

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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME BARRY J. STONE					
PHONE (WK)		CELL 541-660-6840		FAX	
ADDRESS 1212 GREEN TREE LOOP					
CITY GRANTS PASS		STATE OR	ZIP 97527	E-MAIL * WHITEHORSE7501@GMAIL.COM	

Organization

NAME			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 HOLLIE CANNON			PHONE		FAX
ADDRESS 3246 HAMMER ST					CELL 541-821-5848
CITY KLAMATH FALLS		STATE OR	ZIP 97603	E-MAIL * HCANNON@WATERRIGHTSOLUTIONS.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.)


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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.

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

	BARRY J. STONE	12/5/22
Applicant Signature	Print Name and Title if applicable	Date
_____	_____	_____
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.

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. **See attached Quit Claim Deed.**

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, R1W, Sec 26 SENW	
Source 2: Re-diversion from Rogue River	Tributary to: Pacific Ocean
TRSQQ of POD: T35S, R7W, Sec 14 SENW	

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_trsqq_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.

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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
Lost Creek Reservoir	Primary Irrigation	April 1 through October 31	12.0 <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
			<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: 4.0 Acres Supplemental: 0.0 Acres Nursery Use: NA 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: 12 acre-feet

- 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

A. Diversion and Conveyance

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

- Pump (give horsepower and type): Submersible turbine 5 hp
- Other means (describe):

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

There will be no construction in or within the riparian zone. The pump and fish screen will lay on the bed of the river and connect to a 3 inch hose running up the river bank to the pipeline to the place of use. The pump and fish screen will be placed in the river by hand at the beginning of the needed period of use and be removed in the fall.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
The crop to be irrigated is pasture, so the method of application will be sprinkler, both solid set and using garden hose.



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 will be applied as needed to replace evapotranspiration. Runoff will not be allowed.

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: Contact ODFW for guidance on the approved fish screen for this situation.
- 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:
There will be no clearing of vegetation and or excavation within the riparian zone of the 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:
No equipment will be used in the riparian zone of the river. The pump and all attached hose and fish screen will be hand placed for the period of use and removed at the end of the season.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions:
By using sprinklers and applying water to replace evapotranspiration there will be no opportunity for runoff or erosion.
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
Contract with US Bureau of Reclamation for the storage and release of stored water of Lost Creek Reservoir.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: June 2023
- b) Date construction will be completed: October 2024
- c) Date beneficial water use will begin: September 2023

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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*).

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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: \$1,712.00
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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Water-Use Permit Application Processing

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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

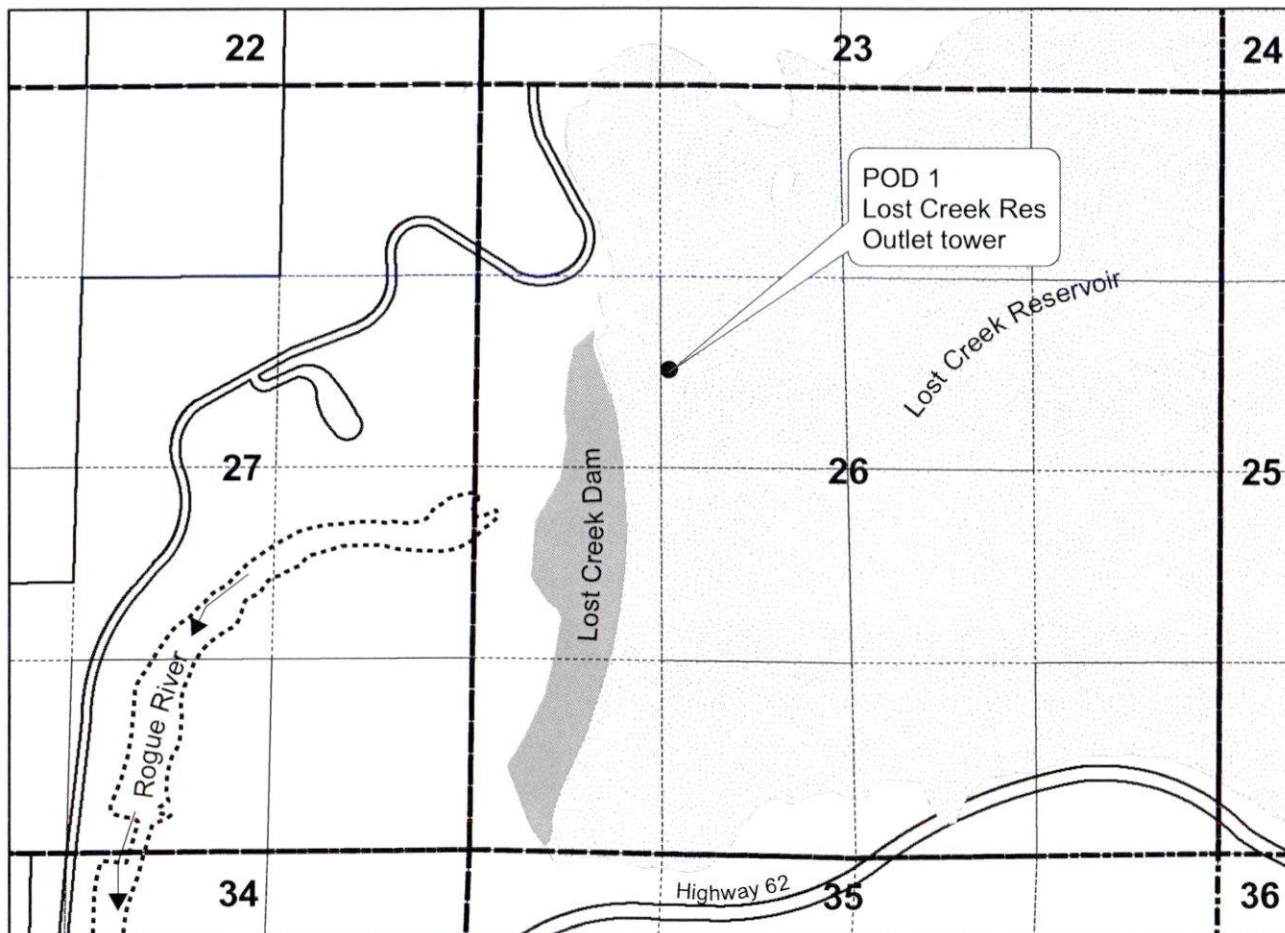
Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest 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

