

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Bruce E. Herbert		PHONE (HM) 541-997-8507	
PHONE (WK) Same	CELL	FAX	
ADDRESS 5666 Peninsula Road			
CITY Florence	STATE OR	ZIP 97439	E-MAIL * bherbert29@msn.com

Organization

NAME Peninsula Road Association		PHONE 541-997-8507		FAX
ADDRESS 5666 Peninsula Road			CELL	
CITY Florence (Dunes City)	STATE OR	ZIP 97439	E-MAIL * bherbert29@msn.com	

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

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

Note: Attach multiple copies as needed

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

RECEIVED

JUN 09 2022

OWRD

RECEIVED

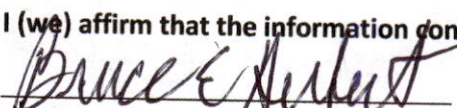
NOV 10 2022

OWRD

By my signature below I confirm that I understand:

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

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


 Applicant Signature

Bruce E. Herbert (for Peninsula Road Assoc.)
 Print Name and Title if applicable

6/8/2022
 Date (RECEIVED 11/8/2022)

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.

- 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).*

(See Addendum)

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.

(SEE ADDENDUM)

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: Unnamed Pond	Tributary to: Unnamed Creek
TRSQQ of POD: Township 19 South, Range 12 West, Section 14, Quarter 4 (or 40)	
Source 2:	Tributary to:
TRSQQ of POD:	

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

RECEIVED

NOV 10 2022

OWRD

B. Applications to Use Stored Water *N/A*

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

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.

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.

RECEIVED

JUN 09 2022

OWRD

RECEIVED

NOV 10 2022

OWRD

For Department Use: App. Number: _____

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:

RECEIVED

JUN 09 2022

OWRD

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.

RECEIVED

NOV 10 2022

OWRD

For Department Use: App. Number: _____

SECTION 5: WATER USE

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)

(ALSO SEE ADDENDUM)

SOURCE	USE	PERIOD OF USE	AMOUNT
Unnamed Pond	Domestic - Residential	12 months a year	0.015 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		(CONTINUOUS)	0.005 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			PER HOUSEHOLD <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: _____ Acres Supplemental: _____ Acres Nursery Use: _____ Acres

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

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **3**
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

(SEE ADDENDUM)

A. Diversion and Conveyance

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

- Pump (give horsepower and type): **1 1/2-HP, 25 gpm submersible pump**
- Other means (describe):

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

B. Application Method

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

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.

RECEIVED

NOV 10 2022

OWRD

SECTION 7: RESOURCE PROTECTION

(SEE ADDENDUM)

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:
- 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:
- 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:
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions:
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: Fall 1965
- b) Date construction will be completed: Fall 1965
- c) Date beneficial water use will begin: Fall 1965

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		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).*

RECEIVED

NOV 10 2022

OWRD

(See Addendum)

For Department Use: App. Number: _____

Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 2110
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

RECEIVED

NOV 1 0 2022

For Department Use: App. Number: _____

OWRD

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

RECEIVED

NOV 10 2022

Surface Water — Page 8

Rev. 07/21

For Department Use: App. Number: _____

OWRD

ADDENDUM TO APPLICATION TO USE SURFACE WATER

Section 2: Property Ownership

Part of the area to the south of the pond that is the subject of this application sits on the right of way for Peninsula Road in Dunes City. We have included the Right-Of-Way Facilities Placement Permit application (approved by Dunes City on 5/24/22) and a copy of the permit issued by the city that allows us to place our pump and other facilities on their right-of-way.

According to the survey done for the attached map, the pond is contained within the following property:

Lots 8 and 9, Block 1, Second Addition to Whoahink Acres, as platted and recorded in Volume 43, Page 2, Lane County, Oregon Plat Records.

Mailing Address: Dion & Alexis Wells, 5591 Alder Lane, Florence, OR 97439

Based on plat maps and the apparent presence of easements, our pump and the pump house -- with electronics, filtering, and treatment equipment -- are located on established utility easements. Our other system facilities, including pipes and shutoff valves, are located completely on Dunes City's undeveloped (and undevelopable) road right-of-way and various legally recorded easements. As previously mentioned, the right-of-way permit from Dunes City is included as part of this application.

The Land Use Information Form, including the approval by the Dunes city Administrator, shows the properties that currently access water from this source. The plat map of the subdivision included with this application shows other properties that could potentially access the Peninsula Road Water System (PRWS). The map also shows the route taken by the water system, with filled circles indicating the properties it currently serves.

