

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.wrd.state.or.us

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

WATER RESOURCES DEPT
SALEM, OREGON

NAME <i>Jack and Sally Stout</i>		PHONE (HM) <i>541-857-6199</i>	
PHONE (WK) <i>N/A</i>	CELL <i>None</i>	FAX <i>None</i>	
ADDRESS <i>1200 MIRA MAR, Apt. 309</i>			
CITY <i>Medford</i>	STATE <i>OR</i>	ZIP <i>97504</i>	E-MAIL

Organization Information *N/A*

NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL	

Agent Information - *N/A* The agent is authorized to represent the applicant in all matters relating to this application.

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

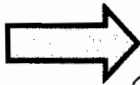
Note: Attach multiple copies as needed

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By my signature below I confirm that I understand:

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- 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 use water legally until the Water Resources Department issues a permit.
- 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 get 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 get water to which they are entitled.



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

Sally Stout
Applicant Signature
Jack Stout
Applicant Signature

SALLY STOUT
Print Name and title if applicable
JACK STOUT
Print Name and title if applicable

10/30/2010
Date
10/30/2010
Date

App. No. <i>S-87667</i>	For Department Use Permit No. _____	Date _____
-------------------------	--	------------

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: 4.5 acre-feet.

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

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TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
34S	2W	21	NWNE	1	LAWN & GARDEN

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9. What is the present use of the land identified above? [*Farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)*].

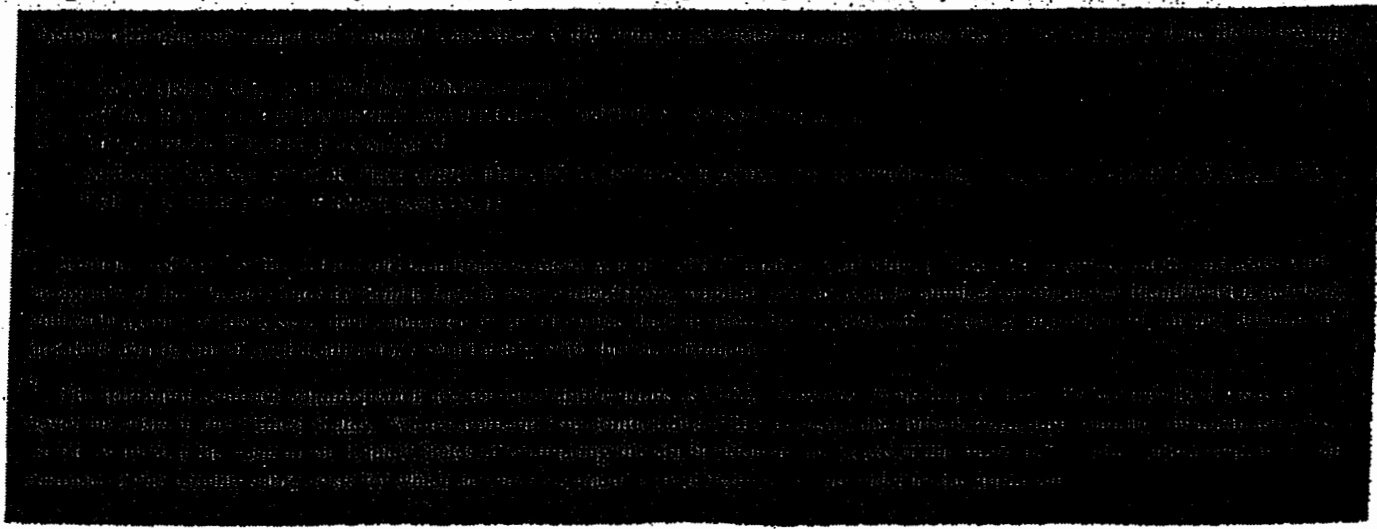
NATIVE

10. Is the land identified above currently being irrigated? NO If yes, what is the source? (*natural flows, wells, etc.*)

11. Diversion must be screened to prevent uptake of fish and other aquatic life.

Describe plan(s) to comply with State/Federal fish screen standards: _____

12. Telephone Number where you can be reached during the day: 541-857-6199



SECTION 2: PROPERTY OWNERSHIP

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

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Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances.