**Barry J. Stone
Application for Irrigation
Water Right from
Lost Creek Reservoir**

T 33 S, R 1 E
Sections 26
Page 1 of 2



Points of Diversion

Lost Creek Reservoir
NW 1/4 Sec 26
T 33 S, R 1 E

POD 1
1992.7 ft South &
1237.4 Ft East Fm
NW Cor Sec 26
T 33 S, R 1 E

Legend

-  Rogue River
-  Lost Creek Reservoir
-  Lost Creek Dam



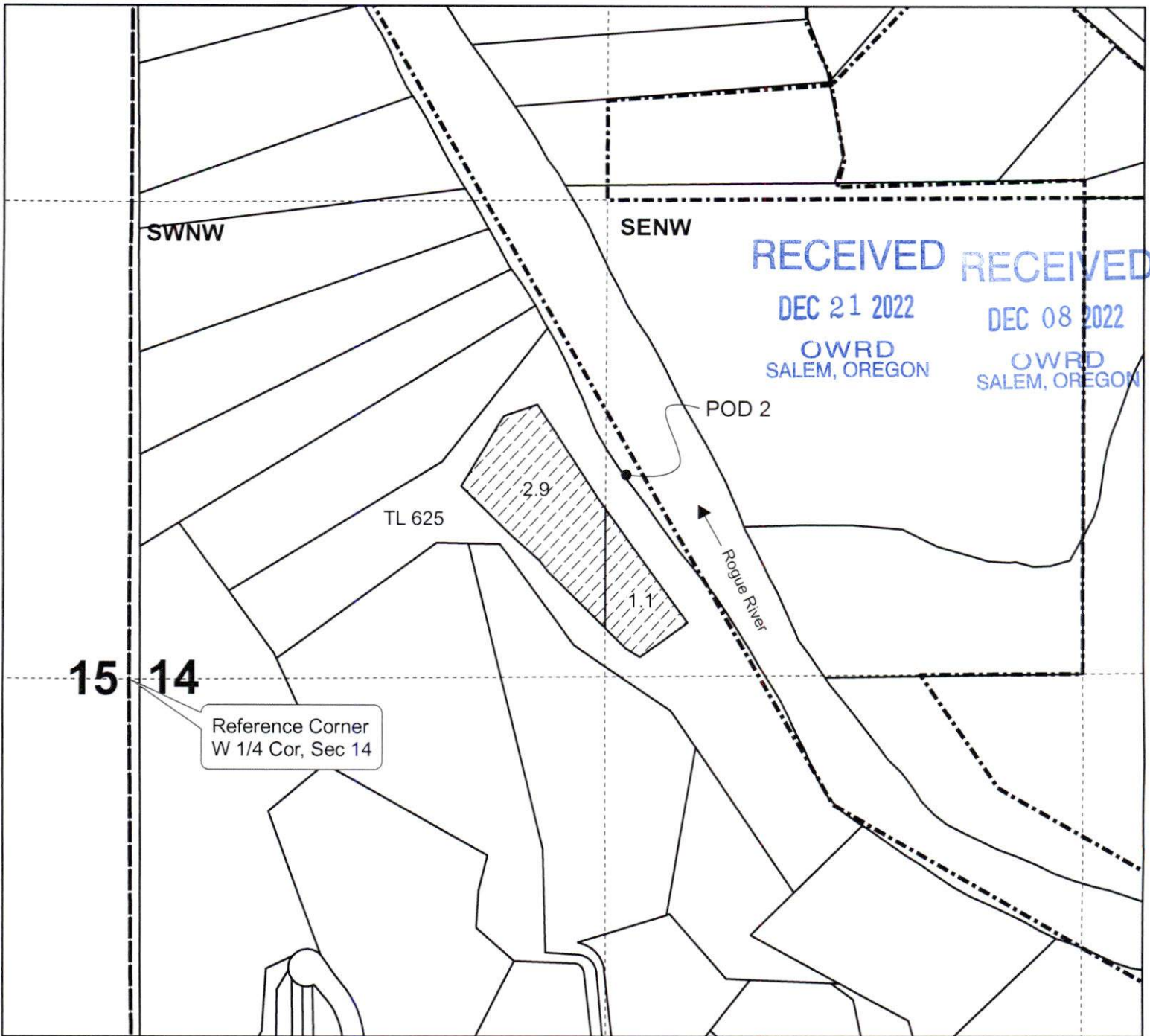
1 inch = 1,320 feet

Note: This map shows the location of Lost Creek Reservoir and outlet structure where the water stored per BOR contract is released into The Rogue River. POD 2 is where the water is rediverted for irrigatio use

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Barry J. Stone
Application for Irrigation
Water Right from
Lost Creek Reservoir

T 35 S, R 7 W
Sec 14, SWNW & SENW
Page 2 of 2




N



1 inch = 400 feet

POD 2 is the location where water released from Lost Creek Reservoir is re-diverted for supplemental irrigation Located 515.8 ft North and 1408.3 ft East From the W 1/4 Cor. Sec 14 T 35 S, R 7 W, WM

Legend

- POD 2
-  Area to be Irrigated 4.0



When Recorded Return To:
Gas Plus
100 E. San Marcos Blvd., #290
San Marcos, CA 92069

(SPACE ABOVE FOR RECORDER'S USE)

QUIT CLAIM DEED

GRANTOR (Name, Address, Zip)

GRANTEE (Name, address, Zip)

Gas Plus, Inc.
100 E. San Marcos Blvd., #290
San Marcos, CA 92069

Barry J. Stone
135 Channel Road
Carlsbad, CA 92009

SUBJECT REAL PROPERTY (Address or Location)

1212 Green Tree Loop
Grants Pass, OR 97526-0167

SUBJECT REAL PROPERTY (Legal Description)

Exhibit A Legas Description attached

For valuable consideration, Grantor quit claims to Grantee all right, title and interest of Grantor in Subject Real Property together with all rights and privileges appurtenant or to become appurtenant to Subject real Property on the effective date.

NOTE: chose on of the following exemptions - if applicable:

EXEMPT pursuant to 11-1134(A)1. (payment in full or forfeiture)

EXEMPT pursuant to 11-1134(A)4. (quit claim to quiet title pursuant to 12-1103(B))

EXEMPT pursuant to 11-1134(A)5 (court order conveyance)

EXEMPT pursuant to 11-1134(A)7 (deed of gift)

EXEMPT pursuant to 11-1134(B)1 (Trustee's Deed)

