

Application for a Permit to Use
Surface Water

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

OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

| | | | |
|--------------------------------------|-------------|----------------------------|---------------------------------------|
| NAME DARRELL DRISKELL | | PHONE (HM) 760-419-9981 | |
| PHONE (WK) | CELL | FAX | |
| ADDRESS 11524 NORTH APPLGATE ROAD | | | |
| CITY GRANTS PASS | STATE OR | ZIP 97527 | E-MAIL * DARRELLDRISKELL@YAHOO.COM |

Organization

| | | | |
|-------------|-------|-------|----------|
| NAME N/A | | 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 STEVEN P. BOYD | | PHONE 541-450-7043 | FAX |
| ADDRESS 605 MISSOURI FLAT ROAD | | | CELL |
| CITY GRANTS PASS | STATE OR | ZIP 97527 | E-MAIL * SSKBOYD@HOTMAIL.COM |

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.)

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



Darrell Driskell DARRELL DRISKELL 10-26-22
 Applicant Signature Print Name and Title if applicable Date

SECTION 2: PROPERTY OWNERSHIP

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

- 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.

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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.

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: APPEL GATE RESERVOIR | Tributary to: APPEL GATE RIVER |
| TRSQQ of POD: 40S, 4W, 25 SE-SE | |
| Source 2: NORTH SIDE APPEL GATE RIVER DITCH | Tributary to: N/A |
| TRSQQ of POD: 38S, 4W, 6 SW-SW | |

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

B. Applications to Use Stored Water

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

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

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.

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

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 |
|--|------------|-------------------------|--|
| North Side Applegate River Ditch (Applegate Reservoir) | Irrigation | April 1 thru October 31 | 9.0 <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 |

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.
 Primary: 2.0 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: 9.0

- 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): 1/2 hp submersible turbine
- Other means (describe):

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

The above referenced pump will be placed into the source (North Side Applegate River Ditch) at the POD (see map) and connected to the irrigation system using underground PVC piping.

B. Application Method

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

Drip lines, fixed and portable sprinklers and hand watering.

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.

Water is required to irrigate landscaping, garden and ornamental vegetation. Water waste will be prevented by conscientious application and control methods. Flowmeter on pump outlet will be installed as required by Permit.

SECTION 7: RESOURCE PROTECTION

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

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: North Side Applegate River Ditch Point of Diversion (POD) from the Applegate River has an existing fish screen to prevent uptake of fish, etc. This information was provided by Jack Lynch (541-531-8086), President of the North Side Applegate River Ditch Association.
- 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: NA - POD for irrigation water is not in riparian or streamside area of the Applegate River.
- 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: NA - operating equipment (POD pump) will be installed in North Side Applegate River Ditch, not the Applegate River.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: No chemicals will be used. Run-off will be prevented by conscientious application of irrigation water.
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
N/A

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: 3-1-2023
- b) Date construction will be completed: 4-1-2023
- c) Date beneficial water use will begin: 4-1-2023

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 |

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SECTION 10: REMARKS

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

Section 3B: Application to Use Stored Water - See attached copy of Contract Data Sheet & Map. These are to be mailed to the Bureau of Reclamation on 11/1/2022.

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Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$1,589.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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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.

JO CO - PLANNING

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): Section 19.61.020-B., JCC - permitted uses
- 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.

Josephine County Planning
700 NW Dimmick Street
Suite C
Grants Pass, OR 97526

| | | | |
|-------------------|-------------------------|--------|------------------------------|
| NAME | <u>Veronica Brown</u> | TITLE: | <u>Associate Planner</u> |
| SIGNATURE | <u>Veronica Brown</u> | PHONE: | <u>541-474-5109 ext 2423</u> |
| GOVERNMENT ENTITY | <u>Josephine County</u> | DATE: | <u>11/15/22</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

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form

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Attachment 2: 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

