

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 (GROUP DOMESTIC USE) UNION CREEK CABIN OWNERS LOTS #A-1,5,21,24,B-16,17,18 &20		PHONE (HM)
PHONE (WK)	CELL	FAX
ADDRESS (SEE AGENT BELOW)		
CITY	STATE	ZIP 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 DAVID A. STRAUS	(W) 541-779-4363 (H) 541-779-0947	FAX (W) 541-779-3891
ADDRESS (H) 2217 DELLWOOD	CELL 541-821-8777	
CITY MEDFORD	STATE OR	ZIP 97504 E-MAIL (W) DSTRAUS@SSSARCHITECTS.COM

Note: Attach multiple copies as needed

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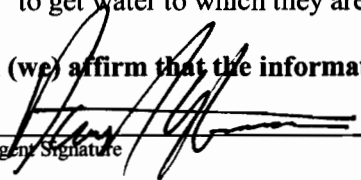
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SALEM, OREGON


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.


Agent Signature

David A. Straus
Print Name and title if applicable

1-20-2012
6-17-2011
Date 

App. No. <u>S-87781</u>	For Department Use Permit No. _____	Date _____
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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*).

Rogue River National Forest, 3040 Biddle Road, Medford, OR 97504, ph 541-618-2200

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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 Fork Rogue River Tributary to: _____
- Source 2: _____ Tributary to: _____
- Source 3: _____ Tributary to: _____
- Source 4: _____ Tributary to: _____

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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
North Fork Rogue River	Human Consumption Group Domestic	"Year-Round"	1 <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: 8 (with 6 points of diversion)
- 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 to 2 hp, impeller, pump size varies with distance to point of diversion from cabin.

Other means (describe): _____

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

1" to 2" pipe into the river with screened foot valve - pipe buried and obscured from view - by pump suction through pipe to pump and pressure tank located at cabin, about 150' to 200' average - river to pump.

B. Application Method

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

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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 amount requested is to serve 8 cabins for domestic use only - no irrigation - water to be metered - the intake pipe will be buried between the river and the cabins with only the pipe end with foot valve extended into the river.

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: use of a screened foot valve at end of pipe into river.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Pipe to be buried and disturbed areas repaired to natural state.

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

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Only the pipe end with foot valve is in the water, no backflow will occur because the foot valve has a backflow check to maintain pressure in the pipe not allowing back flow from well piping and equipment to enter the river.

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: Anticipated to begin the summer of 2014

Date construction will be completed: Anticipated to be complete by end of summer 2014

Date beneficial water use will begin: Anticipated by late summer of 2014

12 JMS
12 JMS
12 JMS
12 JMS

SECTION 8: REMARKS

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

Lots B-16,17 &18 are connected to an existing water system constructed the summer of 2003. One point of diversion with foot valve and buried 1 1/2" pipe runs about 200' from the river to a pump house at lot B-18 and the water is then distributed to lots B-16, 17 and 18 by buried pipes from the pump house to each cabin. See attached documents concerning this group cabin water instillation.

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Water Resources Department

Apply for a Permit to Appropriate Surface Water

WAT

Today's Date: Friday, ~~May 06, 2011~~ **JANUARY 20, 2012**

Base Application Fee for use of Surface and optionally Stored Water.		\$700.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1	\$250.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	6	\$1,250.00
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$400.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$2,600.00

[Return to Fee Calculator Options page](#)

[OWRD Fee Schedule](#)

Fee Calculator Version: B20090701

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S-87781

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: UNION CREEK CABIN OWNERS LOTS #A-1, 5, 21, 24, B-16, 17, 18, 20
First Last
AGENT DAVID A. STRAUS
 Mailing Address: 2217 DELWOOD

MEDFORD OR 97504 Daytime Phone: 541-821-8777 CELL
City State Zip

A. Land and Location (SEE ATTACHED MATERIALS)

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 type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<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:

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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: _____ cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