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EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1: A tract of land situated in Government Lots 2 and 3, Section 14, Township 35 South, Range 7 West, of the Willamette Meridian, Josephine County, Oregon, more particularly described as follows: Commencing at the West Quarter corner of said Section 14; thence North 00°24'10" East along the West line of said Section 14, also being the West line of Lot 7, First Addition to Green Tree Subdivision, 342.40 feet to a 5/8 inch diameter iron rod; thence North 58°30' East, along the North line of said Lot 7, a distance of 140.00 feet to a 5/8 inch diameter iron rod; thence South 36°20' East along the Easterly line of said Lot 7, a distance of 225.00 feet to a 5/8 inch diameter iron rod; thence North 58°25' East 710.00 feet to the true point of beginning; thence South 58°25' West 710.00 feet to a 5/8 inch diameter iron rod on the Easterly line of said Lot 7; thence South 36°20' East along said Easterly line, 230.00 feet to a 5/8 inch diameter iron rod; thence North 54°05' East, 555.00 feet to a 5/8 inch diameter iron rod; thence North 88°37'34" East 193.74 feet to a 5/8 inch diameter iron rod in the centerline of Sanders Creek Road, a 60 foot wide private easement road; thence along the centerline of said Sanders Creek road the meanders of which are as follows: South 36°56' East 367.20 feet to a 5/8 inch diameter iron rod; thence South 61°35' East 324.90 feet to a 5/8 inch diameter iron rod; thence South 30°08' East 134.44 feet to a 5/8 inch diameter iron rod; thence leaving said centerline South 34°38'20" East 478.79 feet to a 5/8 inch diameter iron rod; thence North 45°57' East 245.00 feet to the Rogue River; thence Northwesterly, along said Rogue River the chord distance of which bears North 32°38'35" West 1649.02 feet to a point North 39°24'26" East of and 483.88 feet distant from the true point of beginning; thence South 39°24'26" West 483.88 feet to a 5/8 inch diameter iron rod and the true point of beginning.

PARCEL 2: Easements for the benefit of Parcel 1 as created by Instrument Recorded as 80-14748, December 31, 1981, Official Records of Josephine County, Oregon, for ingress and egress.

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EXEMPT pursuant to 11-1134(B)2 (correcting deed)
EXEMPT pursuant to 11-1134(B)3 (between Husband-wife, parent-child, nominal consideration)
EXEMPT pursuant to 11-1134(B)9 (intermediary for purpose of creating jt tenancy or other)
EXEMPT pursuant to 11-1134(B)10 (H & W in creating a community property estate WRS)
EXEMPT pursuant to 11-1134(B)11 (2 or more persons to create JTWS)

Dated this 13th day of APRIL, 2006

By [Signature] PRESIDENT
Grantor

STATE OF ~~ARIZONA~~ Oregon ~~CALIFORNIA~~
County of ~~Maricopa~~ Josephine ~~San Diego~~) ss

The foregoing Quit Claim Deed was acknowledged before me this 13 day of
April, 2006, by Barry Stone.

(Seal and Expiration Date)

Cathy S. Peckala
Notary Public





Community Development - Planning Division
 700 NW Dimmick, Suite C
 Grants Pass, OR 97526
 (541) 474-5421
 planning@josephinecounty.gov

Receipt Number: PL22-01623

Payer/Payee: STONE, BARRY J
 PO BOX 2305
 GRANTS PASS OR 97528

Cashier: Terri Woodruff

Date: 12/06/2022

Primary Parcel: 35071400000625 **Project Description:** Permit to use or store water - reservoir/pond for irrigation
 PL-2022-01815 LAND USE INFORMATION RESPONSE 1212 GREEN TREE LOOP

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
Land Use Information Response	\$125.00	\$125.00	\$0.00
	\$125.00	\$125.00	\$0.00

<u>Payment Method</u>	<u>Reference Number</u>	<u>Payment Amount</u>
CHECK	3468	\$125.00
Total Paid:		\$125.00

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CONTRACT DATA SHEET

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Bureau of Reclamation
Attn: CPN-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

- 1) Name of Landowner(s): Barry J. Stone
- 2) Address: 1212 Green Tree Loop, Grants Pass, OR 97527
- 3) Mailing Address (if different): _____
- 4) Taxpayer Identification Number(s): [REDACTED]
(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 tributary to Rogue River

3. Proposed point of diversion: 515.8 feet North and 1408.3 feet East of W 1/4 corner of Section 14, Township 35 S; Range 7 W, 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: (See attached application to OWRD).

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

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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)? _____

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7. Total quantity of water from storage requested: 12.0 acre-feet.

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

OWRD
SALEM, OREGON

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
35 S	7 W	14	SW NW	2.9	Pasture
35 S	7 W	14	SE NW	1.1	Pasture

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]).

Pasture

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

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: Will contact Oregon Department of Fish & Wildlife and install screen according to their recommendations.