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No

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

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).

Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

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SECTION 3: SOURCE OF WATER

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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:

Source 1: Roque River

Tributary to: Pacific Ocean

Source 2: _____

Tributary to: _____

Source 3: _____

Tributary to: _____

Source 4: _____

Tributary to: _____

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

B. Applications to Use Stored Water

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

Yes.

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

Application pending with Bureau of Reclamation.

If all sources listed in item 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.

S-07667

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: 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
Rogue River	irrigation	April 1 to Sept 31	4.5 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

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 1 Acres Supplemental: Acres

List 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: 4.5

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- 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 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): _____

Other means (describe): _____

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

B. Application Method

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

Sprinkler

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent adverse impact to public uses of affected surface waters.

meter

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SECTION 6: 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 to prevent uptake of fish and other aquatic life.
Describe planned actions: Screen

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Clearing

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: _____

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

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CONTRACT DATA SHEET



U.S. Bureau of Reclamation
Attn: PN-3322
1150 North Curtis Road
Boise ID 83706-1264
(208) 378-5223

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1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): SALLY and Jack STOUT
- 2) Address: 31 JAMES PLAZA, Shady Cove, OR 97539
- 3) Mailing Address (if different): 1200 MIRA Mar, Medford, OR 97504 #309
- 4) Taxpayer Identification Number(s): Ident - - - - -
- 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) Roque River

3. Proposed point of diversion: 400 feet South and 135.5 feet West
of NE corner of Section 31, Township 34S, Range 2 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 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].

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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)? _____

7. Total quantity of water from storage requested: 4.5 acre-feet.

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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
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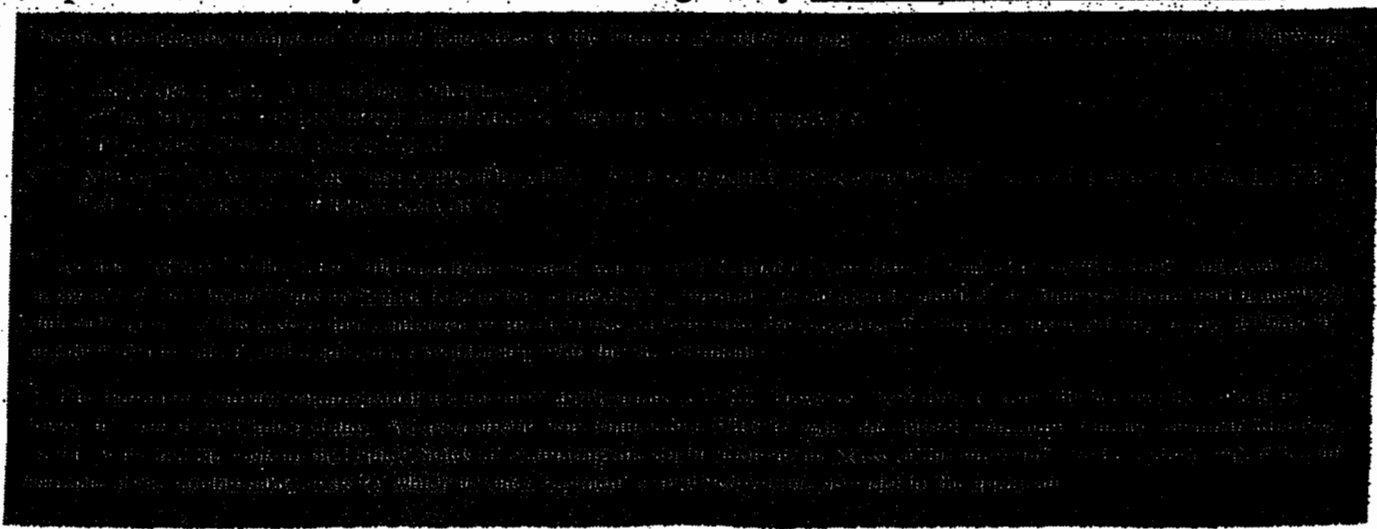
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Describe plan(s) to comply with State/Federal fish screen standards: _____

