

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME SCOTT VIERCK		PHONE (HM) 541-297-8261	
PHONE (WK)	CELL		FAX
MAILING ADDRESS P.O. BOX 508			
CITY BANDON	STATE OR	ZIP 97411	E-MAIL *

Organization

NAME		PHONE	FAX
MAILING 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		PHONE	FAX
MAILING ADDRESS			CELL
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.)

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By my signature below I confirm that I understand:

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



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

Scott Vierck SCOTT R. Vierck 4-16-2024
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

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).*

USA *Forest Service, 29279 Ellensburg Ave., Gold Beach, OR 97444*

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: Venture Creek	Tributary to: Rogue River
TRSQQ of POD: T35S R13W Sec. 32 SE-SE	
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).

NA

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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_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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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
Ventue Creek	Domestic Expanded	year round	0.01 <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: _____ 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: _____

- 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

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A. Diversion and Conveyance

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

- Pump (give horsepower and type): 3/4 - 1 HP
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.
 Diversion by portable pump into pipeline to cabin.

B. Application Method

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

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.

Requested amount of water is the minimum necessary for listed use. There will be no waste as it will be a closed system.

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: There are no fish present as there is a steep drop-off to river

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 additional permits as the pump intake will be lowered into a pool in the stream

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

Describe planned actions and additional permits required for project implementation: No equipment in stream

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

Describe planned actions: there will be no runoff of diverted water

List other federal and state permits or contracts to be obtained, if a water right permit is granted.
 none

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: When permit issued
- b) Date construction will be completed: within 5 years after permit issuance
- c) Date beneficial water use will begin: within 5 years after permit issuance

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SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. *(Attach additional sheets if necessary).*
We own tax lots 1002 and 1400 and have an easement from TL 1400 across TL-1500 to creek

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: \$ 2,110.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Water-Use Permit Application Processing

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1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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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

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NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

This form is **NOT** required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only;**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**

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

24-000088

Attachment 2: Land Use Information Form

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

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APR 24 2024

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NAME Scott Vierck			PHONE 541 297-8261		
MAILING ADDRESS P.O. Box 508					
CITY Bandon	STATE IOR	ZIP 97411	EMAIL		

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:
35S	13W	32	SESE	1002		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	cabin
35S	13W	32	SESE	1400		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	pipeline
35S	13W	32	SESE	1500		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	pump & pipeline
						<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:

Curry

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) Venture Creek

Estimated quantity of water needed: 0.01 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:

We are applying for year round domestic use expanded (up to 1/2 acre of irrigation) A pipeline will be installed from a portable pump in the creek to tax lot 1002 where there will be a cabin
--

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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 use(s), 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 use(s), 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:	
Conditional use approval	Curry County zoning ordinance Section 3.231	<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

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

Name: Michael E. "Ted" Fitzgerald Title: Interim Planning Director
 Signature: Date: 4/12/24
 Governmental Entity: Curry County Planning Dept Phone: 541.247.3304

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:
 Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