12. Telephone number where you can be reached during the day: 541-660-6840

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

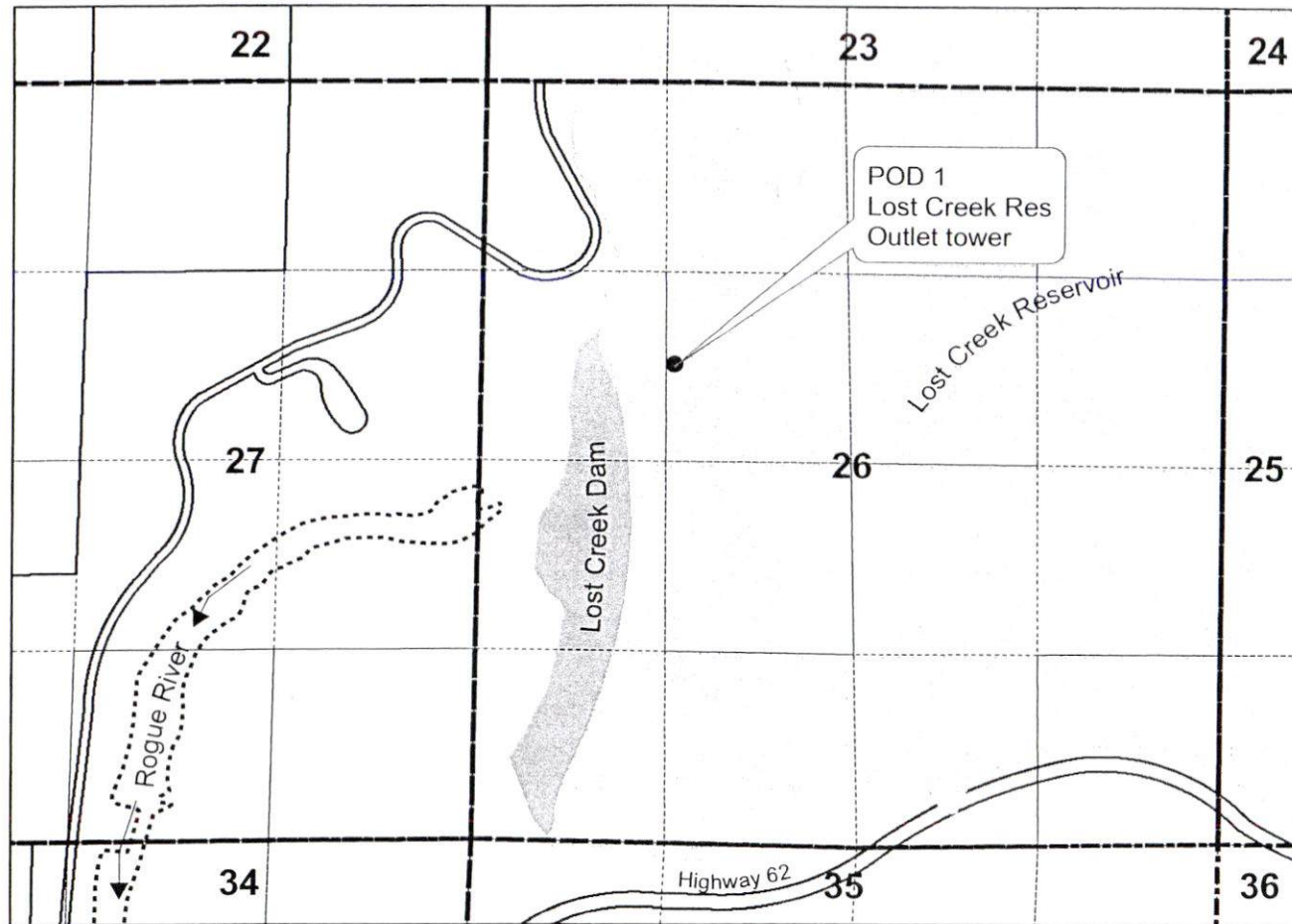
- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE². MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

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.

**Barry J. Stone
Application for Irrigation
Water Right from
Lost Creek Reservoir**

T 33 S, R 1 E
Sections 26
Page 1 of 2




Points of Diversion

Lost Creek Reservoir
NW 1/4 Sec 26
T 33 S, R 1 E

POD 1
1992.7 ft South &
1237.4 Ft East Fm
NW Cor Sec 26
T 33 S, R 1 E

Legend

-  Rogue River
-  Lost Creek Reservoir
-  Lost Creek Dam



1 inch = 1,320 feet

Note: This map shows the location of Lost Creek Reservoir and outlet structure where the water stored per BOR contract is released into The Rogue River. POD 2 is where the water is diverted for irrigatio use

