly acknowledged to me that she executed the same.

Vonda C. Collins
Notary Public, State of Utah
My Commission Expires: 4-8-2010
Residing in: Logan, Utah

CLEO T. HUGIE TRUST DATED AUGUST 1, 1990

By Cleo T. Hugie, Trustee
Cleo T. Hugie, Trustee

Cleo T. Hugie
CLEO T. HUGIE, an individual



STATE OF UTAH)
COUNTY OF Cache) ss.

On the 26 day of July, 2006, personally appeared CLEO T. HUGIE, the signer of the within instrument, who duly acknowledged to me that she executed the same.

Vonda C. Collins
Notary Public, State of Utah
My Commission Expires: 4-8-2010
Residing in: Logan, Utah

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2 of 5

2-

GRANTORS: (continued)

MICHAEL E. HUGIE TRUST

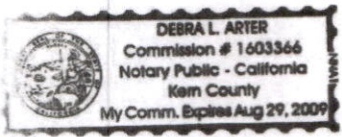
By [Signature]
Michael E. Hugie, Trustee

[Signature]
MICHAEL E. HUGIE, an individual

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

On 7/20, 2006, before me, Debra L Arter
the undersigned, personally appeared MICHAEL E. HUGIE, known
to me (or proved to me on the basis of satisfactory evidence) to
be the person whose name is subscribed to the within instrument,
and acknowledged to me that he executed the same in his author-
ized capacity, and that by his signature on the instrument the
person or the entity upon behalf of which the person acted,
executed the instrument.

WITNESS my hand and official seal.
Debra L Arter
Notary Public
My Commission Expires: 8/29/09



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Beginning at the quarter corner common to Sections 21 and 28, Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence run Easterly along the Southerly boundary of said Section 21, a more or less distance of 770 feet to intersect the Westerly bank (vegetation line) of the Rogue River; thence leaving said section line and running along said river bank as follows: North 51° 22' East, a more or less distance of 130 feet; thence North 43° 14' East, 154.40 feet; thence North 39° 14' East, 94.30 feet; thence North 45° 00' East, 173.80 feet; thence North 40° 20' East, 73.80 feet; thence North 9° 02' West, 104.30 feet; thence North 49° 14' East, 73.30 feet thence North 37° 12' East, 60.80 feet; thence North 21° 54' East, 174.50 feet; thence North 4° 54' East, 206.40 feet; thence North 1° 14' East, 76.00 feet to intersect the Southerly boundary of Lot 12, Block 2 of said HIDDEN RIVER VALLEY; thence along said subdivision boundary, South 89° 59' 00" West (record = South 89° 50' 36" West), 30.00 feet to a found 5/8" rebar with plastic cap witness corner; thence continue South 89° 59' 00" West, 1340.30 feet (record = 1338.84 feet) to the Southwest corner of Lot 9, Block 1 of said subdivision; thence along the North-South centerline of said Section 21, South 0° 00' 26" West, 1088.81 feet to the point of beginning.

(Code 9-02, Account #1-022362-0, Map #341W21D, Tax Lot #1400)

That portion of the South Half of the Southeast Quarter of the Southeast Quarter of Section 20, Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, lying Easterly of Rogue River Drive.

ALSO: Commencing at a 2" iron pipe, monumenting the southeast corner of Section 20, Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence North 89°49'45" West, along the south line of said Section 20, a distance of 921.71 feet, to intersect the westerly right of way line of Rogue River Drive (County Road), at a 5/8" iron pin, for the true point of beginning; thence continue along said south section line, North 89°49'45" West, 330.15 feet, to a 5/8" iron pin; thence leaving said section line, North 16°05'35" East, 502.58 feet, to a 5/8" iron pin; thence South 57°06'20" East, 460.71 feet, to intersect said westerly right of way line of Rogue River Drive, at a 5/8" iron pin; thence along said westerly right of way line, South 40°12'20" West, 263.84 feet, to a 5/8" iron pin; thence along the arc of a 746.20 foot radius curve to the left, and concave to the Southeast (the long chord bears South 38°37'30" West, 41.16 feet), an arc distance of 41.165 feet, to the true point of beginning.