The legal descriptions of the properties (in addition to that listed above) that will (can) draw water from the surface water source are:

Lot 3, Block 1, Second Addition to Whoahink Acres, as platted and recorded in Volume 43, Page 2, Lane County, Oregon Plat Records.

Lot 3, Block 2, Second Addition to Whoahink Acres, as platted and recorded in Volume 43, Page 2, Lane County, Oregon Plat Records.

Lot 5, Block 2, Second Addition to Whoahink Acres, as platted and recorded in Volume 43, Page 2, Lane County, Oregon Plat Records.

TRSQQ descriptions of these properties are listed as part of the Land Use Information form.

Compass Degree System markings are also shown on the plat map.

RECEIVED

NOV 10 2022

OWRD

Section 3: Source of Water

Both the pond and the small creek (tributary) into which the overflow from the pond flows, are unnamed at this timer. The TRSQQ information is shown for the pond. A map produced by a registered engineer after a survey of the area around the pond is included as part of this application. This map should meet OWRD requirements.

The Peninsula Road Water system has been in operation since 1965. Even during the times when we had as many as eight connections (late 1960s/early 1970s), sufficiency of water has never been a problem. We have had periods of several years where rainfall has been below normal, and there has been no discernable effect on the supply of water to households on the system.

There is no reservoir involved in the Peninsula Road Water system.

Section 4: Fish Species – Public Interest Information

N/A. There are no fish in the pond. The modest runoff from the pond does not reach Woahink Lake, so there is no impact on fish there.

We are in neither the Upper nor Lower Columbia River area. Nor are we subject to statewide rules pertaining to fish and other endangered species protection.

Section 5: Water Use

Proposed water use was estimated according to advice from the regional Water Master and a consulting engineer at 0.005 cubic feet per second per household (0.015 cfs total for the system). The water is to be diverted from the pond, conveyed through the PRWS pipes, and used for residential purposes on a year-round basis.

In general, water use by members of the Peninsula Road Water System is relatively minimal and has little effect on the water levels in the pond, which is fed generously by underground springs and has a runoff sufficient to keep the pond fairly clear. Our daily water use is substantially less than the runoff. One indication of the level of water use is that, under normal circumstances, we use only about 30-50 kwh of electricity per month (1-2 kWh per day) to pump water from the storage tank to the residences. In fact, at present, our latest repair has resulted in reducing that to about one kWh every two days.

As I mentioned previously, there has never been a problem with sufficiency of water. Water quality is an issue that we are addressing by adding filtration, treatment, and additional tank storage. Dunes City has agreed to use some federal funds for various local water systems, and we are participating in those system upgrades.

None of the users on the system are using water for irrigation (beyond normal house and garden plants).

RECEIVED

NOV 1 0 2022

OWRD

Section 6: Water Management

The Peninsula Road Water System uses a 25 gpm submersible pump. It feeds a 30-gallon storage tank, which has served our minimal needs adequately over the last 18 years. (Since we changed from an above ground shallow well jet pump to the submersible pump.) Most of the lines in the system have been replaced in the past few years, following a couple of major leaks.

Out of a total of approximately 950 feet of water lines in the system, we now have almost 900 feet of 200 psi HDPE pipe with brass fittings. That will leave us with only one 60- to 70-foot section of older line, which we plan to replace in the next year or two, thereby enhancing water lost due to very small leaks in older pipes.

Members of the PRWS have always been conscious of water conservation. For example, I do not water the lawn during the summer and only run the dishwasher once every month or two. Others on the system have been equally parsimonious in their uses of water, as we want to protect the aquifer and water table. As previously stated, the runoff from the pond does not reach any public bodies of water.

To protect water quality, Dunes City requires that septic tanks be inspected (and usually pumped) every five years or so, which protects the quality of the aquifer.

Section 7: Resource Protection

Not really applicable to our situation. No fish or other aquatic life is present. The PRWS is not clearing banks or otherwise disturbing the area around the pond. The only equipment being operated either in or around the pond is the pump, which is anchored and does not disturb the bed or banks. The only erosion taking place is from natural causes, such as heavy rains or winds. The system operator constantly monitors the conditions in and around the pond.

No other federal or state permits are required.

Additional Notes

Ours is a very small water system, established nearly 60 years ago. It has met – and, for the most part, overcome – its own set of challenges over that time. Those of us managing the system had always assumed that the developers who set up the system in 1964-65 had done their job and acquired necessary water rights. And they may have, with paperwork being lost. However, in case they did not, this application is being filed to “clean up the mess” they left behind, so that we are operating in accordance with state laws, rules, and regulations.

