



**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: Roger or Robin Mellen (Roger) or Block (Robin)  
First Last

Mailing Address: 11764 Lookingglass Rd.  
Roseburg OR 97471  
City State Zip

Phone: 541-679-0964  
Home Work Other

\*Fax: \_\_\_\_\_ \*Email Address: \_\_\_\_\_

### B. Organizations

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

Name of Organization: \_\_\_\_\_

Name and Title of Person Applying: \_\_\_\_\_

Mailing Address or Organization: \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip

Phone : \_\_\_\_\_  
Day Evening

\*Fax: \_\_\_\_\_ \*Email Address: \_\_\_\_\_

*\*Optional*

<b>For Department Use</b>		
App. No. <u>S-87582</u>	Permit No. _____	Date _____

Last Updated: 3/31/2009

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: Ben Irving Reservoir Tributary to: Berry Creek  
 Source 2: \_\_\_\_\_ Tributary to: \_\_\_\_\_  
 Source 3: \_\_\_\_\_ Tributary to: \_\_\_\_\_  
 Source 4: \_\_\_\_\_ Tributary to: \_\_\_\_\_

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

Certificate 80425

**B. Applications to Use Stored Water**

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

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

Yes

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

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.

**3. WATER USE**

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

**A. Type(s) of Use(s)**

See list of beneficial uses provided in the instructions.

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

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**B. Amount of Water**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

*(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)*

Source	Type of use	Amount
Ben Irving Res.	Irrigation	55 <input type="radio"/> cfs <input type="radio"/> gpm <input checked="" type="radio"/> af
		<input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
		<input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
		<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: 22 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): 7.5 Horsepower - Gould submersible
- 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 4" Length 1,400'

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

**D. Application/Distribution Method**

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

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

- Flood  High pressure sprinkler  Low pressure sprinkler
- Drip  Water Cannons  Center pivot system
- Hand Lines  Wheel Lines
- Siphon tubes or gated pipe with furrows
- other, describe: \_\_\_\_\_

Distribution method

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

**E. Conservation**

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

Most efficient method of irrigation will be used as feasible.

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### 5. RESOURCE PROTECTION

#### A. Protection Practices

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

- Diversion will be screened to prevent uptake of fish and other aquatic life. Describe planned actions:

Intake will be screened to ODF&W specifications.

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

N/A

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

N/A

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

Will employ best management practices.

- Other:

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## 6. PROJECT SCHEDULE

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

Proposed date construction will begin: October 1, 2010

Proposed date construction will be completed: October 1, 2011

Proposed date beneficial water use will begin: October 1, 2012

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.*

N/A

## 8. MAP REQUIREMENTS

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

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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:

Roger Melle Robin Bock 2-12-10  
 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 USE

1. Please indicate whether you are requesting a primary or supplemental water right, as well as the number of acres that will be irrigated for each type. The acreages must match those shown on the map submitted with your application.

- Primary: 22 Acres
- Supplemental: \_\_\_\_\_ Acres (supplemental irrigation can be used only when the primary right is not available, and must match the season of the primary right)

List the permit or certificate number of the primary water right that underlies each supplemental right.

Circle one	Season Allowed
Permit/Certificate # _____	_____
Permit/Certificate # _____	_____
Permit/Certificate # _____	_____
Permit/Certificate # _____	_____

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

55 acre-feet (typically 2.5 or 3.0 acre-feet per acre)  
(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons)

3. **For Limited License applications proposing to use water for irrigation.** If for use of stored water, a limited license may be issued for up to one year with a valid contract for stored water per ORS 537.143(9). A limited license may also be issued for irrigation from live flow or groundwater, if the sole purpose is to establish a crop for which no further irrigation will be required after the crop is established per ORS 537.143(6)(a). Please describe the proposed project and indicate if stored water, live flow, or groundwater is to be used. When irrigation is needed to establish a crop, you must justify why more than one year is required.

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# 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: Roger or Robin (Roger) Mellon or (Robin) Block  
First Last

Mailing Address: 11764 Lookingglass Rd.

