

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 (may be an individual(s) or organization)

Name(s) (as it should appear on any permit that may be issued) Janet Shelton	Primary Contact (required if applicant is an organization)		
Mailing Address PO Box 51	City Florence	State OR	Zip 97439
Email Address * jmomshelton@gmail.com		Phone	

Applicant (may be an individual(s) or organization)

Name(s) (as it should appear on any permit that may be issued) Howard Cusack	Primary Contact (required if applicant is an organization)		
Mailing Address PO Box 647	City Florence	State OR	Zip 97439
Email Address * howiecusack@gmail.com		Phone	

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

Agent/Business Name Angela Mosieur / Stuntzner Engineering & Forestry			
Mailing Address PO Box 118	City Coos Bay	State OR	Zip 97420
Email Address * angelam@stuntzner.com		Phone 541-267-2872	

* Unless requested otherwise, the Department will send documents and notifications associated with the processing of this application in electronic form (i.e., by email). Please note, the Department will send the applicant the Proposed Final Order by certified mail and any permit that may be issued by standard mail.

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. 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.

Received
MAY 11 2026

OWRD
Received
MAY 26 2026

OWRD

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



	Howard Cusack	5/7/2026
Applicant Signature	Print Name and Title (if Organization)	Date
	Janet M. Shelton	05/07/2026
Applicant Signature	Print Name and Title (if Organization)	Date

SECTION 2: PROPERTY OWNERSHIP AND SIGNATORY AUTHORITY

A. 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 submerged and/or 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 used only on federal lands.
- NO, written authorization or an easement is not necessary, because the application is made by or on behalf of a public corporation. ORS 537.211(7). Public corporation is defined in ORS 536.007(7).

B. Affected Landowners

List the names, mailing addresses, and, if available, email 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, or any lands not owned by the applicant within the proposed place of use, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary.)*

None

Received
MAY 11 2026
OWRD

C. Legal Description

You must provide legal descriptions for all of the following: *(Attach copies)*

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.

Received
MAY 26 2026
OWRD

D. Evidence of Signatory Authority

If the applicant is a public agency, corporation or business, trust, or other organization, you must provide the title or authority of the person signing the application on behalf of the entity in **Section 1**, and you must attach evidence of signatory authority or a signed statement that such authority exists. *(Attach copies)*

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the name of the water body from which water will be diverted ("unnamed", if appropriate) and the name of the stream or lake it flows into.

	SOURCE NAME	TRIBUTARY TO
Source 1:	Unnamed Spring	Siuslaw River
Source 2:		
Source 3:		

B. Applications to Use Stored Water

Are any of the sources listed above stored water that is authorized under a water right permit, certificate, or decree?

- Yes – Please attach a copy of the permit, certificate, or decree or list the document number (for decrees, list the volume, page and/or decree name):
- No – Continue with Section 4 below.

For applications to use stored water, do you own the reservoir(s) described in Section 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 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 *Surface Water Guidebook* (www.oregon.gov/owrd/WRDFormsPDF/surfacewaterbook.pdf) 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.

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

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 on the last page of this application 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 additional help, please call the customer service desk at (503) 986-0900.

Upper Columbia - OAR 690-033-0115 through -0130

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

Yes No

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

If yes,

- I understand that the permit, if issued, will not allow use during the time period of 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 through -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.

Received

MAY 11 2026

OWRD

Received

MAY 26 2026

OWRD

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, you will be required to provide the following information, if applicable.

Is the proposed use for more than **one** cubic foot per second (448.8 gpm) and not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans)?

Yes No

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

Statewide - OAR 690-033-0330 through -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.

