



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Use Surface Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: JERRY STONE
First Last

Mailing address: P. O. BOX 358
ROSEBURG OREGON 97470
City State Zip

Phone: 541-430-4978 — —
Home Work Other

*Fax: — *E-Mail address: blackcloud@wildblue.net

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: N/A

Name and title of person applying: _____

Mailing address of organization: _____

City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

* Optional information

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 WATER RESOURCES DEPT.
 SALEM, OREGON

For Department Use		
App. No. _____	Permit No. _____	Date _____

2. SOURCE AND PROPERTY OWNERSHIP

A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Ben Irving Res. Tributary to: Berry Creek
Source 2: _____ Tributary to: _____
Source 3: _____ Tributary to: _____
Source 4: _____ Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).
Certificate 80425

B. Applications to Use Stored Water

Complete this section if any source listed in item 2A above is stored water.

Do you, or will you, own the reservoir(s) described in item 2A above?

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

Letter attached ATTACHMENT # 1

If *all* sources listed in item 2A 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.

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C. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

Yes (Please check appropriate box below then skip to section 3 'Water Use')

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below.)

I have a recorded easement or written authorization permitting access.

SEE ATTACHMENT # 2

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

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

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.

List the names and mailing addresses of all affected landowners.

JAMES SPRAGG

888 DAIRY LOOP Rd.

ROSEBURG, OR. 97471

3. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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B. Amount of Water

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	Type of use	Amount
Ben Irving Res.	Supplemental Irrigation	6 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

C. Period of Use

Indicate the time of year you propose to use the water: March 1 - October 31.
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

D. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 2.4 acres irrigation
(This number should be consistent with your application map.)

4. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): SINGLEPHASE CENTRIFUGAL PUMP BERKLEY 2 1/2 HORSEPOWER
- Head-gate (give dimensions): _____
- Other means (describe): _____

B. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- Weir Meter Periodic Sampling
- Other means (describe): _____

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C. Transport

How will you transport water to your place of use?

Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

Pipe (give diameter and total length): **PUMP PICKUP 15' 2" PVC, (Then 20' OF 1 1/2" PVC TO METER) (92M' OF 3" PVC TO PROPERTY), ~~THEN REST IS 2 1/2" PVC~~**
Diameter _____ Length _____
SEE ATTACHMENT # 3

Other (describe) _____

D. Application/Distribution Method

What equipment will you use to apply water to your place of use? _____

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Most efficient method of irrigation will be used as feasible.

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5. RESOURCE PROTECTION

A. Protection Practices

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

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

Describe planned actions: Intake will be screened to ODFW specifications.

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

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

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: Will employ best management practices.

Other: _____

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6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: October 1, 2009
Proposed date construction will be completed: October 1, 2010
Proposed date beneficial water use will begin: October 1, 2011

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

N/A

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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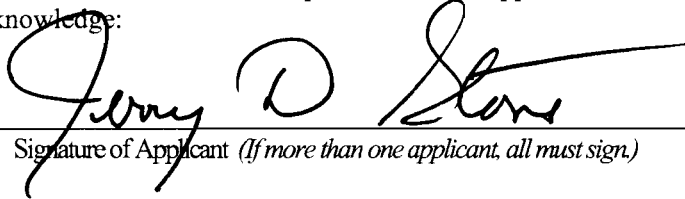
**WATER RESOURCES DEPT.
SALEM, OREGON**

9. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



6-19-08

Signature of Applicant (If more than one applicant, all must sign.)

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

WRD on the web:
www.wrd.state.or.us

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ATTACHMENT (#1)

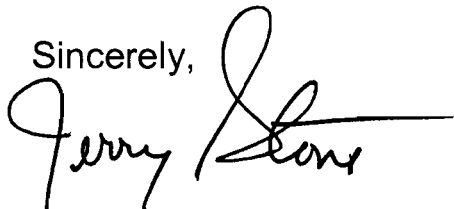
June 17, 2008

Lookingglass Olalla Water Control District
P.O. Box 47
Tenmile, OR 97481

To Whom It May Concern:

I hereby intend to file an application with the Oregon State Water Resources Department to use 6 acre feet of stored water from Ben Irving Reservoir.

