

# 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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JAN 27 2023

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant

NAME <b>Andrea Applegate</b>		PHONE (HM) <b>OWRD</b>	
PHONE (WK)	CELL <b>541-291-8611</b>	FAX	
ADDRESS <b>7980 New Hope Road</b>			
CITY <b>Grants Pass</b>	STATE <b>Oregon</b>	ZIP <b>97527</b>	E-MAIL * <b>andylamalady@gmail.com</b>

### Organization

NAME		PHONE	FAX
ADDRESS			FAX
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			FAX
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.)

### 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


**Andrea Applegate, Owner**
1/11/23

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.

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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).*

**No other lands are affected by this application.**

**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.

**Photocopies of Partition Plat No. 2000-19 and Documents No. 00-8883 and 2019-10178 showing Andrea Applegate as Trustee of the Andrea Applegate Trust to be the owner of the affected land are attached as part of this application.**

**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: <b>Applegate Lake Reservoir</b>	Tributary to: <b>Applegate River</b>
TRSQQ of POD: <b>T40S, R4W, Sec. 25: SE1/4SE1/4</b>	
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).

**Applegate Lake Reservoir per OWRD Permit No. R-7810.**

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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/](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.

#### 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:

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**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
Applegate Reservoir	Irrigation	April 1 to November 1	0.1 <input checked="" 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
			<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: 7.5 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: 33.75 ac-ft

- 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:

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**SECTION 6: WATER MANAGEMENT**

**JAN 27 2023**

**A. Diversion and Conveyance**

**OWRD**

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

- Pump (give horsepower and type): **Existing 7.5 hp centrifugal pump**
- Other means (describe):

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

**The 7.5 acres of use is currently being irrigated by an underground system that uses 3" PVC pipe mainlines to convey water to sprinklers and drip systems located throughout the place of use as shown on the attached application map.**

**B. Application Method**

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

**Drip Emitters and Impact Sprinklers**

**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.

**This request is for the irrigation of 7.5 acres of existing orchard grass pastures and hay fields, lawns and landscaping. Water is now applied via “in-place” sprinklers and drip systems rather than the previous method of a hand line irrigation system. Usage quantities will be measured by a flow meter installed on the outlet side of the existing 7.5 hp pump. Water is applied during the cool part of the summer days, from late evening until early morning. The place of use has established orchard grass pastures and hay fields, lawns and landscaping. There is no runoff onto adjacent lands or into the Applegate River. Water is delivered to the existing additional point of diversion via the Murphy Ditch. No excavating or clearing is required for this water right. No riparian vegetation will be disturbed.**

**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: **Screened pump intake.**

- 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:

**Irrigation water is diverted from the Murphy Ditch. No excavation or clearing of streams will be required. No riparian vegetation will be disturbed.**

- 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 is first diverted from the Murphy Ditch and then pumped from Reservoir “C”, P-83004 using a screened pump intake. The risks to aquatic life will be minimal. No additional excavation will be required as Reservoir “C” and the pump site are already constructed and are currently being used.**

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

Describe planned actions: **The water is pumped from Reservoir “C”, P-83004 which is located higher than 90% of the land being irrigated. The risk of erosion and run-off is minimal.**

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

**None**

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**SECTION 8: PROJECT SCHEDULE**

- a) Date construction will begin: **April, 2023**
- b) Date construction will be completed: **April, 2023**
- c) Date beneficial water use will begin: **April, 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

**SECTION 10: REMARKS**

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

**The project is not located in an irrigation district. Water is conveyed from the Applegate River to the existing APOD via the Murphy Ditch owned by the Murphy Ditch Association.**

**The subject property was purchased by Mrs. Applegate in 1994. At the time of purchase, all of the 15 acres shown on the attached application map as authorized and proposed places of use were being irrigated by the previous owner. Pond "A" was modified by the 1997 Applegate River flood event. Ponds "B", "C" and "D" were constructed in 1994 after the purchase. Mrs. Applegate replaced the riser and hand-line irrigation system with in-place sprinklers by modifying the underground distribution system. This has resulted in a more efficient use of the water. Mrs. Applegate did not realize that only 7 acres of the entire 15 acres being irrigated had a certified water right until it was brought to her attention by the Watermaster.**

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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: \$1449.60~~  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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)



# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

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NOV 10 2020

## NOTE TO APPLICANTS

JOCO - PLANNING

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 ground water 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.

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## 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 503-986-0801.

# Land Use Information Form



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

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JOCO - PLANNING

Applicant(s): Andrea Applegate

Mailing Address: 7980 New Hope Rd.

City: Grants Pass

State: OR

Zip Code: 97527

Daytime Phone: \_\_\_\_\_

## 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:
<u>37S</u>	<u>5W</u>	<u>19</u>	<u>NWNE</u>	<u>200, 201, 202</u>	<u>EFU /WR</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Farming</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<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:

Josephine

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## 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 Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) Applegate River & Applegate Lake

Estimated quantity of water needed: 0.5  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:

Water right transfer to accurately document the place of use of rights of record.  
New water right application via Applegate Lake stored water to cover historically farmed areas with no water rights.



**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.

See bottom of Page 3. →

# For Local Government Use Only

JOCO - PLANNING

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

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

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:	
Development permit may be required.	19.69A.05D, 19.69A.06C, 19.69A.08D, 19.69A.09D, 19.72.04D.B, JCC	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JAN 27 2023	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

See attached letter.