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Applicant

JO CO - PLANNING

| | | | |
|--------------------------------------|-------------|----------------------------|--------------------------------------|
| NAME DARRELL DRISKELL | | PHONE (HM) 760-419-9981 | |
| PHONE (WK) | CELL | FAX | |
| ADDRESS 11524 NORTH APPLGATE ROAD | | | |
| CITY GRANTS PASS | STATE OR | ZIP 97527 | E-MAIL* DARRELLDRISKELL@YAHOO.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: |
|----------|-------|---------|-------|-----------|---|---|----------------------|
| 37S | 5W | 35 | NW-NE | 106 | RR-5 | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Landscaping & Garden |

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

JOSEPHINE COUNTY, MURPHY

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) North Side Applegate River Ditch

Estimated quantity of water needed: 9.0 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 ___

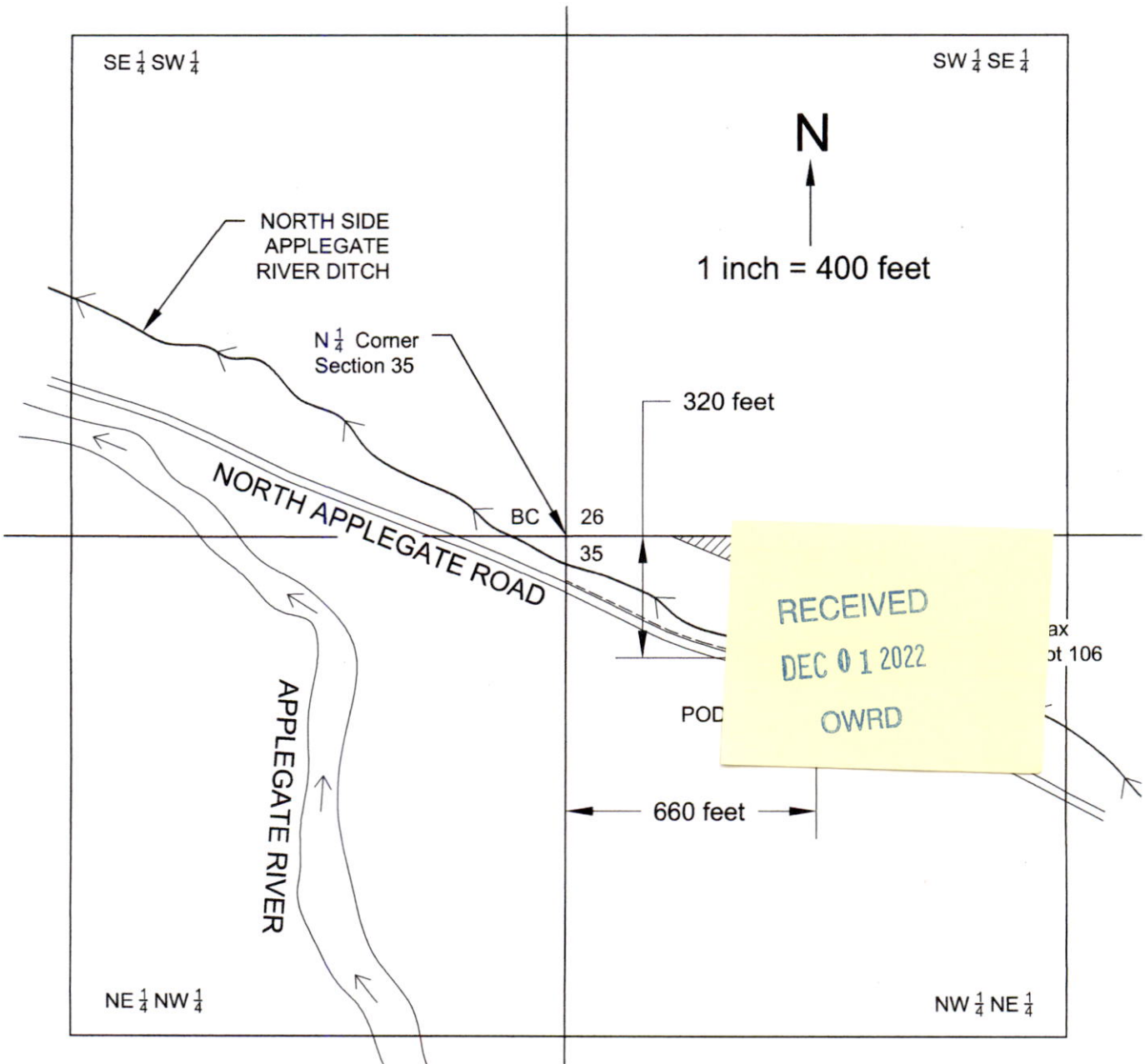
Briefly describe:

An application for a permit to use surface water for irrigation of landscaping (lawn, ornamental plants, bushes, trees) & garden is being submitted to the Oregon Water Resources Department. This water will be pumped from the Point of Diversion (POD) in the North Side Applegate River Ditch (see map) which runs through Tax Lot 106 per an existing easement. Contracts with the North Side Applegate River Ditch Association and the Bureau of Reclamation for water from Applegate Reservoir are in-process.



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.

SURFACE WATER PERMIT APPLICATION MAP
T 37 S, R 5 W, W M, Portions of Sections 26 & 35, Josephine County
October 25, 2022



POU (Place of Use) - Total of 2.0 acres of proposed irrigation in NW¹/₄ - NE¹/₄ of Section 35.

POD

Point of Diversion is 340 feet S and 700 feet W of the N¹/₄ corner of Section 35. Location is on North Side Applegate River Ditch.



Future home site (approximate location).

This map was drawn by Steven P. Boyd (CWRE# 85312) for Darrell Driskell in support of an Application for a Permit to use Surface Water.

NOTE: This map is not intended to provide legal dimensions or locations of property ownership lines.

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After recording return to:
Darrell Driskell
1051 East Park Street , No. 23
Grants Pass, OR 97527

Until a change is requested all tax
statements shall be sent to the
following address:
Darrell Driskell
1051 East Park Street , No. 23
Grants Pass, OR 97527

File No.: 7151-3693336 (RAC)
Date: April 8, 2021

THIS SPACE RESERVED FOR RECORDER'S USE

JOSEPHINE COUNTY OFFICIAL RECORDS
RHIANNON HENKELS, COUNTY CLERK **2021-007697**
DED-WRD
Cnt=1 Pgs=2 Stn=6 SSCHREIBER 04/27/2021 09:05 AM
\$10.00 \$11.00 \$10.00 \$60.00 \$5.00 \$96.00
I, Rhiannon Henkels, County Clerk, certify that the within
document was received and duly recorded in the official
records of Josephine County.

STATUTORY WARRANTY DEED

Glenn S. Wicks and Penni A. Wicks, Grantor, conveys and warrants to **Darrell Driskell**, Grantee,
the following described real property free of liens and encumbrances, except as specifically set forth
herein:

LEGAL DESCRIPTION: Real property in the County of Josephine, State of Oregon, described as follows:

**PARCEL 1 OF PARTITION PLAT NO. 2018-21, IN JOSEPHINE COUNTY, OREGON.
TOGETHER WITH: A DRIVEWAY EASEMENT OVER PARCEL 2, AS SHOWN ON THE RECORDED
PLAT.**

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$180,000.00**. (Here comply with requirements of ORS 93.030)

See attached Exhibit 'A'

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APN: R347281

Statutory Warranty Deed
- continued

OWRD File No.: 7151-3693336 (RAC)

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

Dated this 23 day of APRIL, 2021.