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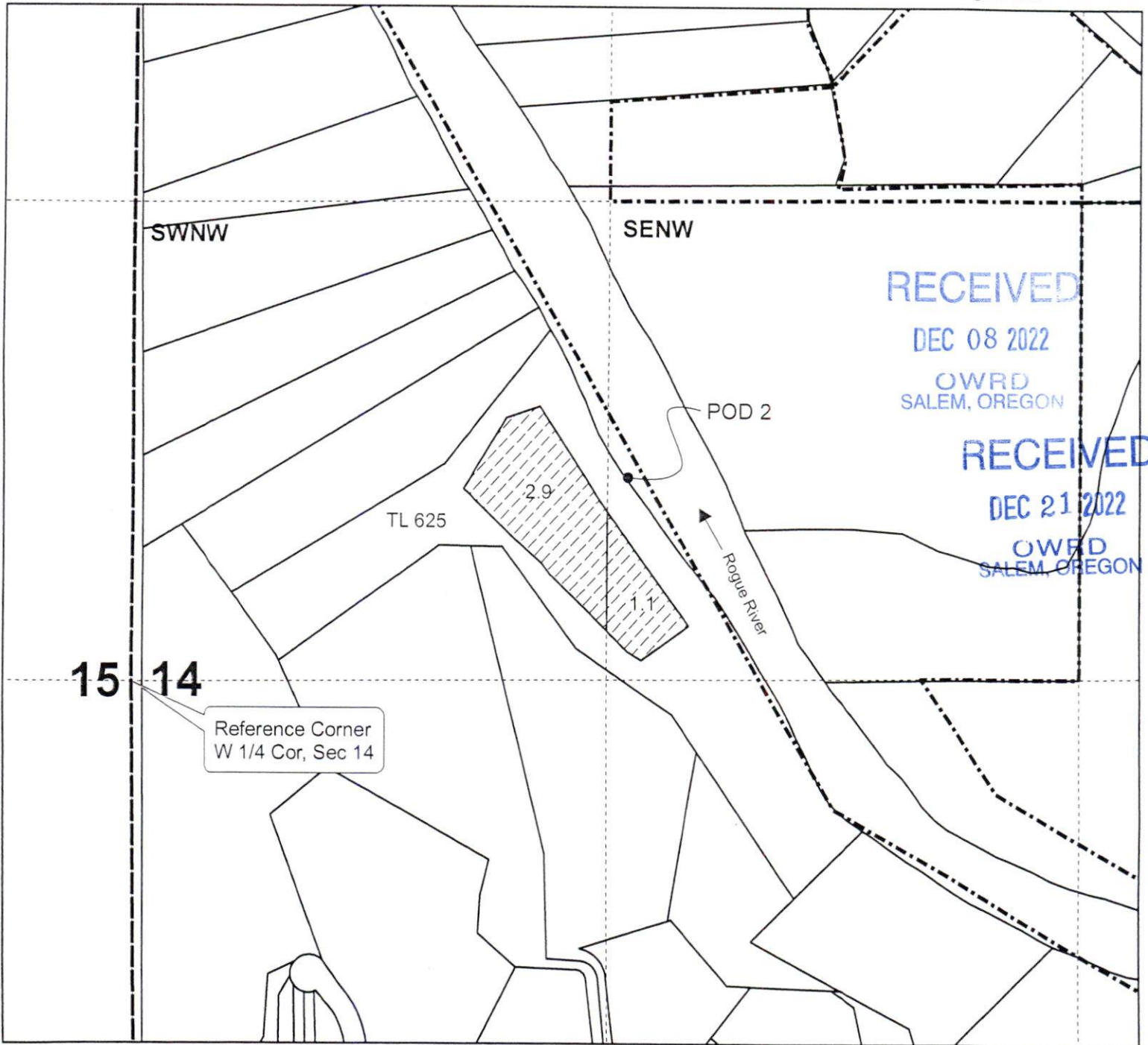
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Barry J. Stone
 Application for Irrigation
 Water Right from
 Lost Creek Reservoir

T 35 S, R 7 W
 Sec 14, SWNW & SENW
 Page 2 of 2



POD 2 is the location where
 water released from Lost Creek
 Reservoir is re-diverted for
 supplemental irrigation
 Located
 515.8 ft North and 1408.3 ft East
 From the W 1/4 Cor. Sec 14
 T 35 S, R 7 W, WM

Legend

- POD 2
-  Area to be Irrigated 4.0

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OWRD SALEM, OREGON

Cathy Waters

From: Barry Stone <whitehorse7501@gmail.com>
Sent: Friday, July 22, 2022 11:18 AM
To: Cathy Waters
Subject: Barry Stone

Form W-9
Rev. October 2018
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
BARRY JAY STONE

2. Business name (disregarded entity name, if different from above)
NA

3. Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.
 Individual sole proprietor or single-member LLC
 C Corporation
 S Corporation
 Partnership
 Trust/estate
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) in _____
 Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.
 Other (see instructions) in _____

4. Exemption codes apply only to certain entities; not individuals; see instructions on page 3.
 Exempt payee code (if any) _____
 Exemption from FATCA reporting code (if any) _____
 (Specify if necessary: nonresident alien in the U.S.)