12. Telephone Number where you can be reached during the day: 541-857-6199



Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1200
 (503) 986-0900
 www.wrd.state.or.us

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Applicant: Sally and Jack STOUT STOUT WATER RESOURCES DEPT
First Last SALEM, OREGON

Mailing Address: 1200 MIRA MAR AVE, APT # 309

Medford OR 97504 Daytime Phone: 541-857-6199
City State Zip

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:
345	2W	21	NW¼E	6702	RR-1	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigation
						<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:

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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) _____

Estimated quantity of water needed: _____ 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:

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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For Local Government Use Only

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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): Ord. 222

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

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

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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Name: Gracchen Meloth Title: Administrative Assistant

Signature: Gracchen Meloth Phone: (541) 878-2563 Date: 10/29/10

Government Entity: City of Shady Cove

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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**WATER RESOURCES DEPT
SALEM, OREGON**

SCHEDULE A

Chicago Title Insurance Company
850 O'Hare Parkway, Suite 100
Medford, OR 97504

File No. 470310007966-TTJA02
Policy No.: 470310007966
Address Reference: 31 James Place, Shady Cove, OR 97539
Amount of Insurance: \$150,000.00
Premium: \$387.00
Date of Policy: September 16, 2010 at 10:09 AM

1. Name of Insured:
Jack Stout and Sally Stout
2. The estate or interest in the Land that is insured by this policy is:
A Fee
3. Title is vested in:
Jack Stout and Sally Stout, as tenants by the entirety
4. The Land referred to in this policy is described as follows:
See Schedule C Attached Hereto

Oregon Title Insurance Rating Organization (OTIRO)

Policy Valid Only If Schedule B is Attached

OTIRO No. PO-04

FDOR0225.rdw

American Land Title Association
ALTA Owner's Policy (6-17-2006)

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SCHEDULE B

WATER RESOURCES DEPT
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File No. 470310007966-TTJA02

Policy No. 470310007966

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2010-2011.
2. City Liens, if any, in favor of the City of Shady Cove.
3. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of the Rogue River.
4. Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 to 274.940.
5. Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of the Rogue River.
6. Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of the Rogue River.
7. Right of way for ditches or canals, as set forth in deed recorded July 15, 1938, in Volume 218, Page 108 of the Deed Records of Jackson county, Oregon.
8. An easement disclosed by instrument,
Recorded : May 18, 1937
As : V 212; P 466
And recorded : June 18, 1958
As : V 457; P 99
In favor of : The California Oregon Power Company
For : Electrical transmission, distribution lines and appurtenances
9. Covenants, conditions, restrictions, easements, and/or setbacks, imposed by instrument, including the terms and provisions thereof,
Recorded : March 5, 1962
As : V 522; P 33
NOTE: This exception omits from said instrument any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 USC 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 USC 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.
10. Terms and provisions of Covenants Concerning Right of Access
Recorded : July 6, 1962
As : V 529; P 86
11. An easement disclosed by instrument,
Recorded : July 30, 1979
As : 79-16036
In favor of : City of Shady Cove
For : Underground sewerline

Oregon Title Insurance Rating Organization (OTIRO)

OTIRO No. PO-04

American Land Title Association

ALTA Owner's Policy (6-17-2006)

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**WATER RESOURCES DEPT
SALEM, OREGON**

SCHEDULE C

File No. 470310007966-TTJA02

Policy No. 470310007966

The Land referred to in this policy is described as follows:

Lot 30, River View Estates, Shady Cove, Jackson County, Oregon, according to the official plat thereof, now of record.