Sincerely,


Jerry Stone

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SALEM, OREGON

ATTACHMENT #2
94-16351

AGREEMENT FOR EASEMENT

BOOK 1308 PAGE 498

THIS AGREEMENT, Made and entered into this 7th day of July, 1994, by and between Donald A. and Julie A. Maxwell hereinafter called the first party, and Steven A. and Monica M. Wahls hereinafter called the second party;

WITNESSETH:

Douglas

WHEREAS: The first party is the record owner of the following described real estate in Douglas County, State of Oregon, to-wit:

See "Attachment A".

and has the unrestricted right to grant the easement hereinafter described relative to said real estate;

NOW, THEREFORE, in view of the premises and in consideration of One Dollar (\$1) by the second party to the first party paid and other valuable considerations, the receipt of all of which hereby is acknowledged by the first party, they agree as follows:

The first party does hereby grant, assign and set over to the second party

Easement for construction, maintenance and use of an irrigation pipeline and pump to carry water from Olalla-Berry (Lookingglass) Creek to and for the benefit of the parcel of land described in "Attachment B"; and the right to establish and maintain a separate electrical service for the pump from the existing power pole on the bank of Olalla-Berry (Lookingglass) Creek. This pipeline is to be buried at least 2 1/2 feet below ground level.

(Insert here a full description of the nature and type of the easement granted to the second party.)

The second party shall have all rights of ingress and egress to and from said real estate (including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party hereby agrees to hold and save the first party harmless from any and all claims of third parties arising from second party's use of the rights herein granted.

The easement described above shall continue for a period of indefinite, always subject, however, to the following specific conditions, restrictions and considerations:

- a) Second Party shall bear all cost associated with construction, operation, maintenance or repair of irrigation line and associated equipment, including all costs of installing electrical service and monthly charges for electrical service; and appropriate fees by the Lookingglass-Olalla Water District as they pertain to irrigation of Grantee's property.

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DOUGLAS COUNTY TITLE COMPANY

DOUGLAS COUNTY TITLE CO
629 S.E. MAIN ST.
ROSEBURG, OR 97470

- b) This easement shall terminate two years after the cessation of any irrigation of Grantee's property, or by written agreement between Grantor and Grantee. Grantee maintains exclusive right to use of irrigation pipe and equipment installed by Grantee, unless otherwise stated in writing.
- c) This easement shall be nonexclusive.
- d) Second Party shall promptly repair any damage to property of First Party caused by construction, operation, maintenance or repair activities related to irrigation line and associated equipment of second party, and Second Party shall, upon demand, compensate First Party for any loss suffered by First Party of account of said activity of Second Party.

The easement hereby granted shall be ten feet (10') in width, the center line of which shall be as shown in "Attachment C".

During the existence of this easement, its maintenance and the cost of said maintenance shall be the responsibility of (check one): the first party; the second party; both parties, share and share alike; both parties, with the first party being responsible for% and the second party being responsible for%. (If the last alternative is selected, the percentages allocated to each party should total 100.)

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest as well.

In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply equally to individuals and to corporations. If the undersigned is a corporation, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by its board of directors.

IN WITNESS WHEREOF, the parties hereto have executed this easement in duplicate.

Dated July 7, 1994

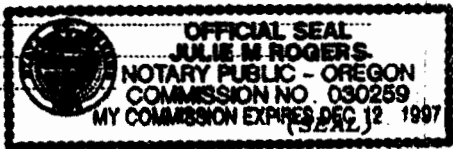
* Donald A. Maxwell
 * Julie A. Maxwell
 FIRST PARTY

Steven A. Wahls
Monica M. Wahls
 SECOND PARTY

(If executed by a corporation, affix corporate seal and use the form of acknowledgment opposite.)