RECEIVED

NOV 1 0 2022

OWRD

Land Use Information Form



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

NOTE TO APPLICANTS

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.

RECEIVE

NOV 1 0 202

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): Chapter 155.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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.

NAME <u>JAMIE L. MILLS</u>	TITLE: <u>CITY Administrator</u>
SIGNATURE <u>Jamie L. Mills</u>	PHONE: <u>541-997-3338</u> DATE: <u>10-5-2022</u>
GOVERNMENT ENTITY <u>Dunes CITY</u>	

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

RECEIVED
NOV 10 2022

Applicant name: _____ **OWRD**

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form



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

Applicant

NAME PENINSULA ROAD ASSOCIATION (Peninsula Road Water System)		PHONE (HM) (541) 997-8507	
PHONE (WK) (Same)	CELL (541) 991-6220	FAX None	
ADDRESS 5666 Peninsula Road			
CITY Florence (Dunes City)	STATE OR	ZIP 97439	E-MAIL* bherbert29@msn.com

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
19	12	14	40	113	RR-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential
19	12	14	40	106	RR-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential
19	12	14	40	104	RR-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential
						<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:

RECEIVED

NOV 10 2022

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) _____

Estimated quantity of water needed: 0.015 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for ³ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Residential water use at a rate of 0.005 cfs for each of the above listed households.



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.



DUNES CITY • 82877 Spruce St. • Phone: (541) 997-3338
 PO Box 97, Westlake, OR 97493 • Fax: (541) 997-5751
dunescityroads@charterinternet.com
RIGHT-OF-WAY FACILITIES PLACEMENT PERMIT
 (utilities)

PERMIT NUMBER <u>2022 PW 11 F</u>	ASSESSOR'S MAP AND TAX LOT NUMBER <u>City ROW / Utility Easement</u>
---	--

Property Owner Name: DUNES CITY Phone: (541) 997-3338
 Address/Location: SOUTH END OF PENINSULA ROAD Email: recorder@dunescityor.com

APPLICANT

Utility Company: PENINSULA ROAD ASSOC. Phone: (541) 997-8507
 Applicant Signature: Bruce E Herbert Date MAY 24, 2022
 Email: bherbert29@msn.com

Applicant to submit with this placement permit a plat map with a sketch indicating location of the right-of-way, adjacent structures and any existing public facilities such as cable, telephone, electric, etc. and the extent of the proposed use.

Applicant, by signing this permit, understands and agrees that this permit is revocable upon demand by the City Council and that approval of this permit does not authorize the applicant's use of any private properties for any use, including, but not limited to, installation of utilities, water lines, power lines, etc. Furthermore, the applicant, by signing this permit accepts responsibility to locate any existing private and/or public facilities, and hold the City harmless if any damages are incurred.

Applicant, by signing this Right-of-Way Facilities Placement Permit understands that all provisions of Dunes City Ordinances governing this permit will be complied with whether specified herein or not. This permit is subject to existing PUD Franchise Ordinance 170 dated effective July 8, 2004 and all conditions listed therein.

Fee due upon submission of this permit: \$200.00 plus \$25.00 building surcharge fee.

Applicant's Acknowledgement and Signature I, Bruce E Herbert (FOR PENINSULA ROAD ASSOCIATION)
 have read and agree to the conditions of this permit, dated: MAY 24, 2022

Date to be Completed _____ Approved by Road Commission _____
 Road Commission Comments: _____

Permit issued by Mara K May 24 2022
 City Recorder's Office

Call for Inspection (541-997-3338) Final Inspection Performed _____

By: _____ Date: _____
 This permit will expire one-hundred twenty (120) days after date of approval.

RECEIVED **RECEIVED**
 NOV 10 2022 JUN 09 2022
OWRD **OWRD**

PERMIT #: 2022PW11F
LOCATION: South End of Peninsula Rd.

- | | |
|--|---|
| <input type="checkbox"/> Structural | <input type="checkbox"/> Shoreland Vegetation Removal |
| <input type="checkbox"/> Mechanical | <input type="checkbox"/> City Right-of-Way Vegetation Removal |
| <input type="checkbox"/> Plumbing | <input type="checkbox"/> Driveway Access |
| <input type="checkbox"/> Electrical | <input type="checkbox"/> Driveway |
| <input type="checkbox"/> Grading | <input checked="" type="checkbox"/> Right-of Way Facilities Placement |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Manufactured Home Placement |
| <input type="checkbox"/> Street Blockage | <input type="checkbox"/> Temporary Right-of Way Use Driveway |

It is the responsibility of the permit holder to place this permit in a conspicuous place.

