



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 Store Water in a Reservoir

(Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre- feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

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, insert "n/a". 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

Applicant: Lloyd Haines
First Last

Mailing Address: 96 N Main Suite 202

Ashland OR 97520
City State Zip

Phone: 541-482-9300
Home Work Other

*Fax: _____ *Email Address: _____

**optional information*

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2. LOCATION AND SOURCE

A. Reservoir Name: Double Oak Farm Pond

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.

Source: See attached Tributary to: Rogue River

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
40 S	3 W	18	SW SE	403W2403

D. County of Use: Jackson

E. Dam: Maximum height of dam: 8 feet. If excavated, write "excavated" or "0 feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity.
 List quantity in Acre-Feet: 4.5

App. No. <u>R-87358</u>	For Department Use Permit No. _____	Date _____
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3. WATER USE

Indicate the proposed use(s) of the stored water. NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement. If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose

4. 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 5)
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). (Do not check this box is you described your use as "Mulitpurpose" in #3 above

List Name and mailing addresses of all affected land owners:

Steve Yoshinaga, 1896 Calle Salto, Thousand Oaks, CA 91360 (owner of property at POD)
Jackson County, 10 Oakdale, Medford, OR 97501 (pipeline crosses County owned road)

5. ENVIRONMENTAL IMPACT

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- A. Channel: is the reservoir In Stream or off channel ?
B. Wetland: is the project in a wetland? Yes No Don't know
C. Existing: is this an existing reservoir? Yes No
If yes how long has it been in place? 3 months years
D. Fish Habitat: Is there fish habitat upstream from the proposed structure? Yes No Don't know
If yes, how much? NA miles

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E. Partnerships: Have you been working with other agencies? Yes No

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

[Empty box for agency information]

6. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

[Handwritten signature]

11/25/08

Landowner Signature

Date

Before you submit your application be sure you have:

- ? Answered each question completely.
? Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
? The map must meet map requirements to be accepted.
? Included a land use form or receipt stub signed by a local planning official.
? Included a check payable to Oregon Water Resources Department for the appropriate amount.

FEE STRUCTURE: The fee is based on the number of acre-feet proposed to be stored. The base fee is \$80. In addition, there is a fee of \$20 per acre-foot or fraction thereof. Example: 0.3 AF= \$ 100 ; 1.5 AF= \$ 120 ; 20.0 AF= \$ 480 ; 30.0 AF= \$ 680.



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: Lloyd M. Haines

Mailing Address: 96 N Main Suite 202

City: Ashland State: OR Zip: 97520 Day Phone: 541-482-9300

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:
40 S	3 W	18D		800	F5	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	none
40 S	3 W	18 & 19		2403	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	pond
						<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 County

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B. Description of Proposed Use

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

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- 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) Applegate River & Mule Cr

Estimated quantity of water needed: 4.5 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 Multipurpose

Briefly describe: The water will be used for winter time storage in an existing pond for livestock and wildlife.

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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.

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): 4.2.1, 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:	
		Obtained Denied	Being pursued 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.

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Name: Youngsook Kim Title: Planner I
 Signature: [Signature] Phone: 774-6946 Date: 11/04/2008
 Government Entity: Jackson County 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.

182798-KA



4

THIS SPACE RESERVED FOR

Jackson County Official Records 2007-055716
R-VD
Cnt=1 Sm=3 MORGANSS
\$5.00 \$5.00 \$5.00 \$11.00
12/14/2007 08:03:00 AM
Total: \$26.00



Kathleen S. Beckett, County Clerk for Jackson County, Oregon,
certify that the instrument identified herein was recorded in the Clerk
records
Kathleen S. Beckett - County Clerk

COPY

After recording return to:
LLOYD M. HAINES
96 North Main Street #202
Ashland, OR 97520

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

LLOYD M. HAINES
96 North Main Street #202
Ashland, OR 97520

Escrow No. AP0782798
Title No. 0782798

SWD

STATUTORY WARRANTY DEED

JERRY WINNINGHAM and KAREN WINNINGHAM, Grantor(s) hereby convey and warrant to LLOYD M. HAINES, Grantee(s) the following described real property in the County of JACKSON and State of Oregon free of encumbrances except as specifically set forth herein:

That portion of the Southeast quarter of Section 18 lying Easterly of the Easterly right of way of the county Road and Southerly of Mule Creek and that portion of the Northwest quarter of the Northeast quarter of Section 19 lying Easterly of the Easterly right of way of the County Road, all in Township 40 South, Range 3 West of the Willamette Meridian, Jackson County, Oregon.

