

# 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 JAMES L. & DONNA ABERNATHY			PHONE (HM)
PHONE (WK)	CELL 541-671-6794	FAX	
ADDRESS 3019 NW STEWART PARKWAY, SUITE 304, BOX #206			
CITY ROSEBURG	STATE OR	ZIP 97471	E-MAIL

### 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

JAMES L. ABERNATHY  
Print Name and title if applicable

DONNA ABERNATHY  
Print Name and title if applicable

9/26/11  
Date

9-26-11  
Date

App. No. <u>S-87758</u>	For Department Use	Date	<b>RECEIVED</b> SEP 27 2011
Permit No. _____			

**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*).

See attached waterline easement agreement and subdivision map.

**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: North Umpqua River

Tributary to: Umpqua 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.)

**RECEIVED**

SEP 27 2011

WATER RESOURCES DEPT  
SALEM, OREGON

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
North Umpqua River	Domestic Expanded	Year-Round	0.01 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> 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:  
\_\_\_\_\_

**RECEIVED**

SEP 27 2011

WATER RESOURCES DEPT  
SALEM, OREGON  
WR

S-07758

## SECTION 5: WATER MANAGEMENT

### A. Diversion and Conveyance

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

Pump (give horsepower and type): 3 HP 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 the North Umpqua River to a holding pond and then delivered to the property through a system operated by the homeowners association.

### B. Application Method

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

Household plumbing system and residential lawn/garden sprinkler irrigation.

### 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.

Water is needed for domestic use and lawn/garden irrigation on the property. Best residential management practices will be used to prevent waste, erosion and control run-off.

## 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 screening will be installed on pump intake prior to diversion of water.
- 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 run-off.

**RECEIVED**

SEP 27 2011

WATER RESOURCES DEPT  
SALEM OREGON  
WR

S-87758

**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: Existing system

Date construction will be completed: Existing System

Date beneficial water use will begin: Existing System

**SECTION 8: REMARKS**

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

---

**RECEIVED**  
SEP 27 2011  
WATER RESOURCES DEPT  
SALEM, OREGON  
WR

THIS SPACE RESERVED FOR RECORDER'S USE



After recording return to:

Abernathy Family Revocable Living Trust  
3019 NW Stewart Parkway, Ste 304, #206  
Roseburg, OR 97470-1602

DOUGLAS COUNTY OFFICIAL RECORDS  
BARBARA E. NIELSEN, COUNTY CLERK

2009-014941



\$31.00

00252503200900149410020026

08/19/2009 09:19:15 AM

DEED-WD Cnt=1 Stn=18 RECORDINGDESK  
\$10.00 \$11.00 \$10.00

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

Abernathy Family Revocable Living Trust  
3019 NW Stewart Parkway, Ste 304, #206  
Roseburg, OR 97470-1602

Escrow No. RB0702648  
Title No. 0702648  
SWD

STATUTORY WARRANTY DEED

R. Scott Williams, an estate in fee simple, Grantor(s) hereby convey and warrant to James L. Abernathy and Donna Vaughan Abernathy, Trustees of the Abernathy Family Revocable Living Trust dated June 20, 2005, Grantee(s) the following described real property in the County of Douglas and State of Oregon free of encumbrances except as specifically set forth herein:

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH an easement more particularly described in Instrument No. 84-6371, Deed of Records, Douglas County, Oregon and set out on STONEBROOK SUBDIVISION, Deed Records, Douglas County, Oregon.

R131642

T26S R06W S27C TL2800

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

2009-2010 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is \$147,500.00.

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.