5. Address (number, street, and apt. or suite no.) (See instructions.)
1212 GREENTREE LOOP

6. City, state, and ZIP code
GRANTS PASS OR 97527

7. List account number(s) (see options)

Part I Taxpayer Identification Number (TIN)
 Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN, later.
 Note: If the account is in more than one name, see the instructions for line 1. Also see What Name and Number To Give the Requester for guidelines on whose number to enter.

Social security number
 [REDACTED]

OR
 Employer identification number
 [REDACTED]

Part II Certification
 Under penalties of perjury, I certify that:
 1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
 3. I am a U.S. citizen or other U.S. person (defined below); and
 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, distributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here: Signature of U.S. person in _____
 Date in **7/22/2022**

General Instructions
 Section references are to the Internal Revenue Code unless otherwise noted.
 Future developments: For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form
 An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:
 • Form 1099-INT (interest earned or paid)
 • Form 1099-DIV (dividends, including those from stocks or mutual funds)
 • Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 • Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 • Form 1099-S (proceeds from real estate transactions)
 • Form 1099-K (merchant card and third party network transactions)
 • Form 1098 (home mortgage interest), 1098-E (student loan interest), 1096-T (tuition)
 • Form 1099-C (canceled debt)
 • Form 1099-A (acquisition or abandonment of secured property)
 Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
 If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Cat. No. 10221X Form W-9 (Rev. 10-2018)

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OWRD
SALEM, OREGON

CONTRACT DATA SHEET



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

RECLAMATION *Managing Water in the West*

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OWRD
SALEM, OREGON

1. Applicant Information:

A. Landowners

- 1) Name of Landowner(s): Barry J. Stone
- 2) Address: 1212 Green Tree Loop, Grants Pass, OR 97527
- 3) Mailing Address (if different): _____
- 4) Taxpayer Identification Number(s): [REDACTED]
(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 tributary to Rogue River

3. Proposed point of diversion: 515.8 feet North and 1408.3 feet East of W 1/4 corner of Section 14, Township 35 S, Range 7 W, 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: (See attached application to OWRD).

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: 12.0 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
35 S	7 W	14	SW NW	2.9	Pasture
35 S	7 W	14	SE NW	1.1	Pasture

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OWRD
SALEM, OREGON

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]).
Pasture

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

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: Will contact Oregon Department of Fish & Wildlife and install screen according to their recommendations.

12. Telephone number where you can be reached during the day: 541-660-6840

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.

Cathy Waters

From: Barry Stone <whitehorse7501@gmail.com>
Sent: Friday, July 22, 2022 11:18 AM
To: Cathy Waters
Subject: Barry Stone

W-9
Rev. October 2018
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

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Give Form to the requester. Do not send to the IRS.

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
BARRY JAY STONE

2. Business name/disregarded entity name, if different from above
NA

3. Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.
 Individual sole proprietor or single-member LLC
 C Corporation
 S Corporation
 Partnership
 Trust/estate
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) in the space below:
 Other (see instructions) in the space below:
Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner (unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes). Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

4. Exemptions (codes apply only to certain entities, not individuals; see instructions on page 2).
Exempt payee code (if any):
Exemption from FATCA reporting code (if any):
(Enter in accounts mentioned outside the U.S.)

5. Address (number, street, and apt. or suite no.) See instructions.
1212 GREENTREE LOOP

6. City, state, and ZIP code
GRANTS PASS OR 97527

7. List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN, later.

Notes: If the account is in more than one name, see the instructions for line 1. Also see What Name and Number To Give the Requester for guidelines on whose number to enter.