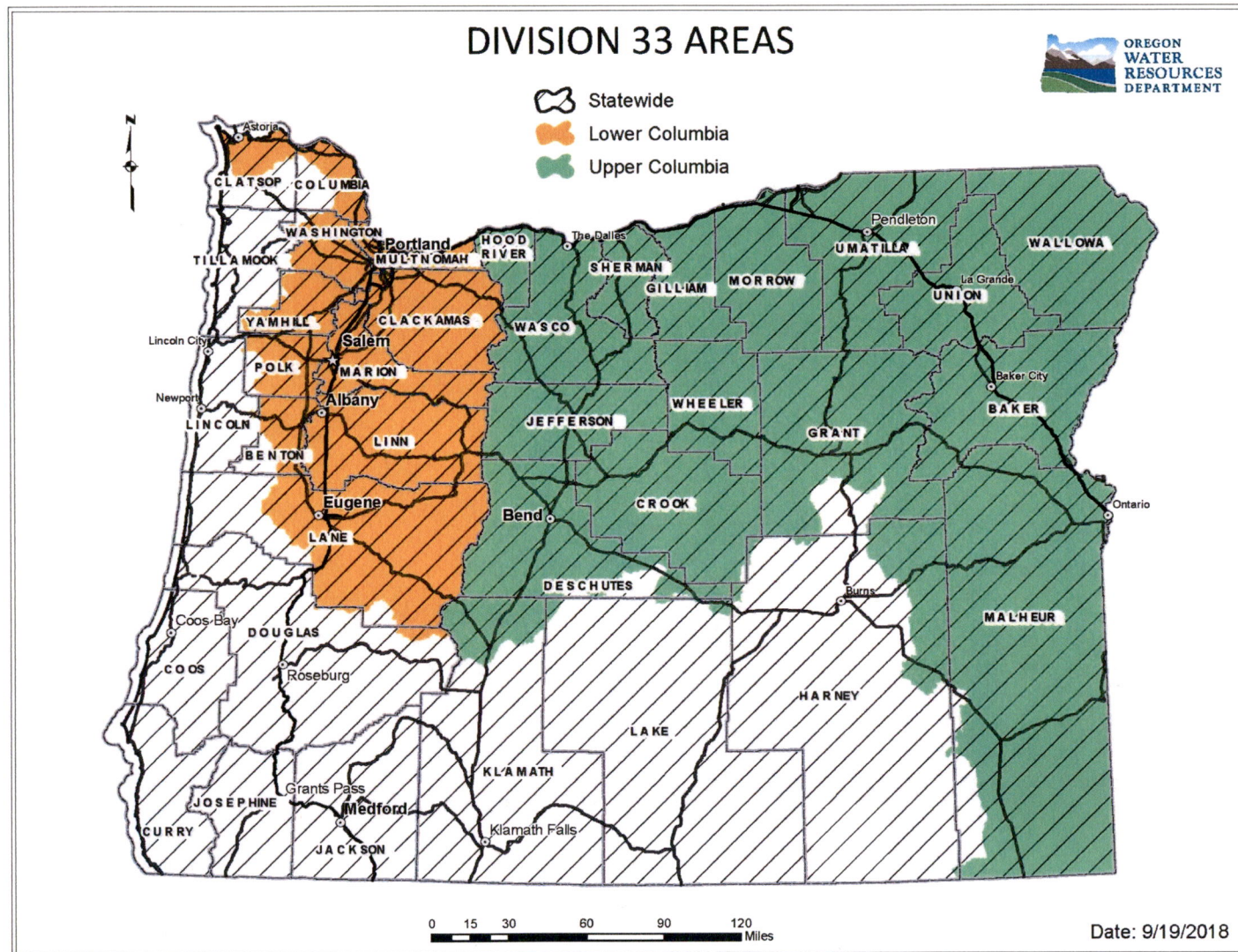
Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

Figure 1: Map of Division 33 Areas



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

After recording return to:
Robert S. Miller III, Attorney at Law
1010 First Street S.E., Suite 210
Bandon, Oregon 97411

Send tax statements to:
Scott Vierck and Edith Vierck
P. O. Box 508
Bandon, OR 97411

CURRY COUNTY, OREGON 2013-00212
LAND 01/17/2013 09:15 AM
Cnt=1 Pgs=1 RECC
\$5.00 \$11.00 \$15.75 \$10.00 \$41.75



Renee Kolen County Clerk, certify that the
within document was received and duly recorded
in the official records of Curry County.



Renee Kolen - Curry County Clerk

**BARGAIN AND SALE DEED
(ORS 93.860)**

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Grantor: Judith R. Manicke (also known as Judith Rae Manicke)
Address: P. O. Box 584, Bandon, Oregon 97411

Grantee: Judith R. Manicke (50%) and Scott R. Vierck and Edith P. Vierck, husband and
wife (50%), not as tenants in common but with rights of survivorship.
Address: P. O. Box 508, Bandon, Oregon 97411

Consideration: No monetary consideration - Estate Planning.

Property: The property described by Curry County, Oregon Book of Records 90 Page 579

For Consideration, Grantor hereby conveys Property to Grantee. ORS 93.040 Statutory Disclaimer. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

So Conveyed:

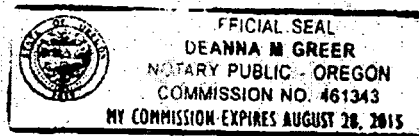
Judith R Manicke
Signature of Judith R. Manicke

Jan. 7-2013
Date Signed

STATE OF OREGON)
County of Coos) ss.
_____)

On the Date Signed above, Judith R. Manicke appeared before me and acknowledged this Bargain and Sale Deed.

Deanna M Greer
Signature of Notary Public for Oregon





STATUTORY WARRANTY DEED

Jerome V. Lester and Nancy L. Lester, husband and wife

_____, Grantor,
conveys and warrants to Bruce L. Manicke and Judith R. Manicke, husband and wife

_____, Grantee.
the following described real property free of liens and encumbrances, except as specifically set forth herein:

SEE EXHIBIT "A" ATTACHED

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OWRD

NOTICE 1509

This property is free of liens and encumbrances, EXCEPT: Items 1 and 3 thru 13 in Gold Coast Title order 33100.

The true consideration for this conveyance is \$16,000.00

DATED this 3 day of March 19 82

Jerome V. Lester
Jerome V. Lester

Nancy L. Lester
Nancy L. Lester

STATE OF OREGON, County of Curry)ss.

CORPORATE ACKNOWLEDGMENT
STATE OF OREGON, County of _____)ss.

