

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

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WATER RESOURCES DEPT
SALEM, OREGON

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME FOREST EDGE INVESTMENTS LLC - DYLAN J. BLODGETT, PRESIDENT			PHONE (HM)		
PHONE (WK)		CELL 541-430-0218		FAX	
ADDRESS P.O. BOX 407					
CITY WINCHESTER		STATE OR	ZIP 97495	E-MAIL BLODGETT.MAIL@GMAIL.COM	

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			PHONE		FAX
ADDRESS					CELL
CITY	STATE	ZIP	E-MAIL		

Note: Attach multiple copies as needed

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.

Applicant Signature

Applicant Signature

Print Name and title if applicable

Print Name and title if applicable

Date

Date

App. No. S-87741

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: Buckhorn Creek

Tributary to: Little River

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).

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.

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☐ 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
Buckhorn Creek	Human Consumption	Year-Round	.005 ☒ cfs ☐ gpm ☐ af
			☐ 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: One
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

☒ Pump (give horsepower and type): 1/2 HP electric submersible

☐ Other means (describe): _____

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

Water will be pumped from creek to a 1500 gallon holding tank and then piped to household treatment/plumbing system.

B. Application Method

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

Household plumbing system.

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.

A permit for human consumption from Buckhorn Creek is needed because we cannot reasonably obtain water from any other source (see attached application supplement). The delivery system will include a flow meter and water use will be reported as required. Piped/closed system will be inspected regularly for leaks.

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: ODFW approved fish screen will be installed on pump intake.

☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Describe planned actions: None planned.

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

Describe: None planned.

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

Describe: Will use best residential management practices to prevent erosion and contaminant run-off.

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: Upon permit issuance.

Date construction will be completed: One month after permit issuance.

Date beneficial water use will begin: On completion of system installation.

SECTION 8: REMARKS

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

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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): Forest Edge Investments LLC - Dylan J. Blodgett, President

Mailing Address: P.O. Box 407

City: Winchester

State: OR

Zip Code: 97459

Daytime Phone: 541-430-0218

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.

R62649

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>27S</u>	<u>4W</u>	<u>1A</u>	<u>NENE</u>	<u>100</u>	<u>RC2 / RR</u>	☒ Diverted	☒ Conveyed	☒ Used	_____
_____	_____	_____	_____	_____	_____	☐ 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:

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
 ☐ 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) Buckhorn Creek

Estimated quantity of water needed: .005 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for one household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Human consumption/domestic use for one household.

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. →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

R62649

☒ 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): LUDO Section 3.9.050.1

☐ 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.

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

Name: Louise Nicholls Louise Nicholls Title: Admin. Planner
Signature: Louise Nicholls Phone: 541-440-4289 Date: 7-19-11
Government Entity: Do. Co. Planning Dept W/S 11-0512

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: _____

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File #: _____

Oregon Water Resources Department

Application Supplement for Human Consumption & Livestock Uses

For water use permit applications within or above scenic waterways, or from streams for which water is not available due to required instream flows, the Department may issue limited permits for human consumption and livestock uses. Human consumption is limited to indoor use for drinking, cooking, and sanitation and is limited to 500 gallons per day. It does not include outdoor uses such as lawn watering, garden watering or other similar uses.

In order to issue a permit to you for human consumption or livestock use, the Department must find that you cannot reasonably obtain water from any other source. For human consumption, an additional finding must be made that denial of the water right would result in loss of reasonable expectations for use of your property. For livestock use, additional findings must be made that issuance of a permit is necessary to prevent the livestock from watering in or along the stream bed and that you have excluded livestock from the stream and the adjacent riparian zone.

Please answer the following questions, and sign and return this form to Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266.

1. Can you reasonably obtain water from any other source? ☐ Yes ☒ No

If not, please describe why each of the following options are not reasonable:

- a. Groundwater, such as a well on yours or a neighbor's property. (If expense is the reason groundwater is not reasonable, please provide two estimates of the cost.)

I Have Drilled multiple wells without success. Most Recent was July 14, 2011 for 220 ft. cost was \$3700. Previous 2 were dry as well. Both neighbors have multiple Dry wells or very low producing. Additional well attempt would cost \$4000

- b. Securing stored water from upstream reservoirs.

None Available.

- c. Trucking water. (If expense is the reason this option is not reasonable, please provide a copy of an estimate of the cost of trucking water.)

\$70 for every 2500 gallons delivered. Water must come from Roseburg, -20 miles away. Estimated annual cost is \$2000. = 71,500 Gallons Annually

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- d. Community or municipal water suppliers.

None Available

- e. Tying in to a neighboring property's spring.

Not available

- f. Transferring existing water rights to your proposed use(s).

Not available

Please identify any other alternate water sources you have considered, and why they are not feasible:

My only Feasible option after several dry well drilling, is either truck water or obtain water from Buckhorn Creek. Trucking is not economically feasible long term.

2. If you are seeking a permit for **human consumption use**, would denial of your application result in loss of reasonable expectations for use of your property?

☒ Yes ☐ No ☐ NotApplicable

If so, please describe how:

I need to refinance my home and banks will not loan without a legal water supply. In addition, I cannot ever sell my home without water.

3. If you are seeking a permit for **livestock use**, is the proposed use necessary to prevent the livestock from watering in or along the stream bed?

☐ Yes ☒ No ☐ Not Applicable

4. If you are seeking a permit for **livestock use**, have you excluded livestock from the stream and the adjacent riparian zone?