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

SECTION 5: WATER USE

Identify each proposed use of water under this application, including the source, the requested period of use (e.g., year-round, Mar 1 – Oct 31, etc.), and the amount 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	
Unnamed Spring	Domestic	Year-round	0.05	<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

- If the use is **irrigation or nursery use**, please indicate the number of acres for primary irrigation, supplemental irrigation and/or nursery use. *(Please check that this matches the application map.)*
 - Primary Irrigation: n/a acres
 - Supplemental Irrigation: n/a acres
 - Nursery Use: n/a acres
 - Total number of acre-feet you are requesting to use annually for the above uses: n/a acre-feet
 - If supplemental irrigation acres are listed, provide the permit or certificate number of the underlying primary water right(s): n/a

- If the use is **municipal or quasi-municipal**, you are required to attach a completed **Form M**: <https://www.oregon.gov/owrd/WRDFormsPDF/muniform.pdf>

- If the use is **domestic**, indicate the number of households: 2 households

- If the use is **mining**, describe what is being mined and the method(s) of extraction *(attach additional sheets if necessary)*:
N/A

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (provide horsepower and type):
3/4 hp, submersible pump

Other means (describe):

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

The system has a spring box which is a riser set in concrete with an 2 inch outlet pipe connected to a 55 gallon settling tank. The settling tank empties to a large 1500 gallon holding tank which has the submersible pump. From the pump the water is sent to a building with a pressure tank and ultraviolet treatment system. From the building the water is sent to the seperate houses for use.

A. Application Method

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

N/A

B. Conservation

Please describe why the amount of water requested is needed and measures you propose to: (1) prevent waste, (2) measure the amount of water diverted, (3) prevent damage to aquatic life and riparian habitat, (4) prevent the discharge of contaminated water to a surface stream, and (5) prevent adverse impact to public uses of affected surface waters. (Attach additional sheets if necessary.)

The amount of water requested will be for 2 households. Water has been beenficially used for over 50 years without damage to existing habitat or surrounding water rights. The water use will be monitored to ensure there is not overuse and the diversion at the source constructed to not impact the spring's hydrolic connectivity to the downstream surface waters. Additionally the distribution lines will be maintained to ensure leaks are corrected.

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 is no stream channel at the spring that would require a screen.

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

- 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:

The water system is already constructed and been in use for over 50 years.

- 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:

N/A

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

There are no chemical or waste products stored near the POD or the storage tank

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

N/A

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: Completed
- b) Date construction will be completed: Completed
- c) Date beneficial water use will begin: Completed

Received
 MAY 11 2026
 OWRD

Received
 MAY 26 2026
 OWRD

Please note, the above items (a)-(c) must be provided for an application to be accepted. It is understood that these proposed dates may be approximate (i.e., month-year).

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		Mailing 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*)

I (Angela Mosieur) conducted a site visit of the existing water system on April 16, 2026. I met with Janet Shelton who owns tax lot 108 and Howard Cusack who owns tax lot 105. The existing water system has been in use for over 50 years. There have been upgrades to the water system in the last 5 years which improved water quality and equipment upgrades. The system has been described in the water application. The conversation regarding a water rights permit came to light during the attempted sale of tax lot 105. The water system has been well managed, and the water has been beneficially used for the duration of its operation from observations and conversations with the property owners.

Alternative water sources are unfortunately impracticable due to the following factors. The properties are outside of the Florance water district and thus do not have access to City water. Additionally, there is not space on either property for a well due to a lack of available space, regulation setbacks from septic and a narrow access road. The cost to drill for a well on both properties is also not feasible and would put a financial burden on the current homeowners.

In conclusion, we have completed an application to permit the use of the surface water and will follow through with a claim once the permit has been granted.

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

General Information on Processing of Water-Use Permit Applications

Before Applying: If you are considering applying for a *Permit to Use Surface Water*, it is recommended that you review the *Surface Water Guidebook* (www.oregon.gov/owrd/WRDFormsPDF/surfacewaterbook.pdf) and *Water Rights in Oregon* (www.oregon.gov/owrd/WRDPublications1/aquabook.pdf). Please also review the list of restricted sources available on the Department's website (www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Obtain.aspx). If the Department receives an application for a restricted source identified on this list, the application will be returned along with all or a portion of the fees that were submitted. Please contact the Customer Service Group at 503-986-0900 or wrd_dl_customerservice@water.oregon.gov with any questions.

Application Submission: Applications must be submitted using the currently available application forms, which can be found here: www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Obtain.aspx. These forms contain a checklist of required items that must be submitted for an application to be considered complete. Effective April 1, 2026, a portion of the application exam fee is required to be paid when the application is submitted. The remaining portion of the exam fee and the permit recording fee must be paid after the applicant receives the Initial Review (below) if the applicant would like the Department to continue processing the application. Please use the Department's Fee Calculators to determine the fees required for an application (apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/).