Name: Karla Wallace, CFM Title: Associate Planner  
 Signature: Karla Wallace Phone: 541-474-5427 Date: NOV 24, 2020  
 Government Entity: Josephine County Planning

**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: Andrea Applegate  
 City or County: Josephine County Staff contact: Donnie  
 Signature: Neuman Phone: 541-474-5109 ext 2412 Date: 11/10/20



# Plot Map - Josephine County



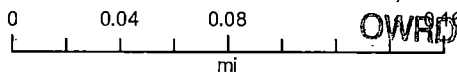
County Boundary  
Taxlots



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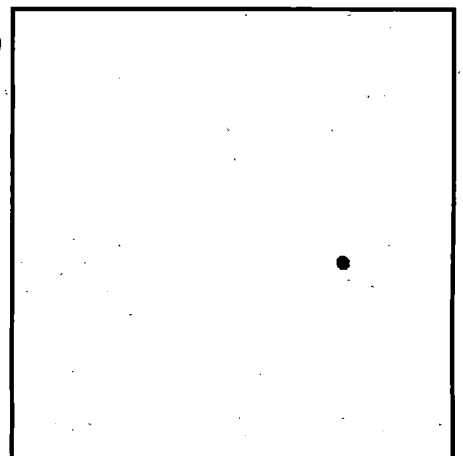
JAN 27 2023

1 inch = 376 feet



Josephine County Date: 11/10/2020

**Note:**  
The information on this map is furnished for general interest purposes only. This information is provided without warranties of any kind, express or implied, and it should not be used to support any purchase or other investment. Neither Josephine County, Cave Junction, nor Grants Pass will accept responsibility for any errors or inaccuracies in the depicted information. However, notification of any errors will be appreciated.





# Josephine County, Oregon

Community Development – Planning Division

700 NW Dimmick, Suite C / Grants Pass, OR 97526

(541) 474-5421 / Fax (541) 474-5422

E-mail: [planning@josephinecounty.gov](mailto:planning@josephinecounty.gov)

November 24, 2020

**Re: OWRD Land Use Information Form for 7872, 7980 & 8070 New Hope Road**  
**Map No. 37-05-19-00, TL 200 & 201                      Zone: Woodlot Resource (WR)**  
**Map No. 37-05-19-00, TL 202                              Zone: Exclusive Farm (EF)**

To Whom It May Concern,

Farm Use as defined in ORS 215.203 is an outright permitted use in the Woodlot Resource (WR) zone per Section 19.65.020.B.5 of the *Josephine County Code (JCC)*.

Agriculture, Farming, and farm use are permitted uses outright in the Rural Residential (RR-5) zone per Section 19.61.020.A, *JCC*.

A Development Permit is required for all development in a flood hazard area per Section 19.69A.080, *JCC*. This includes grading, excavation, new/replacement irrigation equipment, etc. Should any development be proposed in the special flood hazard area, a development permit will be required prior to commencement of such development. Applicant must obtain any necessary permits from the Department of State Lands for work within identified Wetland areas prior to making application for a development permit. The development permit will be subject to review by the Oregon Department of Fish and Wildlife for compliance with their regulations and Riparian corridor setbacks.

Sincerely,

Kayla Wallace, CFM

Associate Planner

541-474-5427

Email: [kwallace@co.josephine.or.us](mailto:kwallace@co.josephine.or.us)

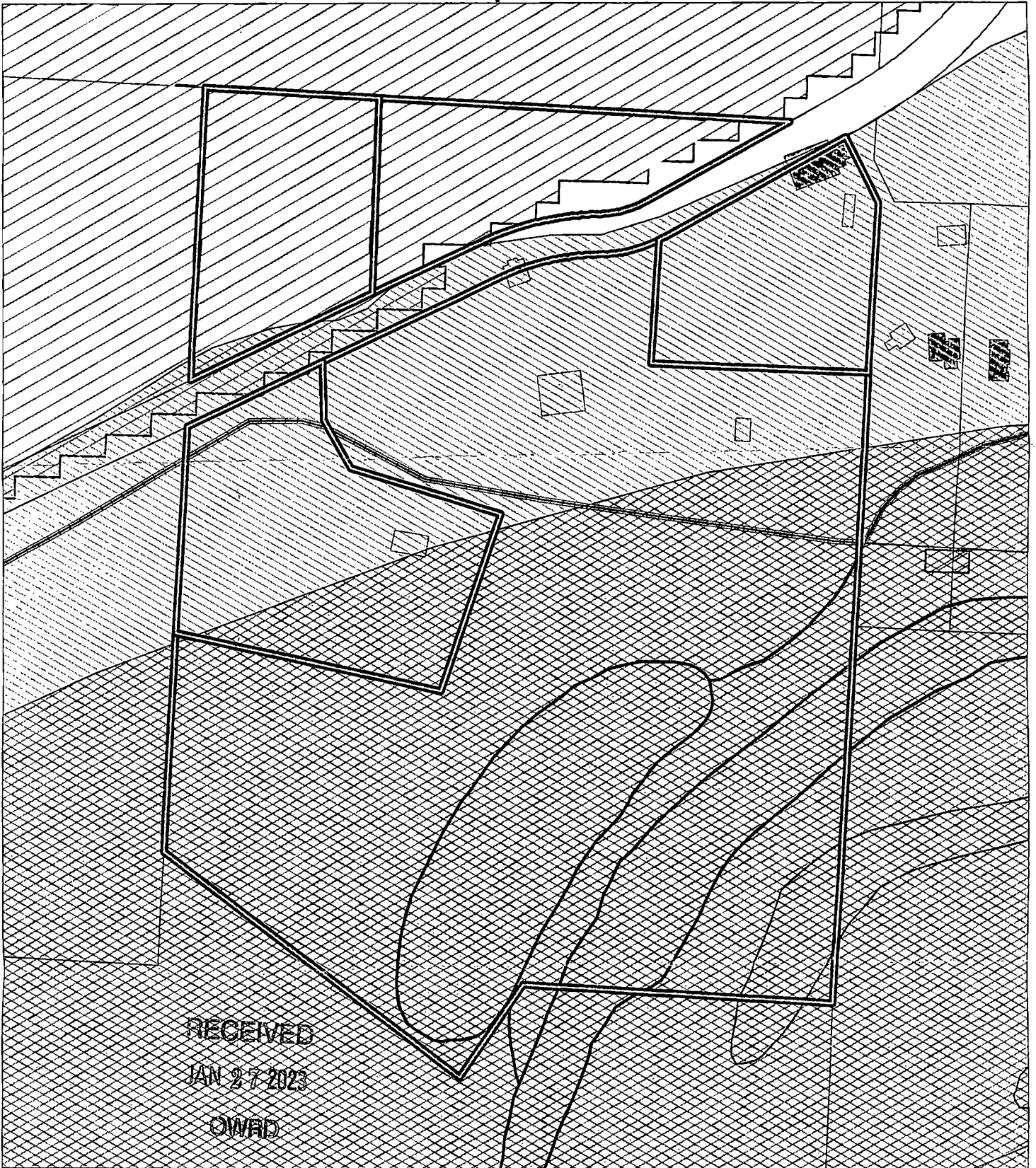
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Attachments: Flood Hazard Map for subject parcels

