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NOV 22 2023

# Application for a Permit to Use Surface Water

OWRD



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant

NAME MARK DEGNER TRUST			PHONE (HM)
PHONE (WK) 541.618.0693	CELL 541.944.8395	FAX	
ADDRESS 3369 CRATER LAKE HIGHWAY			
CITY MEDFORD	STATE OR	ZIP 97504	E-MAIL * DEGNERM@YAHOO.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 RICK PARSONS / PARSONSWATER CONSULTING LLC		PHONE 541.499.0257	FAX
ADDRESS 1619 MINEAR ROAD			CELL 303.667.5067
CITY MEDFORD	STATE OR	ZIP 97501	E-MAIL * RICK.PARSONS@PARSONSWATER.COM

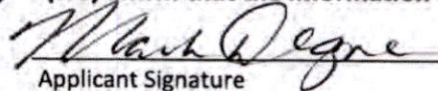
Note: Attach multiple copies as needed

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

### By my signature below I confirm that I understand:

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

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


MARK DEGNER TRUST
10/17/23  
 Applicant Signature                      Print Name and Title if applicable                      Date  
 \_\_\_\_\_  
 Applicant Signature                      Print Name and Title if applicable                      Date

For Department Use: App. Number: \_\_\_\_\_

**SECTION 2: PROPERTY OWNERSHIP**

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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).*

**Legal Description:** You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: MILL CK VIA NYE DITCH	Tributary to: ROGUE RIVER
TRSQQ of POD: SE NE SECTION 9 TOWNSHIP 33S RANGE 2E	
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).

**B. Applications to Use Stored Water**

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

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

If all sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

**SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION**

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqg\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/)

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

**Upper Columbia - OAR 690-033-0115 thru -0130**

Is the POD located in an area where the Upper Columbia Rules apply?

Yes  No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

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For Department Use: App. Number: \_\_\_\_\_

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

**Lower Columbia - OAR 690-033-0220 thru -0230**

Is the POD located in an area where the Lower Columbia rules apply?

Yes  No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes  No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

**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
ROGUE RIVER	HUMAN CONSUMPTION	JAN 1 – DEC 31	500 <input type="checkbox"/> cfs <input checked="" type="checkbox"/> gal/dy <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: 0 Acres                      Supplemental: 0 Acres                      Nursery Use: 0 Acres

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

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1
- 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):
- Other means (describe): GRAVITY INTO EXISTING UNDERGROUND 3" PVC PIPE

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

1" VALVE TO BE INSTALLED OFF OF 3" LINE ONCE IT REACHES SUBJECT PROPERTY TO FEED PRESSURE TANK FOR SUBSEQUENT USE IN RESIDENCE (LOCATION TBD WITHIN SESE SECTION 9)

### B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)  
 NO IRRIGATION

### 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.

ENTIRE SYSTEM IS PIPED AND LIMITED TO 500 GPD

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 (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	HUMAN CONSUMPTION	JAN 1 – DEC 31	500 <input type="checkbox"/> cfs <input checked="" type="checkbox"/> gal/dy <input type="checkbox"/> af
			0.005 <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

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.  
 Primary: 0 Acres                      Supplemental: 0 Acres                      Nursery Use: 0 Acres  
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: \_\_\_\_\_

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)  
 NO IRRIGATION

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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.  
 ENTIRE SYSTEM IS PIPED AND LIMITED TO 500 GPD

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**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: ODFW-APPROVED SCREEN WILL BE ADDED, AS NECESSARY
- 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: NO WORK TO TAKE PLACE WITHIN RIPARIAN AREAS
- 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: SEE ABOVE
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe planned actions: WORK WILL INVOLVE ADDING PIPE TO RESIDENCE FROM EXISTING IRRIGATION PIPE
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.  
N/A