Account No. 10274263; Map 341W21A 6702

Oregon Title Insurance Rating Organization (OTIRO)
OTIRO No. PO-04
American Land Title Association
ALTA Owner's Policy (6-17-2006)

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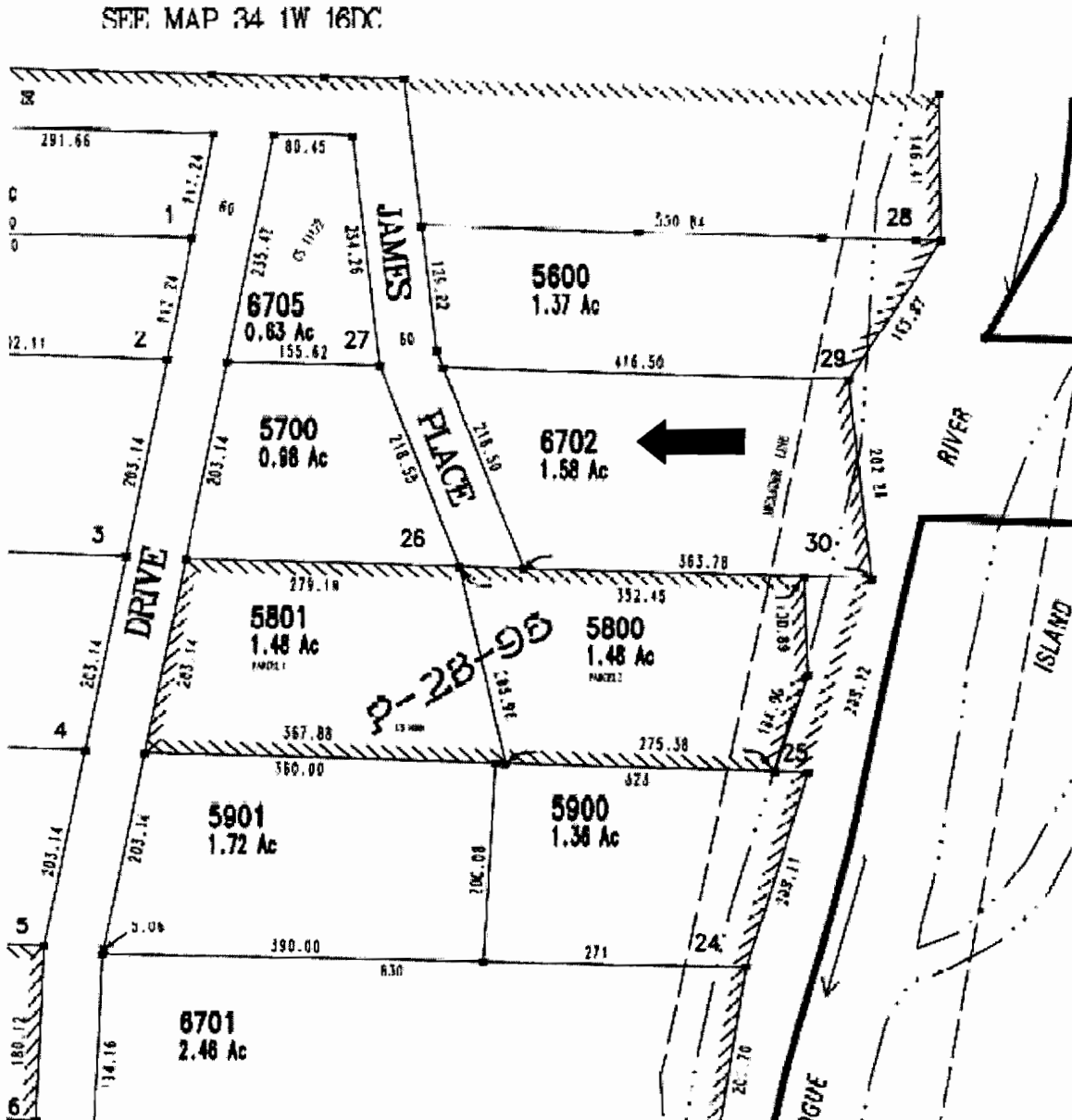
Ticor Title
850 O'Hare Parkway, Ste. 100
Medford, OR 97504
Ph: 541-245-0828 Fax: 541-245-0992

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ASSESSOR'S MAP: 341W21A 6702



This print is made solely for the purpose of assisting in locating the premises, and the Company assumes no liability for information printed on this map, including but not limited to zoning, variations (if any) in area, actual dimensions, and locations as determined by survey.

S-67667