# Assessor's Map 37-05-19 tl 202



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## Legend

	Buildings
	PRIMARY
	SECONDARY
	FEMA Flood Map
	Flooring
	Floodway Fringe
	Slope - 15%
	Taxes
	Class 1
	Class 7
	Water (polygon)
	Water Bodies
	Waterways (Line)

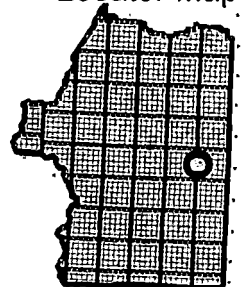


The information on this map is furnished for general interest purposes only. This information is provided without warranties of any kind, express or implied, and it should not be used to support any purchase or other investment. Neither Josephine County, Cave Junction, nor Grants Pass will accept responsibility for any errors or inaccuracies in the depicted information.

Scale  
 1:2400



## Locator Map

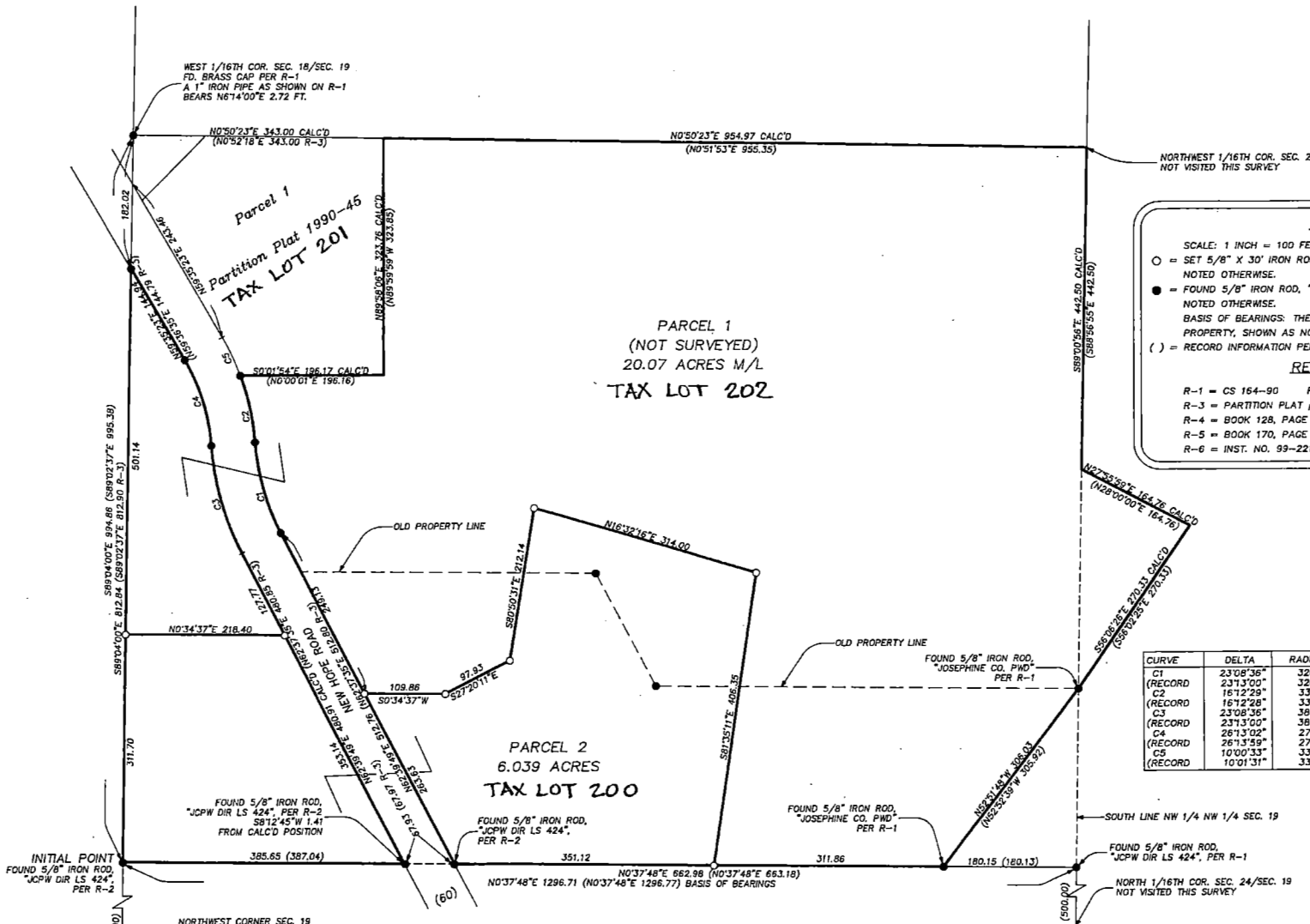


PARTITION PLAT NO. 2000-19

RECEIVED

JAN 27 2023

OWRD



**LEGEND**

SCALE: 1 INCH = 100 FEET

- = SET 5/8" X 30" IRON ROD, "VOORHEIS, PLS 2635", UNLESS NOTED OTHERWISE.
- = FOUND 5/8" IRON ROD, "HULL RS 901", PER R-3, UNLESS NOTED OTHERWISE.