The foregoing instrument was acknowledged before me this _____ day of March 19 82 by Jerome V. and Nancy L. Lester

The foregoing instrument was acknowledged before me this _____ day of _____ 19 _____ by _____ and _____ of _____ a corporation, on behalf of the corporation.

James L. Hebland
JAMES L. HEBLAND
NOTARY PUBLIC - OREGON
My Commission Expires 7-19-82
SEAL

Notary Public for Oregon
My commission expires:
July 19, 1982

Notary Public for Oregon
My commission expires:

SEAL

EXHIBIT "A"

PARCEL I

(LOT 7)

Received
APR 24 2024

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That certain tract of land lying in Government lot 9, Section 32, Township 35 South, Range 13 West, Willamette Meridian, Curry County, Oregon, described as follows:

Beginning at a point, 5G, 848.4 feet North and 829.5 feet West of the Southeast Corner of said Section 32;

- Thence North 50°09' West 203.5 feet to Point 5F;
- Thence North 64°55' West 221.6 feet;
- Thence North 11°34' West 54.1 feet;
- Thence South 89°33' East 231.5 feet to Point 5A;
- Thence South 89°33' East 40 feet, more or less, to the Southwesterly right of way of the Siskiyou Road No. 333;
- Thence Southeasterly following the Southerly boundary of the Siskiyou Road No. 333 to a point which bears North 24°29' East from the point of beginning;
- Thence South 24°29' West 12 feet, more or less, to the Point 8A;
- Thence South 24°29' West 151.7 feet to the point of beginning.

RESERVING THEREFROM:

- (1) An easement for common roadway and underground utilities over that portion described in Lawrence Contract recorded March 13, 1974 in Book 33, page 453.
- (2) Easements in previously recorded Documents.
- (3) An easement for utilities 10 feet in width, 5 feet on either side of the existing underground utility installation traversing the Southeastern portion of the premises.

ALSO GRANTING: An easement for installation and maintenance of a domestic water line over a strip of land 10 feet in width running Westerly 140 feet, more or less, from Point 5E to Venture Creek.

continued-----

ECT 33100

EXHIBIT "A"

PARCEL II
(LOT 5)

That certain tract of land lying in Government Lot 9, Section 32, Township 35 South, Range 13 West, Willamette Meridian, Curry County, Oregon, described as follows:

Beginning at a point 5EE, 1026.1 feet North and 786.8 feet West of the Southeast Corner of said Section 32. **Received**

APR 24 2024

Thence South 71°55' East 411.6 feet to point 5F.
Thence South 33°48' West 229.6 feet.
Thence South 49°00' East 118.0 feet to point 5K.
Thence South 18°37' West 84.9 feet to point 5KK.
Thence South 75°00' West 330 feet, more or less, to the center of the channel of Venture Creek.
Thence following the center of the channel of Venture Creek in a Northerly direction 440 feet, more or less, to a point which bears South 79°40' West 245 feet, more or less, from the point of beginning.
Thence North 79°40' East 245 feet, more or less, to the Point of Beginning.

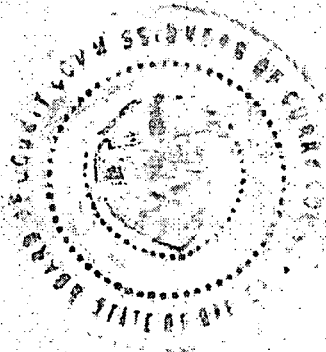
OWRD

EXCEPT an easement for right of way purposes over a strip of land 25 feet in width lying adjacent to and on the South-erly side of the line from Point 5EE to Point 5F.

EXCEPT an easement for right of way purposes over a strip of land 25 feet in width lying adjacent to and on the West-erly side of the line from point 5K to point 5KK.

TOGETHER WITH: That certain 50 foot easement to the Rogue River as described in Book 17 of Records, page 542-3.

GOT 33100



Indexed In Deeds
State of Oregon } ss.
County of Curry }
I hereby certify that the within instrument was
filed for record March 3, 1982
at 4:50 o'clock P M. and recorded
In Book of Records Vol 90 Page 579-58
EUGENE P. BAUMANN, County Clerk
Jennifer S. Parquer Deputy
Eee Rec'd. 2/2/82



Superior Water Right Consulting, LLC

NORM DAFT
"The Water Guy"

245 Glenoak Lane
Grants Pass, OR 97526

Phone (Cell): 541 761-1057
normthewaterguy@charter.net

April 20, 2024

**Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266**

Permit Application Section,

Please find the enclosed documents:

- 1. Application for Permit to use surface water for Domestic Expanded.**
- 2. Map of proposed use and place of use.**
- 3. Land Use Information Form signed by Jackson County planner.**
- 4. Property Deeds**
- 5. Fee Calculator**
- 6. Check for \$2,110 to cover fee.**

Please let me know if there are any questions that arise. (541) 761-1057

Thank you.

Norman E. Daft

**Received
APR 24 2024
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