STATE OF OREGON, }
 County of Deschutes } ss.
 This instrument was acknowledged before me on July 7, 1994, by Donald A. & Julie A. Maxwell
Chris McMullen
 Notary Public for Oregon

STATE OF OREGON, }
 County of Douglas } ss.
 This instrument was acknowledged before me on June 28, 1994, by STEVEN A. WAHLS + MONICA M. WAHLS
Julie M. Rogers
 Notary Public for Oregon
 My commission expires: 12-12-97



OFFICIAL SEAL
 CHRS. MCMULLEN
 NOTARY PUBLIC - OREGON
 COMMISSION NO. 013529
 MY COMMISSION EXPIRES MAR 31 1995

**AGREEMENT
 FOR EASEMENT
 BETWEEN**

AND

AFTER RECORDING RETURN TO

SPACE RESERVED
 FOR
 RECORDER'S USE

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WATER RESOURCES DEPT.
 SALEM, OREGON

STATE OF OREGON, }
 County of } ss.

I certify that the within instrument was received for record on the day of, 19....., at o'clockM., and recorded in book/reel/volume No..... on page or as fee/file/instrument/microfilm/reception No., Record of of said County.

Witness my hand and seal of County affixed.

NAME TITLE
 By Deputy

Agreement for Easement
Attachment A

All that portion of the following described property lying Northerly of the centerline of Lookingglass Creek in Sections 1 and 2, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, to-wit: Beginning at the Northeast corner of the Joseph Huntley Donation Land Claim being Claim No. 40; thence South on the East line of said claim, 141 rods and 12 feet; thence West, parallel with the north line of said claim to the west boundary line of said claim thence North on the west boundary line of said claim to the Northwest corner of said claim thence East on the north line of said claim to the place of beginning.

EXCEPTING THEREFROM: Beginning at a 1/2 inch iron pipe on the westerly line of the Lookingglass to Brockway County Road which is South 10° 38' West 125.0 feet from the northeast corner of the Joseph Huntley Donation Land Claim No. 40, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon; thence running from said beginning point along the westerly line of said road, South 00° 09' West 1299.2 feet to a 3/4 inch iron pipe and South 20° East 60.9 feet to a 3/4 inch iron pipe at an intersection with a fence line on the east line of said Donation Land Claim; thence leaving the westerly line of said road and running South 00° 39' West 336.1 feet along the east line of said Donation Land Claim to the center of Lookingglass Creek; thence running upstream along the center of said creek, North 41° 27' West 284.5 feet; thence North 5° 40' West 296.3 feet and North 12° 48' West 374.1 feet to a point; thence leaving the center of said creek and running North 22° 03' East 60.3 feet to 3/4 inch iron pipe; thence continuing North 22° 03' East 297.5 feet and North 5° 55' East 606.8 feet to an iron pipe on the south line of said road thence running along the south line of said road South 89° 39' East 75.3 feet to an iron pipe and South 35° 54' East 121.0 feet to the place of beginning, all situated in Sections 1 and 2, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.

ALSO EXCEPTING that portion in County Road.

FURTHER EXCEPTING a parcel of land lying in the Northeast quarter of Section 2, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, described as follows: Beginning at a 5/8 inch iron rod on the southerly right of way line of County Road No. 108 from which the Northeast corner of Donation Land Claim No. 40 bears North 89° 33' 08" East 2,075.59 feet; thence along said southerly right of way line South 89° 58' 12" West 800.00 feet to a 5/8 inch iron rod; thence leaving said southerly right of way line South 2° 36' 08" East 292.65 feet to a 5/8 inch iron rod; thence North 87° 23' 52" East 787.66 feet to a 5/8 inch iron rod; thence North 0° 01' 48" West 257.00 feet to the point of beginning.