BASIS OF BEARINGS: THE WESTERLY LINE OF THE SUBJECT PROPERTY, SHOWN AS N037'48"E, PER CS 34-90 (R-2)

( ) = RECORD INFORMATION PER CS 164-90, UNLESS NOTED OTHERWISE.

**REFERENCES**

- R-1 = CS 164-90
- R-2 = CS 34-90
- R-3 = PARTITION PLAT # 1980-45
- R-4 = BOOK 128, PAGE 1318, JOSEPHINE CO. BOOK OF RECORDS
- R-5 = BOOK 170, PAGE 3922, JOSEPHINE CO. BOOK OF RECORDS
- R-6 = INST. NO. 99-22119, JOSEPHINE CO. OFFICIAL RECORDS.

CURVE	DELTA	RADIUS	ARC LENGTH	CHORD	BEARING
C1	23'08"36"	320.89	129.66	128.78	N74°14'07"E
(RECORD	23'13'00"	320.89	130.07	129.18	N74°14'05"E R-3)
C2	16'12'29"	331.70	93.83	93.52	N77°42'11"E
(RECORD	16'12'28"	331.70	93.83	93.52	N77°44'20"E R-3)
C3	23'08'36"	360.89	153.89	152.85	N74°14'07"E
(RECORD	23'13'00"	360.89	154.38	153.33	N74°14'05"E R-3)
C4	26'13'02"	271.70	124.32	123.24	N72°41'54"E
(RECORD	26'13'59"	271.70	124.40	123.32	N72°43'34"E R-3)
C5	10'00'33"	331.70	57.95	57.87	N64°35'40"E
(RECORD	10'01'31"	331.70	58.04	57.97	N64°37'20"E R-3)

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*John J. Voorheis*

OREGON  
JULY 20, 1999  
JOHN J. VOORHEIS  
2635

LICENSE RENEWAL DATE:  
JUNE 30, 2000

VOORHEIS LAND SURVEYING, John J. Voorheis, PLS 2635  
3388-B Merlin Road # 113, Grants Pass, Oregon (541) 476-0601

**PROP. LINE ADJSTMT. PLAT (REPLAT)**

SITUATED IN THE W 1/2 NW 1/4 SECTION 19, T.37S., R.5W., W.M.  
JOSEPHINE COUNTY, OREGON

SURVEY FOR: Andrea Applegate DATE: March 20, 2000  
7980 New Hope Road  
Grants Pass, Oregon, 97527

SCALE 1" = 100'

# PARTITION PLAT NO. 2000-19

## SURVEYOR'S CERTIFICATE

I, JOHN J. VOORHEIS, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2635, HEREBY CERTIFY THAT I HAVE ACCURATELY SURVEYED AND MARKED WITH PROPER MONUMENTS, THAT PARCEL OF LAND REPRESENTED ON THIS PROPERTY LINE ADJUSTMENT PLAT AS PARCEL 2, AND THAT I HAVE COMPILED AND CALCULATED FROM RECORD INFORMATION, THAT PARCEL OF LAND REPRESENTED ON THIS PROPERTY LINE ADJUSTMENT PLAT AS PARCEL 1, THE FOLLOWING BEING AN ACCURATE DESCRIPTION OF THE BOUNDARY AS SET FORTH HEREON:

PARCELS 2 AND 3 OF A PROPERTY LINE ADJUSTMENT, RECORDED IN BOOK 128, PAGE 1318, JOSEPHINE COUNTY BOOK OF RECORDS, SITUATED IN THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 37 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 19, THENCE SOUTH 89°04'00" EAST ALONG THE NORTHERLY LINE OF SAID SECTION, 500.00 FEET TO A 5/8" IRON ROD, TAGGED "JCPW DIR LS 424", SAID IRON ROD BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION AND THE INITIAL POINT OF THIS PROPERTY LINE ADJUSTMENT PLAT; THENCE CONTINUE SOUTH 89°04'00" EAST ALONG SAID NORTHERLY LINE, 812.84 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF NEW HOPE ROAD, SAID POINT BEING MONUMENTED WITH A 5/8" IRON ROD, TAGGED "HULL RS 901"; THENCE SOUTH 59°35'23" WEST ALONG SAID NORTHWESTERLY LINE, 144.94 FEET TO A 5/8" IRON ROD, TAGGED "HULL RS 901", AT THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 271.70 FEET; THENCE CONTINUE ALONG SAID NORTHWESTERLY LINE, ALONG SAID CURVE (THE LONG CHORD OF WHICH BEARS SOUTH 72°41'54" WEST 123.24 FEET) 1 SOUTHWESTERLY 124.32 FEET THROUGH A CENTRAL ANGLE OF 26°13'02" TO A 5/8" IRON ROD, TAGGED "HULL RS 901", AT THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 330.99 FEET; THENCE CONTINUE ALONG SAID NORTHWESTERLY LINE, ALONG SAID CURVE (THE LONG CHORD OF WHICH BEARS SOUTH 74°14'07" WEST 152.85 FEET) 133.89 FEET THROUGH A CENTRAL ANGLE OF 23°08'36"; THENCE SOUTH 82°39'49" WEST, TANGENT TO SAID CURVE, ALONG SAID NORTHWESTERLY LINE, 480.91 FEET; THENCE NORTH 03°37'48" EAST 385.65 FEET TO THE TRUE POINT OF BEGINNING, TOGETHER WITH: BEGINNING AT THE HEREIN DESCRIBED INITIAL POINT, THENCE SOUTH 0°37'48" WEST 453.58 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF NEW HOPE ROAD, SAID POINT BEING MONUMENTED WITH A 5/8" IRON ROD, TAGGED "JCPW DIR LS 424", SAID POINT HERINAFTER REFERRED TO AS POINT "A"; THENCE NORTH 62°39'49" EAST ALONG SAID SOUTHEASTERLY LINE, 512.76 FEET TO A 5/8" IRON ROD, TAGGED "HULL RS 901", AT THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 320.99 FEET; THENCE CONTINUE ALONG SAID SOUTHEASTERLY LINE, ALONG SAID CURVE (THE LONG CHORD OF WHICH BEARS NORTH 74°14'07" EAST 128.78 FEET) NORTHEASTERLY 129.86 FEET THROUGH A CENTRAL ANGLE OF 23°08'36" TO A 5/8" IRON ROD, TAGGED "HULL RS 901", AT THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 331.70 FEET; THENCE CONTINUE ALONG SAID SOUTHEASTERLY LINE, ALONG SAID CURVE (THE LONG CHORD OF WHICH BEARS NORTH 77°42'11" EAST 93.52 FEET) NORTHEASTERLY 93.83 FEET THROUGH A CENTRAL ANGLE OF 16°12'29" TO A 5/8" IRON ROD, TAGGED "HULL RS 901", SAID IRON ROD BEING THE NORTHWEST CORNER OF PARCEL 1 OF PARTITION PLAT NO. 1990-045; THENCE SOUTH 0°01'54" EAST ALONG THE WESTERLY LINE OF SAID PARCEL 1, 196.17 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1; THENCE NORTH 89°58'06" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, 323.78 FEET TO THE EASTERLY LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 19; THENCE SOUTH 0°50'23" WEST ALONG SAID EASTERLY LINE, 954.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 (NORTHWEST 1/16TH CORNER); THENCE NORTH 89°00'56" WEST ALONG THE SOUTHERLY LINE OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4, 442.50 FEET; THENCE SOUTH 27°55'59" WEST 164.76 FEET; THENCE NORTH 56°06'26" WEST 270.33 FEET TO A 5/8" IRON ROD, TAGGED "JOSEPHINE CO PWD"; THENCE NORTH 52° 51'48" WEST 306.03 FEET TO A 5/8" IRON ROD, TAGGED "JOSEPHINE COUNTY PWD"; THENCE NORTH 0°37'48" EAST 862.98 FEET TO THE HEREIN DESCRIBED POINT "A", CONTAINING 26.11 ACRES, MORE OR LESS.