(Code 9-02, Account #1-058772-6, Map #341W20, Tax Lot #2501)

4 of 6

EXHIBIT A

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Beginning at the quarter corner common to Sections 21 and 28, Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence along the North-South centerline of said Section 21, North 0° 00' 26" East, 359.71 feet (record = North 0° 00' 48" East, 360.00 feet) to the most Southerly corner of tract described in Instrument No. 83-21054 of the Official Records of said county; thence North 47° 43' 53" West, 466.73 feet (record = North 47° 42' 47" West, 445.985 feet) to a 5/8" rebar found set for the Southwesterly corner of said tract; thence North 0° 02' 48" East, 229.96 feet (record = North 0° 00' 48" East, 230.00 feet) to a 5/8" rebar found set for the Northwest corner of said tract; thence South 89° 58' 34" East, 330.46 feet (record = South 89° 59' 12" East, 330.00 feet) to the Northeast corner of said tract; thence along the North-South centerline of said Section 21, North 0° 00' 26" East, 764.23 feet to the Northeast corner of tract described in Instrument No. 95-17983 of the official records of said country (from which a 5/8" rebar bears North 89° 56' 36" West, 0.75 feet); thence along the North boundary of said tract, as said boundary was found to be monumented on Survey No. 6165 as filed in the office of the county Surveyor, North 89° 56' 36" West, 1365.95 feet to intersect the average centerline of Long Branch creek; thence along said creek average centerline as following: South 17° 51' East, 204.74 feet; thence South 3° 27' East, 314.00 feet; thence South 78° 11' East, 111.40 feet; thence South 53° 39' 20" East, 107.19 feet; thence North 85° 00' East 70.00 feet; thence South 28° 05' East, 130.70 feet; thence South 51° 50' East, 80.00 feet; thence South 34° 01' East, 214.80 feet; thence South 62° 56' East, 140.40 feet; thence South 26° 22' East, 87.98 feet; thence South 67° 15' East, 179.40 feet; thence South 19° 47' East, 98.10 feet; thence South 41° 09' East, 76.30 feet; thence South 76° 51' East, 143.20 feet; thence South 85° 10' East, 55.10 feet; thence South 41° 47' East, 69.20 feet; thence South 6° 23' East, 69.60 feet; thence South 13° 00' East, 172.80 feet; thence South 19° 03' East, 37.94 feet to intersect the Southerly boundary of said Section 21; thence leaving said creek line and running South 89° 51' 21" East, 61.98 feet to the point of beginning.

(Code 9-02, Account #1-093427-8, Map #341W21C, Tax Lot #1401)

5 of 6

EXHIBIT A

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Beginning at the quarter corner common to Sections 21 and 28, Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence along the Southerly boundary of said Section 21, North 89° 51' 21" West, 61.98 feet to intersect the average centerline of Long Branch Creek; thence along said creek line as follows: South 19° 03' East, 142.16 feet; thence South 23° 05' East, 179.20 feet; thence South 7° 42' East, 92.70 feet; thence South 37° 55' East, 129.30 feet; thence 45° 23' East, 103.90 feet; thence South 20° 49' East, 139.10 feet; thence South 27° 13' East, 116.90 feet; thence South 11° 02' East, 81.10 feet; thence South 12° 51' West, 222.10 feet; thence South 5° 46' East, 67.60 feet; thence South 26° 25' East, 65.50 feet; thence South 58° 10' East, 47.84 feet; thence South 35° 15' East, 77.19 feet to intersect the Westerly bank (vegetation line) of the Rogue River; thence leaving said creek line and running along said river bank as follows: North 11° 30' East, 94.89 feet; thence North 24° 04' East, 132.40 feet; thence North 7° 56' East, 227.80 feet; thence North 3° 40' East, 39.10 feet; thence North 40° 36' West, 68.50 feet; thence North 9° 45' East, 163.80 feet; thence North 5° 58' East, 136.50 feet; thence North 11° 34' East, 164.10 feet, thence North 14° 24' East, 58.20 feet; thence North 17° 02' East, 70.30 feet; thence North 27° 32' East, 90.90 feet; thence North 51° 22' East, a more or less distance of 190 feet to intersect the Southerly boundary of said Section 21; thence run Westerly along said section boundary, a more or less distance of 770 feet to the point of beginning.