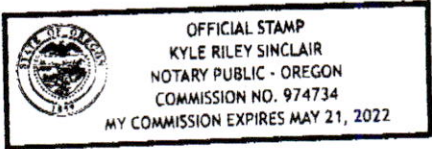
[Signature]
Glenn S. Wicks

[Signature]
Penni A. Wicks

STATE OF Oregon)
)ss.
County of Josephine)

This instrument was acknowledged before me on this 23 day of April, 2021
by **Glenn S. Wicks and Penni A. Wicks.**

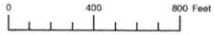
[Signature]
Notary Public for Oregon
My commission expires: May 21, 2022



2/3

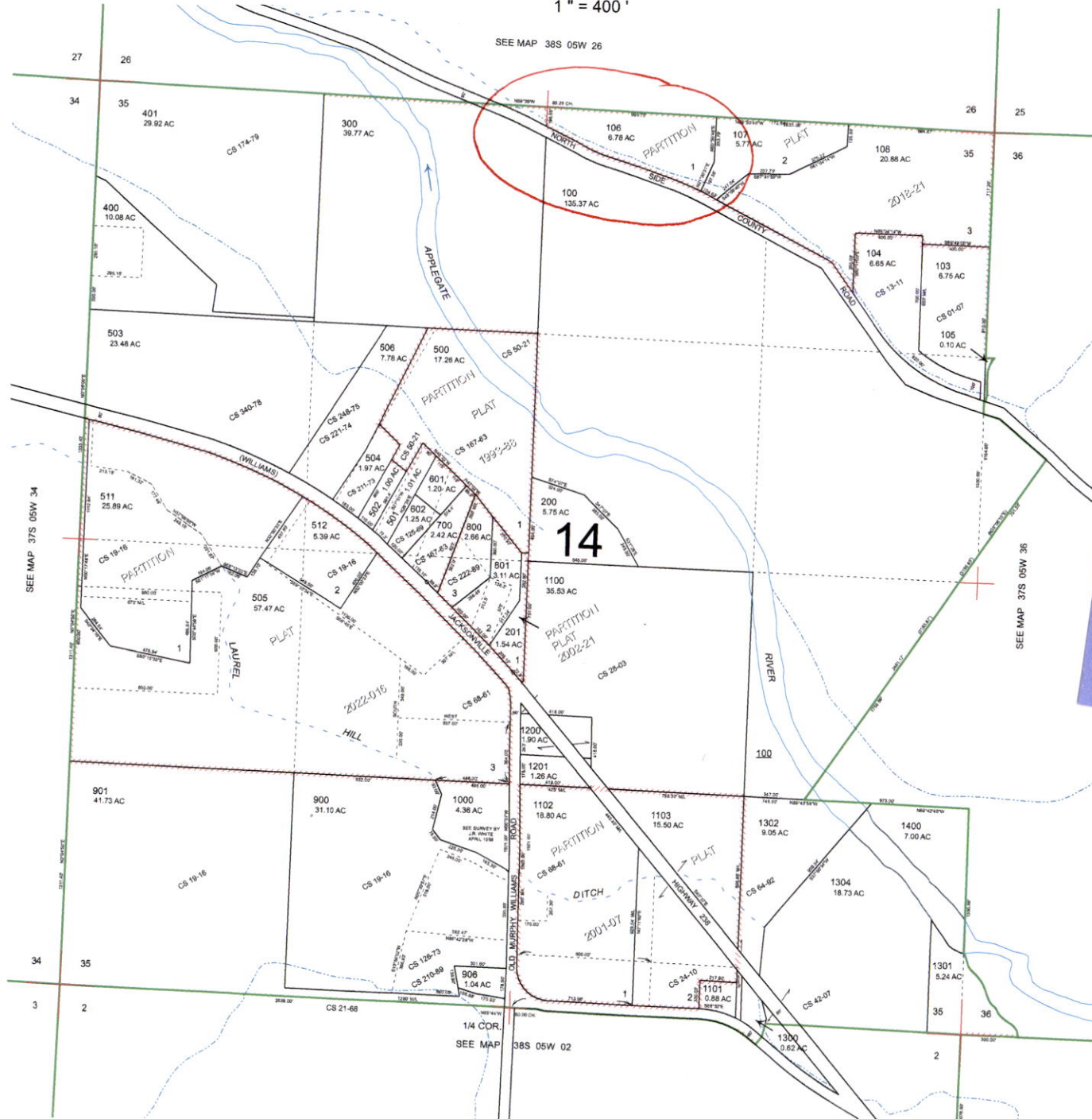
Exhibit A

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SECTION 35 T.37S. R.5W. W.M. JOSEPHINE COUNTY 1" = 400'