Applications submitted to the Department will be screened to identify if the proposed use is restricted under ORS 536.415. A list of sources subject to these restrictions is available online, as described in the "Before Applying" section above. For applications received on or after April 1, 2026, the Department will return the application, and all or a portion of the fees, if the source of water is subject to listed restrictions. If the Department finds the application to be complete and not subject to restricted sources, the application will receive a tentative priority date, an application number, and a Water Rights Caseworker will be assigned.

Initial Review: The Department reviews the application to determine whether water is available during the period of use 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 the Department's preliminary determinations is sent to the applicant electronically by email unless requested otherwise or an applicant email address is not available. Following issuance of the IR, the applicant has 90 days to notify the Department if they would like to continue processing the application and to pay any remaining fees due. If written notification to continue processing and payment of any remaining fees is not received by the due date described in the Initial Review, the Department will close the application file and take no further action on the application.

Public Notice and Comment Period: If the applicant notifies the Department to continue processing the application and any remaining fees due are received, the application will be put on the Department's weekly public notice. This opens a 30-day public comment period. If the IR determined the application will have an impact on surface water flows where sensitive, threatened, or endangered (STE) fish species may be present, the application will be reviewed by the Oregon Department of Fish and Wildlife and the Oregon Department of Environmental Quality.

Proposed Final Order: The Department will review any comments received, including comments from other state agencies, and issue 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. The PFO will be put on the Department's weekly public notice, and a 45-day period within which any protests of the PFO must be received by the Department will begin. Information describing protest requirements and fees is provided within the PFO.

Decision Becomes Final: Unless a timely protest is received or the PFO is withdrawn for further consideration by the Department, the PFO shall become a final order on the date that is 33 days after the close of the time period for submitting a protest with no further action required by the Department. If the application is approved, a permit will be issued. The permit will specify the details of the authorized use and any terms, limitations, or conditions that the Department deems appropriate.

Received
MAY 25 2026
OWRD

Received
MAY 11 2026
OWRD



LAND MANAGEMENT DIVISION

Date Received:

RECEIVED APR 28 2026

TYPE I APPLICATION
Zoning Determination Application

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # 509-PA25-05266 FEE: \$182.24

Applicant (print name): Angela Mosieur, Stuntzner Engineering & Forestry

Mailing address: PO 118 Coos Bay, OR 97459

Phone: 541-267-2872 Email: angelam@stuntzner.com

Applicant Signature: [Handwritten Signature]

Received MAY 26 2026

PROPERTY LOCATION

18112000, Tax lots 108 & 105

Assessor's Map and Tax Lot

6855 OR-126 & 6859 OR-126, Florence OR 97439

Site address

Received MAY 11 2026 OWRD

The Zoning Determination Application (ZD) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

I (Angela Mosieur), am assisting our clients/the property owners at the addresses listed above with an application for a permit to use surface water.

Oregon Water Resources Department require a sign off from the local planning department for the application.

The land use form and instructions are included at the end of the application packet.

Blank lines for providing a question/request.

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

Received
MAY 26 2026
OWRD

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. Applications received by OWRD without the Land Use Information Form will be returned to you. 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**
 - d. The application involves irrigation water uses only.

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.

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 have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

Received
MAY 11 2026

This page intentionally left blank.

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

Received
MAY 26 2026

Land Use Information Form

OWRD



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

Received
MAY 11 2026

OWRD

NAME <i>Angela Mosieur</i>			PHONE <i>541-267-2872</i>		
MAILING ADDRESS <i>PO Box 118</i>					
CITY <i>Coos Bay</i>		STATE <i>OR</i>	ZIP <i>97459</i>	EMAIL <i>angelam@stutzner.com</i>	

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:
<i>18</i>	<i>11</i>	<i>20</i>	<i>00</i>	<i>00108</i>	<i>F2/F1</i>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>Domestic</i>
<i>18</i>	<i>11</i>	<i>20</i>	<i>00</i>	<i>00105</i>	<i>F2/F1</i>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>Domestic</i>
						<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	
						<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:

Lane County

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) _____

Estimated quantity of water needed: *.05* cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for *2* household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

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.

