

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME PERRY PARMELEE		PHONE (HM) 541-947-4873	
PHONE (WK)	CELL		FAX
ADDRESS 90397 HWY 140 WEST			
CITY LAKEVIEW	STATE OR	ZIP 97630	E-MAIL EULEE@CENTURYTEL.NET

Organization Information

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME DENNIS R. GLENDER DBA GLENDER'S HYDRO TECH SERVICES		PHONE 541-219-0806	FAX
ADDRESS 8664 SW SAND REIDGE RD			CELL SAME
CITY CROOKED RIVER RANCH	STATE OR	ZIP 97760	E-MAIL DJGLENDER@MSN.COM

Note: Attach multiple copies as needed

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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 cancelled.
- 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 (we) affirm that the information contained in this application is true and accurate.

Perry O Parmelee
Applicant Signature

Perry Parmelee
Print Name and title if applicable

05/14/2011
Date

Applicant Signature

Print Name and title if applicable

Date

App. No. <u>5-87725</u>	For Department Use Permit No. _____	Date _____
-------------------------	--	------------

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

☐ Yes

☒ There are no encumbrances.

☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☐ No

☐ 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 irrigation and/or domestic use only (ORS 274.040).

☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

SECTION 3: SOURCE OF WATER

A. 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: Unnamed spring stream

Tributary to: Muddy Creek

Source 2: _____

Tributary to: _____

Source 3: _____

Tributary to: _____

Source 4: _____

Tributary to: _____

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

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).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A 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 3A 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.

SECTION 4: WATER USE

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	USE	PERIOD OF USE	AMOUNT
Unnamed spring stream	Stock Water	October 1 -September 30	3.0 ☐ cfs ☐ gpm ☒ af
Unnamed spring stream	Stock water	October 1 -September 30	0.12 ☒ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: _____ Acres Supplemental: _____ Acres

List the Permit or Certificate number of the underlying primary water right(s): _____

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

☐ Pump (give horsepower and type): n/a

☐ Other means (describe): n/a

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

n/a

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

n/a

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent adverse impact to public uses of affected surface waters.

n/a

SECTION 6: RESOURCE PROTECTION

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: n/a

☐ 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: n/a

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 7: PROJECT SCHEDULE

Date construction will begin: Upon approved permit

Date construction will be completed: Oct 1, 2015

Date beneficial water use will begin: Oct 1, 2016

SECTION 8: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

The intent of this application is for the storage of 3.0 acft of water from an unnamed spring stream to supplement a reservoir constructed under Permit R-10623, Certificate 58889 for an annual filling and 0.12 cfs from said unnamed spring stream to maintain a reservoir constructed under Permit R-10623, Certificate 58889, all for the purpose of watering livestock. No out of stream or out of reservoir uses are requested.

A rectangular wier will be installed above said reservoir on the spring stream approximateley 3,280' North and 500' West from the SE Corner, Section 14, T 39 S, R 18 E, MW. All excess water will be allowed to flow through the reservoir and to the Muddy Creek system.

The only construction necessary is the installation of a suitagle measuring device. The spring stream naturally flows to the reservoir.

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant(s): PERRY PARMELEE

Mailing Address: 90397 Hwy 140 West

City: Lakeview

State: OR

Zip Code: 97630

Daytime Phone: 541-947-4873

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:
<u>39 S</u>	<u>18 E</u>	<u>14</u>	<u>SE NE</u>	<u>500</u>	<u>EFU</u>	☒ Diverted	☐ Conveyed	☒ Used	<u>Stock Water</u>
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Lake County, 513 Center, Lakeview, Or 97630

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) Unnamed Spring Stream trib to Muddy Cr.

Estimated quantity of water needed: 0.12, 3 ☒ 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 Stock water

Briefly describe:

Applicant proposes to fill an Existing Reservoir constructed under Permit R-10623, Certificate 58889 & maintain reservoir from an unnamed spring stream.

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 Page 3. →

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

WR / FS

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): A-2 + A-1 Zones ARTICLES 3+2 L.C.Z.O.
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Name: DARWIN JOHNSON JR. Title: PLANNING DIRECTOR

Signature: [Signature] Phone: 541-947-6036 Date: 6 MAY 2011

Government Entity: LAKE CO. PLANNING DEPT / COMMUNITY DEVELOPMENT

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: _____

RECEIVED

GRANTOR'S NAME AND ADDRESS:
Perry O. Parmelee & Lois E. Parmelee
HC 60 Box 1992
Lakeview, OR 97360

GRANTEE'S NAME AND ADDRESS:
Perry O. Parmelee & Lois E. Parmelee
HC 60 Box 1992
Lakeview, OR 97360

AFTER RECORDING RETURN TO:
James C. Lynch
P. O. Box 351
Lakeview, OR 97630

SEND TAX STATEMENTS TO:
Mr. & Mrs. Perry O. Parmelee
HC 60 Box 1992
Lakeview, OR 97360

STATE OF OREGON,

County of Lake

I certify that the within instrument was received for record on the _____ day of _____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____ Records of said County.