37 05 35



- CANCELLED:
- 101
 - 400-40
 - 600
 - 730
 - 902
 - 903
 - 1303
 - 1190
 - 904
 - 905
 - 990
 - 507
 - 508
 - 509
 - 510
 - 890
 - 891
 - 591
 - 592
 - 1191
 - 102
 - 590

Exhibit A



3/3

37 05 35

for reference. Submitted to B of R 11-1-2022

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CONTRACT DATA SHEET



1. Applicant Information:

A. Landowners

1) Name of landowner(s): DARRELL DRISKELL

2) Address: 11524 NORTH APPLGATE ROAD, GRANTS PASS, OR 97527

3) Mailing Address (if different): 1051 EAST PARK STREET #23, GRANTS PASS, OR 97527

4) Taxpayer Identification Number(s): 563-92-9489

(Social Security Number or Employer Identification Number)¹:

1) Do you own all of the land where you propose to divert and make use of water? YES

B. Water User Organizations (Such as 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: N/A

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, # 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): Applegate Reservoir (NorthSide Applegate River Ditch - Applegate R)

3. Proposed point of diversion: 320 feet South and 660 ft East feet of N 1/4 corner of Section, 35 Township 37S, Range 5W, Willamette Meridian.

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: APPLICATION IS IN-PROCESS

5. Include a map of lands and diversion points. **[Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].**

6. Do you currently hold a right to natural flows for irrigating the property described herein?
If yes, what is/are the priority date(s)? N/A

7. Total quantity of water from storage requested: 9.0 acre-feet.

8. Location of land to be irrigated in each 40-acre tract:

| Township | Range | Section | 40-Acre Tract | No. of Acres | Type of Irrigated Crop |
|----------|-------|---------|---------------|--------------|------------------------|
| 37S | 5W | 35 | NW-NE | 2.0 | LANDSCAPING & GARDEN |
| | | | | | |
| | | | | | |
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9. What is the present of the land identified above? [farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)].

NATIVE.

10. Is the land identified above currently being irrigated?
If yes, what is the source? (natural flows, wells, etc.)

NO

11. Diversion must be screened to prevent uptake of fish and other aquatic life. Describe plan(s) to comply with State/Federal fish standards:

NORTH SIDE APPLGATE RIVER DITCH POINT-OF-DIVERSION FROM THE APPLGATE RIVER HAS AN EXISTING FISH SCREEN TO PREVENT UPTAKE OF FISH, ETC. THIS INFORMATION WAS PROVIDED BY JACK LYNCH (541-531-8086) PRESIDENT OF THE NORTH SIDE APPLGATE RIVER DITCH ASSOCIATION.

12. Telephone number where you can be reached during the day: 760-419-9981

Mail completed form to:

Bureau of Reclamation, CPN Regional Office, Attn: CPN-6323, 1150 N. Curtis Road, Boise, ID 83706.

For questions, call the Repayment Specialist at (986) 999-8984.