Dated this 17 day of Aug 2009  
*R. Scott Williams*  
R. Scott Williams S-87750

RECEIVED  
SEP 27 2011  
WATER RESOURCES DEPT  
SALEM OREGON

AmeriTitle 702648

EXHIBIT "A"

Lot 14, STONEBROOK SUBDIVISION (Volume 22, Page 44), plat records of Douglas County, lying in the Southwest quarter of Section 27, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

LESS AND EXCEPTING a parcel of land, being a portion of Lots 14 and 15, STONEBROOK SUBDIVISION (Volume 22, Page 44), plat records of Douglas County, lying in the Southwest quarter of Section 27, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, begin more particularly described as follows:

BEGINNING at a 5/8 inch iron rod at the Northeast corner of Instrument Number 2005-28789, Douglas County Deed Records, from which the initial point of said STONEBROOK SUBDIVISION bears North 60° 30' 11" East, 732.02 feet; thence North 86° 33' 36" East, 52.48 feet to a point in said Lot 15 and in the center of an existing creek; thence along the center of said existing creek the following courses: South 22° 18' 51" East, 73.76 feet to a point; thence South 35° 51' 27" East, 75.08 feet to a point on the line common to said Lots 14 and 15; thence South 0° 43' 35" East, 83.95 feet to a point; thence leaving said creek, North 75° 06' 34" West, 35.70 feet to a 5/8 inch iron rod at the Southeast corner of said Instrument No. 2005-28789; thence along the East line of said Instrument No. 2005-28789 the following courses: North 20° 06' 34" West, 150.00 feet to a 5/8 inch iron rod; thence North 75° 06' 34" West, 20.00 feet to a 5/8 inch iron rod; thence North 20° 06' 34" West, 58.27 feet to the point of beginning.

"FOR INFORMATIONAL PURPOSES ONLY, THE FOLLOWING IS INCLUDED"

T26S, R06W, S27C TL 2800

END OF DOCUMENT

S-87788

RECEIVED

SEP 27 2011

WATER RESOURCES DEPT  
SALEM OREGON



IRRIGATION WATERLINE EASEMENT AGREEMENT  
AND RELEASE OF EASEMENT

This Easement Agreement is hereby made and entered into by and between R. SCOTT WILLIAMS (hereinafter referred to as "WILLIAMS") and WILMA GAMBILL hereinafter referred to as "GAMBILL") on the date herein below provided:

**RECITALS:**

A. GAMBILL has an irrigation line easement as set out in Judgment filed in Case No. 01CV1748CC in the Circuit Court of Douglas County, Oregon, wherein Donald L. Gambill was Plaintiff and Jon Douglas Gambill was defendant. The irrigation line easement encumbers the property of WILLIAMS.

B. WILLIAMS is the owner of the subservient property described in the irrigation line easement and wishes to relocate the irrigation line easement.

C. WILLIAMS and GAMBILL are in agreement that the line may be relocated to the common water line agreement on WILLIAMS' property. The relocated waterline easement is as described in the Exhibits A & B attached hereto and incorporated herein.

D. WILLIAMS and GAMBILL understand that WILLIAMS may at some future date to



convey the common water line as part of and to be included as part of a subdivision and intends for the water line easement to be managed by a homeowners association.

**NOW THEREFORE:** In consideration of the mutual promises herein the parties agree as follows:

(1) WATER LINE EASEMENT: WILLIAMS does hereby convey onto GAMBILL, a Perpetual, Nonexclusive Easement, which Easement Area shall be five feet (5') in width on either side of the centerline of the existing irrigation line described in the attached Exhibit A. and as depicted in Exhibit B.

(2) PURPOSE: Said irrigation line easement is for the purpose of providing GAMBILL access to an existing irrigation line and system of WILLIAMS.

(3) EASEMENT EXPENSE: The cost and expense of the installation, inspection, construction, reconstruction, improvement, installation and/or repair of the water line shall be born by WILLIAMS his heirs, successors and assigns. GAMBILL shall pay any cost and expense necessary to connect her irrigation system to the existing irrigation line described in Exhibit A.