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WATER RESOURCES DEPT.
SALEM, OREGON

Agreement for Easement
Attachment A (continued)

RESERVING UNTO GRANTOR an easement for the construction, maintenance and use of an irrigation pipeline and pump to carry water from Olalla-Berry Creek (Lookingglass Creek) and also the right to establish a separate electrical service for the pump from the existing power pole. The easement shall be 10 feet in width and shall run from a point on the South line of the premises hereinafter described approximately 254 feet more or less West of the Southeast corner of said parcel; thence in a Southerly direction to a point approximately 60 feet West of the Southwestern corner of the cistern building; thence in a Southwesterly direction 108 feet more or less, to a point on the bank of the Olalla-Berry Creek (Lookingglass Creek) where the existing power pole is located. This easement is for a pipeline to be buried at least 3 feet below ground level and for the maintenance of a pump on the bank of Olalla-Berry (Lookingglass) Creek.

This easement shall be across the land described above and shall be appurtenant to and for the benefit of the following described parcel of land:

A parcel of land lying in the Northeast quarter of Section 2, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, described as follows: Beginning at a 5/8 inch iron rod on the southerly right of way line of County Road No. 108 from which the Northeast corner of Donation Land Claim No. 40 bears North 89° 33' 08" East 2,075.59 feet; thence along said southerly right of way line South 89° 58' 12" West 800.00 feet to a 5/8 inch iron rod; thence leaving said southerly right of way line South 2° 36' 08" East 292.65 feet to a 5/8 inch iron rod; thence North 87° 23' 52" East 787.66 feet to a 5/8 inch iron rod; thence North 0° 01' 48" West 257.00 feet to the point of beginning.

TOGETHER with 70.7 acres of water rights.

SUBJECT TO:

1. Roads and highways and the rights of the public therein.
2. The premises hereindescribed are within and subject to the statutory powers, including the power of assessment, of the Lookingglass-Ollala Water Control District.
3. Easement, including the terms and provisions thereof, granted by Gordon J. Ford, et ux, to Pacific Northwest Bell Telephone Company, and recorded June 21, 1976, in Book 602, Page 581, Recorder's No. 76-9396, Records of Douglas County, Oregon.
4. Resource management easement, including the terms and provisions thereof, granted by Gordon Ford, et ux, and recorded March 6, 1985 in Book 907, Page 95, Recorder's No. 85-2414, Records of Douglas County, Oregon.

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SALEM, OREGON

Agreement for Easement
Attachment B

Beginning at a 5/8 inch iron rod set in the southeasterly line of County Road No. 108, said rod being 1769.00 feet South and 3745.01 feet West of the northeast corner of Donation Land Claim No. 40, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon; thence along said southeasterly line North 21 15' East 52.12 feet; North 43 16' East 120.85 feet and North 56 01' East 269.71 feet to a 5/8 inch iron rod set in the east line of that land described in Volume 123, Recorder's No. 51768, Deed Records of Douglas County, Oregon; thence along said east line, South 0 01'30" West 740.00 feet to a 5/8 inch iron rod; thence North 52 02' West 110.56 feet to the center of a creek; thence along the center of said creek, North 45 West 68 feet and North 24 12' West 124.85 feet; thence North 0 01'30" East 15.75 feet to a 5/8 inch iron rod; thence North 0 01'30" East 194.25 feet to a 5/8 inch iron rod; thence North 86 04' West 137.69 feet to the place of beginning, situated in Section 2, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.