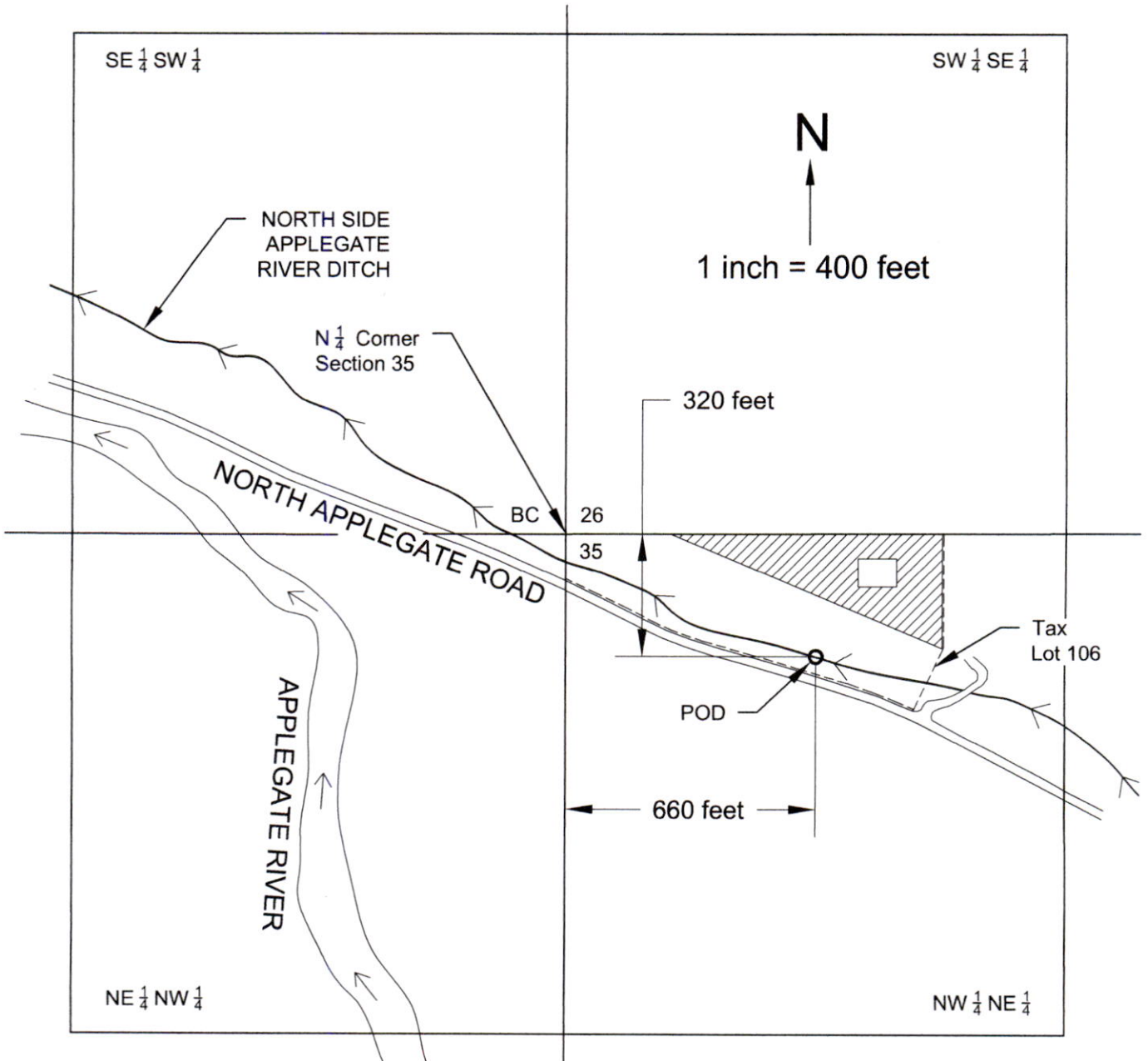
Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:



- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE 2., 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. In the event that 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.

Bureau of Reclamation Contract Data Sheet MAP
T 37 S, R 5 W, W M, Portions of Sections 26 & 35, Josephine County
October 25, 2022