For Local Government Use Only

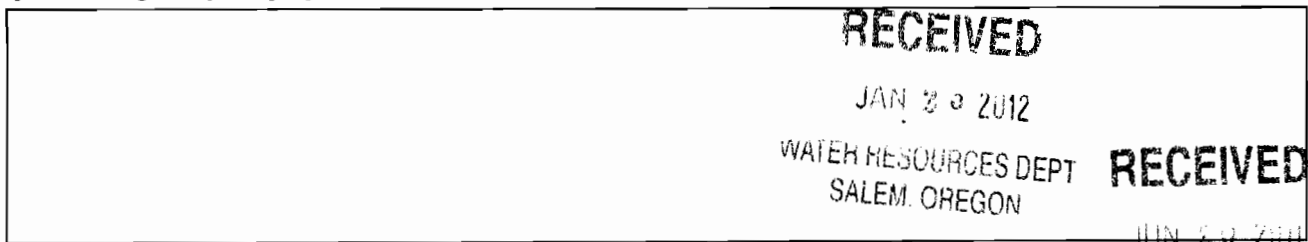
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval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



Name: _____ Title: _____ WATER RESOURCES DEPT
 Signature: _____ Phone: _____ Date: _____ SALEM, OREGON
 Government Entity: _____

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: _____



File Code: 2720

Date: August 28, 2010

Dwight French
Water Right Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301 97301

Dear Mr. French,

The intent of this letter is to work with the Oregon Water Resources Department in permitting the use of water from National Forest Land for several Recreation Residence Lots under Special Use Permit from the Forest Service. Enclosed is a list of homeowners and descriptive locations of their lots.

These recreation residences have been in private ownership and authorized under a special use permit for many years. Each of the homeowners has requested the authority to use surface water as a domestic water supply to their recreation residence along the Upper Rogue River in the Union Creek area.

Several recreation residence owners in this area, also under special use permits with the Forest Service, enjoy the ability to use water under a water right granted to the U.S. Forest Service, and subsequently permitted for their use by your office. It is my desire that the permit holders listed here be granted this same type of use.

Thank you for your attention to this matter, and if you have any questions or concerns I can be reached at: 541-560-3400.

Sincerely,

KERWIN S. DEWBERRY
District Ranger

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S-07781





File Code: 2720
Date: April 29, 2011

David Straus
2217 Dellwood Place
Medford, OR 97504

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SALEM, OREGON

Dear Mr. Straus

I have made a decision regarding the installation of water lines from the Rogue River to the summer home lots. The improvement of water lines will be authorized by an amendment to the permits once homeowners have:

- 1) received authorization and compliance from the State of Oregon regarding water rights in the name of the United States Government, US Forest Service, Rogue River-Siskiyou National Forest;
- 2) obtained and provided to the Forest Service all permits and requirements through the Division of State Lands;
- 3) provided to the Forest Service all copies of any other State and local County permits and requirements.

Relative to item 2, a Removal and Fill Permit from the Division of State Lands (DSL) is required. Please contact Benny Dean from the DSL at 541-465-6769 for instructions on how to obtain this permit.

I understand you and two other homeowners (Kings @ B16, and Bills @ B17) are only seeking the authorization to use water and already have an authorized waterline installed to your three lots from one diversion point adjacent to your lot. Please continue to keep these two cabin owners advised of your progress. A letter such as this is not being sent to them.

I also understand Richard McLaughlin (A5) and you are the summer home association spokespersons leading this entire project. A similar letter with this same information is being provided to the homeowners wishing to install waterlines. Please continue to work with them and your association president, Cliff Conner-Coash (B11) to continue the coordination of this project.

Once all the necessary documentation as required above has been provided, each homeowners special use permit will be appropriately amended for waterline installations and/or water use. All project work associated with waterline installation is subject to a seasonal restriction due to migratory bird populations in this area. Work cannot occur between April 15 and July 30 of each year. Therefore, prior to any digging or actual work on the ground you will need to contact the Permit Administrator, Marc Ellis, and inform him of your intended timeframe for installation.

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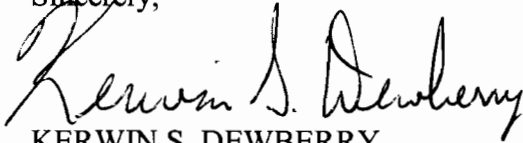


S-87781

Marc will work with you for waterline location, equipment to be used and an inspection and monitoring schedule for the projects.

Should you have any questions please direct them to the Permit Administrator, Marc Ellis at 541-865-2730, or 541-944-9179.

