



**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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

### A. Applicants

Applicant: Richard Rossi  
First Last

Mailing Address: 11555 Los Osos Valley Rd., Suite 105

San Luis Obispo CA 93405  
City State Zip

Phone: (805) 541-1044    
Home Work Other

\*Fax: (805) 543-8851 \*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. <u>S-87355</u>	Permit No. <u></u>	Date <u></u>

Last Updated: 6/25/2008

Surface Water/1

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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: <u>Lost Creek Lake Reservoir</u>	Tributary to: <u>Rogue River</u>
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).

Permit 8142
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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.

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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.

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.

NA

**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
Lost Cr. Lake Reservoir	Irrigation	1.5 <input type="radio"/> cfs <input type="radio"/> gpm <input checked="" type="checkbox"/> 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: April 1, - October 31  
*(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: 0.30 acres  
*(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): 3/4 hp centrifugal pump
- 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):

Diameter 1.5 inches Length 200 ft.

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

**D. Application/Distribution Method**

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

Pump and sprinklers and drippers

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

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Flood                                   | <input checked="" type="checkbox"/> High pressure sprinkler | <input type="checkbox"/> Low pressure sprinkler |
| <input checked="" type="checkbox"/> Drip                         | <input type="checkbox"/> Water Cannons                      | <input type="checkbox"/> Center pivot system    |
| <input type="checkbox"/> Hand Lines                              | <input type="checkbox"/> Wheel Lines                        |   |
| <input type="checkbox"/> Siphon tubes or gated pipe with furrows |   |   |
| <input type="checkbox"/> 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.

This is a fully piped system. Efficient sprinklers will be used. Landscaping will only be irrigated when necessary.

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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:

system is already in place and screened.

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

No action, system already in place

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

NA, No equipment will be operated in a water body. System is already in place

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

There will be no run-off or waste. System will only be operated as necessary for landscaping.

- 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: Has begun

Proposed date construction will be completed: Is complete

Proposed date beneficial water use will begin: April 1, 2009

## 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.*

## 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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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:

*WATZ.*

*October 31, 2008*

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](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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After recording return to:  
First American Title  
1225 Crater Lake Ave.  
Medford, OR 97504

Until a change is requested all tax statements shall be sent to the following address:

Richard Rossi  
11555 Los Osos Valley Rd. #105  
San Luis Obispo, CA 93405

File No: 7161-1273771 (JKS)

Date: September 09, 2008

Jackson County Official Records 2008-035764

R-WD

Cnt=1 Str=5 SHINGLJS 09/25/2008 01:35:57 PM

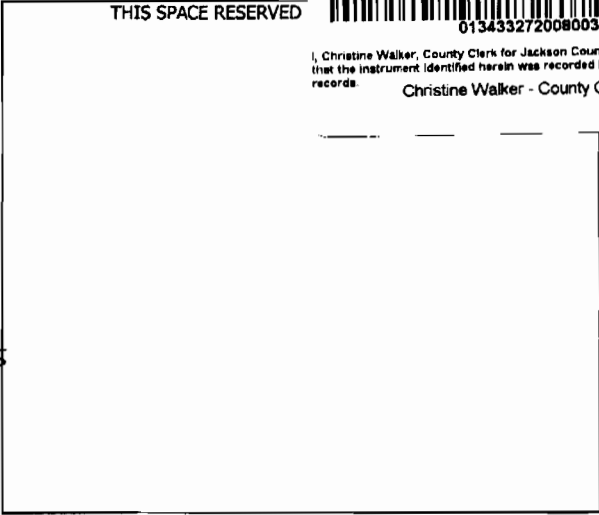
\$15.00 \$5.00 \$5.00 \$11.00

Total: \$36.00



01343327200800357640030035

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records  
Christine Walker - County Clerk



THIS SPACE RESERVED

**STATUTORY WARRANTY DEED**

**Capp T. Johnson, Jr. and Bobbie M. Johnson,**  
**as tenants by the entirety,** Grantor, conveys and warrants to **Richard Rossi, a married man,** Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. Fiscal year real property taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$280,000.00.** (Here comply with requirements of ORS 93.030)