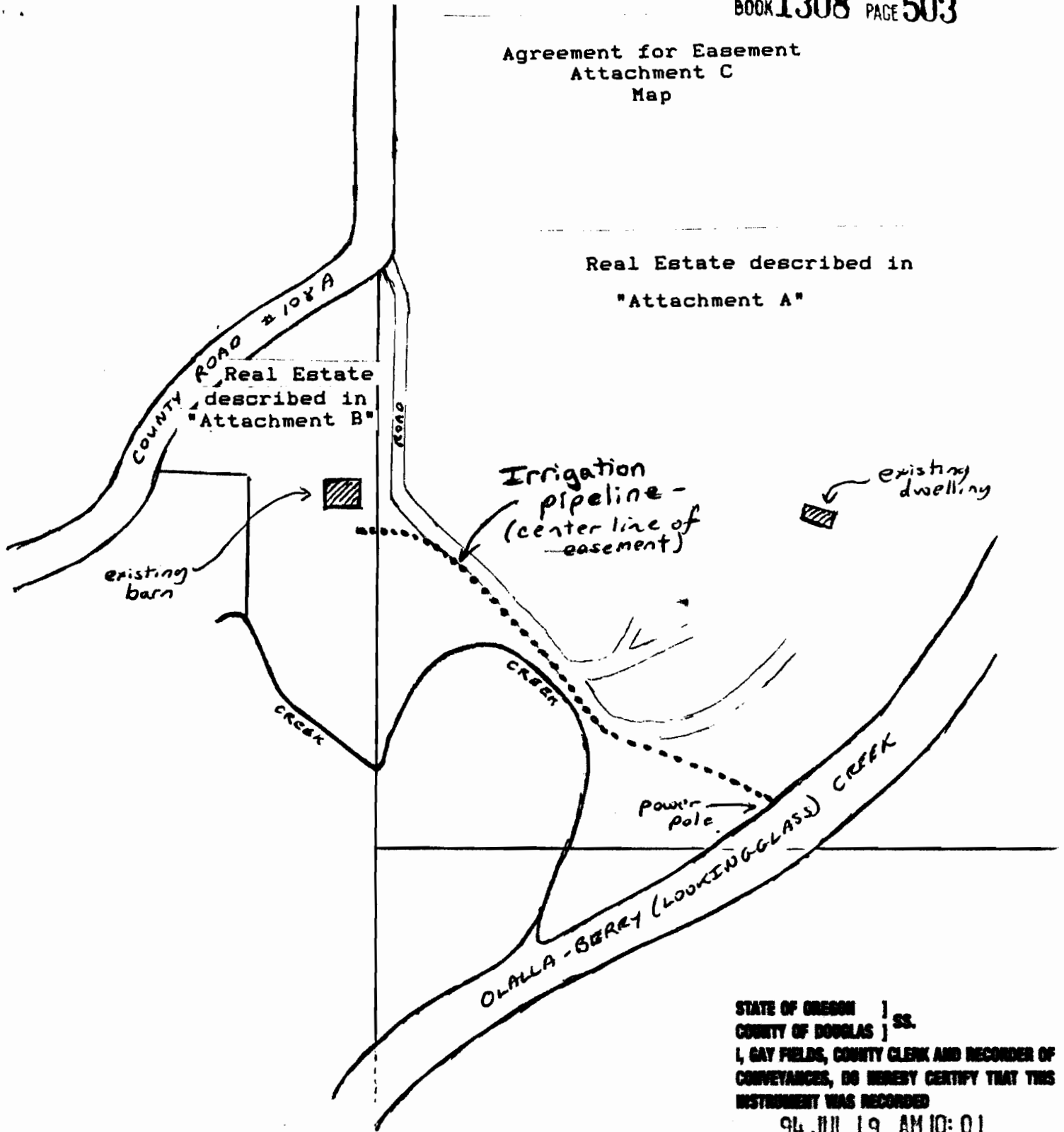
SUBJECT TO:

1. Any adverse claim based upon the assertion that said land or any portion thereof is now, or at any time has been below high water mark of Lookingglass Creek.
2. Water system easement, including the terms and provisions thereof, granted to Lookingglass Water Association, Inc., dated October 6, 1966, recorded November 18, 1966, in book 382, Recorder's No. 66-12748, Records of Douglas County, Oregon.

