

\$1000.00 TO OWRD



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. Applicants

Applicant: Jewell L. Gates
First Last

Mailing Address: 586 River Bend Road
Roseburg OR 97471
City State Zip

Phone: 541-672-7158
Home Work Other

\*Fax: \*Email Address:

B. Organizations

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

Name of Organization:

Name and Title of Person Applying:

Mailing Address or Organization:

City State Zip

Phone : Day Evening

\*Fax: \*Email Address:

\*Optional

For Department Use
App. No. Permit No. Date

Last Updated: 6/25/2008

Surface Water/1

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WATER RESOURCES DEPT
SALEM, OREGON

## 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: North Umpqua River Tributary to: Umpqua River  
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).

Not Applicable

### 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.)

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.

**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.

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.

**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: One
- 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
No. Umpqua Rv.	Domestic Expanded	0.01 <input checked="" type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
		<input type="text"/> <input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
		<input type="text"/> <input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
		<input type="text"/> <input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af

**C. Period of Use**

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

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 1/2 acre lawn/garden  
*(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): 2 HP
- 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): \_\_\_\_\_

**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):

Diameter 1 1/2" Length 400'

other, describe: \_\_\_\_\_

**D. Application/Distribution Method**

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

Household plumbing and residential irrigation system.

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.

Piped/closed system will be inspected regularly for leaks.

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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:

ODFW approved fish screening on pump intake.

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

Any activity in the riparian zone will be kept to a minimum.

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

Will time any work in the river to prevent impacts to aquatic life.

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

Will utilize best residential management practices to prevent erosion and run-off.

Other:

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: Existing System

Proposed date construction will be completed: Existing System

Proposed date beneficial water use will begin: Existing System

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.*

Domestic expanded use for one household.

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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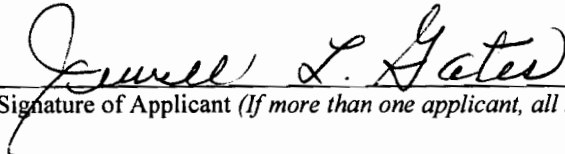
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9. SIGNATURE

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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

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

9/18/08  
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](http://www.wrd.state.or.us) or call (503) 986-0900.

**WRD on the web:**  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

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**WATER RESOURCES DEPT  
SALEM OREGON**



From: 96-09308  
RICHARD S. GATES &  
JEWELL L. GATES

BOOK 1406 PAGE 909

RECORDING REQUESTED BY:  
RICHARD S. GATES &  
JEWELL L. GATES  
586 RIVERBEND ROAD  
ROSEBURG, OREGON 97470

When Recorded, Mail to:  
Same as Above  
MAIL TAX STATEMENT TO:  
Same as Before

SPACE ABOVE FOR RECORDER'S USE

TRUST TRANSFER DEED

Notice: This conveyance is to a trust not pursuant to a sale and is exempt from tax and the undersigned are the declarants and trustees on the effective date of this instrument. The consideration for this transfer is -\$0-.

WARRANTY DEED

RICHARD S. GATES & JEWELL L. GATES hereby grant to the THE GATES FAMILY TRUST, whose Trustees are, at the time of recording, RICHARD S. GATES & JEWELL L. GATES, whose successors and appointees are also named in that instrument known as the CERTIFIED EXTRACT OF TRUST AGREEMENT of said trust agreement, identified as EXHIBIT "B", attached hereto and made a part hereof, all that real property situated in the County of Douglas, State of Oregon, described as follows:

Lot 24. RIVER BEND ACRES. Douglas County, Oregon.

April 26, 1996  
DATED

X Richard S. Gates  
RICHARD S. GATES  
X Jewell L. Gates  
JEWELL L. GATES

State of Oregon

County of DOUGLAS

On this 26 day of April, 1996 before me, the undersigned Notary Public, appeared RICHARD S. GATES and JEWELL L. GATES, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument and acknowledged that they executed it.

Witness my hand and official Seal.