Sincerely,



KERWIN S. DEWBERRY
District Ranger

cc Richard McLaughlin
Cliff Conner-Coash

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SALEM, OREGON

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SALEM, OREGON

S-87701



File Code: 2720
Date: April 28, 2011

Mollie Thorniley
10020 SE 37th Avenue
Milwaukie, OR 97222

Dear Mollie Thorniley,

I have made a decision regarding the installation of water lines from the Rogue River to summer home lots. The improvement of water lines will be authorized by an amendment to your permit once you have:

- 1) received authorization and compliance from the State of Oregon regarding water rights in the name of the United States Government, US Forest Service, Rogue River-Siskiyou National Forest;
- 2) obtained and provided to the Forest Service all permits and requirements through the Division of State Lands and US Army Corp of Engineers;
- 3) provided to the Forest Service all copies of any other State and local County permits and requirements.

Relative to item 2, you will need a Removal and Fill Permit from the Division of State Lands (DSL). Please contact Benny Dean from the DSL at 541-465-6769 for instructions on how to obtain this permit.

As I understand it, the spokesperson(s) from your summer home association leading this project is David Straus (B18) and Richard McLaughlin (A5). Please contact them or your association president, Cliff Conner-Coash (B11) to continue the coordination of this project.

Once you have provided all the necessary documentation as required above, your special use permit will be amended authorizing the waterline installation. All project work associated with this waterline installation is subject to a seasonal restriction due to migratory bird populations in this area. Work cannot occur between April 15 and July 30 of each year. Therefore, prior to any digging or actual work on the ground you will need to contact the Permit Administrator, Marc Ellis, and inform him of your intended timeframe for installation. Marc will work with you for waterline location, equipment to be used and an inspection and monitoring schedule for your project.

Should you have any questions please direct them to the Permit Administrator, Marc Ellis at 541-865-2730, or 541-944-9179.

Sincerely,

KERWIN S. DEWBERRY
District Ranger

cc:

:
Richard McLaughlin
Cliff Conner-Coash

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SALEM, OREGON

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File Code: 2720

Date: April 28, 2011

Halbert Deuel
3955 #58 South Stage Road
Medford, OR 97501

Dear Mr. Deuel,

I have made a decision regarding the installation of water lines from the Rogue River to summer home lots. The improvement of water lines will be authorized by an amendment to your permit once you have:

- 1) received authorization and compliance from the State of Oregon regarding water rights in the name of the United States Government, US Forest Service, Rogue River-Siskiyou National Forest;
- 2) obtained and provided to the Forest Service all permits and requirements through the Division of State Lands and US Army Corp of Engineers;
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Should you have any questions please direct them to the Permit Administrator, Marc Ellis at 541-865-2730, or 541-944-9179.

Sincerely,

KERWIN S. DEWBERRY
District Ranger

cc:



Richard McLaughlin
Cliff Conner-Coash

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SALEM, OREGON



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File Code: 2720
Date: April 28, 2011

James Henson
2399 NW Hosmer Lake Drive
Bend, OR 97701

Dear James Henson,

I have made a decision regarding the installation of water lines from the Rogue River to summer home lots. The improvement of water lines will be authorized by an amendment to your permit once you have:

- 1) received authorization and compliance from the State of Oregon regarding water rights in the name of the United States Government, US Forest Service, Rogue River-Siskiyou National Forest;
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As I understand it, the spokesperson(s) from your summer home association leading this project is David Straus (B18) and Richard McLaughlin (A5). Please contact them or your association president, Cliff Conner-Coash (B11) to continue the coordination of this project.

Once you have provided all the necessary documentation as required above, your special use permit will be amended authorizing the waterline installation. All project work associated with this waterline installation is subject to a seasonal restriction due to migratory bird populations in this area. Work cannot occur between April 15 and July 30 of each year. Therefore, prior to any digging or actual work on the ground you will need to contact the Permit Administrator, Marc Ellis, and inform him of your intended timeframe for installation. Marc will work with you for waterline location, equipment to be used and an inspection and monitoring schedule for your project.

Should you have any questions please direct them to the Permit Administrator, Marc Ellis at 541-865-2730, or 541-944-9179.

