

\$ 355.00



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: Tommy 4 Jan Prestianni  
First Last

Mailing Address: 2741 Upper Cow Creek Road  
Azalea Oregon 97410  
City State Zip

Phone: (541) 837-3465  (541) 863-8964  
Home Work Other

\*Fax:  \*Email Address: janprestiani@yahoo.com

### B. Organizations

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

Name of Organization:

Name and Title of Person Applying:

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Mailing Address or Organization:

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City State Zip **WATER RESOURCES DEPT  
SALEM, OREGON**

Phone :    
Day Evening

\*Fax:  \*Email Address:

\*Optional

For Department Use		
App. No. <u>S-87448</u>	Permit No. <u></u>	Date <u></u>

## 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>Galesville Res.</u>	Tributary to: <u>Cow Creek</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 R-9964

**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.

Betty Ewert - 2865 Upper Cow Creek Azalea OR 97410

**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
Galesville Res.	Irrigation	6.69 <input type="radio"/> cfs <input type="radio"/> gpm <input checked="" 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: March 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: 3.0 acres  
 (This number should be consistent with your application map.)

**4. WATER MANAGEMENT****RECEIVED****A. Diversion**

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

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- ☒ Pump (give horsepower and pump type): 3hp portable
- ☐ 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 1/4" Length 223 ft

☐ 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):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Flood                                   | <input type="checkbox"/> High pressure sprinkler | <input checked="" type="checkbox"/> Low pressure sprinkler |
| <input checked="" type="checkbox"/> Drip                         | <input type="checkbox"/> Water Cannons           | <input type="checkbox"/> Center pivot system               |
| <input checked="" 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.

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:

Minimal clearing needed.

- ☒ 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:

n/a

- ☐ 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: Oct. 1, 2009

Proposed date construction will be completed: Oct. 1, 2010

Proposed date beneficial water use will begin: Oct. 1, 2011

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

**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.

*Surface Water/7*

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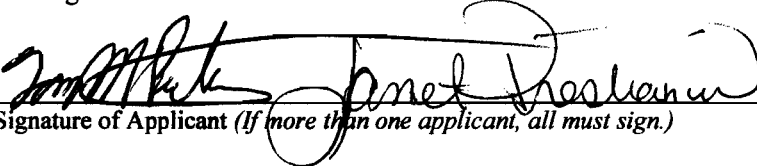
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## 9. SIGNATURE

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.)

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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# 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: \_\_\_\_\_ Acres

Secondary: \_\_\_\_\_ Acres

List the permit or certificate number of the primary water right: No. \_\_\_\_\_

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

- |                         |   |   |
|-------------------------|---|---|
| 1. <u>pasture grass</u> | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: <u>May</u> to <u>Oct</u> )             |
| 2. <u>garden</u>        | <input type="checkbox"/> Full season            | <input checked="" type="checkbox"/> Partial season (from: <u>May</u> to <u>Sept</u> ) |
| 3. _____                | <input type="checkbox"/> Full season            | <input type="checkbox"/> Partial season (from: _____ to _____)                        |
| 4. _____                | <input type="checkbox"/> Full season            | <input type="checkbox"/> Partial season (from: _____ to _____)                        |

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

6.69 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?

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Daily during daytime hours    | <input type="checkbox"/> Daily during nighttime hours               |
| <input type="checkbox"/> Two or three times weekly during daytime | <input type="checkbox"/> Two or three times weekly during nighttime |
| <input type="checkbox"/> Weekly, during daytime hours             | <input type="checkbox"/> Weekly, during nighttime hours             |
| <input type="checkbox"/> Other, explain: _____                    |   |

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**ECOPY**

**CONTRACT FOR PURCHASE OF AGRICULTURAL WATER  
FROM GALESVILLE PROJECT**

This contract is made on \_\_\_\_\_, 200\_\_\_\_ between Douglas County, a political subdivision of the State of Oregon (County), and \_\_\_\_\_  
Tommy M. and Janet E. Prestianni (Customer).

**COUNTY AND CUSTOMER AGREE:**

**1. TERM AND RENEWAL:**

1.1. The initial term of this contract shall begin on May 13, 2009 and end on December 31, 2018, unless it is sooner terminated as provided herein.