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S-87355

APN: 1-025117-8

Statutory Warranty Deed  
- continued

File No.: 7161-1273771 (JKS)  
Date: 09/09/2008

**EXHIBIT A**

**LEGAL DESCRIPTION:**

COMMENCING AT A 1-1/4 INCH IRON PIPE ON THE SOUTHERLY RIGHT OF WAY LINE OF CRATER LAKE HIGHWAY, SAID 1-1/4 INCH IRON PIPE BEARS SOUTH, 2003.49 FEET FROM THE QUARTER CORNER COMMON TO SECTIONS 25 AND 36, TOWNSHIP 33 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE SOUTH 77° 05' 36" WEST ALONG SAID RIGHT OF WAY LINE, 141.37 FEET TO A 3/4 INCH IRON PIPE AND THE TRUE POINT OF BEGINNING; THENCE NORTH 77° 05' 36" EAST, 55.00 FEET ALONG SAID RIGHT OF WAY LINE TO A 3/4 INCH IRON PIPE; THENCE SOUTH 07° 26' 04" EAST, 108.81 FEET TO A 5/8 INCH IRON PIN, WITNESS CORNER; THENCE CONTINUE SOUTH 07° 26' 04" EAST TO THE CENTERLINE OF ROGUE RIVER; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF ROGUE RIVER TO A POINT WHICH BEARS SOUTH 07° 26' 04" EAST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 07° 26' 04" WEST TO A 5/8 INCH IRON PIN, WITNESS CORNER; THENCE CONTINUE NORTH 07° 26' 04" WEST, 68.87 FEET TO THE TRUE POINT OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008.

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# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan.

Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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S-87355

# 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: Richard Rossi  
Mailing Address: 11555 Los Osos Valley Rd., Suite 105  
City: San Luis Obispo State: CA Zip: 93405 Day Phone: (805) 541-1044

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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
33 S	1 W	36	SE/NW	300		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Residential
						<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, or used. Jackson

### 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: 1.5  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: We will be contracting with the Bureau of Reclamation to use stored water from Lost Creek Lake for irrigation of our property

**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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### 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): Table 6.2-1

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: Laura Marshall Title: Planning Tech II  
 Signature: Laura Marshall Phone: 774.6950 Date: 10/6/08  
 Government Entity: Jackson Co. Development Services

**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**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_



S-87355

# CONTRACT DATA SHEET



U.S. Bureau of Reclamation  
Attn: PN-3324  
1150 North Curtis Road  
Boise, ID 83706-1234  
208-378-5344

## RECLAMATION *Managing Water in the West*

### 1. Applicant Information:

#### A. Landowners

- 1) Name of landowner(s): Richard Rossi
- 2) Address: 11555 Los Osos Valley Rd., Suite 105, San Luis Obispo, CA 93405
- 3) Mailing Address (if different): \_\_\_\_\_
- 4) Taxpayer Identification Number(s): 561-64-1068  
(Social Security Number or Employer Identification Number)<sup>1</sup>
- 5) Do you own all of the land where you propose to divert and make use of water? Yes

#### B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: NA
- 2) Name & Title of Applicant: NOV 26 2008
- 3) Mailing Address of Organization: WATER RESOURCES DEPT  
SALEM, OREGON
- 4) Taxpayer Identification Number: \_\_\_\_\_  
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
  - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
  - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

### 2. Source of Water (name of stream, river) Rogue River (Lost Cr. Lake)

3. Proposed point of diversion: 980 feet South and 95 feet West  
of NE 1/16, SE/NW corner of Section 36, Township 33S, Range 1W,  
Willamette Meridian.

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: in process.

5. Include a map of lands and diversion points. *[Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].*



S-87335

6. Do you currently hold a right to natural flows for irrigating the property described herein? No  
If yes, what is/are the priority date(s)? \_\_\_\_\_

7. Total quantity of water from storage requested: 1.5 acre-feet.

8. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
36S	1W	36	SE/NW	0.30	Landscaping, garden
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9. What is the present use of the land identified above? [*Farming; idle* (fallow cultivated land); *native* (appears never to have been tilled); *planted pasture or other* (please specify)].  
Residence w/ landscaping

10. Is the land identified above currently being irrigated? yes If yes, what is the source? (*natural flows, wells, etc.*) Natural flow, Rogue River

11. Diversion must be screened to prevent uptake of fish and other aquatic life.  
Describe plan(s) to comply with State/Federal fish screen standards: Install Fish Screen

12. Telephone Number where you can be reached during the day: (805) 541-1044

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE <sup>2</sup>, MAKE CHECK PAYABLE TO THE U. S. BUREAU OF RECLAMATION

<sup>1</sup> Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

<sup>2</sup> The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.