Witness my hand and seal of County affixed.

Name _____

Title _____

By: _____

Deputy _____

M0381685

101477

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That **PERRY O. PARMELEE & LOIS E. PARMELEE**, husband and wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **PERRY O. PARMELEE & LOIS E. PARMELEE**, as tenants in common, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lake, State of Oregon, described as follows, to-wit:

See Attached Exhibit "A"

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is None (Exchange of Property).

In construing this deed and where the context so requires, the singular includes the plural.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

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 FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE 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.

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

S-87725

722

M0381686

In Witness Whereof, the grantor has executed this instrument this 28th day of December, 2000.

Perry O. Parmelee
Perry O. Parmelee

Lois E. Parmelee
Lois E. Parmelee

STATE OF OREGON)

) ss.

County of Lake)

This instrument was acknowledged before me on December 28, 2000, by Perry O. Parmelee and Lois E. Parmelee.



Karen L. Sedlacek
Notary Public for Oregon
My Commission Expires: 09-07-2003

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

S-87725

PERRY O. & LOIS E. PARMELEE
EXHIBIT "A"

M0381687 123

Parcel 1

Township 39 South, Range 18 East of the Willamette Meridian, of Lake County, Oregon.

Section 11: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{4}$ S $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{4}$ S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;
S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;
NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$;
N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 14: N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North of State Highway No. 140 as the same is presently located.

Section 15: NW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$.

SUBJECT TO all easements, reservations, restrictions and rights of way of record or apparent on the ground.

TAX INFORMATION: Code 7-02; Map No. 3918-500; Account No. 11562.
Code 7-04; Map No. 3918-501; Account No. 11564.
Code 7-04; Map No. 3918-502; Account No. 11566.
Code 7-02; Map No. 3918-590; Account No. 11568.
Code 7-02; Map No. 3918-600; Account No. 11569.
Code 7-02; Map No. 3918-700; Account No. 11571.
Code 7-02; Map No. 3918-3300; Account No. 11722.

Parcel 2

Parcel No. 1 of Partition Plat #1999-p-160 filed April 1, 1999 in Lake County Records and located in the NE $\frac{1}{4}$ of Section 22 in Township 39 South, Range 19 East of the Willamette Meridian in Lake County, Oregon.

SUBJECT TO all easements, reservations, restrictions and rights of way of record or apparent on the ground.

TAX INFORMATION: Code 7-13; Map No. 391922-1400; Account No. 12026.

PAGE 1 - EXHIBIT "A"

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

S-87725

Parcel 3

M0381688

Beginning at a point 60 feet South of the Northeast corner of Block H in the West Addition to the Town of Lakeview, Lake County, Oregon; thence South 32 feet; thence West 100 feet; thence North 32 feet; thence East 100 feet to the point of beginning.

SUBJECT TO all easements, reservations, restrictions and rights of way of record or apparent on the ground.

TAX INFORMATION: Code 7-01; Map No. 392015BD-400; Account No. 13063.

Parcel 4

Commencing at a point 107.5 feet North from the Southeast corner of Block "H" in the West Addition to the Town of Lakeview, Lake County, Oregon; thence North a distance of 25.5 feet along the West line of Main Street in said Town; thence West at right angles a distance of 100 feet; thence South a distance of 25.5 feet; thence East at right angles a distance of 100 feet to the point of beginning.

SUBJECT TO all easements, reservations, restrictions and rights of way of record or apparent on the ground, including but not limited to the Party Wall Agreement made and entered into by and between The Marius Theater, a corporation, and Mungo Lyons and Florence Lyons, husband and wife, dated June 14, 1940, and recorded June 21, 1940, in Book 81 at Page 250, Deed Records, covering the construction and maintenance of a party wall located on the South line of the within described property.

TAX INFORMATION: Code 7-01; Map No. 392015BD-300; Account No. 13061.

State of Oregon } Reel 38
County of Lake } ss. File 1625

I hereby certify that the within instrument was received and filed for record on the

29 day of DECEMBER 2000

3:50 o'clock P. M. and recorded

on page 721 in book 249 record

of Deeds of said County

Wendy Dee Lambert-Hughes

County Clerk

By [Signature] Deputy

PAGE 2 - EXHIBIT "A"

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

S-87725

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PERRY PARMELEE
HC 60, BOX 1992
LAKEVIEW, OREGON 97630

confirms the right to store the waters of AN UNNAMED STREAM, a tributary of MUDDY CREEK IN PARMELEE RESERVOIR, for the purpose of LIVESTOCK.

The right to store these waters has been perfected under Reservoir Permit R-10623. The date of priority is JANUARY 3, 1986. The amount of water entitled to be stored each year under such right is not more than 3.0 ACRE-FEET ANNUALLY DURING THE NONIRRIGATION SEASON OR WHEN EXCESS WATER IS OTHERWISE AVAILABLE.

The reservoir is located as follows:

SE 1/4 NE 1/4
SECTION 14
TOWNSHIP 39 SOUTH, RANGE 18 EAST, W.M.

RECEIVED

MAY 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 22, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 58889

R-68643

S-87725