1.2. As used in this contract, unless the context clearly indicates otherwise, "term" or "term of this contract" shall mean both the initial term and any extension.

1.3. Customer shall have the right to extend the term of this contract for two successive periods of ten years each upon the following conditions:

1.3.1. Approximately ninety days prior to expiration of the then current contract term, County shall notify Customer in writing that Customer has the right to extend the term at the price set pursuant to section 11.

1.3.2. Customer may elect to extend the contract term by written notice to County within thirty days after County gives notice of the right to extend. Concurrently with written notice of extension Customer may request the Board of Commissioners to review and reduce the price of water in accordance with subsection 11.5.

1.3.3. No other act or agreement shall be required of the parties to effect the extension after Customer gives proper notice of election to extend the contract term. Each extension shall take effect on January 1 after Customer gives notice of extension.

1.3.4. Each extension shall commence on the day following the termination date of the initial term or the preceding extension.

1.4. The provisions of this contract shall apply to any extension except for changes in the purchase price pursuant to section 11; modifications required to comply with federal or state statutes, regulations, or administrative rules; or modifications required to comply with any contract between County and the United States concerning the Galesville Project.

1.5. Customer shall not be entitled to extend the term of this contract if Customer is in default under this contract at the time extension is requested by Customer.

**2. AUTHORITY OF PUBLIC WORKS DIRECTOR:**

2.1. The Director of the County Public Works Department (the Director) has authority to administer this contract on behalf of County.

2.2. The Director may delegate authority to administer this contract to the Manager of the County Public Works Department, Natural Resources Division, (the Division Manager), except for authority to establish the price of water under section 11 of this contract. The Director shall retain the right to supersede any decision of the Division Manager in the administration and interpretation of this contract.

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2.3. References to the Director in this contract shall be deemed to include the Division Manager, to the extent the Director has delegated authority to the Division Manager.

**3. WATER ALLOCATION:** Each year during the term of this contract, County shall allocate sufficient acre feet of storage capacity in the Galesville Reservoir for Customer to irrigate 3 acres. This allocation shall not exceed 2.23 acre feet per acre per irrigation season as specified on the attached Exhibit A.

**4. PERMITS AND CERTIFICATES OF WATER RIGHTS:**

4.1. County shall file and maintain any reservoir water right permit (County's permit) and certificate to store water in the Galesville reservoir (County's certificate) allocated for the Customer's use, as required by the State of Oregon Water Resources Department or its successor (the State).

4.2. Customer, at Customer's expense, shall be responsible for obtaining any permit (Customer's permit) and certificate of water rights (Customer's certificate) for use of the stored water allocated under this contract as required by the State.

4.3. Within 6 months after the effective date of this contract, Customer shall provide County with a copy of the application map provided to the State.

**5. RELEASE OF WATER:**

5.1. Subject to the provisions of this contract, County will release into the natural channel of Cow Creek water comprising the allocation described in section 3. Water released for Customer's allocation shall be measured and delivered to Customer's point of diversion of record by County with equipment installed and maintained by County.

5.2. County shall report to the State of Oregon all allocated water stored and distributed to Customer's point of diversion of record, including reasonable losses. Customer shall report all water use as described on Customer's water right of record, or as otherwise may be required by the State.

5.3. The obligations of County to allocate capacity may be restricted by any lawful order, regulation, or ruling of any governmental agency or provisions of a contract between County and the United States. Such legal restrictions may impair the County's ability to perform its obligations under this contract. In that event, County shall be relieved of its obligations to the extent necessary to comply with the legal restrictions. Customer's payments under this contract shall be reduced proportionally to any reduction in Customer's allocation resulting from such legal restrictions.

5.4. Notwithstanding any other provision of this contract, County may suspend release and delivery of water to Customer upon written notice to Customer if Customer fails to make any payment for such water when due.

**6. DIVERSION AND USE OF WATER:**

6.1. Customer shall be wholly responsible for taking, diverting, conveying and utilizing its water and shall bear all losses from Customer's point of diversion.

6.2. Customer shall divert the water it is entitled to receive under this contract in accordance with schedules developed by the Customer and County.