**SECTION 8: PROJECT SCHEDULE**

- a) Date construction will begin: WITHIN 5 YEARS OF PERMIT ISSUANCE
- b) Date construction will be completed: WITHIN 5 YEARS OF PERMIT ISSUANCE
- c) Date beneficial water use will begin: WITHIN 5 YEARS OF PERMIT ISSUANCE

**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 NYE DITCH USERS IMPROVEMENT DISTRICT	Address 772 MATHER RD	
City PROSPECT	State OR	Zip 97536

**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

#### 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: \$1500  
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)

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For Department Use: App. Number: \_\_\_\_\_





File #: \_\_\_\_\_

## Oregon Water Resources Department

### Application Supplement for Human Consumption & Livestock Uses

For water use permit applications within or above scenic waterways, or from streams for which water is not available due to required instream flows, the Department may issue limited permits for human consumption and livestock uses. Human consumption is limited to indoor use for drinking, cooking, and sanitation and is limited to 500 gallons per day. It does not include outdoor uses such as lawn watering, garden watering or other similar uses.

In order to issue a permit to you for human consumption or livestock use, the Department must find that you cannot reasonably obtain water from any other source. For human consumption, an additional finding must be made that denial of the water right would result in loss of reasonable expectations for use of your property. For livestock use, additional findings must be made that issuance of a permit is necessary to prevent the livestock from watering in or along the stream bed and that you have excluded livestock from the stream and the adjacent riparian zone.

Please answer the following questions, and sign and return this form to Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266.

1. Can you reasonably obtain water from any other source?     Yes     No

If not, please describe why each of the following options are not reasonable:

- a. Groundwater, such as a well on yours or a neighbor's property. (If expense is the reason groundwater is not reasonable, please provide two estimates of the cost.)

NONE NEAR SUBJECT PROPERTY. MANY NEARBY WELLS ARE LOW PRODUCING AND SOME CONTAIN ARSENIC MAKING THIS OPTION NOT SO PROMISING

- b. Securing stored water from upstream reservoirs.

NONE AVAILABLE

- c. Trucking water. (If expense is the reason this option is not reasonable, please provide a copy of an estimate of the cost of trucking water.)

PROHIBITIVELY EXPENSIVE SINCE CLOSEST SUPPLIERS ARE MORE THAN 20 MILES AWAY FROM SUBJECT PROPERTY

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d. Community or municipal water suppliers.

IMMEDIATE NEIGHBORS RECEIVE WATER FROM NYE DITCH USERS  
IMPROVEMENT DISTRICT AND THIS APPROACH IS USED HERE

e. Tying in to a neighboring property's spring.

NONE AVAILABLE

f. Transferring existing water rights to your proposed use(s).

NOT NECESSARY SINCE HUMAN CONSUMPTION PERMITS  
AVAILABLE WITHIN LIMITS ESTABLISHED BY STATUTE

Please identify any other alternate water sources you have considered, and why they are not feasible:

NO OTHER SOURCES AVAILABLE

2. If you are seeking a permit for **human consumption use**, would denial of your application result in loss of reasonable expectations for use of your property?

Yes  No  Not Applicable

If so, please describe how:

PERMIT FOR RESIDENCE WILL NOT BE ISSUED BY JACKSON COUNTY  
WITHOUT PROOF OF RESIDENTIAL WATER SUPPLY

3. If you are seeking a permit for **livestock use**, is the proposed use necessary to prevent the livestock from watering in or along the stream bed?

Yes  No  Not Applicable

4. If you are seeking a permit for **livestock use**, have you excluded livestock from the stream and the adjacent riparian zone?