(4) WATER LINE EXCLUSIVE: The easement area described herein is non-exclusive, and WILLIAMS, his heirs, successors and assigns retain all control over the irrigation line, its operation, maintenance and repair and shall have a right to use and occupy the easement area for all purposes. GAMBILL shall have the right to use, and to connect to, the irrigation line in common with other irrigation line users. GAMBILL shall limit her use of the irrigation line to providing water for lawn and garden purposes. GAMBILL agrees to abide by any water use and distribution requirements as set by WILLIAMS or his successors and assigns, that serve to regulate the common use of the irrigation line. Any such water use and distribution requirements will be uniform for all users of the common irrigation line.

(5) MANNER OF USE OF EASEMENT AREA/INDEMNITY: GAMBILL and WILLIAMS, and their successors and assigns, shall use and occupy the irrigation line and easement area such that one another's improvements are not hindered, damaged, delayed or otherwise harmed.

(6) LITIGATION EXPENSE: In the event that a dispute arises over the terms, conditions or enforcement of this Irrigation Waterline Easement Agreement, the unsuccessful party, their heirs, successors and assigns, shall pay to the prevailing party, their heirs, successors and assigns, any and all litigation expense incurred by the prevailing party. Litigation expense includes, but is not limited to: (a) reasonable attorney fees, whether incurred before, during or after legal proceedings are commenced, or before, during or after an appeal; (b) the fees and expenses of investigators, experts and/or surveyors; (c) the fees and expense

of title reports, title searches and title insurance; (d) the fees and expenses of depositions; and (e) any and all other out-of-pocket expenses incurred in connection with or arising out of the parties' dispute.

(8) PRIOR ENCUMBRANCES: The Irrigation Waterline Easement granted herein is subject to all prior easements, liens and encumbrances of record.

(9) HEIRS/SUCCESSORS: This Irrigation Waterline Easement Agreement is intended to and shall bind and inure to the benefit not only of the immediate parties hereto, but also the respective heirs, devisees, administrators, executors, assigns and successors in interest.

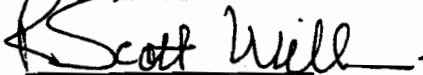
(10) GAMBILL RELEASE OF JUDGMENT EASEMENT: In consideration hereof, GAMBILL hereby releases and quit claims all interest she has in the irrigation ~~the~~<sup>line</sup> easement as set forth in Judgment filed in Case No. 01CV1748CC in the Circuit Court of Douglas County, Oregon, wherein Donald L. Gambill was Plaintiff and Jon Douglas Gambill was defendant.

(11) ORS 93.040 NOTICE: "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."

"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."

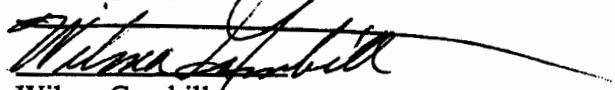
DATED and SIGNED this 6 day of April, 2007.

"WILLIAMS"



R. Scott Williams

"GAMBILL"



Wilma Gambill

EXHIBIT "A"

A 10-foot wide irrigation line easement being a portion of Parcel 2 of Partition Plat 2006-0056, Douglas County Plat Records and a portion of Unit 2 of Instrument Number 2006-006254, Douglas County Deed Records, located in the Southwest quarter of section 27, Township 26 South, Range 6 West, Douglas County, Oregon, lying 5 feet on each side of a centerline which is located over and above an existing irrigation line and is more particularly described as follows:

Beginning at a point on the South boundary of said Parcel 2 from which the Southwest corner bears South 23°32'24", 82.58 feet; Thence leaving said South boundary, North 49°50'19" West, 530.95 feet to a point; Thence North 69°33'18" West, 71.72 feet to a point; Thence North 16°50'04" West, 353.37 feet to a point; Thence South 73°09'56" West, 30.00 feet to a point; Thence North 16°50'04" West, 102.12 feet to a point; Thence South 73°09'56" West, 173.28 feet to a point; Thence North 87°05'52" West, 43.53 feet to a point; Thence North 31°40'54" West, 55.93 feet; Thence North 50°07'23" West, 66.13 feet to a point; Thence North 38°39'43" West, 22.44 feet to a point; Thence South 48°51'30" West, 97.70 feet to a point on the West boundary of said Unit 2 and terminus of this description from which a 5/8-inch iron rod at the most Northerly Northwest corner of said Parcel 2 bears South 47°37'30" East, 42.77 feet. The sidelines of the previously described easement are to be lengthened or shortened in order to terminate on the aforementioned boundary lines.