6.3. The water diverted by Customer may be measured by County at the point of diversion. The point of diversion shall be accessible for inspection and measurement of water at all reasonable times by County. Any easement necessary for County to gain access to the point of diversion shall be provided by Customer when requested by County.

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6.4. The water shall be utilized for agricultural uses. Customer shall utilize the water only for the uses and only on the real property described in Customer's permit and certificate.

6.5. Customer shall be responsible for purchase and installation of a meter or other suitable measuring device if required by the Oregon State Water Resources Department (OWRD). Once installed, it shall be the customer's responsibility to maintain such device in good working order. If requested by OWRD, Customer shall maintain a record of the amount of water use and report water use on such periodic schedule as may be established by OWRD.

6.6. If required, Customer shall purchase, install, maintain and operate fish screening equipment and by-pass devices to prevent fish from entering the diversion. Any required screens and/or by-pass devices shall be in place, functional and approved by the requirer, prior to diversion of any water under this contract.

**7. QUALITY OF WATER:** County shall operate and maintain the Galesville dam, reservoir, and related facilities in a reasonable and prudent manner, and shall endeavor in good faith to take adequate measures to maintain the quality of raw stored water at the facilities. County is under no obligation to construct or furnish water treatment facilities to maintain or improve the quality of water. **COUNTY MAKES NO WARRANTIES, EXPRESS OR IMPLIED REGARDING THE QUALITY OF WATER RELEASED AND DELIVERED FROM GALESVILLE DAM, RESERVOIR, AND RELATED FACILITIES.**

**8. WATER SHORTAGES:** In any year in which a water shortage in the Galesville reservoir occurs, County shall apportion the available water supply among Customer and other users who are entitled to receive water from the reservoir. The quantity of water to be furnished for irrigation shall first be reduced as necessary, but not greater than 15%. Any further reduction in the reservoir water supply shall be shared by Customer and all other users entitled to water from the reservoir in the same proportion that the entitlement of each user, including Customer's entitlement under this contract, bears to the total entitlements of all users.

**9. WATER CONSERVATION:** Customer acknowledges the critical need for water conservation in the Umpqua River basin. Customer shall implement reasonable and prudent water conservation measures for agricultural activities.

**10. COMPLIANCE WITH LAW:** This contract will be governed by and construed in accordance with laws of the State of Oregon. Each party shall perform its obligations in accordance with all applicable state, federal and local laws, rules and regulations now, or hereafter in effect.

**11. PRICE OF WATER:**

11.1. During the initial term, the price for the allocation stated in section 3 shall be \$ 188.00 per year.

11.2. For each discrete ten year extension of the contract term, Customer shall pay the then current rate as established by County in accordance with this section. Notice of the right to extend under subsection 1.3.1 shall state the price of water during the extension.

11.3. The Director shall periodically review and adjust the price for water taking into account the following factors:

11.3.1. The current cost of operating and maintaining the Galesville dam, reservoir, and related facilities;

11.3.2. The projected costs for operating, maintaining, and replacing Galesville water storage and delivery facilities; and

11.3.3. The price of water sold by similar facilities for similar uses.

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11.4. The allocation price for each renewal term shall not be increased by more than 10% over the previous term.

11.5. Customer may request the Board of Commissioners to review and reduce the price of water established by the Director. Such request shall be in writing and shall be given with the notice of Customer's election to extend the contract term. After considering the factors listed in subsection 11.3, the Board of Commissioners may reduce or affirm the price established by the Director. If the Board of Commissioners fails to take any action on Customer's request to review and reduce the price of water within 30 days after Customer makes the request, the request shall be deemed denied. If Customer is not satisfied with the action of the Board of Commissioners, Customer may rescind Customer's election to extend the contract term and cancel the contract by written notice to County within sixty days after Customer requests the Board of Commissioners to review and reduce the price.

## **12. PAYMENT:**

12.1. Customer shall pay County the annual price established by section 11 for the allocation stated in section 3 regardless of whether Customer uses any or all of the water allocated. Except as provided in subsection 12.2, payment shall be made no later than March 31 of each year.

12.2. If this contract is dated after March 2 in the year for which water is first to be released then the amount due for the first year only shall be payable within 30 days after the date the contract is signed by County.