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Agreement for Easement
Attachment C
Map

Real Estate described in
"Attachment A"



STATE OF OREGON]
COUNTY OF DOUGLAS] SS.
I, GAY FIELDS, COUNTY CLERK AND RECORDER OF
CONVEYANCES, DO HEREBY CERTIFY THAT THIS
INSTRUMENT WAS RECORDED

94 JUL 19 AM 10:01

GAY FIELDS
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

Nancy R. Davenport
CLERK

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JUN 23 2008

WATER RESOURCES DEPT.
SALEM, OREGON

94-16351

FEE 50
55

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.8.050

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

**DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470**

Name: Gayle McKillop Title: Planning Tech.
 Signature: Gayle McKillop Phone: 440-4289 Date: 6/19/08
 Government Entity: Douglas County
WS 08-0633

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

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Receipt for Request for Land Use Information

JUN 23 2008

**WATER RESOURCES DEPT.
SALEM, OREGON**

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



DOUGLAS COUNTY PLANNING & BUILDING

6/19/2008

9:08 am

Room 106, Justice Building
Douglas County Courthouse, Roseburg, Oregon 97470
Planning - (541) 440-4289
Building - (541) 440-4559

Permit Number: RCPT08-0948

Job Address: ,

Receipt: P04335

Fee Description

08-0633

Fee Amount

LAND USE COMPATABILITY STATEME

\$40.00

Total Fees Paid:

\$40.00

Paid By: **JERRY D STONE**

Pay Method: **Check 5397**

Received By: **Imeya Huntley**

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JUN 23 2008
WATER RESOURCES DEPT.
SALEM, OREGON



Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; 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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: JERRY STONE
Mailing Address: P.O. BOX 358
City: ROSEBURG State: OR Zip: 97470 Day Phone: 541 4304978

This application is related to a Measure 37 claim. Yes No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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.

Table with columns: Township, Range, Section, 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use.

List all counties and cities where water is proposed to be diverted, conveyed, or used. Douglas

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 6 cubic feet per second, gallons per minute, acre-feet

Intended use of water: Irrigation, Commercial, Industrial, Domestic for household(s), Municipal, Quasi-municipal, Instream, Other

Briefly describe: Irrigation of 2.4 acres

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

Receipt for Request for Land Use Information

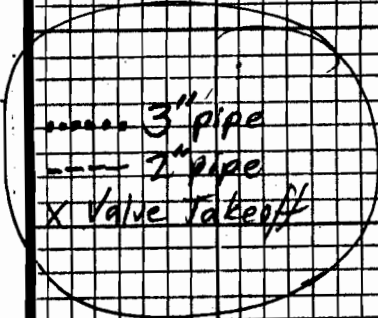
State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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STEVE WATKINS
964 Dairy Loop
679-4758
673-0898

to garden
+ Stand pipe @ barn

Route under barn
overhang



190'

SEPTIC

BARN

ON PROPERTY
3" PVC FROM
EAST END OF
PROPERTY FOR
RISERS FOR
PIPPERS

FENCE



May cross
field near
Olalla creek
@ 3' depth

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Oregon Water Resources Department

FORM I
FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 3 Acres

Secondary: 2.4 Acres

List the permit or certificate number of the primary water right: No. C#45658

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

1. lawn and garden Full season Partial season (from: to)

2. Full season Partial season (from: to)

3. Full season Partial season (from: to)

4. Full season Partial season (from: to)

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

7.5 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

Daily during daytime hours Daily during nighttime hours

Two or three times weekly during daytime Two or three times weekly during nighttime

Weekly, during daytime hours Weekly, during nighttime hours

Other, explain:

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WATER RESOURCES DEPT. SALEM, OREGON

Exhibit "A"