Roseburg OR 97471 Daytime Phone: (541) 679-0964  
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), and/or used or developed. 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:
28S	6W	18		200		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
28S	6W	18		300		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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, and/or used or developed:

Douglas County

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### 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
- Permit Amendment or Ground Water Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

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

Estimated quantity of water needed: 55  cubic feet per second  gallons per minute  acre-feet

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

Briefly describe:

Irrigation of 22 acres from Ben Irving Reservoir.

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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 at the bottom of the next page and include it with the application filed with the Water Resources Department. See bottom of next page. →

### 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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.5.050

Land uses to be served by the 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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**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 4389 Date: 02-12-10

Government Entity: DOUGLAS COUNTY ORDINANCE # ABOVE REVIEWED  
W/KRISTI G - 2-18-2010 HAM

**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: \_\_\_\_\_

**Exhibit A****PARCEL 1**

BEGINNING at a 5/8 inch by 30 inch iron rod set on a North-South fence line from which the Southeast corner of Donation Land Claim No. 53 bears South 1° 01' 30" West 447.61 feet, and South 0° 58' 51" West 1463.23 feet; thence running along said fence line North 0° 32' West 1100 feet to a 5/8 inch by 30 inch iron rod from which a 12 inch ash bears North 5° West 32.1 feet; thence running East 792.0 feet to a 5/8 inch by 30 inch iron rod; thence running South 0° 32' East 1100 feet to a 5/8 inch by 30 inch iron rod; thence running West, 792.0 feet to the place of beginning, all in Section 18, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

T28S, R06W, S18, TL 200

**PARCEL 2**

BEGINNING at a 5/8 inch by 30 inch iron rod which is set at the intersection of a North-South fence line with the East line of County Road No. 47, from which the Southeast corner of Donation Land Claim No. 53 bears South 0° 58' 51" West 1463.23 feet; thence running along said fence line, North 1° 01' 30" East 447.61 feet to a 5/8 inch by 30 inch by 30 inch iron rod set on said fence line; thence running along the South line of property recorded as Recorder's No. 70-8272 and Re-Recorded as 71-9622, Records of Douglas County, Oregon, East 792.0 feet to a 5/8 inch by 30 inch iron rod; thence running South 1° 01' 30" West, 415.86 feet to a 5/8 inch by 30 inch iron rod; thence running West 728.82 feet to a 5/8 inch iron rod; thence running along the North line of a 60 foot road easement, South 63° 32' West 71.21 feet to the place of beginning. All the above being located in Section 18, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

T28S, R06W, S18, TL 300

**PARCEL 3**

BEGINNING at a point which bears North 0° 58' 51" East 1463.23 feet, North 1° 01' 30" East 447.61 feet and North 0° 32' West 1100 feet from the Southeast corner of Donation Land Claim No. 53, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon; thence North 58° 45' 17" East 154.01 feet to a point on the centerline of Lookingglass Creek; thence along said centerline, North 36° 58' 30" East 371.27 feet to a point and North 9° 06' 47" East 226.34 feet to a point; thence leaving said centerline, East 200.0 feet to a 5/8 inch iron rod; thence East 875.77 feet to a 5/8 inch iron rod; thence South 0° 14' East 2115.74 feet to a 5/8 inch iron rod; thence West 680.42 feet to a 5/8 inch iron rod; thence North 1° 01' 30" East 415.86 feet to a 5/8 inch iron rod; thence North 0° 32' West 1100.00 feet to a 5/8 inch iron rod; thence West 442.02 feet to a 5/8 inch iron rod and West 349.98 feet to the point of beginning.

EXCEPTING THEREFROM the following described property:

A parcel of land lying in the South half of Section 18, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon being the Southerly 16 acres of that parcel of land described in Instrument No. 88-13290 of the Records of Douglas County, Oregon and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod at the Southwest corner of said Instrument No. 88-13290 from which the Southeast corner of the John H. Martin Donation Land Claim No. 53, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon bears West 792.0 feet, South 1° 01' 30" West, 31.75 feet and South 0° 58' 51" West 1463.63 feet; thence North 1° 01' 30" East along the West line of said Instrument No. 88-13290, 415.86 feet to a 5/8 inch iron rod; thence North 0° 32' 00" West continuing along said West line, 618.16 feet to a point; thence East 674.52 feet to a point on East line of said Instrument No. 88-13290; thence South 0° 14' 00" East along said East line, 1033.93 feet to a 5/8 inch iron rod at the Southeast corner of said Instrument No. 88-13290; thence West, 680.42 feet to the point of beginning.