S-87758

**RECEIVED**

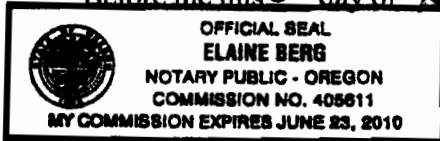
SEP 27 2011

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON )  
 ) ss.  
County of Douglas )

Personally appeared before me the above named R. SCOTT WILLIAMS and he did acknowledge the foregoing instrument to be his voluntary act and deed.

Before me this 6<sup>th</sup> day of April, 2007.



Elaine Berg  
Notary Public for Oregon  
My Commission Expires: June 23, 2010

STATE OF OREGON )  
 ) ss.  
County of Douglas )

Personally appeared before me the above named WILMA GAMBILL and she did acknowledge the foregoing instrument to be her voluntary act and deed.

Before me this 13<sup>th</sup> day of April, 2007.



Lisa G Paul  
Notary Public for Oregon  
My Commission Expires: Aug. 28 2007

**RECEIVED**

SEP 27 2011

WATER RESOURCES DEPT  
TALAMON, OREGON

5-87760

**END OF DOCUMENT**

# Land Use Information Form

WS11-0678  
 Rept # P12080  
 R131642



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

Applicant(s): James & Donna Abernathy

Mailing Address: 3019 NW Stewart Parkway - Suite 304, Box #206

City: Roseburg

State: OR

Zip Code: 97471

Daytime Phone: 541-671-6794

## 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:
						<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
<u>26S</u>	<u>6W</u>	<u>27C</u>	<u>SESW</u>	<u>3800</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
<u>26S</u>	<u>6W</u>	<u>27C</u>	<u>NESW</u>	<u>2700</u> <u>3100</u> <u>3200</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
<u>26S</u>	<u>6W</u>	<u>27C</u>	<u>NWSW</u>	<u>2600</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
<u>26S</u>	<u>6W</u>	<u>27C</u>	<u>NESW</u>  <u>NWSW</u>	<u>2800</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> 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) North Umpqua River

Estimated quantity of water needed: 0.01   
 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:

Domestic expanded 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.

RECEIVED

SEP 27 2011

# 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): Section 3.9.050

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.

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

Name: Kelly N. White Title: Planning Tech.

Signature: Kelly N. White Phone: 541-440-4289 Date: 9-26-11

Government Entity: Douglas County Planning R131642

**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**

SEP 27 2011



NO FEE

PLAT-SUB Cnt=1 Stmt=1 RECEIPTCOUNTER  
This is a no fee document  
05/11/2007 10:45:19 AM

**NARRATIVE:**

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE INTO LOTS THAT TRACT OF LAND BEING ALL OF PARCELS 1 AND 2 OF PARTITION PLAT 2004-0074 AND 2006-0056, DOUGLAS COUNTY PLAT RECORDS AND A PORTION OF UNIT 1 OF INSTRUMENT NUMBER 2006-006254, DOUGLAS COUNTY DEED RECORDS. THE PROCEDURE WAS AS FOLLOWS:

MONUMENTS OF RECORD WERE TIED AND HELD AS SHOWN. THE WESTERLY BOUNDARY ALONG DEL VIEW SUBDIVISION WAS ESTABLISHED BY PROPORTIONING BETWEEN FOUND MONUMENTS. MONUMENTS WERE SET IN ORDER TO DELINEATE THE EXTERIOR BOUNDARY AND THE INTERIOR LOT CORNERS AS SHOWN.