☐ Yes ☐ No ☒ Not Applicable

Applicant Signature: [Signature]

Date: July 18, 2011

Applicant Signature: _____

Date: _____

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* - - Property Data Selection Menu - -

Owner: FOREST EDGE INVESTMENTS

Prop ID : R62649 (8353.21) (205705) 700 PIONEER WAY

Map Tax Lot: 27-04W-01A-00100 WINCHESTER, OR 97495

Legal : TRACT M&B INST 75-1699 LESS PT SD,
ACRES 4.57

Situs : 11304 BUCKHORN RD Year Built : 2005
GLIDE, OR 97443 Living Area: 1945

Name(s) :

Code Area : 01203

Sale Info : 03/22/11 \$180,000

Deed Type : WD

Instrument: 2011-5997

2010 Tax Status * No Taxes Due *

Current Levied Taxes : 2,049.83

Special Assessments : 66.25

2010 Roll Values

RMV Land \$ 153,890 (+)

RMV Improvements \$ 250,694 (+)

RMV Total \$ 404,584 (=)

Total Exemptions \$ 0

M5 Net Value \$ 404,584

M50 Assd Value \$ 232,213

(AD) Alt Disp
(O)wnership

(Y) primary
(H)istory

(SE)condary
(W) Spec Assmt

(L)and/Impr
(.) More

Enter Option from Above or <RET> to Exit: _

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FIDELITY NATIONAL TITLE

470311010806

RECORDING REQUESTED BY:
Fidelity National Title Company of Oregon

GRANTOR'S NAME:
Bank of America, N.A.

GRANTEE'S NAME:
Forest Edge Investments

SEND TAX STATEMENTS TO:
Forest Edge Investments
700 Pioneer Way
Winchester, OR 97465

AFTER RECORDING RETURN TO:
Forest Edge Investments
700 Pioneer Way
Winchester, OR 97465

Escrow No: 4611019732-FTEUG03
11304 Buckhorn Road
Glide, OR 97443

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2011-005997



\$56.00

00295009201100059970040047

04/08/2011 11:08:47 AM

DEED-WD Cnt=1 Stn=13 CAROL
\$20.00 \$11.00 \$15.00 \$10.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SPECIAL WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Bank of America, N.A., Grantor, conveys and specially warrants to

Forest Edge Investments, LLC, an Oregon limited liability company

Grantee, the following described real property free and clear of encumbrances created or suffered by the grantor except as specifically set forth below:

Complete legal description attached hereto and made a part hereof.

ENCUMBRANCES: Rights of the public, easements, reservations, covenants, conditions and restrictions of record, if any

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 6 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 6 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The Grantee(s) or Purchaser(s) of the property may not re-sell, record an additional conveyance document, or otherwise transfer title to the property within 60 days following the grantor's execution of this deed. The true consideration for this conveyance is \$180,000.00.

Dated March 22, 2011

Bank of America, N.A.

BY:

As: Eileen Caswell

Assistant Vice President

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State of _____

See Attached

COUNTY of _____

This instrument was acknowledged before me on _____, 20____
by _____ as _____ of Bank of America, N.A.

_____, Notary Public - State of _____

My commission expires: _____

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of VENTURA

On 3/29/11 before me, Doreen Korven, **NOTARY PUBLIC**

Date

Here Insert Name and Title of the Officer

personally appeared Eileen Caswell

Name(s) of Signer(s)

who 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.

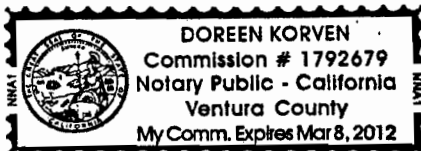
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above



OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Indemnity & Certification Regarding Possession

Document Date: & Improvements Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

- ☐ Individual
- ☐ Corporate Officer — Title(s):
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:

Signer's Name:

- ☐ Individual
- ☐ Corporate Officer — Title(s):
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:

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EXHIBIT "ONE"

A parcel of land located in Section 1, Township 27 South, Range 4 West, Willamette Meridian, Douglas County, Oregon, and more particularly described as follows: Beginning at a 5/8" iron rod on the westerly line of lands described in Volume 184, Page 222, deed records of Douglas County, Oregon, from which the Northwest corner of said lands bears North 8°38'15" East 101.87 feet, also from which point of beginning the northeast corner of said Section 1 bears North 37°39'21" East 1303.08 feet; thence from said point of beginning, North 8°38'15" East 101.87 feet along the westerly line of said lands to a 5/8" iron rod at the northwest corner thereof; thence North 82°06'45" West 24.00 feet along the southerly line of lands described in Volume 276, Page 288, deed records of Douglas County, Oregon, to a 5/8" iron rod at the southwest corner thereof; thence North 8°38'15" East 310.00 feet along the westerly line of said last mentioned lands to a 5/8" iron rod; thence North 40°59'15" East 824.47 feet along the easterly line of lands of Smith as described in Volume 181, Page 170, deed records of Douglas County, Oregon, to the northeast corner thereof; thence following a fence line running along the north line of said Section 1, North 89°40'54" West 513.30 feet to the northwest corner of said Smith lands; thence following the west line of said Smith lands, South 7°21'00" West 1034.95 feet to a 5/8" iron rod; thence South 82°06'45" East 67.49 feet to the point of beginning.

END OF DOCUMENT

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