*John J. Voorheis*  
JOHN J. VOORHEIS, PROFESSIONAL LAND SURVEYOR NO. 2635

## DECLARATION

KNOW ALL MEN BY THESE PRESENTS, THAT ANDREA APPLAGATE (AKA ANDREA JANE APPLAGATE), TRUSTEE OF THE ANDREA APPLAGATE TRUST DATED SEPTEMBER 23, 1998, IS THE OWNER OF THE REAL PROPERTY DESCRIBED ON THE ANNEXED PLAT, AND BEING MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND THAT SHE HAS CAUSED THE SAME TO BE ADJUSTED AND SURVEYED INTO PARCELS AS SHOWN ON THE ANNEXED PLAT, AND DOES HEREBY DEDICATE ALL EASEMENTS OF RECORD AND/OR AS SHOWN ON THE ANNEXED PLAT TO THE INTENDED USES FOREVER.

*Andrea Applagate*  
ANDREA APPLAGATE

STATE OF OREGON )SS  
COUNTY OF JOSEPHINE)

THIS IS TO CERTIFY THAT ON THIS 20th DAY OF May, 2000 A.D., BEFORE ME PERSONALLY CAME ANDREA APPLAGATE, KNOWN TO ME TO BE THE IDENTICAL PERSON WHO EXECUTED THE FOREGOING DECLARATION AND THAT SHE EXECUTED THE SAME FOR THE PURPOSE THEREIN SET FORTH. ANDREA APPLAGATE ACKNOWLEDGES THE FOREGOING INSTRUMENT TO BE HER VOLUNTARY ACT AND DEED.

*John J. Voorheis*  
NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES ON THE 20th DAY OF July, 2001 A.D.



## APPROVALS

APPROVED THIS 20th DAY OF May, 2000

*Ryan T. Rouse*  
JOSEPHINE COUNTY SURVEYOR

APPROVED THIS 16th DAY OF May, 2000

*Ann Dover*  
JOSEPHINE COUNTY PLANNING DEPARTMENT

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES, AS PROVIDED BY O.R.S. 92-095, HAVE BEEN PAID THIS 22nd DAY OF Nov, 2000

*John J. Voorheis*  
JOSEPHINE COUNTY ASSESSOR OR DEPUTY

STATE OF OREGON )SS  
COUNTY OF JOSEPHINE) INSTRUMENT **00 8881**  
Date: 5/22/2000 # Pages: 1

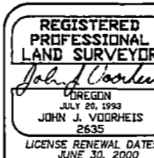
I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORDING ON THE 22nd DAY OF May, 2000 AT 10:12 O'CLOCK AM, AND RECORDED AS PARTITION PLAT NO. 2000-19, JOSEPHINE COUNTY RECORDS.

*Gertrude B.*  
JOSEPHINE COUNTY CLERK

## NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO ADJUST THE PROPERTY LINES COMMON TO TRACTS OF LAND DESCRIBED AS PARCELS 2 & 3 IN BOOK 128, PAGE 1318, JOSEPHINE COUNTY BOOK OF RECORDS. MONUMENTS SHOWN AS FOUND ON THE PLAT WERE RECOVERED AND HELD FOR CONTROL. THE POSITIONS OF CORNERS NOT VISTED DURING THE COURSE OF THIS SURVEY WERE CALCULATED USING EITHER RECORD (CS 164-90) ANGLE AND DISTANCE, OR BY INTERSECTION, FROM THE NEAREST FOUND MONUMENT. THIS SURVEY WAS EXECUTED WITH A SOKKIA SET3E TOTAL STATION.