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): LC 16.211(2)-2.5

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:	
		<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 Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

To replace either dwelling will require Verification of Replacement Rights and building/sanitation permits.
Parcel ending in -00108 = Dwelling placed prior to bldg. permit requirement, 1958.
Parcel ending in -00105 = BP80-02987 approved dwelling placement

Name: Marianne Nolte Title: Coordinated Svc. Supervisor
 Signature: MNolte Date: 4/29/26
 Governmental Entity: Lane County Phone: 541-682-4057

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

After recording, return to:
SCOTT C. SCHULTZ
Attorney at Law
969 Willagillespie Road
Eugene, OR 97401

Lane County Clerk
Lane County Deeds and Records

2023-002948



\$92.00

02/06/2023 03:21:14 PM

RRB19-07 Cr1=1 Pgc=2 3In=45 CASHIER 04
\$19.00 \$11.00 \$51.00 \$10.00

Until a change is requested,
mail all tax statements to:
NO CHANGE

WARRANTY DEED

RICHARD LEE SHELTON and JANET M. SHELTON, as tenants by the entirety, "Grantors", hereby conveys and warrants to JANET M. SHELTON, Trustee, or her successors in trust, under the SHELTON LIVING TRUST, dated February 1, 2023, and any amendments thereto, "Grantee", the following real property, free of encumbrances except for matters of public record:

SEE EXHIBIT "A" ATTACHED HERETO

THE LIABILITY AND OBLIGATIONS OF THE GRANTOR TO GRANTEE AND GRANTEE'S HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTOR UNDER A STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTOR OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE, AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

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, 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 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS \$-0-.

Dated this 1st day of February, 2023.

Janet M. Shelton as POA for Richard Lee Shelton
RICHARD LEE SHELTON
Janet M. Shelton
JANET M. SHELTON

State of Oregon)
) ss.
County of Lane)

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

EXHIBIT "A"

Beginning at a 5/8" iron rod being South 2° 58' 46" West 245.43 feet and North 87° 01' 14" West 333.03 feet from the center of Section 20, Township 18 South, Range 11 West of the Willamette Meridian; thence North 87° 01' 14" West 230.03 feet to the East line of that parcel conveyed to Verlin Mattox, Jr., recorded September 25, 1979, Instrument No. 79-57730, Lane County Official Records; thence along said Easterly line and its projection North 2° 58' 46" East 420.00 feet; thence leaving said Easterly line and its projection South 84° 49' 22" East 321.45 feet to a 5/8" iron rod; thence South 2° 58' 46" West 181.90 feet to a 5/8" iron rod; thence South 21° 46' 24" East 179.40 feet to a 5/8" iron rod; thence South 52° 49' 04" West 70.26 feet to a 5/8" iron rod; thence South 84° 07' 27" West 113.96 feet to the point of beginning, in Lane County, Oregon. Bearings herein are based on the Oregon Coordinate System South Zone.

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

Howard Cusack
6859 Highway 126
Florence
97439

Division of Chief Deputy Clerk
Lane County Deeds and Records
2010-050998
\$47.00
01180236201000509980020024
10/08/2010 02:27:29 PM
RPR-DEED Cnt=1 Stn=1 CASHIER 06
\$10.00 \$11.00 \$16.00 \$10.00

BARGAIN AND SALE DEED

For value received, Howard Thomas Cusack and Katherine Lynne Burbach, Grantor, hereby grants, bargains, sells and conveys to Howard Thomas Cusack and Katherine Lynne Burbach, or their successor in interest, as Trustees, under the Cubach Family Revocable Living Trust (a revocable grantor type trust without set expiration date) dated September 27, 2010, Grantee, all of the Grantor's interest in the following described real property in Florence, OR:

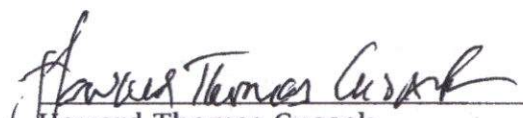
See attached Exhibit B.