For Informational purposes only, the following is included:

- (Map No. 403W, Tax Lot 2403, Account No. 1-063368-7, Code 49-46)
- (Map No. 403W, Tax Lot 2403, Account No. 3-098158-6, Code 49-46)

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Deed

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Easement

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that we, Edward H. Pinley and Viola E. Pinley, husband and wife, GRANTORS, in consideration of Ten Dollars and other good and valuable consideration to us paid by Ervin D. Lewis and Ardith E. Lewis, husband and wife, GRANTEEES, do hereby grant, bargain, sell and convey unto the said Granteees, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:



R.S. 50
Beginning at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 19, Township 40 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon; run thence South on the West line of the said Northwest quarter of the Northeast quarter of Section 19, a distance of 125 feet, more or less, to the northerly boundary of the County Road; thence North 56°52½' East 286 feet along the northerly boundary of said County Road for the true point of beginning, said point being the Southeast corner of that certain tract of land described in deed recorded April 8, 1958 as instrument No. 444027 in Volume 454 at page 221 and 222 of the Deed Records of Jackson County, Oregon; thence continue along the northerly boundary of said County Road a distance of 550 feet; thence North on a line parallel with the West line of the Southwest Quarter of the Southeast Quarter of Section 18, said Township and range, approximately 200 feet to the center line of the Big Applegate River; thence Southwesterly up the center line of said river to the northeast corner of the above mentioned tract of land described in deed recorded in Volume 454 at pages 221 and 222 of the Jackson County Deed Records; thence South along the East boundary of the tract of land described in said deed to the true point of beginning.

tax lot 800

This deed and the land described herein is subject to the following restrictions and reservations and the granteees by accepting this deed do hereby agree to be bound by each and all of said restrictions and reservations, which are as follows, to-wit:

1. The granteees shall not mortgage or give away the said premises or the improvements hereafter placed on the same at any time.
2. The granteees shall not lease or rent the said premises or the said improvements hereafter placed thereon without first obtaining the consent of grantors.
3. If the granteees decide to sell said premises and the improvements thereon, or if both of said granteees die, the grantors, or the survivor of them, shall have the first and exclusive right to purchase said premises and

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... the grantors reserve an easement and right of way on the above described land for the purpose of installing, operating and maintaining a pumping system on the bank of the Big Applegate River, and grantors also reserve an easement and right of way across said land for the purpose of installing, operating and maintaining a pipe line underground from said pumping system to the grantors irrigation ditch or on their land.

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Warranty Deed - page 2

Improvements by paying in cash the actual cost of the land and improvements thereon at that time, less the amount of the actual and reasonable depreciation on said improvements, if any.

- 4. The grantors reserve an easement and right of way on the above described land for the purpose of installing, operating and maintaining a pumping system on the bank of the Big Applegate River, and grantors also reserve an easement and right of way across said land for the purpose of installing, operating and maintaining a pipe line underground from said pumping system to the grantors irrigation ditch or on their land.
- 5. When the grantors both die, or when they sell the ranch, of which the above tract is a part, then, in either event, all of the restrictions and reservations herein set out, except the above No. 4, shall automatically be cancelled, released, terminated and removed from said land.

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees as tenants by the entirety, their heirs and assigns forever.

And we, the grantors, covenant that we are lawfully seized in fee simple of the above granted premises free from all encumbrances, except as above set forth, and that we will and our heirs, executors, and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

WITNESS our hands and seals this 5th day of August, 1959.

State of Oregon, County of Jackson--SS.
The within instrument received and filed at 10:20 a.m.
in the _____ day of _____, 1959,
recorded in _____ Records for Jackson County
by _____, _____, Deputy

Edward H. Finley (SEAL)

Mrs Edward Finley (SEAL)

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

On this 5th day of August, 1959, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Edward H. Finley and Viola R. Finley, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]
Notary Public for Oregon
My Commission Expires: 2-10-63

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MEMBER OF THE
OREGON AND
CALIFORNIA BAR

LLOYD MATTHEW HAINES

ATTORNEY AT LAW

96 N MAIN STREET, SUITE 202
ASHLAND, OREGON, 97520

TEL: (541) 482-9300
FAX: (541) 482-9334
Email: lloydmhaines@
yahoo.com

November 26, 2008

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

RE: Application to Store Water

Dear Water Resource Department:

Enclosed please find a packet which includes the following documents:

- Application for a Permit to Store Water in a Reservoir (signed)
- Application Map
- Note to Applicants
- Land Use Information Form (signed)
- Easement (copy)
- Deed (copy)
- Check for \$180

Please process the application and return the permit to my office. If you have any questions, feel free to call me at the number listed above. I remain,

Very truly yours,

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Lloyd M. Haines

LMH:sm

cc: Hollie Cannon, Water Right Solutions, LLC, PO Box 4247, Medford, OR 97501

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