Sincerely,

Kerwin S. Dewberry

KERWIN S. DEWBERRY
District Ranger

cc: [redacted]
Richard McLaughlin
Cliff Conner-Coash

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WATER RESOURCES DEPT
SALEM, OREGON

S-07789





File Code: 2720

Date: April 28, 2011

Ernest Friend
743 N.W.2nd Street
Grants Pass, OR 97526

Dear Mr. Friend

I have made a decision regarding the installation of water lines from the Rogue River to summer home lots. The improvement of water lines will be authorized by an amendment to your permit once you have:

- 1) received authorization and compliance from the State of Oregon regarding water rights in the name of the United States Government, US Forest Service, Rogue River-Siskiyou National Forest;
- 2) obtained and provided to the Forest Service all permits and requirements through the Division of State Lands and US Army Corp of Engineers;
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Should you have any questions please direct them to the Permit Administrator, Marc Ellis at 541-865-2730, or 541-944-9179.

Sincerely,

Kerwin S Dewberry
KERWIN S. DEWBERRY

District Ranger

cc:


Richard McLaughlin
Cliff Conner-Coash

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SALEM, OREGON

S-07781





File Code: 2720
Date: April 28, 2011

Richard McLaughlin
1432 Village Center Drive
Medford, OR 97504

Dear Mr. McLaughlin,

I have made a decision regarding the installation of water lines from the Rogue River to the summer home lots. The improvement of water lines will be authorized by an amendment to the permits once homeowners have:

- 1) received authorization and compliance from the State of Oregon regarding water rights in the name of the United States Government, US Forest Service, Rogue River-Siskiyou National Forest;
- 2) obtained and provided to the Forest Service all permits and requirements through the Division of State Lands;
- 3) provided to the Forest Service all copies of any other State and local County permits and requirements.

Relative to item 2, you will need a Removal and Fill Permit from the Division of State Lands (DSL). Please contact Benny Dean from the DSL at 541-465-6769 for instructions on how to obtain this permit.

As I understand it, David Straus (B18) and you are the summer home association spokespersons leading this project. A similar letter with this same information is being provided to the homeowners wishing to install a waterline. Please continue to work with them and your association president, Cliff Conner-Coash (B11) to continue the coordination of this project.

Once all the necessary documentation as required above has been provided, each homeowners special use permit will be appropriately amended for waterline installations and/or water use. All project work associated with waterline installation is subject to a seasonal restriction due to migratory bird populations in this area. Work cannot occur between April 15 and July 30 of each year. Therefore, prior to any digging or actual work on the ground you will need to contact the Permit Administrator, Marc Ellis, and inform him of your intended timeframe for installation. Marc will work with you for waterline location, equipment to be used and an inspection and monitoring schedule for the projects.

Should you have any questions please direct them to the Permit Administrator, Marc Ellis at 541-865-2730, or 541-944-9179.

Sincerely,

Kerwin S. Dewberry
KERWIN S. DEWBERRY
District Ranger

cc cliff conner-coash

~~David Straus~~

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FSH 2709.11 - SPECIAL USES HANDBOOK
CHAPTER 50 - TERMS AND CONDITIONS

Interim Directive No.: 2709.11-2008-3

Effective Date: October 14, 2008

Duration: This interim directive expires on April 14, 2010.

Approved: CHARLES L. MYERS
Associate Deputy Chief

Date Approved: 10/09/2008

Posting Instructions: Interim directives are numbered consecutively by handbook number and calendar year. Post by document at the end of the chapter. Retain this transmittal as the first page(s) of this document. The last interim directive was 2709.11-2008-2 to chapter 90.

New Document	id_2709.11-2008-3	6 Pages
Superseded Document(s) (Interim Directive Number and Effective Date)	None	RECEIVED JUN 29 2011

Digest:

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SALEM, OREGON

52.4 - This interim directive provides direction to incorporate the appropriate water rights and water facility clauses (D-24 through D-27) when a use or occupancy utilizes water, including surface and ground water, and requires water rights. Specifically, this interim directive directs authorized officers to select clause D-24 (Water Rights and Water Facilities) when uses of water and water development and use will occur on National Forest System (NFS) lands and to select clause D-25 (Water Rights and Water Facilities) when NFS lands will be used for the purpose of diverting, pumping, storing, or conveying water for a non-Forest Service use off NFS lands. This interim directive directs that clause D-26 (Nullification or Modification of Water Rights) be used in addition to clause D-24 or D-25 when a water right has been properly claimed under state law, but a final order regarding that claim has not been issued. This interim directive provides that clause D-27 (Minor Water Uses) be used only in consultation with the Forest Water Rights Program Manager and only when a determination has been made in accordance with state law that a minor water use does not require a water right.