RECEIVED

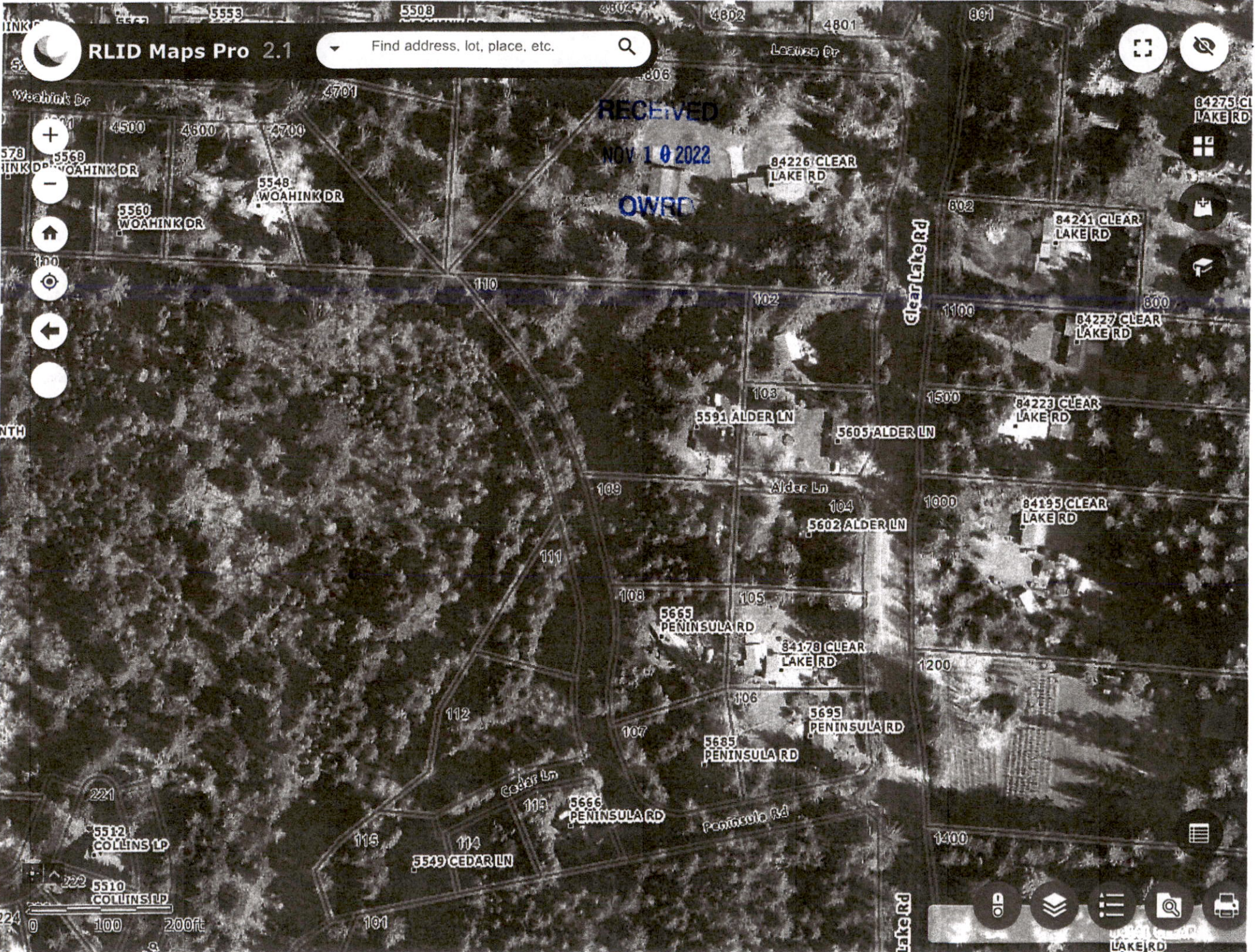
JUN 09 2022

OWRD

RECEIVED

NOV 10 2022

OWRD



RLID Maps Pro 2.1

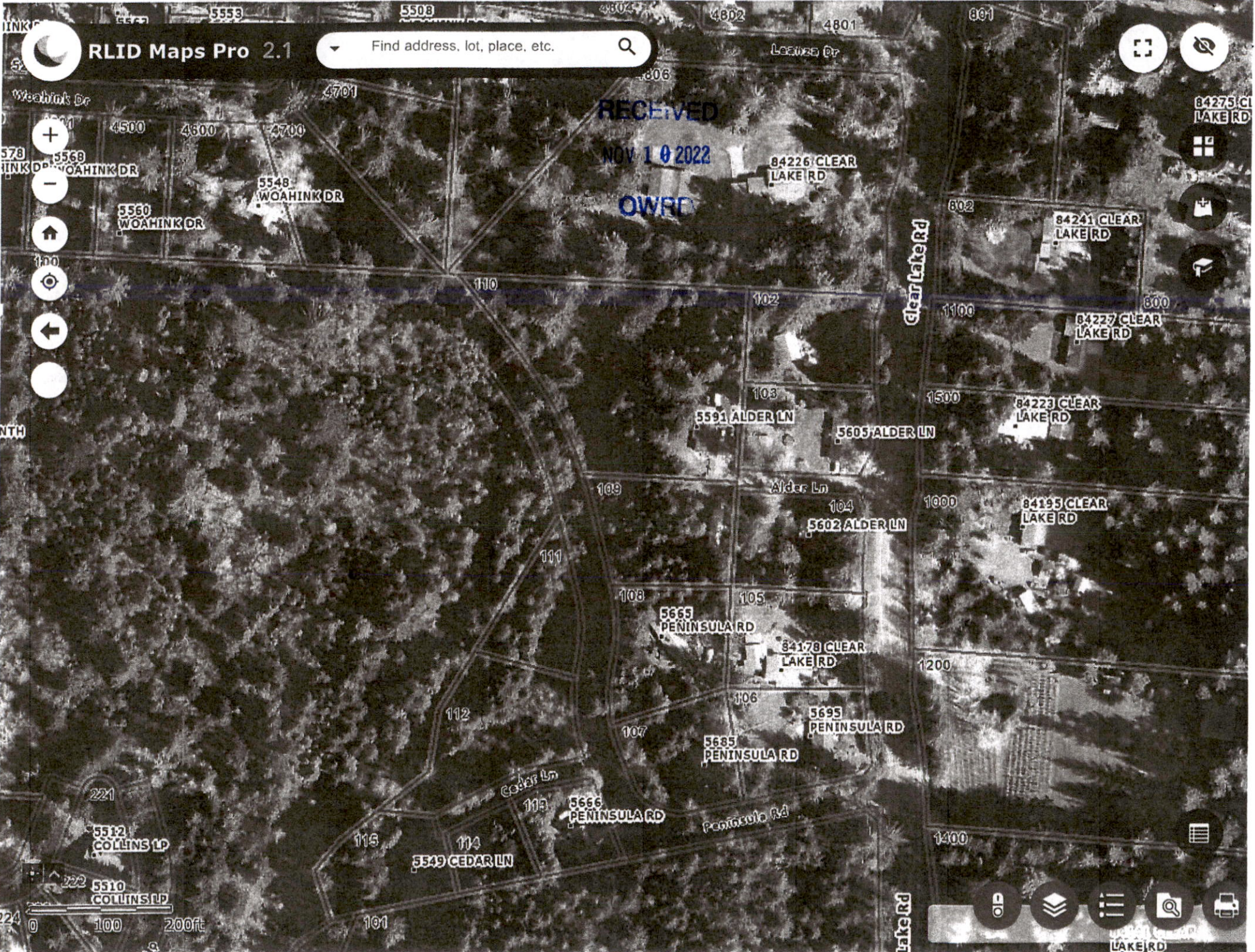
Find address, lot, place, etc.



RECEIVED

NOV 10 2022

OWRD



RECEIVED

NOV 10 2022

OWRD

November 8, 2022

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Revised Water Rights Application

Enclosed is the revised water rights application for the Peninsula Road Water System, allowing the system to access the (unnamed) pond at the bottom of Peninsula Road in Dunes City, Oregon.

Also enclosed is a check for \$2,110 as payment in full for the water right, which includes one unit of water, as defined by the OWRD.

The deficiencies noted in your letter of June 14 have been addressed. The period of use (year-round) is noted in Section 5, and is also addressed in the Addendum to the application. Sections 7 and * are now included. The revised Land Use Form (dated) is attached. Also included is an Application Map developed by an engineer who is a Certified Water Rights Examiner. This map should meet the standards set forth by OWRD.

In a July 11 email, Dante Luongo, OWRD Customer Service Representative, noted that our property descriptions are acceptable. Those are the descriptions that appear in the property deeds within this subdivision.

The City of Dunes City supports, and has signed off on, our making this application. We have been working with the city as part of their group of independent water systems. The system has been in operation since 1965 and currently serves a small group of users.

If there are any questions about this application, please contact me by phone or email. My phone number is 541-997-8507 and my email address is bherbert29@msn.com.



Bruce E. Herbert

Enclosures (2)
Water Rights Application - Revised
Check #1789