12.3. Interest shall accrue on late payments at the rate of eighteen percent per annum commencing the day after the date payment is due. Customer shall pay all interest upon the request of County.

## **13. LIMITATIONS ON LIABILITY:**

13.1. County shall not be liable for damages or other expenses sustained by Customer resulting from shortages in the quantity of water available for release, or interruptions in water deliveries to Customer, if such shortages or interruptions in deliveries are caused partially or entirely by hostile diversion, accidental damage to County facilities, operational failure of County facilities, or any cause beyond County's control.

13.2. Notwithstanding any other provision of this contract, County shall not be liable to Customer for damages caused by failure to comply with any obligation of County under this contract, if such failure results from lack of appropriation of funds necessary to perform such obligation pursuant to ORS 294.305 et seq. (Local Budget Law).

13.3. In no event shall County be liable to Customer for any indirect, special, or consequential damages even if Customer previously advised County of the possibility of such damages.

## **14. DEFAULT:**

14.1. There shall be a default under this contract if either party materially fails to comply with any provision of this contract within thirty days after the other party gives written notice specifying the breach. If the breach specified in the notice cannot be completely cured within the thirty day period, no default shall occur if the party receiving the notice begins curative action within the thirty day period and thereafter proceeds with reasonable diligence and in good faith to cure the breach as soon as practicable.

14.2. If a default occurs, the party injured by the default may elect to terminate this contract and pursue any equitable or legal rights and remedies available under Oregon law, except that Customer's remedies shall be subject to the limitations on damages stated in section 13.

14.3. Any litigation arising out of this contract shall be conducted in Circuit Court of the State of Oregon for Douglas County.

**15. SEVERABILITY:** If any provision of this contract is held to be invalid, that provision shall not affect any other provision of this contract. This contract shall be construed as if such invalid provision had never been included.

**16. NO WAIVER:** No provision of this contract shall be waived unless the waiver is written and signed by the party that waives its rights. Any waiver of a breach, whether express or implied, shall not constitute waiver of any other breach.

**17. SUCCESSORS:** The successors, assigns, and legal representatives of Customer and County shall be subject to all provisions of this contract. Customer shall not assign Customer's rights or obligations under this contract without prior written consent of County.

**18. NOTICES:**

18.1. Any notice required to be given under this contract shall be in writing and shall be given by personal delivery or mail, except that any notice required by law shall be given in the manner specified in the applicable law.

18.2. Notices to County shall be directed to Thomas R. Manton, Division Manager, Douglas County Public Works Department, Natural Resources Division, Room 306, Douglas County Courthouse, 1036 SE Douglas Street, Roseburg, OR, 97470.

18.3. Notices to Customer shall be directed to:

Tommy M. and Janet E. Prestianni

2741 Upper Cow Creek Rd., Azalea, OR 97410

**19. ENTIRE AGREEMENT:** This contract is the final and complete agreement of the parties and supersedes all prior and existing written or oral understandings. No modification of this contract shall be valid unless it is in writing and signed by the parties.

**CUSTOMER**

Name 

Name 

**BOARD OF COUNTY COMMISSIONERS  
OF DOUGLAS COUNTY, OREGON**

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SALEM, OREGON**

By \_\_\_\_\_

Robert G. Paul, PE, Director, Public Works  
Department, Authority to sign agreement  
Granted by Order of Board of Commissioners  
dated June 26, 2002.

Date \_\_\_\_\_

Date \_\_\_\_\_

**REVIEWED AS TO CONTENT**

By \_\_\_\_\_

Manager, Natural Resources Division

Date \_\_\_\_\_

Coding 215-0000-2810-00-012010

**REVIEWED AS TO FORM**

By \_\_\_\_\_

Office of County Counsel

Date \_\_\_\_\_

EXHIBIT A

COMPUTATION OF RATE:

PRIMARY IRRIGATION

1. 3 acres of **primary irrigation**. This allocation shall not exceed 2.23 acre feet per acre each irrigation season.