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WO INTERIM DIRECTIVE
EFFECTIVE DATE: 10/14/2008
DURATION: This interim directive expires on 04/14/2010.

id_2709.11-2008-3
Page 2 of 6

**FSH 2709.11 - SPECIAL USES HANDBOOK
CHAPTER 50 - TERMS AND CONDITIONS**

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**FSH 2709.11 - SPECIAL USES HANDBOOK
CHAPTER 50 - TERMS AND CONDITIONS**

52 - SUPPLEMENTAL TERMS AND CONDITIONS

52.4 - D Clauses - Resource and Improvement Protection

D-24 through D-27. Water Rights and Water Facilities. (One or more of these clauses apply to all special use authorizations for use or occupancy that utilizes water, including surface and ground water, and that requires water rights, including riparian and appropriative water rights. Choose the appropriate clauses in consultation with the local Forest Service Water Rights Program Manager. Maintain documentation of privately held water rights in the permit file that includes, at a minimum, the owner's name, state water right identification number, legal documentation of the rights, the purpose of the water use, and the quantity of water used. Delete all instructions prior to printing.)

D-24. Water Rights and Water Facilities.

(Use this clause for authorizing new or existing special uses when they will involve the use of water and the water development and use will occur on National Forest System lands. Do not use this clause for water rights and uses within the boundaries of a permitted ski area for authorized purposes. The Ski Area Term Special Use Permit (form FS-2700-5b) contains its own water rights and water facilities clause for water rights and uses for authorized purposes within the permit boundary. Select or fill in the appropriate use in brackets, and delete the bracketed language as appropriate.)

1. Water Rights. This permit does not confer any water rights on the holder. The term "water rights" includes all authorizations, such as certificates, reservations, decrees, or permits, for water use issued under state, local, or other law. Any necessary water rights must be acquired by the holder in accordance with state law and the terms of this permit. After this permit is issued, all water rights obtained by the holder for facilities that divert or pump water from sources located on National Forest System lands for use on National Forest System lands, whether authorized or unauthorized, are for the benefit of the United States and shall be acquired in the name of the United States. Any expenses for acquiring water rights shall be the responsibility of the holder and not the responsibility of the United States.

2. Water Facilities. No ditch, reservoir, well, spring, seepage, or other facility to pump, divert, store, or convey water (hereinafter "water facilities") for which the point of diversion, storage, or withdrawal is on National Forest System lands may be initiated, developed, certified, or adjudicated by the holder without prior written approval from the authorized officer. The authorization of any water facilities in the permit area is granted to allow use of water only in connection with the [recreation residence, resort, marina, or other use] authorized by this permit. If the use of any water facilities in connection with this [recreation residence, resort, marina, or other use] ceases, the authorization to use any associated water facilities also ceases. ~~The United States reserves the right to place~~

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**FSH 2709.11 - SPECIAL USES HANDBOOK
CHAPTER 50 - TERMS AND CONDITIONS**

any conditions on installation, operation, maintenance, and removal of water facilities that are necessary to protect public property, public safety, and natural resources on National Forest System lands in compliance with applicable law. Any change in the beneficial use of or location of use from a water facility without prior written approval from the authorized officer shall result in termination of the authorization of that facility.