(Code 9-02, Account #1-093428-6, Map #341W28, Tax Lot #502)

6 of 6

EXHIBIT A

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99161 - BB

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Grantor(s) Name and Address:

#1

After recording, return to:

H-Star Ranches, Inc.
P. O. Box 1235
Shady Cove, OR 97539

Until requested otherwise, send all tax statements to:

H-Star Ranches, Inc.
P. O. Box 1235
Shady Cove, OR 97539

STATE OF OREGON)
) ss.
County of _____)

I certify that the within instrument was received for record on the _____ day of _____, 200__, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/receipt No. _____ of said County. Record of Deeds

WITNESS my hand and seal of County affixed.

By _____, Deputy.

Name _____ Title _____

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BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that ROBERT E. HUGIE, an individual; ROBERT E. HUGIE, AS TRUSTEE OF THE ROBERT E. HUGIE TRUST; DAVID E. HUGIE, an individual; DAVID E. HUGIE, AS TRUSTEE OF THE DAVID E. HUGIE TRUST; SUSAN DONNELLY (also known as SUSAN RICHARDSON, also known as SUSAN K. RICHARDSON, also known as SUSAN K. HUGIE), an individual; SUSAN DONNELLY, AS TRUSTEE OF THE SUSAN K. HUGIE TRUST; PATTI CHAMBERLAIN (also known as PATTI J. CHAMBERLAIN, also known as PATTI J. HUGIE, also known as PATTI JEAN HUGIE), an individual; PATTI CHAMBERLAIN, AS TRUSTEE OF THE PATTI JEAN HUGIE TRUST; MICHAEL E. HUGIE, an individual; MICHAEL E. HUGIE, AS TRUSTEE OF THE MICHAEL E. HUGIE TRUST; CLEO T. HUGIE, an individual; CLEO T. HUGIE, AS TRUSTEE OF THE CLEO T. HUGIE TRUST DATED AUGUST 1, 1990, hereinafter called Grantor(s), for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto H-STAR RANCHES, INC., a Oregon corporation, hereinafter called Grantee(s), and unto Grantee's heirs, successors and assigns, all that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Jackson County, State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

To have and to Hold the same unto Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0. ① However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the (indicate which) consideration. ② (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

This Deed may be signed in counter-part by the Grantors named hereinabove and each such deed executed in counter-part shall be an effective conveyance of the real property described in Exhibit "A" hereto.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 20 day of AUGUST, 2001; if Grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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

SIGNATURES FOLLOW ON "SIGNATURE PAGE" ATTACHED HERETO

STATE OF OREGON, County of _____) ss.

This instrument was acknowledged before me on _____, 2000, by _____

This instrument was acknowledged before me on _____, 200, by _____

as _____ of _____

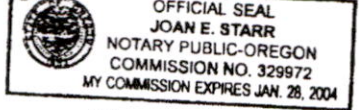
Notary Public for Oregon
My commission expires: _____

GRANTORS:

SUSAN K. HUGIE TRUST

By Susan Donnelly
Susan Donnelly, Trustee

Susan Donnelly
SUSAN DONNELLY (also known as Susan K. Richardson, aka Susan K. Hugie)



STATE OF OREGON, County of Clatsop) ss.

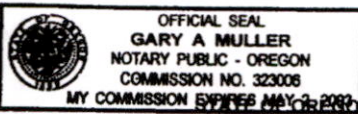
This instrument was acknowledged before me on 9/12/01 by Susan Donnelly as Trustee of the Susan K. Hugie Trust, and by SUSAN DONNELLY (aka Susan K. Richardson, aka Susan K. Hugie), an individual.

Joan E. Starr
Notary Public
My commission expires: 1/28/2004

ROBERT E. HUGIE TRUST

By Robert E. Hugie
Robert E. Hugie, Trustee

Robert E. Hugie
ROBERT E. HUGIE, an individual



STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on Aug. 22, 2001 by Robert E. Hugie as Trustee of the Robert E. Hugie Trust, and by ROBERT E. HUGIE, an individual.

Joan E. Starr
Notary Public for Oregon
My commission expires: May 2, 2003

DAVID E. HUGIE TRUST

By David E. Hugie
David E. Hugie, Trustee

David E. Hugie
DAVID E. HUGIE, an individual

STATE OF OREGON, County of _____) ss.
This instrument was acknowledged before me on _____ by _____ as Trustee of the David E. Hugie Trust, and by DAVID E. HUGIE, an individual.