**SURVEYOR'S CERTIFICATE:**

I, RONALD A. QUIMBY, OREGON PROFESSIONAL LAND SURVEYOR NO. 1654, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN ON THE ANNEXED PLAT OF WHICH THE FOLLOWING IS A TRUE AND CORRECT DESCRIPTION:

A TRACT OF LAND BEING ALL OF PARCELS 1 AND 2 OF PARTITION PLATS 2004-0074 AND 2006-0056, DOUGLAS COUNTY PLAT RECORDS, AND A PORTION OF UNIT 2 RECORDED IN INSTRUMENT NUMBER 2006-006254, DOUGLAS COUNTY DEED RECORDS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 26 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON, THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID 2006-0056; THENCE ALONG THE EAST BOUNDARY OF SAID PARCEL 1, SOUTH 46°35'47" EAST, 746.84 FEET TO A 5/8-INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE ALONG THE SOUTH BOUNDARY OF SAID PARCEL 1 AND PARCEL 2 OF SAID PARTITION PLAT 2006-0056, SOUTH 23°32'24" WEST, 694.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 2 FROM WHICH A 5/8-INCH IRON ROD BEARS NORTH 50°04'33" WEST, 90.00 FEET; THENCE ALONG THE EAST BOUNDARY OF PARCEL 2 OF SAID PARTITION PLAT 2004-0074, SOUTH 50°04'33" EAST, 135.78 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 2; THENCE ALONG THE SOUTH BOUNDARY OF SAID PARCEL 2 AND PARCEL 1 OF SAID PARTITION PLAT 2004-0074, SOUTH 42°07'02" WEST, 641.86 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 2 FROM WHICH A 5/8-INCH IRON ROD BEARS NORTH 39°52'32" WEST, 200.00 FEET; THENCE ALONG THE WEST BOUNDARY OF SAID PARCEL 1, NORTH 39°52'32" WEST, 752.21 FEET TO A 5/8-INCH IRON ROD; THENCE CONTINUING ALONG SAID WEST BOUNDARY, NORTH 19°08'48" WEST, 112.37 FEET TO A 5/8-INCH IRON ROD AT THE NORTHWEST CORNER OF SAID PARCEL 1; THENCE ALONG THE NORTH BOUNDARY OF SAID PARCEL 1, NORTH 73°31'45" EAST, 268.06 FEET TO A 5/8-INCH IRON ROD AT THE NORTHEAST CORNER OF SAID PARCEL 1; THENCE ALONG THE WESTERLY BOUNDARY OF PARCEL 2 OF SAID PARTITION PLAT 2006-0056 THE FOLLOWING COURSES: NORTH 20°01'59" WEST, 170.15 FEET TO A FOUND BOLT; THENCE SOUTH 88°29'50" WEST, 104.11 FEET TO A 5/8-INCH IRON ROD; THENCE SOUTH 88°23'15" WEST, 359.07 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 01°39'37" WEST, 30.00 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 88°24'44" EAST, 356.73 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 20°06'34" WEST, 223.99 FEET TO A 5/8-INCH IRON ROD; THENCE SOUTH 75°06'34" EAST, 20.00 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 20°06'34" WEST, 150.00 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 75°06'34" WEST, 20.00 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 20°06'34" WEST, 58.27 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 86°33'36" EAST, 8.38 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 47°33'39" WEST, 70.28 FEET TO A 5/8-INCH IRON ROD AT THE MOST NORTHERLY NORTHWEST CORNER OF SAID PARCEL 2; THENCE ALONG THE WEST BOUNDARY OF SAID UNIT 2, NORTH 47°37'30" WEST, 55.36 FEET TO A 5/8-INCH IRON ROD; THENCE CONTINUING ALONG SAID WEST BOUNDARY, NORTH 49°06'24" EAST, 14.20 FEET TO A 5/8-INCH IRON ROD; THENCE CONTINUING ALONG SAID WEST BOUNDARY, NORTH 43°52'13" WEST, 225.54 FEET TO A 5/8-INCH IRON ROD AT THE MOST SOUTHERLY SOUTHWEST CORNER OF UNIT 2 OF INSTRUMENT NUMBER 2006-016766, DOUGLAS COUNTY DEED RECORDS; THENCE ALONG THE SOUTH BOUNDARY OF SAID UNIT 2, NORTH 86°41'10" EAST, 209.16 FEET TO A 5/8-INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID UNIT 2; THENCE NORTH 21°02'54" EAST, 310.33 FEET TO A 5/8-INCH IRON ROD AT THE NORTHEAST CORNER OF SAID UNIT 2; THENCE ALONG THE NORTH BOUNDARY OF THE FOREMENTIONED UNIT 2 OF SAID INSTRUMENT NUMBER 2006-0054, NORTH 83°42'46" EAST, 292.64 FEET TO A 5/8-INCH IRON ROD; THENCE ALONG THE EAST BOUNDARY OF SAID UNIT 2 THE FOLLOWING COURSES: SOUTH 17°41'04" WEST, 160.06 FEET TO A 5/8-INCH IRON ROD; THENCE SOUTH 14°28'01" WEST, 233.01 FEET TO A 5/8-INCH IRON ROD; THENCE SOUTH 02°50'13" WEST, 64.08 FEET TO A 5/8-INCH IRON ROD AT THE MOST WESTERLY SOUTHWEST CORNER OF UNIT 1 OF SAID INSTRUMENT NUMBER 2006-006254; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID UNIT 1 THE FOLLOWING COURSES: SOUTH 64°38'41" EAST, 80.99 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 89°32'46" EAST, 151.88 FEET TO A 5/8-INCH IRON ROD; THENCE NORTH 29°53'41" EAST, 282.78 FEET TO THE POINT OF BEGINNING AND THERE TERMINATING. SAID TRACT OF LAND CONTAINS 30.43 ACRES, MORE OR LESS.