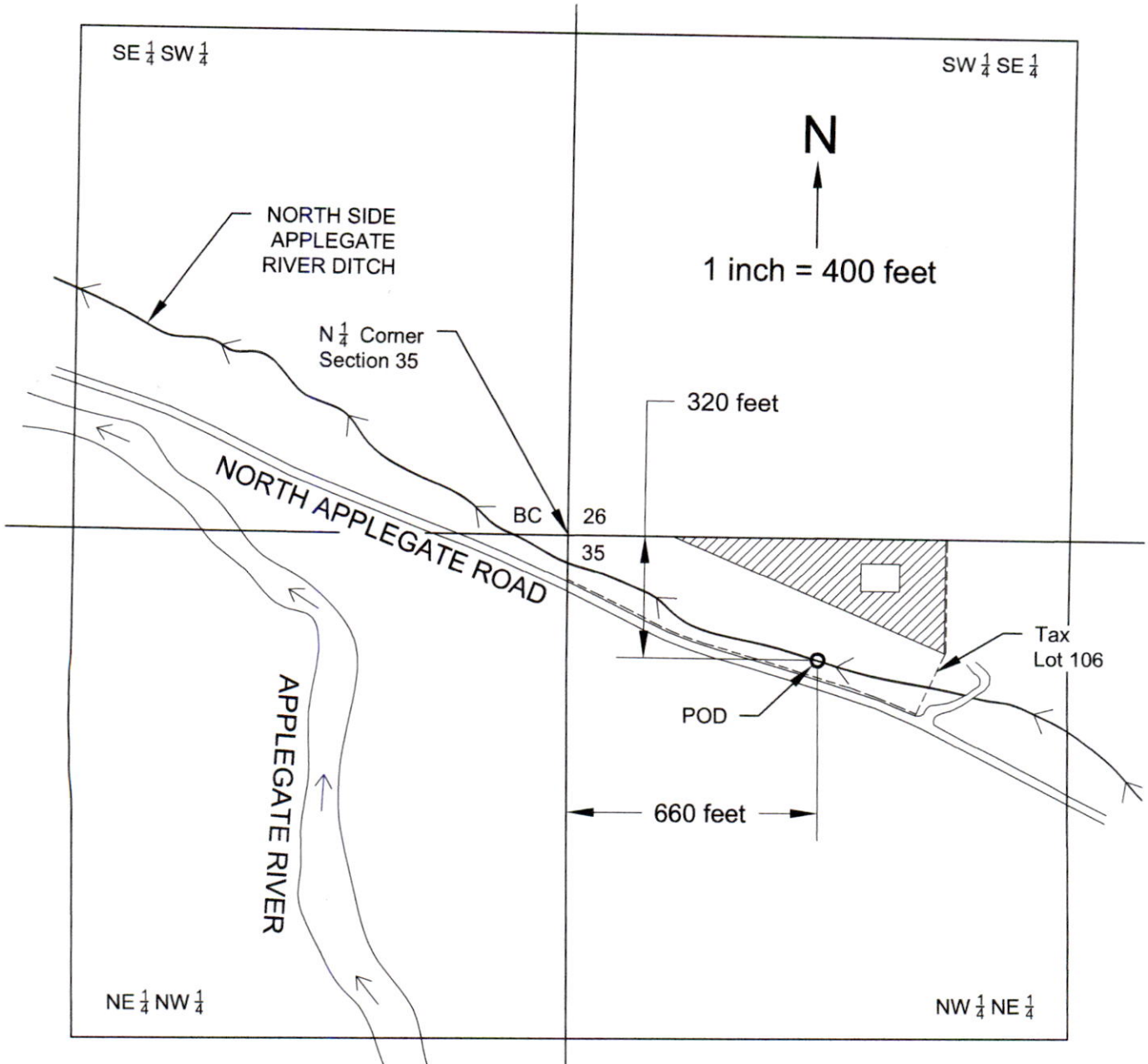


-  **POU (Place of Use)** - Total of **2.0** acres of proposed irrigation in NW¹/₄ - NE¹/₄ of Section 35.
- POD** **Point of Diversion** is 340 feet S and 700 feet W of the N¹/₄ corner of Section 35. Location is on North Side Applegate River Ditch.
-  Future home site (approximate location).

This map was drawn by Steven P. Boyd (CWRE# 85312) for Darrell Driskell in support of an Application for a Permit to use Surface Water.

NOTE: This map is not intended to provide legal dimensions or locations of property ownership lines.

Bureau of Reclamation Contract Data Sheet MAP
T 37 S, R 5 W, W M, Portions of Sections 26 & 35, Josephine County
October 25, 2022



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