Joan E. Starr
Notary Public for Oregon
My commission expires: _____
Separate Acknowledgment Attached

PATTI JEAN HUGIE TRUST

By Patti Chamberlain
Patti Chamberlain, Trustee

Patti Chamberlain
PATTI CHAMBERLAIN (also known as PATTI J. CHAMBERLAIN, aka PATTI J. HUGIE, aka PATTI JEAN HUGIE)



STATE OF CALIFORNIA)
COUNTY OF KERN) ss.

On Aug. 20, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared PATTI CHAMBERLAIN, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.
Jody A. Cheeseman
Notary Public
My commission expires: 1-11-04

CLEO T. HUGIE TRUST DATED AUGUST 1, 1990

By Cleo T. Hugie
Cleo T. Hugie, Trustee

Cleo T. Hugie
CLEO T. HUGIE, an individual

STATE OF CALIFORNIA)
COUNTY OF KERN) ss.

On Aug. 20, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared CLEO T. HUGIE, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.
Jody A. Cheeseman
Notary Public
My commission expires: 1-11-04

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STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

On August 20, 2001, before me, the undersigned, **Jody A. Cheeseman**, a Notary Public in and for said state, personally appeared **DAVID E. HUGIE**, known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Jody A. Cheeseman
Notary Public

Document: Bargain and Sale Deed

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TRACT D: Commencing at the Quarter corner common to Sections 21 and 28, Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence along the north-south centerline of said Section 21, North 0°00'26" East, 1088.81 feet to the southeast corner of HIDDEN RIVER VALLEY, a recorded subdivision located in the City of Shady Cove, said County (from which a 5/8" rebar bears North 89°58'55" East, 1.78 feet); thence continue along said section centerline, North 0°00'26" East (Plat North 0°11'20" West), 565.404 feet to the northeast corner of tract described in Volume 595 page 2 of the Deed Records of said County (from which a 5/8" rebar bears North 89°56'36" West, 0.75 feet); thence along the north boundary of said tract, as said boundary was found to be monumented on Survey No. 6165 as filed in the Office of the County Surveyor, North 89°56'36" West, 1365.95 feet to intersect the average centerline of Long Branch Creek for the true point of beginning; thence along said creek average centerline as follows: South 17°51' East, 204.74 feet; thence South 3°27' East, 114.00 feet; thence South 78°11' East, 111.40 feet; thence South 53°39'20" East, 107.19 feet; thence North 85°00' East, 70.00 feet; thence South 28°05' East, 130.70 feet; thence South 51°50' East, 80.00 feet; thence South 34°01' East, 214.00 feet; thence South 62°56' East, 140.40 feet; thence South 26°22' East, 87.98 feet; thence South 67°15' East, 179.40 feet; thence South 19°47' East, 98.10 feet; thence South 41°09' East, 76.30 feet; thence South 76°51' East, 143.20 feet; thence South 85°10' East, 55.10 feet; thence South 41°47' East, 69.20 feet; thence South 6°23' East, 69.60 feet; thence South 13°00' East, 172.80 feet; thence South 19°03' East, 37.94 feet to intersect the south boundary of Section 21; thence North 89°51'21" West, 2571.24 feet to the corner common to Sections 20, 21, 28 and 29, said Township and Range; thence run along the west boundary of said Section 21, North 0°17'29" West, 1650.22 feet to the northwest corner of said tract described in Volume 595 page 2, Deed Records (a found 5/8" rebar bears North 89°56'36" West, 3.09 feet); thence along the north boundary of said tract, as said boundary was found to be monumented on said Survey No. 6165, South 89°56'36" East, 1275.86 feet to the true point of beginning.

(Code 9-02, Account #1-022359-8, Map #341W21C, Tax Lot #1400)

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

SEP 26 2001
2:10 PM
Arthur J. Reed
COUNTY CLERK

EXHIBIT A 5



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

May 26, 2022

David Hugie
5180 Rogue River Dr.
Eagle Point, OR 97524

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Dear Applicant:

The Water Resources Department has received your application for a permit to use surface water. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules 690-310-0040 and 0050.

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the reverse side of this letter.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801 or 503-986-0810.

Sincerely,

Corie Lovrien
Water Rights Customer Service

Cc: OWRD Fiscal (Check # 1157),

Enclosures: Application and Check

This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.

RECEIVED

Application Completeness | Summary of Needed Items:

JUN 08 2022

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- 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. This requirement can be met by providing a copy of the deed, land sales contract, title insurance policy, or a lot book report prepared by a title company. Copies of tax bills are not acceptable.

RECEIVED

JUN 08 2022

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