



Application #: S-89420

### 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 use is limited to 500 gallons per day for indoor use only for drinking, cooking, and sanitation, and does not include other uses such as lawn or garden watering or other related water 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. You may also email the signed form to your caseworker.

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.)

We live in a poor well area. In 2014 we spent more than \$5,000 to have a well drilled. Estimates are not needed because this is an actual cost. That well (JOSE 59411) is 200 feet deep and only produced 0.1 gpm even though it is close to a small stream. The only good wells reported in Section 22 are three wells more than a 1/4 mile away from our property. There are 23 wells reported in this Section 22 and our well is average in depth. Therefore a groundwater well option is not reasonable.

- b. Securing stored water from upstream reservoirs.

There are no upstream reservoirs.

- 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.)

Hauling bulk water by truck from the City of Cave Junction, the closest source, would cost \$220 per 2,000 gallons according to H2O To Go. At 500 gallons per day for human consumption water, for each of the two houses, that would cost \$55 per day for each house. That equals \$1,650 for each house per month. That is potentially a high price to pay for water during the 5 month period of November through March. See the attached email price estimate from H2O To Go dated December 16, 2023. Trucking bulk water from the City of Cave Junction on the East Fork Illinois River or from the City of Grants Pass on the Rouge River would have the same downstream hydrologic effect as diverting the same amount of permitted water from the spring. Therefore trucking in bulk water is not a reasonable option.

RECEIVED

JAN 08 2024

OWRD

d. Community or municipal water suppliers.

There is not any community or municipal water supplier.

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

Tying in to a neighboring property's spring is the intent of application S-89420. The Nature Conservancy letter dated 9-21-2023 and attached to this application allows us to cross their property to obtain water from a spring on their property. This requires a permit that we have applied for.

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

We have applied for transfer T-14081 to obtain a domestic water right for our two houses. That transfer is from an irrigation right, therefore domestic water would only be available during the April through October time period. There are not any water rights in the area available for transfer that would cover the November through March time period. The intent is to use the same water system to be constructed for T-14081 for diverting water with a permit issued under application S-89420. That is the reasonable option.

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

We are willing to reduce the household human consumption limit from 500 gpd to 323 gpd for each house which is a rate of 0.0005 cfs for each house. Another option is rainfall harvesting but drought possibilities reduces its reliability. The catchment area would need to be about 3,600 square feet for each house based on the average March rainfall of 7 inches. Large storage tanks would also be needed. Even though rainfall harvesting is an exempt use the hydrologic impact on Montgomery Creek and downstream would be the same as diverting permitted spring water. Therefore it is not reasonable to have duplicate water systems.

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:

We bought tax lot 525 in 1977 and tax lot 500 in 2020. During 2018 tax lot 500 was trespassed on without the knowledge of the absentee land owner by criminals who stole water and grew illegal marijuana. The criminals also trespassed on to The Nature Conservancy land and cut down trees. They left trash and debris all over tax lot 500. After law enforcement activities, in order to protect our land and the neighborhood, we purchased tax lot 500 and worked hard to clean the property up with the help of family, friends, neighbors, and donations. We need human consumption water to provide for year round use and enjoyment of both of our properties. It is important to both us and the neighborhood to have a presence on the properties to protect the area. Not having a year round water supply would reduce the expected reasonable use and enjoyment of our properties.

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: K. O. Montgomery

Date: 1-2-24

Applicant Signature: Amy A Montgomery

Date: 1-2-24

RECEIVED

JAN 08 2024

OWRD