**APPROVALS:**

Keith L. Cubic 5/8/07  
DOUGLAS COUNTY PLANNING DIRECTOR DATE  
Randy Smith 5-8-07  
DOUGLAS COUNTY SURVEYOR DEPUTY DATE  
Ron Northcraft 5-10-07  
DOUGLAS COUNTY ASSESSOR DATE

I HEREBY CERTIFY THAT ALL TAXES AND SPECIAL ASSESSMENTS OR OTHER CHARGES REQUIRED BY LAW HAVE BEEN PAID.

Audra K. Corcoran 5/11/07  
DOUGLAS COUNTY TAX COLLECTOR DATE  
FILED THIS 11 DAY OF MAY, 2007, 10:45 O'CLOCK AM/  
BARBARA E. NIELSEN 5-11-07  
DOUGLAS COUNTY CLERK By: DEPUTY DATE



**DECLARATION:**

KNOW ALL PEOPLE BY THESE PRESENTS THAT R. SCOTT WILLIAMS AND JON D. AND L. ROIANN GAMBILL, ARE THE OWNERS OF THE LAND REPRESENTED HEREON AND MORE PARTICULARLY DESCRIBED HEREIN AND HAVE CAUSED THE SAME TO BE PLATTED BY THE NAME OF "STONEBROOK SUBDIVISION" TOGETHER WITH EASEMENTS AS SHOWN.

R. Scott Williams April 25, 2007  
R. SCOTT WILLIAMS DATE  
Jon D. Gambill April 25, 2007  
JON D. GAMBILL DATE  
L. Roian Gambill April 25, 2007  
L. ROIANN GAMBILL DATE

**ACKNOWLEDGMENT:**

STATE OF OREGON }  
COUNTY OF DOUGLAS } ss.  
KNOW ALL PEOPLE BY THESE PRESENTS, ON THIS 25th DAY OF April, 2007, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED R. SCOTT WILLIAMS AND JON D. AND L. ROIANN GAMBILL WHO DID SAY THAT THEY ARE THE IDENTICAL PERSONS NAMED IN THE FOREGOING INSTRUMENT AND THAT THEY EXECUTED SAID INSTRUMENT FREELY AND VOLUNTARILY.