Acre Feet: 6.69 Annual Cost: \$ \$188.00

SUPPLEMENTAL IRRIGATION

2. Rights whose priority is between March 26, 1974, and November 3, 1983:

           acres of **supplemental irrigation**. This allocation shall not exceed 1.5 acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or 1.0 acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet:                      Annual Cost: \$                     

3. Rights whose priority is between October 24, 1958, and March 26, 1974:

           acres of **supplemental irrigation**. This allocation shall not exceed 1.0 acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or 0.6 acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet:                      Annual Cost: \$                     

4. Rights whose priority is prior to October 24, 1958:

           acres of **supplemental irrigation**. This allocation shall not exceed 0.5 acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or 0.3 acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet:                      Annual Cost: \$                     

Note: Instream delivery losses are not included in the above allocations.

Summary:

Total Acres:	<u>3</u>	acres
Total Allocation:	<u>6.69</u>	acre feet
Total Cost:	<u>\$ 188.00</u>	

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AAR

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Tommy M + Lila Jean Prestianni  
2741 Upper Cow Creek Road  
Azalea, Oregon 97410

Grantor's Name and Address

Tommy M. + Janet E. Prestianni  
2741 Upper Cow Creek Rd  
Azalea, Oregon

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

Tommy M. + Janet E. Prestianni  
2741 Upper Cow Creek Rd  
Azalea, Oregon 97410

Until requested otherwise, send all tax statements to (Name, Address, Zip):

Tommy M. + Janet E. Prestianni  
2741 Upper Cow Creek Road  
Azalea, Oregon 97410

OK

E OF OREGON,  
ty of Douglas } ss.

I certify that the within instrument was  
received for recording on \_\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in

SPACE

DOUGLAS COUNTY OFFICIAL RECORDS  
BARBARA E. NIELSEN, COUNTY CLERK

2005-031243

RECOR



\$21.00

00133137200500312430010019

12/15/2005 11:49:00 AM

DEED-BS Cnt=1 Str=1 RECEIPTCOUNTER  
\$5.00 \$11.00 \$5.00

## BARGAIN AND SALE DEED - STATUTORY FORM

(INDIVIDUAL GRANTOR)

Tommy M. + Lila Jean Prestianni

\_\_\_\_\_, Grantor,  
conveys to Tommy M. + Janet E. Prestianni

\_\_\_\_\_, Grantee,  
the following real property situated in Douglas County, Oregon, to-wit:

Parcel 1 of Partition Plat 1955-115 Located in Douglas County  
Oregon

32-04-06-801 R51668

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

DATED 12-14-05

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN  
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGU-  
LATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON  
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPRO-  
PRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES  
AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST  
PRACTICES AS DEFINED IN ORS 30.930.

Tommy M Prestianni

RECEIVED

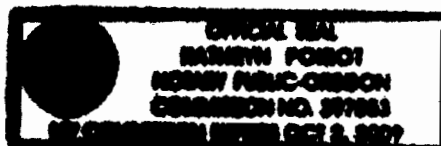
MAY 14 2009

STATE OF OREGON, County of Douglas

WATER RESOURCES DEPT

This instrument was acknowledged before me on  
by Tommy M. Prestianni

12-14-05 SALEM, OREGON



Kathryn Dorset

Notary Public for Oregon

My commission expires 12-2-2009

END OF DOCUMENT



**WARRANTY PERIOD**

KNOW ALL MEN BY THESE PRESENTS, That **ELIAS VALADEZ**

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by **ANTHONY R. EWERT** and **BETTY C. EWERT**, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the said grantees and grantees' heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereto in whole or in part pertaining, situated in the County of **Douglas** and State of Oregon described as follows, to-wit:

The property described in Exhibit "A" attached hereto and made a part hereof as if fully written herein.

**RECEIVED**

MAY 14 2009

WATER RESOURCES DEPT  
SALEM, OREGON

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

**To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.**

And said grantor hereby covenants to and with said grantees and grantees heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 85,000.00

[illegible]

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals. *OK*

In Witness Whereof the grantor has executed this instrument this 22 day of September, 1993.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEED TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES

**Elias Valadez**

STATE OF OREGON, County of Ventura

This instrument was acknowledged before me on September

by ... **ELIAS VALADEZ**

This instrument was acknowledged before me on 12 2 1997

by Ernest Jones

by  
us

My commission expires 12/26/2016 Calif.