Yes  No  Not Applicable

Applicant Signature: Mark Deane Date: 10/28/23

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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# Land Use Information Form



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

**Applicant**

NAME MARK DEGNER TRUST			PHONE (HM)		
PHONE (WK) 541.618.0693		CELL 541.944.8395		FAX	
ADDRESS 3369 CRATER LAKE HIGHWAY					
CITY MEDFORD		STATE OR	ZIP 97504	E-MAIL* DENGERM@YAHOO.COM	

**A. Land and Location**

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
33S	2E	9	SESE	1000	WR	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	DOMESTIC
		10	SWSW				
						<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:

JACKSON

**B. Description of Proposed Use**

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Water Right Transfer
- Permit Amendment or Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water:  Reservoir/Pond  Groundwater  Surface Water (name) ROGUE RIVER VIA NYE DITCH

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

Intended use of water:  Irrigation  Commercial  Industrial  Domestic for 1 household(s)  
 Municipal  Quasi-Municipal  Instream  Other \_\_\_\_\_

Briefly describe:

DOMESTIC SUPPLY FOR ONE RESIDENCE, LIMITED TO 500 GAL/DY

**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

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.

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**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:	
Homesite Approval	LD04.3-1	<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
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

NAME <i>Francisco Hernandez</i>	TITLE: <i>Planner III</i>
SIGNATURE <i>Francisco Hernandez</i>	PHONE: <i>541.774.6907</i>
GOVERNMENT ENTITY <i>Jackson County Development Services</i>	DATE: <i>10.23.2023</i>

**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: *Mark Dyer*

City or County: *Jackson County* Staff contact: *Francisco Hernandez*

Signature: *Francisco Hernandez* Phone: *541.774.6907* Date: *10.17.2023*

**CERTIFICATE OF SALE**  
**Pursuant to ORS 275.150**

I, Nate Sickler, Sheriff of Jackson County, Oregon, acting pursuant to ORS 275.110 and in accordance with Order Number 151-23 of the Jackson County Board of Commissioners, hereby certify that I offered for sale at the time and place specified in said order, all the right, title, and interest, if any, of Jackson County, Oregon, in and to the following described real property (the "Property"):

Real Property Sale Number: JCFPA2023P12

Tax Account Number: 10514841

Assessor's Map Description: 332E09100

I further certify the following:

The highest bidder (the "Bidder") for the property was:

Name: MARK DEGNER TRUST

Address: 3369 CRATER LAKE HWY MEDFORD OR 97504

The full purchase price bid by the Bidder was \$150,000.  
The amount paid at the time of sale was \$30,000.

The amount paid on 7/31/2023 was \$30,000.

**This sale is absolute and final, no refund will be made.**

**Cash Sale**

**This certificate shall be of no force or effect unless the full purchase price bid is paid and received in Room 111 of the Jackson County Courthouse, 10 South Oakdale Avenue, Medford, Oregon, by 4:00 p.m. on .**

The sale of the Property is subject to the right of any municipal corporation in which the Property is situated to purchase the property as provided by law. If a municipal corporation purchases the property, the full purchase price and recording fee will be refunded to the Bidder.

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

Dated 6/28/2023

Nate Sickler, Sheriff of Jackson County

By: S: \Susan Gilliame

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**CERTIFICATE OF SALE**

**Pursuant to ORS 275.150**

**\*\*\*PROVISIONAL\*\*\***

I, Nate Sickler, Sheriff of Jackson County, Oregon, acting pursuant to ORS 275.110 and in accordance with Order Number 151-23 of the Jackson County Board of Commissioners, hereby certify that I offered for sale at the time and place specified in said order, all the right, title, and interest, if any, of Jackson County, Oregon, in and to the following described real property (the "Property"):

Real Property Sale Number: JCFPA2023P12

Tax Account Number: 10514841

Assessor's Map Description: Improvement on located on the following described tract lying in Township 33, Range 2 East, Section 09:

Beginning at the Southeast corner of Section 9 in Township 33 South, Range 2 East of the Willamette Meridian in Jackson County, Oregon; thence West along the South line of said Section 1254.0 feet, to the Southeast corner of tract described in Volume 256, page 414 of the Deed Records of Jackson County, Oregon; thence North 0°19' East along the East line of said tract, to the Southerly line of the Crater Lake Highway; thence Northeasterly along the Southerly line of said Highway, to its intersection with the East line of said Section 9; thence South along said East line to the true point of beginning.