RECEIVED  
JAN 27 2023  
OWRD



VOORHEIS LAND SURVEYING, John J. Voorheis, PLS 2635  
3388-B Merlin Road # 113, Grants Pass, Oregon (541) 476-0601

**PROP. LINE ADJUSTMT. PLAT (REPLAT)**  
SITUATED IN THE W 1/2 NW 1/4 SECTION 19, T.37S., R.5W., W.M.  
JOSEPHINE COUNTY, OREGON  
SURVEY FOR: Andrea Applagate DATE: March 20, 2000  
7980 New Hope Road  
Grants Pass, Oregon 97527 SCALE 1" = 100'



TAX LOT 200

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JAN 27 2023

OWRD

FORM No. 633 - WARRANTY DEED (Individual or Corporate)

INSTRUMENT 00-8883

PUBLISHING CO., PORTLAND, OR 97204

Date: 5/22/00 # Pages: 1

NS

Andrea Jane Applegate  
7980 New Hope Road  
Grants Pass, Oregon 97527  
Grantor's Name and Address

Andrea Applegate Trust  
7980 New Hope Road  
Grants Pass, Oregon 97527  
Grantor's Name and Address

After recording, return to (Name, Address, Zip):  
Andrea Applegate Trust  
7980 New Hope Road  
Grants Pass, Oregon 97527

Until requested otherwise, send all tax statements to (Name, Address, Zip):  
Andrea Applegate Trust  
7980 New Hope Road  
Grants Pass, Oregon 97527

SPACE RESERVED FOR RECORDERS USE

STATE OF OREGON

INSTRUMENT 00-8883  
STATE OF OREGON  
COUNTY OF JOSEPHINE

I, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded at

Date: 5/22/00 Time: 10:14 AM  
in the Josephine County Book of Records,  
GEORGETTE BROWN, COUNTY CLERK

By Deputy *[Signature]*  
# Pages: 1 Fee: \$16.00  
Hand Returned  Mailed  Hold

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that Andrea Jane Applegate

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by Andrea Applegate, Trustee  
of the Andrea Applegate Trust dated September 23, 1999

hereinafter called grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Josephine County, State of Oregon, described as follows, to-wit:

Parcel 2 of Partition Plat No. 2000-197, situated in the West 1/2 of the Northwest 1/4 of Section 19, Township 37 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state):

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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

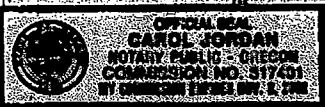
In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In witness whereof, the grantor has executed this instrument this 19<sup>th</sup> day of MAY, 2000; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

*Andrea Applegate*

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

STATE OF OREGON, County of JOSEPHINE ss. 2000  
This instrument was acknowledged before me on MAY 19, 192000  
by ANDREA APPELEGATE  
This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_  
by \_\_\_\_\_  
as \_\_\_\_\_



*Carol Jordan*  
Notary Public for Oregon  
My commission expires Nov 2, 2002

TAX LOT 202

JOSEPHINE COUNTY OFFICIAL RECORDS  
RHIANNON HENKELS, COUNTY CLERK  
2019-010178  
DED-BSO  
Cnt=1 Pgs=2 Str=4 LBOSS 08/16/2019 03:04 PM  
\$10.00 \$11.00 \$80.00 \$10.00 \$5.00 Total:\$96.00



I, Rhiannon Henkels, County Clerk, certify that the within document was received and duly recorded in the official records of Josephine County.

①

RECEIVED  
JAN 27 2023  
OWRD

GRANTOR'S NAME & ADDRESS:

Andrea J. Applegate  
7980 New Hope Rd.  
Grants Pass, OR 97527

GRANTEE'S NAME & ADDRESS:

Andrea Applegate, Trustee  
Andrea Applegate Trust  
7980 New Hope Rd.  
Grants Pass, OR 97527

AFTER RECORDING RETURN TO:

Patrick J. Kelly, Attorney  
717 NW 5<sup>th</sup> St.  
Grants Pass, OR 97526

MAIL TAX STATEMENTS TO:

Same as of Record

**Consideration: Transfer made for estate planning purposes.**

**BARGAIN AND SALE DEED**

KNOW ALL MEN BY THESE PRESENTS, that Andrea J. Applegate, Grantor, in consideration of a transfer made for estate planning purposes, does hereby grant, and convey unto Andrea Applegate, Trustee of the Andrea Applegate Trust dated September 23, 1999, Grantee, his heirs and assigns, all of her interest in the following described property, with the tenements, hereditaments and appurtenances, situated in the County of Josephine and State of Oregon, bounded and described as follows, to-wit:

**SEE ATTACHED EXHIBIT "A"**

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, OF CHAPTER 424, OREGON LAWS 2007, AND 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, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

To Have and to Hold, the above described premises unto the said grantees, their heirs and assigns forever.

Witness my hand and seal this 12 day of August, 2019.

*Andrea J. Applegate*  
Andrea J. Applegate

STATE OF OREGON  
County of Josephine

This instrument was acknowledged before me on August 12, 2019, by Andrea J. Applegate.



*Hope Lauber*  
Notary Public for Oregon

2

EXHIBIT "A"

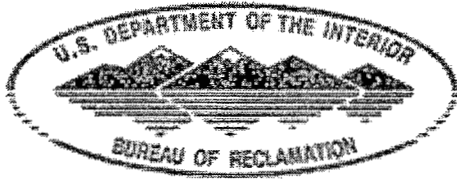
Parcel 1 of PARTITION PLAT 2000-019, Josephine County, Oregon.  
(TAX LOT 202)

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JAN 27 2023

OWRD

# CONTRACT DATA SHEET



U.S. Bureau of Reclamation  
Attn: PN-3324  
1150 North Curtis Road  
Boise, ID 83706-1234  
208-378-5344

# RECLAMATION

*Managing Water in the West*

# COPY

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JAN 27 2023

OWRD

1. Applicant Information:

A. Landowners

- 1) Name of landowners: Andrea Applegate
- 2) Address: 7980 New Hope Road, Grants Pass, Oregon 97527
- 3) Mailing Address (if different): \_\_\_\_\_
- 4) Taxpayer Identification Number: [REDACTED]  
(Social Security Number or Employer Identification Number)<sup>1</sup>
- 5) 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: \_\_\_\_\_
- 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): Stored Water from Applegate Lake Reservoir via Applegate River

3. Proposed point of diversion: 55 feet West and 600 feet South  
of W 1/16 cor. on N Line of Section 19, Township 37 South, Range 5 West,  
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 Pending

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?           No            
If yes, what is/are the priority date(s)? \_\_\_\_\_

7. Total quantity of water from storage requested:           33.75           acre-feet/year.

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
37 South	5 West	19	NWNW	7.40	Lawn, Landscaping, Pasture and Hay
37 South	5 West	19	SWNW	0.10	Landscaping, RECEIVED JAN 27 2023 OWRD

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)*].  
          Lawn, Landscaping, Pasture and Hay Field          

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

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:           The proposed point of diversion is a 7.5 hp centrifugal pump. An ODFW approved fish screen will be used on the intake.          