Social security number
[REDACTED]

OR
Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here: Signature of U.S. person: **[Signature]** Date: **7/22/2022**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

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- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

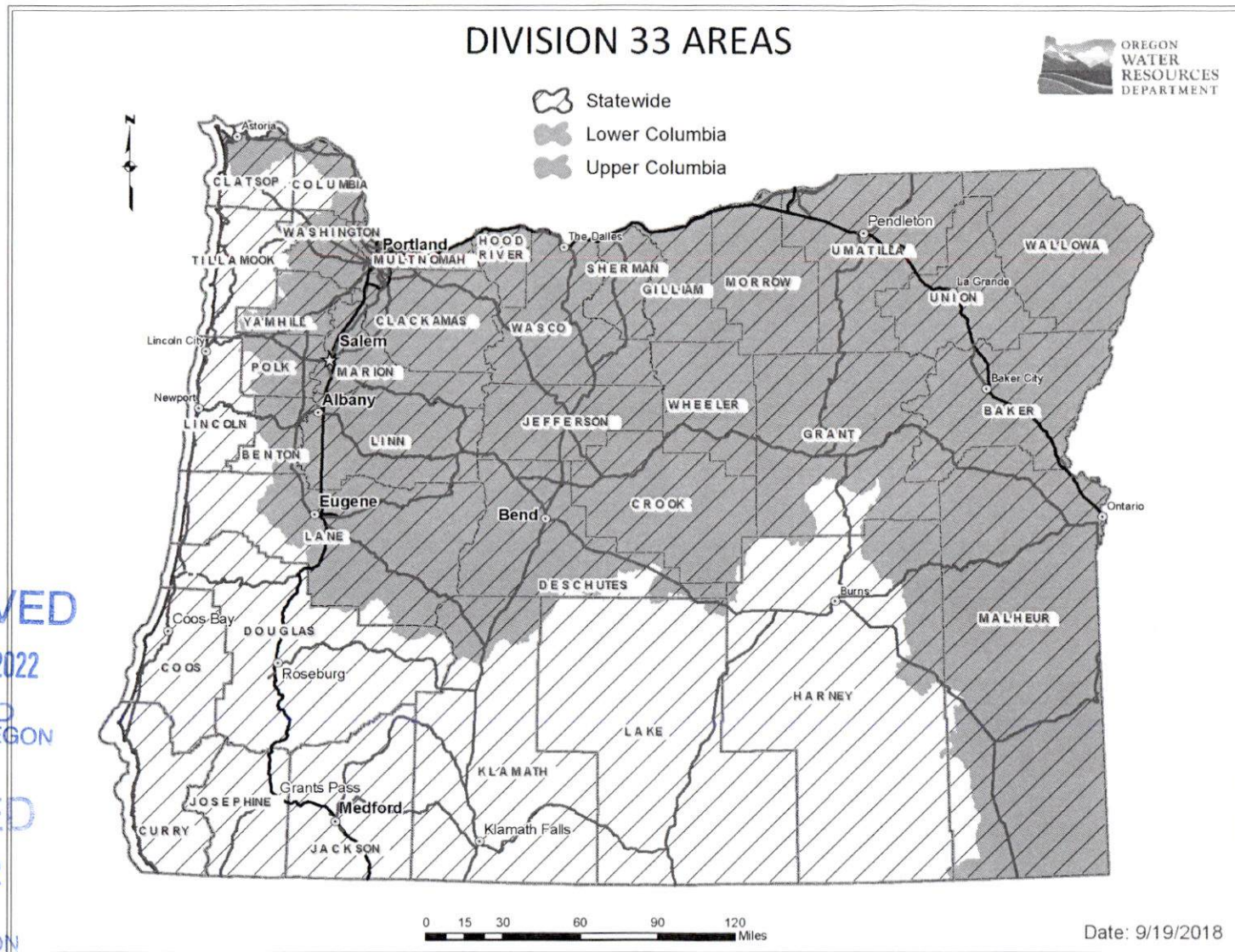
Cat. No. 10221X Form W-9 (Rev. 10-2018)

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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

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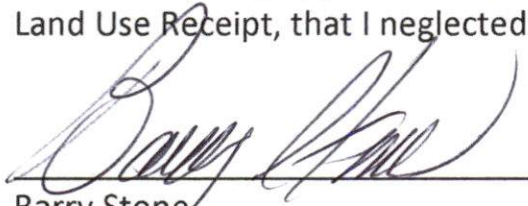
OWRD
SALEM, OREGON

December 15, 2022

Dante J. Luongo
Water Rights Customer Service
Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Dear Dante:

Please accept my application with the additional requirement, Josephine County Land Use Receipt, that I neglected to include in my previous attempt.

A handwritten signature in black ink, appearing to read "Barry Stone", is written over a horizontal line.

Barry Stone
541-660-6840



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

December 9, 2022

Barry J. Stone
1212 Green Tree Loop
Grants Pass, OR 97527

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DEC 21 2022

**OWRD
SALEM, OREGON**

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,

Dante J. Luongo
Water Rights Customer Service

Cc: OWRD Fiscal (3651),

Enclosures:

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.

Jeremy.T.Giffin@water.oregon.gov

Application Completeness | Summary of Needed Items:

A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use Form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*