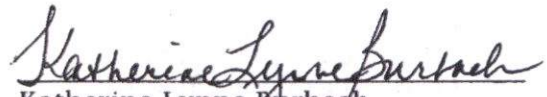
***2009 Disclaimer pertaining to ORS 93.040(1) attached as **Exhibit A** on page 2. ***

This deed is given to place real property in a revocable living trust. Under the terms of this trust, upon the resignation, death or disability of the initial trustee(s), successor trustee Constance Donahue, or an alternate successor trustee named in a subsequent trust amendment, will become trustee.

True consideration for this conveyance is other than monetary and is zero.

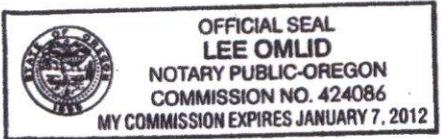
DATED: September 27, 2010.


Howard Thomas Cusack


Katherine Lynne Burbach

STATE OF OREGON, County of Lane, ss.

This instrument was executed and acknowledged before me on September 27, 2010, by Howard Thomas Cusack and Katherine Lynne Burbach.




NOTARY PUBLIC FOR OREGON

Received
MAY 26 2026
OWRD

Mail all tax statements to:
No change.

After recording, return to:
Lee Omlid
216 Nopal Street
Florence, OR 97439

Page 1 of 2

Received
MAY 11 2026
OWRD

EXHIBIT A

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, 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.

EXHIBIT "B"

Beginning at the center of Section 20, township 18 South, Range 11 West of the Willamette Meridian, thence along the North-South center section line of Section 20, South 2° 58' 46" West 183.74 feet to the Northerly margin of the Southern Pacific Railroad right-of-way; thence along said Northerly margin along a line parallel to and 50 feet distant from a 90 foot taper section to the right having a taper value of one-half (the chord of which bears South 56° 52' 01" West 74.76 feet); thence along the arc of a 5679.60 foot radius curve right (the chord of which curve bears South 57° 16' 01" West 30.18 feet) a distance of 301.18 feet; thence leaving said Northerly Margin North 87° 01' 14" West 248.13 feet to a 5/8" iron rod; thence North 84° 07' 27" East 113.96 feet to a 5/8" iron rod; thence North 52° 49' 04" East 70.26 feet to a 5/8" iron rod; thence North 21° 46' 24" West 179.40 feet to a 5/8" iron rod; thence North 2° 58' 46" East 181.90 feet to a 5/8" iron rod; thence South 84° 49' 22" East 242.03 feet to the North-South center section line of Section 20; thence along the North-South center section line South 2° 58' 46" West 152.97 feet to the point of beginning, in Lane County, Oregon. Bearings are based on the Oregon Coordinate System—South Zone.

Mail all tax statements to:
No change.

After recording, return to:
Lee Omlid
216 Nopal Street
Florence, OR 97439

Page 2 of 2

Received

MAY 26 2026

OWRD

Received

MAY 11 2026

OWRD

Howard Cusack and Katherine Burbach
13 Eliot Street
Natick, MA 01760

Thomas Cusack
6859 Highway 126
Tongue Pt OR 97439

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

**James C. and Mabel G. Greenhaw Living Trust, UTD the 21st day of July, 2005,
James C. Greenhaw and Mabel G. Greenhaw, Trustees, Grantor(s)**

convey and warrant to

HOWARD THOMAS CUSACK AND KATHERINE LYNNE BURBACH, as tenants by the entirety, Grantees

the following described real property free of encumbrances except as specifically set forth herein:

SEE ATTACHED EXHIBIT "A"

Account No(s): **1043650**
Map/Tax Lot No(s): **18 11 20 00 00105**

This property is free of encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

The true consideration for this conveyance is **\$370,000.00**. (Here comply with requirements of ORS 93.030.)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 and 195.305 TO 195.336 AND SECTIONS 5 TO 11 OF CHAPTER 424, OREGON LAWS 2007. 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.

Executed this 24 day of April, 2008

James C. and Mabel G. Greenhaw Living Trust, UTD the 21st day of July, 2005

By: James C. Greenhaw
James C. Greenhaw, Trustee

By: Mabel G. Greenhaw
Mabel G. Greenhaw, Trustee

State of Oregon, County of Lane) ss.