12. Telephone number where you can be reached during the day:           541-291-8611          

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 <sup>2</sup>, 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.

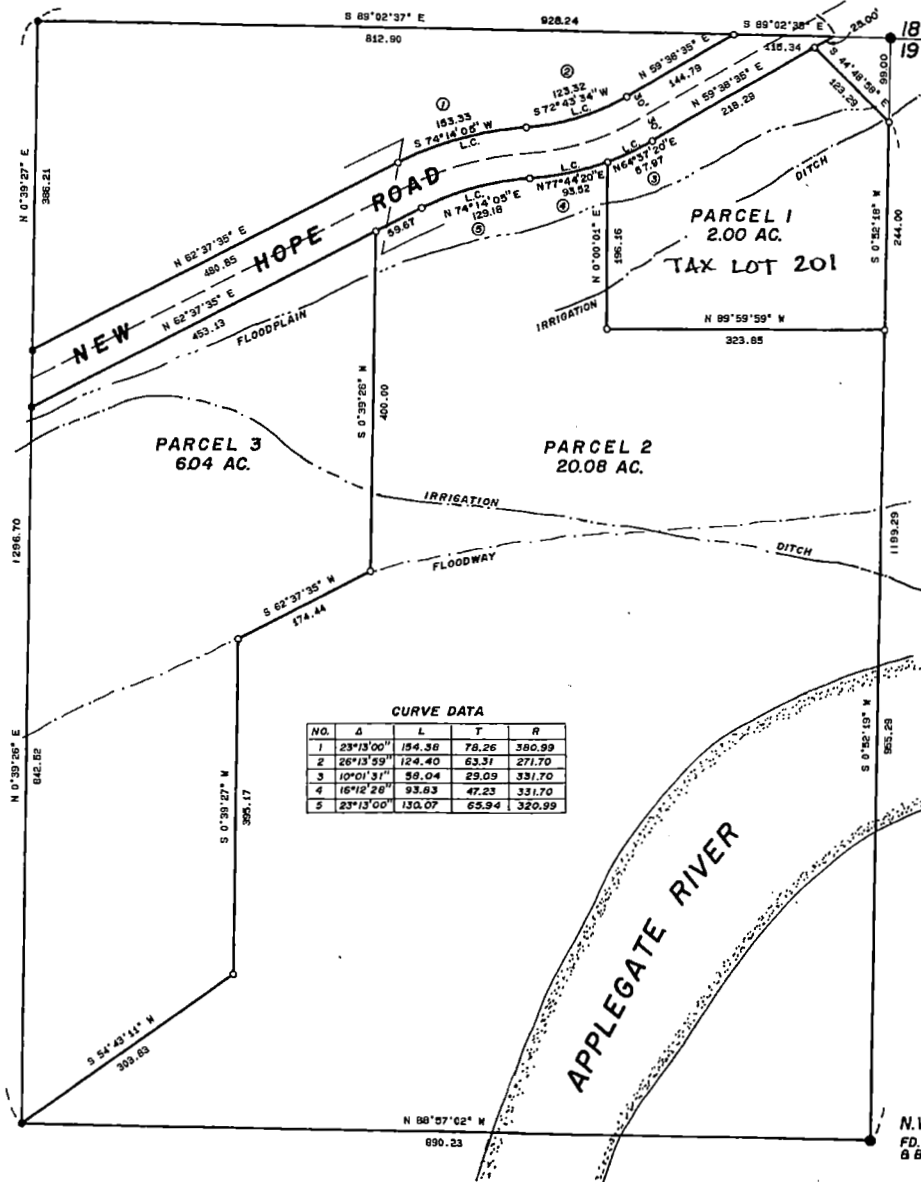
2. The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United 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.

**LEGEND**

- SET 3/8" X 30" IRON RODS WITH YELLOW PLASTIC CAPS MARKED "HULL P.S. 901"
  - FOUND 5/8" IRON RODS PER C.S. 34-90 UNLESS OTHERWISE NOTED.
- SCALE: 1" = 100'  
JULY 20, 1990

**PARTITION PLAT NO.**

1990-45



**CURVE DATA**

NO.	Δ	L	T	R
1	23°13'00"	154.38	78.26	390.99
2	26°13'59"	124.40	63.31	271.70
3	10°01'31"	56.04	29.09	331.70
4	16°12'26"	93.63	47.23	331.70
5	23°13'00"	130.07	65.94	320.99

W. 1/16 COR.  
FD. BRASS CAP  
& B.T.'s C.S. 34-90

**SURVEYOR'S CERTIFICATE**

Betty J. Brooks  
NOTARY PUBLIC - OREGON  
MY COMMISSION EXPIRES 2/1/94

I, MAX H. HULL, PROFESSIONAL LAND SURVEYOR NO. 001, BEING FIRST DULY SWORN HEREBY DEPOSE AND SAY THAT I HAVE ACCURATELY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED MINOR PARTITION MAP, THE BOUNDARIES BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4, NORTHWEST 1/4 OF SECTION 18 TOWNSHIP 37 SOUTH, RANGE 9 WEST, WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON; THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1/4, NORTHWEST 1/4 SOUTH 0°52'18" WEST 89.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 0°19'58" WEST 1189.29 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4, NORTHWEST 1/4; THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4, NORTHWEST 1/4, NORTH 80°49'12" WEST 890.29 FEET TO A POINT 900.00 FEET EAST OF THE WEST LINE OF SAID SECTION 18; THENCE PARALLEL TO SAID WEST LINE NORTH 0°50'58" EAST 1296.70 FEET TO THE NORTH LINE OF SAID SECTION 18; THENCE ALONG SAID NORTH LINE SOUTH 89°59'37" EAST 229.54 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF NEW HOPE ROAD; THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 89°38'35" WEST 25.00 FEET; THENCE SOUTH 44°48'58" EAST 123.29 FEET BACK TO THE TRUE POINT OF BEGINNING.