Christopher Kephart  
Notary Public

My Commission Expires: May 19, 1998



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WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT "B"

BOOK 1406 PAGE 910

CERTIFIED EXTRACT OF TRUST AGREEMENT  
THE GATES FAMILY TRUST

1. That RICHARD S. GATES and JEWELL L. GATES as settlors and trustee, executed a Declaration of Trust dated April 26, 1996. Said Declaration of Trust is entitled THE GATES FAMILY TRUST.
2. That the current beneficiary(ies) under the terms of said Declaration of Trust is the settlor(s).
3. That the power and authority of the Trustee(s) with respect to the Trust property includes, by way of illustration, the following:
  - A. To sell, exchange, convey, refinance, lease, repair, abandon, pledge for security, and exercise all the rights powers and privileges which an absolute owner of the same property would have regarding any property which the Trustee(s) chooses to receive.
  - B. To open bank accounts, to borrow money with or without security, to receive all dividends, interest and other income and to compromise and settle claims. Any banking institution that establishes accounts in the name of the Trust is advised that there is nothing in the Declaration of Trust that requires any banking institution to exercise any discretion other than required in normal banking procedures. Any and all bank accounts, including checking and savings accounts, established in the name of the Trust by the Trustee(s) shall be subject to withdrawal, and all checks drafts and other obligations of the trust shall be honored by said depositories upon the signature(s) of the Trustee(s).
  - C. To invest and reinvest the trust estate in every kind of property, real, personal, or mixed, and every kind of investment, specifically including, but not by way of limitation, corporate obligations of every kind, stocks, preferred or common, shares in investment trusts, investment companies, mutual funds and mortgage participation.
  - D. To maintain and operate brokerage accounts with brokers.
  - E. To carry insurance, including life insurance on any person, at the expense of the trust of such kinds and in such amounts as the Trustee(s) deem advisable to protect the trust estate against any damage or loss and to protect the trustee(s) against liability with respect to third parties. The insuring companies have no responsibilities other than to pay the claims and proceeds of the policies and are not required to examine the Declaration of Trust at any time.
4. Settlor(s) are/is empowered to designate trustee(s) and Successor Trustee(s) and has appointed STANTON J. GATES and MICHELLE D. GATES-DeANGELES, to serve as Successor Trustee(s).  
The settlor(s) reserves the right to appoint trustee(s) and successor trustee(s) and to remove any trustee(s) from office at any time while alive. Unless otherwise stated in writing by the settlor(s), the trustee(s) of the Declaration of Trust shall be considered to be those mentioned above.
5. The enumeration of certain powers of the Trustee(s) shall not be interpreted as a limitation of any right of the Trustee(s) not so enumerated, the Trustee(s) being vested with and having all rights, duties, powers and privileges which an absolute owner of the same property would have.

END OF EXHIBIT "B"

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

96 APR 30 . AM 11: 55

GAY FIELDS  
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY Alvin L. Burnett

DEPUTY 30<sup>00</sup>  
FEE 3<sup>00</sup>  
35<sup>00</sup> AL

HANDED JEWELL GATES

96-09308

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WATER RESOURCES DEPT  
SALEM, OREGON



Oregon Water Resources Department
Land Use Information Form

WS08-0998
RPT#P05124

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: Jewell L. Gates
Mailing Address: 586 River Bend Road
City: Roseburg State: OR Zip: 97471 Day Phone: 541-672-7158

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 8 columns: Township, Range, Section, 1/4 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 County

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) North Umpqua River

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 One household(s), Municipal, Quasi-municipal, Instream, Other

Briefly describe: Domestic expanded use for one household.

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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WATER RESOURCES DEPT
SALEM, OREGON

## 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): \_\_\_\_\_.

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

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.

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Name: JOHN LAZUR Title: PLANNER  
 Signature: [Signature] Phone: 541-440-4299 Date: 9/19/08  
 Government entity: Douglas County

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

**Receipt for Request for Land Use Information**

**RECEIVED**

Applicant name: \_\_\_\_\_ SEP 22 2008  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_ WATER RESOURCES DEPT  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_ SALEM, OREGON