ELIAS VALADEZ  
318 N. Tenth Street  
Santa Paula, CA 93060

ANTHONY R. & BETTY C. EWERT  
255 Gossonie Park  
Auburn, CA 95603

ANTHONY R. & BETTY C. EWERT  
255 Gossonia Park  
Auburn, CA 95603

ANTHONY R. & BETTY C. EWERT  
255 Gossania Park  
Auburn, CA 95603

**STATE OF OREGON,**

County of \_\_\_\_\_

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_ o'clock. AM, and recorded in book/rec./volume No. \_\_\_\_\_, on page \_\_\_\_\_, or as fee/title/instrument/microfilm/reception No. \_\_\_\_\_.  
Record of Deeds of said county.

Witness my hand and seal of  
County of \_\_\_\_\_

**By** \_\_\_\_\_, **Deputy**

## EXHIBIT "A"

the following parcels of land lying in Section 6, Township 32 South, Range 4 West, Willamette Meridian, Douglas County, Oregon, being more particularly described as:

## PARCEL 1:

Beginning at the southeast corner of the Northeast quarter of the Southeast quarter of Section 6, Township 32 South, Range 4 West, Willamette Meridian, Douglas County, Oregon; thence South 89° 23' West 1314.7 feet to the southwest corner of the Northeast quarter of the Southeast quarter of Section 6; thence North 0° 14' West 670.1 feet to a 1/2 inch iron pipe on the south boundary line of the County Road; thence North 35° 55' East 298.1 feet along said County Road; thence North 48° 54' East 129.0 feet along said County Road; thence North 55° 20' East 380.9 feet along said County Road; thence North 67° 45' East 142.1 feet along said County Road; thence North 82° 07' East 197.9 feet along said County Road; thence South 88° 43' East 245.0 feet along said County Road; thence North 84° 42' East 165.1 feet along said County Road to the section line between Sections 5 and 6, 34.9 feet South of the quarter corner; thence South 1279.6 feet to the place of beginning. EXCEPTING THEREFROM that portion lying Southeasterly of the centerline of Cow Creek. ALSO EXCEPTING therefrom that portion conveyed to Douglas County for right of way purposes by deed, Recorder's No. 86-0145, Records of Douglas County, Oregon.

## PARCEL 2:

Beginning North 89° 58' West 1320.0 feet and South 0° 14' East 303.2 feet from the quarter corner between Sections 5 and 6, Township 32 South, Range 4 West, Willamette Meridian, Douglas County, Oregon; thence South 0° 14' East 291.4 feet to the north line of the County Road; thence North 35° 55' East 251.2 feet along said County Road; thence North 48° 54' East 12.0 feet along said County Road; thence North 62° 39' West 175.0 feet to the place of beginning. EXCEPTING THEREFROM that portion conveyed to Douglas County for right of way purposes by deed, Recorder's No. 86-0145, Records of Douglas County, Oregon.

## SUBJECT TO:

1. Roads and highways and the rights of the public therein.
2. Rights of the public and governmental bodies in and to that portion of the premises described herein, now or at any time, lying below the ordinary high water mark of Cow Creek, including any ownership rights which may be claimed by the State of Oregon, now or at any time, below high water mark.
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 Cow Creek.
4. Right of way 12 feet in width, for irrigation ditch, as set out in deed granted by H.J. Wilson and Annie A. Wilson, to Johns Irrigation Ditch Company, dated May 9, 1910, and recorded May 11, 1910, in Volume 64, Page 564, Recorder's No. 7818, Deed Records of Douglas County, Oregon.
5. Right of way 30 feet in width, including the terms and provisions thereof, granted by Rodney Smith and Ethel Smith, husband and wife, to The California Oregon Power Company, dated June 22, 1946, and recorded November 2, 1946, in Volume 131, Page 24, Recorder's No. 57667, Deed Records of Douglas County, Oregon.