REGISTERED PROFESSIONAL LAND SURVEYOR  
MAX H. HULL  
901

LESS AND EXCEPT NEW HOPE ROAD.

*Max H. Hull*  
MAX H. HULL, PROFESSIONAL LAND SURVEYOR NO. 001  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 30<sup>th</sup> DAY OF July 1990.

**DEDICATION**

KNOW ALL PEOPLE BY THESE PRESENT THAT ALVIN L. VAN HILZEN AND JEAN VAN HILZEN ARE THE OWNERS OF THE LAND REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAVE CAUSED THE SAME TO BE PARTITIONED AND SURVEYED INTO PARCELS AS SHOWN ON THE ANNEXED MAP. THERE ARE WATER RIGHTS APPURTENANT TO THIS PROPERTY.

*Alvin L. Van Hilzen* *Jean Van Hilzen*

STATE OF OREGON S.S.  
COUNTY OF JOSEPHINE S.S.

THIS IS TO CERTIFY THAT ON THIS 30<sup>th</sup> DAY OF July 1990 A.D. BEFORE ME PERSONALLY CAME ALVIN L. VAN HILZEN AND JEAN VAN HILZEN, TO ME KNOWN PERSONALLY TO BE THE INDIVIDUAL PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION, AND THAT THEY TO ME ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN SET FORTH.

MY COMMISSION EXPIRES ON THE 1<sup>st</sup> DAY OF Feb. 1994 A.D.

*Betty J. Brooks*  
NOTARY PUBLIC OF OREGON

Betty J. Brooks  
NOTARY PUBLIC - OREGON  
MY COMMISSION EXPIRES 2/1/94

**NARRATIVE**

THE PURPOSE OF THIS SURVEY IS TO PARTITION A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4, NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 37 SOUTH, RANGE 9 WEST, WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON. I SURVEYED TO MONUMENTS FOUND PER COUNTY SURVEY 34-90 AS SHOWN ON THE MAP. THENCE USING DEEDS VOLUMES 334, PAGE 28 AND VOLUME 121, PAGE 2713 I SURVEYED AND MONUMENTED THE PARCELS AS SHOWN.

APPROVED THIS 30<sup>th</sup> DAY OF July 1990. *Ray T. Keen*  
JOSEPHINE COUNTY SURVEYOR

APPROVED THIS 31 DAY OF July 1990. *Wesley G. Maxwell*  
JOSEPHINE COUNTY PLANNING DEPARTMENT

90-12865

STATE OF OREGON S.S.  
COUNTY OF JOSEPHINE S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORDING ON THE 31 DAY OF July 1990, AT 2:00 O'CLOCK, AND RECORDED AS PARTITION PLAT NO. 1990-45, JOSEPHINE COUNTY RECORDS.

*Geastie Brant*  
JOSEPHINE COUNTY CLERK

N.W. 1/16 COR.  
FD. BRASS CAP  
& B.T.'s C.S. 34-90

RECEIVED  
JAN 27 2023  
OWRD

TAX LOT 201

JOSEPHINE COUNTY OFFICIAL RECORDS  
RHIANNON HENKELS, COUNTY CLERK

DED-BSO  
Cnt=1 Pgs=2 Stn=4 LBOSS  
\$10.00 \$11.00 \$60.00 \$10.00 \$5.00  
Total:\$96.00

2019-010179  
08/16/2019 03:04 PM



I, Rhiannon Henkels, County Clerk, certify that the within document was received and duly recorded in the official records of Josephine County.

RECEIVED  
JAN 27 2023  
OWRD

GRANTOR'S NAME & ADDRESS:

Andrea J. Applegate  
7980 New Hope Rd.  
Grants Pass, OR 97527

GRANTEE'S NAME & ADDRESS:

Andrea Applegate, Trustee  
Andrea Applegate Trust  
7980 New Hope Rd.  
Grants Pass, OR 97527

AFTER RECORDING RETURN TO:

Patrick J. Kelly, Attorney  
717 NW 5<sup>th</sup> St.  
Grants Pass, OR 97526

MAIL TAX STATEMENTS TO:

Same as of Record

**Consideration: Transfer made for estate planning purposes.**

**BARGAIN AND SALE DEED**

KNOW ALL MEN BY THESE PRESENTS, that Andrea J. Applegate, Grantor, in consideration of a transfer made for estate planning purposes, does hereby grant, and convey unto Andrea Applegate, Trustee of the Andrea Applegate Trust dated September 23, 1999, Grantee, his heirs and assigns, all of her interest in the following described property, with the tenements, hereditaments and appurtenances, situated in the County of **Josephine** and State of Oregon, bounded and described as follows, to-wit:

**SEE ATTACHED EXHIBIT "A"**

**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, OF CHAPTER 424, OREGON LAWS 2007, AND 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, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

To Have and to Hold, the above described premises unto the said grantees, their heirs and assigns forever.

Witness my hand and seal this 12 day of August, 2019.

*Andrea J. Applegate*  
Andrea J. Applegate

STATE OF OREGON  
County of Josephine

This instrument was acknowledged before me on August 12, 2019, by Andrea J. Applegate.

*Hope Lauber*  
Notary Public for Oregon



2

EXHIBIT "A"

Parcel 1 of PARTITION PLAT NO. 1990-45, located in Section 19, Township 37 South,  
Range 5 West, of the Willamette Meridian, Josephine County, Oregon.  
(TAX LOT 201)

RECEIVED

JAN 27 2023

OWRD