T28S, R06W, S18, TL 103

Order No. 67189

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Roger Mellen  
11764 Lookingglass Rd.  
Roseburg, OR 97471

Herb Mosgar  
Water Rights Division  
Salem, OR

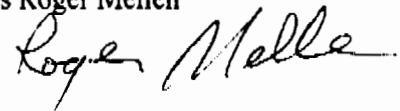
2-19-2010

Dear Herb,

Here's Exhibit A and a map of our property tax lots 200 and 300 are where the new water-right is requested in our application. The stars on the map indicate the tax lots owned by Robin and myself.

If you have any other questions please call me after 3:00 PM Monday-Thursday and after 8:30 AM on Fridays.

Best regards Roger Mellen



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SEE CS51-241

# 116-10

# PARTITION

LOT 2

LOT 3

LOT 4

# 116-10

SEE M43-39

LOT 5

LOT 6

LOT 7

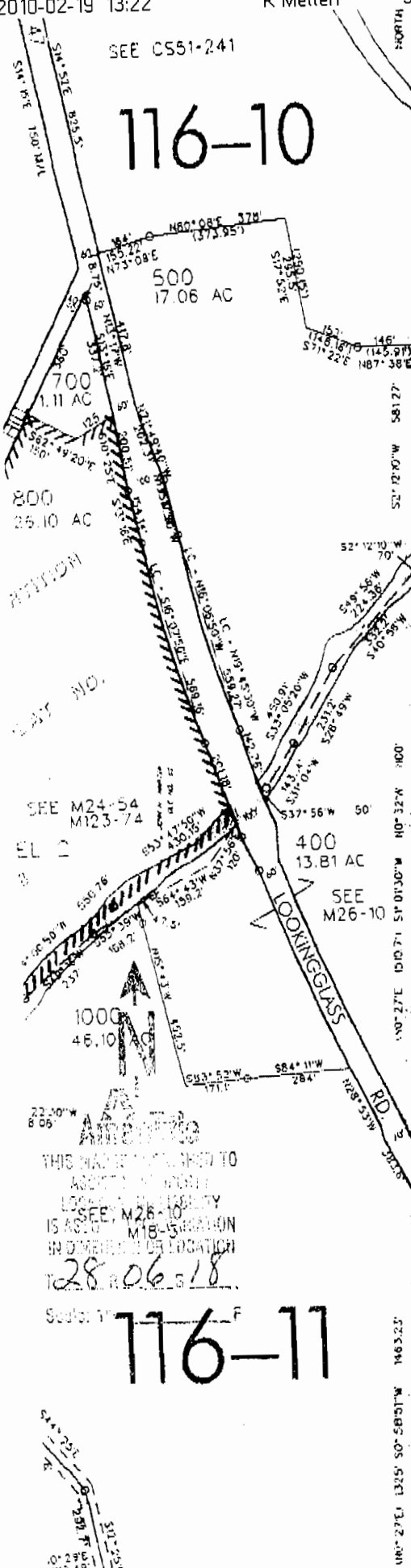
# 116

# PLAT

LOT 7

PARCEL 2

LOT 8



SEE M24-54  
M123-74

EL 2

SEE M26-10

THIS MAP IS FOR INFORMATION TO  
 ADJUST TO THE  
 LOCALITY  
 IS AS TO THE LOCATION  
 IN DIMENSIONS OR LOCATION  
 28.06.18

# 116-11

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S-87582

2/12/2010

11:16 am



**DOUGLAS COUNTY PLANNING & BUILDING**

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

**Permit Number: WS10-0094**  
**Job Address: 11764 LOOKINGGLASS RD, ROSEBURG**

**Receipt: P08522**

Fee Description	R39393	Fee Amount
LAND USE COMPATABILITY STATEME		\$50.00
<b>Total Fees Paid:</b>		<b>\$50.00</b>

Paid By: **BLOCK, ROBIN &**  
Pay Method: **Check 0869**  
Received By: **Gayle E McKillop**

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