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WATER RESOURCES DEPT  
SALEM, OREGON

BOOK 1262 PAGE 84

6. Easement, including the terms and provisions thereof, granted by Hiram D. Hauck and Dorothy M. Hauck, to Pacific Power and Light Company, dated August 8, 1986, and recorded November 12, 1986, in Book 965, Page 741, Recorder's No. 86-15477, Records of Douglas County, Oregon.
7. Contract, including the terms and provisions thereof, between Hiram D. Hauck, seller, and Elias Valadez, purchaser, dated November 1, 1989, and recorded November 27, 1989, in Book 1082, Page 293, Recorder's No. 89-18107, Records of Douglas County, Oregon.
8. Grantees do hereby assume and agree to pay, keep and perform all remaining obligations of purchaser under the Hauck contract described above and on account of this assumption, they have received a credit equal to the unpaid balance owing on the Hauck contract. Both parties sign this Exhibit "A" indicating their agreement as to assumption of the Hauck contract and to instruct the collection escrow agent, Douglas County Title Company, that Grantees have acquired and assume all rights and obligations of buyer under Escrow No. 2569.

*Elias Valadez* 10/2/93  
Elias Valadez

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

*Anthony R. Ewert*  
Anthony R. Ewert

93 OCT 25 PM 2:46

GAY FIELDS  
DOUGLAS COUNTY CLERK  
IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

*Betty C. Ewert*  
Betty C. Ewert

RECEIVED

MAY 14 2009

*John J. Bennett*  
DOUGLAS COUNTY CLERK  
FEE 35.00  
40.00  
93-21703

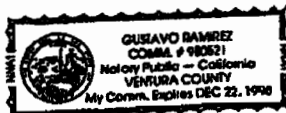
WATER RESOURCES DEPT  
STATE OF OREGON

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA  
County of Ventura

On 10/22/93 before me, Gusavo Ramirez Notary Public  
personally appeared Elias Valadez  
NAME OF SIGNER

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument



WITNESS my hand and official seal.

*[Signature]*  
SIGNATURE OF NOTARY

OPTIONAL SECTION  
CAPACITY CLAIMED BY SIGNER

Though statute does not require the Signer to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER(S)  
☐ PARTNER(S)  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

SIGNER IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(ES)

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent attachment of this form.

OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT  
NUMBER OF PAGES 1 DATE OF DOCUMENT 10/22/93  
SIGNER(S) OTHER THAN NAMED ABOVE

EOB

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Betty C. Ewert  
 2865 Upper Cow Creek Road  
 Azalea, Or. 97410  
 Grantor's Name and Address  
 Tommy M. and Janet E. Prestianni  
 2741 Upper Cow Creek Road  
 Azalea, Or. 97410  
 Grantee's Name and Address

After recording, return to (Name, Address, Zip):  
 Grantee above.

Until requested otherwise, send all tax statements to (Name, Address, Zip):  
 Grantee above.

STATE OF OREGON,

DOUGLAS COUNTY OFFICIAL RECORDS  
 BARBARA E. NIELSEN, COUNTY CLERK

2009-009075

at was



\$26.00

rded in

00245099200900090750010017

05/13/2009 10:30:27 AM

ception

DEED-BS Cnt=1 Stn=3 MARRIAGECOUNTER

County.

\$5.00 \$11.00 \$10.00

ffixed.

NAME

TITLE

By \_\_\_\_\_, Deputy.

## BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Betty C. Ewert, a widow

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

Tommy M. and Janet E. Prestianni, husband and wife

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Douglas County, State of Oregon, described as follows, to-wit:

A six(6) foot wide easement over and across land in the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 6, Township 32 South, Range 4 West, Willamette Meridian, with the POINT-OF-BEGINNING at the Southwest Corner of the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , said Section, otherwise known as the SE 1/16 Corner;

thence N 52°26'E, 223 feet more-or-less, to a point in Cow Creek;

thence N 37°34'W, 6.0 feet to a point in Cow Creek;

thence S 52°26'W, 218.39 feet more-or-less to the point of intersection with the east line of the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , said Section;

thence S 00°02'42"E, 7.57 feet on said east line to the POINT-OF-BEGINNING;

described route for placement of an irrigation line, electric powerline and pump to move irrigation water from Cow Creek at a point upstream from the lower point of diversion shown on the Water Application drawing by George W. Wenderoth, May 1946, for Rodney Smith, Permit No. 17025, to bottom land in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , said Section 6, shown as part of 1.3 acres the majority of which is in the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  but at that time all on the Rodney Smith property adjacent to Cow Creek.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1.00. ① However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate which) consideration. ① (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on \_\_\_\_\_; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