Elaine Berg  
NOTARY: ELAINE BERG  
NOTARY PUBLIC - OREGON  
COMMISSION NO.: 405611  
MY COMMISSION EXPIRES: JUNE 23, 2010

**FIELD CREW:** BILL GOODSON  
RICHARD OLSON

**EQUIPMENT:** TOPCON TOTAL STATION AND  
TDS RECON DATA COLLECTOR

**OFFICE:** BRENT KNAPP

**DRAFTING:** BRENT KNAPP

**ZONE:** RR  
**COMP. PLAN:** RC2  
**WATER:** UMPQUA BASIN WATER ASSOCIATION  
**SEWER:** ON-SITE SEPTIC

PLANNING DEPARTMENT FILE NO. 06-232

**NOTES:**

- 1. SHARED OPEN SPACE "A" SHALL BE SUBJECT TO SANITARY SEWER EASEMENTS PER INSTRUMENT NUMBERS 2007-010396 AND N/A AND SHALL BE OWNED AND MAINTAINED BY THE STONEBROOK SUBDIVISION HOMEOWNERS ASSOCIATION, THEIR HEIRS AND ASSIGNS, PER INSTRUMENT NUMBER 2007-010909
- 2. SHARED OPEN SPACE "B", A PRIVATE EXTENSION OF CHEROKEE AVENUE, SHALL BE SUBJECT TO AN ACCESS AND UTILITY EASEMENT OVER ITS ENTIRETY AND SHALL BE OWNED AND MAINTAINED BY THE STONEBROOK SUBDIVISION HOMEOWNERS ASSOCIATION, THEIR HEIRS AND ASSIGNS, PER INSTRUMENT NUMBER 2007-010909
- 3. A PORTION OF SHARED OPEN SPACES "A" AND "B" AND A PORTION OF LOTS 11 THROUGH 15 ARE SUBJECT TO A SANITARY SEWER TRANSMISSION EASEMENT AS RECORDED IN INST. NO. 2007-010396 AND SHALL BE OWNED AND MAINTAINED BY THE STONEBROOK HOMEOWNERS ASSOCIATION, THEIR HEIRS AND ASSIGNS, PER INSTRUMENT NUMBER 2007-010909
- 4. A PORTION OF SHARED OPEN SPACES "A" AND "B" AND A PORTION OF LOTS 5, 11, 12, AND 15 ARE SUBJECT TO AN IRRIGATION WATERLINE EASEMENT AGREEMENT AND RELEASE OF EASEMENT PER INSTRUMENT NUMBER 2007-008695, DOUGLAS COUNTY DEED RECORDS.

<b>REGISTERED PROFESSIONAL LAND SURVEYOR</b> <u>Ronald A. Quimby</u> OREGON JULY 14, 1978 RONALD A. QUIMBY 1654 EXPIRES: 12/31/2008	<b>STONEBROOK SUBDIVISION</b> A CLUSTER SUBDIVISION LYING IN THE SW 1/4 SECTION 27, TOWNSHIP 26 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON	
	SURVEYED FOR: SCOTT WILLIAMS 777 CHEROKEE ROSEBURG, OR 97470	SURVEYED BY: <u>i.e.</u> ENGINEERING 505 SE Main Street Roseburg, Oregon 97470 PHONE (541) 673-0166 FAX (541) 440-9392 iemail@ieengineering.com
SCALE: NONE	JOB NO: 2131-01 DATE: APR., 2007	DWG. BY: BHK PM: BHK
		PAGE: 1 OF 2

RECEIVED

WATER RESOURCES DEPT  
SALEM, OREGON

VOL. 22 PAGE 44 A

VOL. 22 PAGE 44 A

S-87758