EXCEPTING THEREFROM: Beginning at a 2" brass capped iron pipe set for the East sixteenth corner common to Sections 9 and 16 in Township 33 South, Range 2 East of the Willamette Meridian in Jackson County, Oregon; thence South 86° 02'55" East, along the Southerly boundary of Section 9, said Township and Range, 182.48 feet to a 1/4" pin; thence North 1° 23'55" West 754.16 feet to a 1-1/4" iron pipe intended to be on the Southerly boundary of Mill Creek Drive; thence North 77° 25' East, along said Southerly boundary, 30.58 feet to a 5/8" iron pin; thence leaving said Southerly boundary, South 1° 23'55" East 692.19 feet to a 5/8" iron pin; thence, along the arc of a 91.84 foot radius curve to the right, the long chord of which bears South 46° 16'35" West 135.80 feet, a distance of 152.84 feet to a 5/8" iron pin; thence North 86° 02'55" West 112.52 to a 5/8" iron pin intended to be on the Westerly boundary of the Northeast Quarter of the Northeast Quarter of Section 16, said Township and Range; thence North 0° 01'45" East, along said Westerly boundary, 30.07 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM: Commencing at the corner common to Sections 9, 10, 15 and 16, Township 33 South, Range 2 East of the Willamette Meridian in Jackson County, Oregon; thence North 86° 04'14" West, along the Southerly boundary of said Section 9, 1139.27 feet to a found 1/4" rebar; thence continuing along said section boundary, North 86° 04'14" West, 67.91 feet (record North 86° 02'55" West, 67.90 feet) to a 5/8" rebar with plastic cap set for the most Westerly corner of the second tract described in Instrument No. 94-44670 of the Official Records of said county for the true point of beginning; thence continuing along the South boundary of said Section 9, North 86° 04'14" West, 53.57 feet to the Southeast corner of tract described in Volume 256, page 414 of the Deed Records of Jackson County, Oregon; thence along the Easterly boundary of said tract, North 0° 19'00" East, 723.42 feet to a point intended to be on the Southerly right of way line of Mill Creek Drive (formerly Crater Lake Highway); thence along said right of way line, North 77° 23'08" East, 100.82 feet to a found 1-1/4" iron pipe located at the Northwest corner of the third tract described in said Instrument No. 94-44670; thence along the Westerly boundary of said third tract described in Instrument No. 94-44670, South 1° 25'47" East (record South 1° 23'55" East), 686.07 feet to a 5/8" rebar with plastic cap set for the most Northerly corner of said second tract described in Instrument No. 94-44670; thence along the Westerly boundary of said second tract, 102.922 feet along the arc of a 61.84-foot radius curve right (the long chord bears South 46° 15'00" West, 91.448 feet) to the true point of beginning.

(Map No. 332809, Tax Lot 1000, Account No. 1-051484-1, Code 59-01) - 10514841

I further certify the following:

The highest bidder (the "Bidder") for the property was:

Name: MARK DEGNER TRUST

Address: 3369 CRATER LAKE HWY MEDFORD OR 97504

The full purchase price bid by the Bidder was \$150,000.

The amount paid at the time of sale was \$30,000.

The amount paid on 7/31/2023 was \$30,000, the remaining balance is \$120,000.

**This sale is absolute and final, no refund will be made.**

**Cash Sale**

**This certificate shall be of no force or effect unless the full purchase price bid is paid and received in Room 111 of the Jackson County Courthouse, 10 South Oakdale Avenue, Medford, Oregon, by 4:00 p.m. on 8/7/2023.**

The sale of the Property is subject to the right of any municipal corporation in which the Property is situated to purchase the property as provided by law. If a municipal corporation purchases the property, the full purchase price and recording fee will be refunded to the Bidder.