*Betty C Ewert*  
 Betty C. Ewert  
 by Holly Nightingale

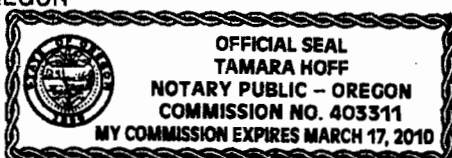
STATE OF OREGON, County of Douglas ss.

RECEIVED

This instrument was acknowledged before me on MAY 8 2009by TAMARA HOFFThis instrument was acknowledged before me on MAY 8 2009by TAMARA HOFFas NOTARY Public for the STATEof OREGON

MAY 14 2009

WATER RESOURCES DEPT  
 SALEM, OREGON



*Tamara Hoff*  
 Notary Public for Oregon  
 My commission expires 3-17-2010



# Douglas County Oregon

## Assessor Information

HM 837-3405

- Return** - RETURN to previous screen
- Images** - VIEW Scanned Images & Documents - JPG format
- Platmap** - VIEW Plat Image - TIF format
- 1999-2000 Aerial** - VIEW Aerial Image - JPG format
- 2004 Aerial** - VIEW Aerial Image - JPG format
- Satellite Map** - VIEW Detailed Satellite Map

**Property ID#:** R51668 - (R=Real / M=Manufactured Home / P=Personal Property / U=Utility)

**Alternate Acct #:** 15232.04

**Owner Name:** PRESTIANNI, TOMMY M &

**Address #1:** PRESTIANNI, JANET E

**Address #2:** 2741 UPPER COW CREEK RD

**Address #3:**

**City/State/Zip:** AZALEA, OR 97410

**Map ID#:** 32040600801

**Map Tax Lot:** 32-04W-06-00801

**Map Location:** Township: 32 Range: 04w Section: 06 Quarter: Sixteenth: Taxlot: 00801

**Situs Address:** 2741 UPPER COW CREEK RD AZALEA, OR 97410 - (Physical location of the property)

**Account Status:** A - (A=Active / I=Inactive)

**Maint Area:** 3 - (The County is divided into 14 areas for Revaluation/Recalculation purposes)

**Code Area:** 07702 - (Represents the Taxing District in which the property is located)

**County Prop Class:** 641 - (Identifies the type of property -- Commercial, Residential, Exempt, etc)\*\*

**Neighborhood Code:** FCR - (Code representing a Market Geographic area of the County)\*\*

**Legal Acreage:** 3.050 - (Total Account Acreage)

**Year Built:** 1997 - (Year Built)

**Living Area:** 1,232 - (Does not include non-livable areas such as garages, decks, etc)

**Bedrooms:** 2 - (Displays only Main Floor rooms, will not include Basement or 2nd Story rooms)

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**MAY 14 2009**

**WATER RESOURCES DEPT  
SALEM, OREGON**



Oregon Water Resources Department  
**Land Use Information Form**

W/S 09-0290  
RECEIPT P06477  
\$40.00  
S-97448

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: Tommy & Jan Prestanni  
Mailing Address: 2741 Upper Cow Cr Rd  
Azalea OR 97410 Daytime Phone: 541-837-3465  
City State Zip

**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:
32 S.	4 W.	6		801		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
32 S.	4 W.	6		1200		<input checked="" type="checkbox"/> Diverted	<input checked="" 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	

FG Shows LG on map R51668

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 of Ground Water Registration Modification

Source of water: ☒ Reservoir/Pond ☐ Ground Water ☐ Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 6.69 ☐ 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:

**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

**RECEIVED**

MAY 14 2009

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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MAY 14 2009

WATER RESOURCES DEPT  
SALEM, OREGON

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

Name: KRISTI GILBERT

Title: PLANNING TECH

Signature: Kristi Gilbert

Phone: 541-440-4289 Date: 04-28-09

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

Applicant Name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff Contact: \_\_\_\_\_

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