28-07-02C-1700 R45087

Beginning at a 5/8 inch iron rod set in the southeasterly line of County Road No. 108, said rod being 1769.00 feet South and 3745.01 feet West of the northeast corner of Donation Land Claim No. 40, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon; thence along said southeasterly line, North 21° 15' East 52.12 feet; North 43° 16' East 120.85 feet and North 56° 01' East 269.71 feet to a 5/8 inch iron rod set in the east line of that land described in Volume 123, Recorder's No. 51768, Deed Records of Douglas County, Oregon; thence along said east line, South 0° 01' 30" West 740.00 feet to a 5/8 inch iron rod; thence North 52° 02' West 110.56 feet to the center of a creek; thence along the center of said creek, North 45° West 68 feet and North 24° 12' West 124.85 feet; thence North 0° 01' 30" East 15.75 feet to a 5/8 inch iron rod; thence North 0° 01' 30" East 194.25 feet to a 5/8 inch iron rod; thence North 86° 04' West 137.69 feet to the place of beginning, situated in Section 2, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.

T28S, R7W, Sec. 2C, TL 1700

TOGETHER WITH an easement as set out in Recorder's No. 94-16351, Records of Douglas County, Oregon.

SUBJECT TO:

1. Roads and highways and the rights of the public therein.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of the Lookingglass-Olalla Water Control District.
3. Any adverse claim based upon the assertion that said land or any portion thereof is now, or at any time has been below high water mark of Lookingglass Creek.
4. Water system easement, including the terms and provisions thereof, granted to Lookingglass Water Association, Inc., dated October 6, 1966, and recorded November 18, 1966, in Book 382, Recorder's No. 66-12748, Records of Douglas County, Oregon.
5. Agreement for Easement, including the terms and provisions thereof, between Donald A. Maxwell and Julie A. Maxwell, and Steven A. Wahls and Monica M. Wahls, recorded July 19, 1994, in Book 1308, Page 498, Recorder's No. 94-16351, Records of Douglas County, Oregon.
6. Easement, including the terms and provisions thereof, granted by Jess G. Hodges to West Douglas Electric Co-operative, dated February 10, 1939, and recorded March 9, 1995, in Book 1342, Page 11, Recorder's No. 95-4641, Records of Douglas County, Oregon. (blanket easement).

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SALEM, OREGON

END OF DOCUMENT

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2005-009333

\$26.00



04/15/2005 02:08:22 PM

STATI

County
I ce

on the
o'clock

DEED-WD Cnt=1 Stn=18 RECORDINGDESK
\$10.00 \$11.00 \$5.00

Witness my hand and seal of County affixed.

WARRANTY DEED (INDIVIDUAL)

Steven A. Wahls

TO

Jerry D. Stone

After Recording Return to:
Douglas County Title Company
629 S.E. Main Street
Roseburg, OR 97470

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.
Jerry D. Stone
964 Dairy Loop Rd.
Roseburg, OR 97470

NAME, ADDRESS, ZIP

By _____ Title

By _____ Deputy

OK

WARRANTY DEED (INDIVIDUAL)

Steven A. Wahls and Monica M. Wahls, as tenants by the entirety, hereinafter called grantor, convey(s) to Jerry D. Stone and Cindy A. Stone, as tenants by the entirety, hereinafter called grantee, all that real property situated in the County of DOUGLAS, State of Oregon, described as:

See Exhibit A attached hereto and made a part hereof.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except Subject to Exhibit "A" attached

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$339,000.00

*The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

Dated this 14th day of April, 2005.

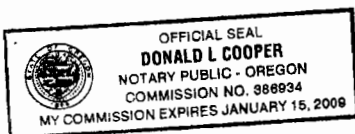
Steven A. Wahls

Monica M. Wahls

STATE OF OREGON, County of Douglas) ss.

On 4-14-05, personally appeared the above named Steven A. Wahls and Monica M. Wahls and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Donald L. Cooper
Notary Public for Oregon
My commission expires:

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WATER RESOURCES DEPT.
SALEM, OREGON

DOUGLAS COUNTY TITLE CO.
629 S.E. MAIN ST
ROSEBURG, OR 97470

DOUGLAS COUNTY TITLE COMPANY