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

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Dated 6/28/2023  
Nate Sickler, Sheriff of Jackson County

By: Susan Gilliam

*m. mentel* 7/10/23

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## LOVRIEN Corie L \* WRD

---

**From:** Rick Parsons <rick.parsons@parsonswater.com>  
**Sent:** Tuesday, November 7, 2023 9:06 AM  
**To:** LOVRIEN Corie L \* WRD  
**Subject:** Re: Human Consumption permit  
**Attachments:** Degner Application for a Permit to Use Surface Water.pdf

Corie -

Please go with 0.005 cfs, as noted in the attached.

In general, I would argue the rate is immaterial since the volume limit is established.

Nonetheless, since we are located above a Scenic Waterway we will go with the 0.005 cfs established in OAR 690-310-0260-2(d) or ORS 390.835(6).

Rick

ParsonsWater Consulting LLC  
<http://parsonswater.com>  
[rick.parsons@parsonswater.com](mailto:rick.parsons@parsonswater.com)  
541.499.0257 303.667.5067 (mobile)

On Tue, Nov 7, 2023 at 8:19 AM LOVRIEN Corie L \* WRD <[corie.l.lovrien@water.oregon.gov](mailto:corie.l.lovrien@water.oregon.gov)> wrote:

Hi Rick,

Thanks for your email submission. I see you've limited this application to 500 gallons/day. Our standard rate for human consumption is .005 cfs. When I do the math on 500 gpd, I believe the cfs equals .00077. Can you please advise which rate you'd like and add it to that page of the application? Then I can provide an accurate fee quote when I send you your temporary number.

Thanks,

Corie

Corie Lovrien

Customer Service Representative



Water Right Services Division

725 Summer Street NE Ste A

Salem, Oregon 97301

(503) 986-0801



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

**NOTE:** The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. The Salem office of OWRD is closed for customer service drop-ins from Noon – 1pm. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

---

**From:** Rick Parsons <[rick.parsons@parsonswater.com](mailto:rick.parsons@parsonswater.com)>  
**Sent:** Monday, November 6, 2023 12:05 PM  
**To:** WRD\_DL\_customerservice <[WRD\\_DL\\_customerservice@water.oregon.gov](mailto:WRD_DL_customerservice@water.oregon.gov)>  
**Cc:** Mark Degner <[degnerm@yahoo.com](mailto:degnerm@yahoo.com)>  
**Subject:** Human Consumption permit

Please see attached the following HC Permit submitted on behalf of Mark Degner.

Rick Parsons

ParsonsWater Consulting LLC  
<http://parsonswater.com>  
[rick.parsons@parsonswater.com](mailto:rick.parsons@parsonswater.com)

541.499.0257    303.667.5067 (mobile)

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OWRD

Fwd: Human Consumption permit

From: Rick Parsons (rick.parsons@parsonswater.com)  
 To: degnerm@yahoo.com  
 Date: Tuesday, November 7, 2023 at 09:30 AM PST

----- Forwarded message -----  
 From: **LOVRIEN Corie L \* WRD** <corie.l.lovrien@water.oregon.gov>  
 Date: Tue, Nov 7, 2023 at 9:24 AM  
 Subject: RE: Human Consumption permit  
 To: Rick Parsons <rick.parsons@parsonswater.com>

✓1084  
 11/20/23

Hello,

OWRD has received and accepted the Surface Water e-application for **Mark Degner Trust**. The temporary application number is: **CL-30**.

Please print this email and include a copy of it when mailing in the payment. The fees due for this application are: **\$ 1,500.00** (If opting to include recording fee: **\$2,110.00**)

A copy of the fee calculator is included for your reference:

Base Application Fee.		\$1,090.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	.005	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Subtotal:		\$1,500.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,110.00

Take care,  
 Corie

Corie Lovrien  
 Customer Service Representative  
 Water Right Services Division  
 725 Summer Street NE Ste A

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 OWRD

Salem, Oregon 97301

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Rick

ParsonsWater Consulting LLC  
<http://parsonswater.com>  
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541.499.0257 303.667.5067 (mobile)

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