This instrument was acknowledged before me on this 24 day of April, 2008 by **James C. Greenhaw and Mabel G. Greenhaw, Trustees of James C. and Mabel G. Greenhaw Living Trust, UTD the 21st day of July, 2005**

Brenda Sorric
Notary Public for Oregon



Received
MAY 26 2026

OWRD

Received
MAY 11 2026

OWRD

ANGELA

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



IMPORTANT NOTICES: Before you prepare your application, please read the below notices. Please also refer to the Surface Water Guidebook (www.oregon.gov/owrd/WRDFormsPDF/surfacewaterbook.pdf).

Application Form Updates:

Chapters 282 and 575, Oregon Laws 2025, amended statutes governing water right permit application processing. In addition, the Water Resources Commission adopted amended rules on March 19, 2026. As a result, this application form has been updated and is required to be used for any application received on or after April 1, 2026. Please note, modification of this form is not permitted. If a section does not contain the necessary space or response options for your situation, please provide your information in "Section 10: Remarks" or on additional pages.

Applications Restricted under ORS 536.415 will be Returned:

For applications received on or after April 1, 2026, the Department will return the application, and all or a portion of the fees, if the source of water is withdrawn from appropriation under ORS 538 or by rule or order of the Water Resources Commission under ORS 536.410.

The Department will conduct this review at intake and based upon the information provided when the application is received. **IMPORTANT:** The Department has published a list of sources subject to the above restrictions. You are strongly encouraged to review this list carefully before submitting your application. The list can be found here: www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Obtain.aspx

Fee Submission Updates:

For applications received on or after April 1, 2026, partial payment (equaling 60 percent of the examination fee) is due at application submission, and the remaining portion (equaling 40 percent of the examination fee and the permit recording fee) is due following issuance of the Initial Review if the applicant notifies the Department to continue processing the application (see below). Please use the Department's online Fee Calculator (apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/) to determine the fees for your application.

Processing Updates:

Response required following Initial Review—Following issuance of the Initial Review (IR), if an applicant would like the Department to continue processing the application to reach a final decision, the applicant must notify the Department in writing within 90 days of IR issuance AND pay any remaining fees due.

Proposed Final Order will become a Final Order under certain circumstances—If the Department does not receive a timely protest of a Proposed Final Order (PFO) and does not withdraw the PFO, the PFO will become a Final Order 33 days after the close of the period of time in which to file a protest.

Electronic Forms of Documents:

Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). Consider adding this email address to your safe sender list. The Department will send Proposed Final Orders by certified mail and any permit that may be issued by standard mail.

Received
MAY 26 2026
OWRD

Received
MAY 11 2026
OWRD

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-305-0010 and ORS 537.140)

Include this checklist with the application

Check that each of the following items are included. The application will be returned as incomplete if all required items are not included. Please submit the original application and signatures to the Oregon Water Resources Department. Applicants are encouraged to keep a copy of the completed application. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership and Signatory Authority
- 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

A COMPLETE APPLICATION INCLUDES THE FOLLOWING ITEMS:

Additional information may be required. See the Surface Water Guidebook for details.
(www.oregon.gov/owrd/WRDFormsPDF/surfacewaterbook.pdf)

- Completed **Application for a Permit to use Surface Water** (including Sections 1-10, as described above).
- Completed **Land Use Information Form** with original signature of local planning department. This form must be dated no more than one year prior to application submission.
- Legal Description** of: (1) the property(ies) from which the water is to be diverted, (2) any property(ies) crossed by the proposed ditch, canal or other work, and (3) any property(ies) on which the water is to be used as depicted on the map.
- Evidence of signatory authority** or a signed statement that such authority exists for applications submitted on behalf of an entity (e.g., organization).
- Application Map** that includes all required elements as described in [OAR 690-305-0010](#).
- Application Fees** – Please use the Fee Calculators at apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/ or contact the Customer Service Group at wrd_dl_customerservice@water.oregon.gov or (503) 986-0900.

Total Examination Fee: \$ 2,250

Recording Fee: \$ 915

Amount required to be paid at this time (60% of total examination fee): \$ 1,350

Received
MAY 26 2026

OWRD

Received
MAY 11 2026
OWRD