3. Water Rights Acquired in the Name of the Holder

(Instruction for paragraph 3: Add this paragraph when water rights required for the use to be authorized have already been obtained in accordance with state law in the name of the holder; acquisition of those water rights did not violate the terms and conditions of the permit; and the water development and use will occur on National Forest System lands. Otherwise delete this clause. Select or fill in the appropriate use in brackets, and delete the bracketed language as appropriate. Delete these instructions.)

a. Identification of Water Rights. The holder has obtained the following water rights for use under this permit in the holder's name:

State ID #: _____

Owner: _____

Purpose of Use: _____

Decree, License, or Certificate: _____

Point of Diversion: _____

b. Revocation or Termination. Upon revocation or termination of this permit, the holder shall transfer the water rights enumerated in paragraph 3a to the succeeding permit holder for use only in connection with the [recreation residence, resort, marina, or other use] authorized by this permit provided that if that [recreation residence, resort, marina, or other use] is not reauthorized, the holder shall promptly petition in accordance with state law to remove from National Forest System lands the point of diversion and water use associated with the water rights or shall relinquish the water rights to the state where they are located.

c. Abandonment. Upon abandonment of the [recreation residence, resort, marina, or other use] authorized by this permit, any of the water rights enumerated in paragraph 3a that remain in the name of the holder at the time of abandonment shall be deemed to have been transferred to the United States to hold for the benefit of any succeeding

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S-0770

**FSH 2709.11 - SPECIAL USES HANDBOOK
CHAPTER 50 - TERMS AND CONDITIONS**

permit holder for use only in connection with that [recreation residence, resort, marina, or other use]; provided that if that [recreation residence, resort, marina, or other use] is not reauthorized, the United States shall retain the water rights or relinquish them to the state where they are located.

d. Waiver. The holder waives any claims against the United States for compensation for any water rights that are transferred, removed, or relinquished as a result of revocation or termination of this permit or abandonment of the use authorized by this permit, or for compensation in connection with imposition of any conditions on installation, operation, maintenance, and removal of water facilities associated with water rights enumerated in paragraph 3a.

D-25. Water Rights and Water Facilities.

(Use this clause for a right-of-way across National Forest System lands to divert, pump, store, or convey water for a non-Forest Service use off National Forest System lands. Water rights associated with use of that right-of-way may be acquired in the name of the holder. Examples include water rights associated with ditch bill easements and water rights associated with a right-of-way across National Forest System lands for a facility licensed by the Federal Energy Regulatory Commission, a reservoir, or a municipal water pipeline. Delete these instructions.)

Water Rights. This permit does not confer any water rights on the holder. Any necessary water rights must be acquired by the holder in accordance with state law. Any expenses for acquiring water rights shall be the responsibility of the holder. The United States reserves the right to place any conditions on installation, operation, maintenance, and removal of facilities to pump, divert, store, or convey water on National Forest System lands covered by this permit that are necessary to protect public property, public safety, and natural resources on National Forest System lands in compliance with applicable law. The holder waives any claims against the United States for compensation in connection with imposition of any conditions on installation, operation, maintenance, and removal of water facilities under this permit.

D-26. Nullification or Modification of Water Rights.

(Use this clause if a water right has been properly claimed under state law, but a final order regarding that claim has not been issued. Renumber the clause as appropriate. Delete these instructions.)

1. Nullification. Authorization of any facilities to pump, divert, store, or convey water under this permit shall cease upon nullification in a state proceeding of the holder's right to use water being pumped, diverted, stored, or conveyed by those facilities.

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**FSH 2709.11 - SPECIAL USES HANDBOOK
CHAPTER 50 - TERMS AND CONDITIONS**

2. Modification. Authorization of any facilities to pump, divert, store, or convey water under this permit shall be modified to make use of those facilities consistent with any modification of the holder's water rights that occurs as a result of any state proceedings.

D-27. Minor Water Uses.

(Use this clause for minor water uses that do not require water rights, such as water use in connection with recreation residences in a state that does not require water rights for domestic use or water use in connection with priority use outfitting and guiding permits. Consult the local Forest Service Water Rights Program Manager regarding applicable state requirements. Delete these instructions.)

Water Rights. This permit does not confer any water rights on the holder. Water rights are not required by state law and may not be acquired to exercise the minor water uses authorized by this permit.

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SALEM, OREGON

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Auth ID: PRO81
Contact ID: HENSON,J&A
Expiration Date: 12-31-2028
Use Code: 123

FS-2700-5a (02/07)
OMB No. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

**TERM SPECIAL USE PERMIT FOR RECREATION RESIDENCES
AUTHORITY: Act of March 4, 1915, 16 U.S.C. 497**

JAMES A & ANNIS RAE HENSON, 2399 NW HOSMER LAKE DR (the holder) BEND, OR 97701 is authorized to occupy a recreation residence on National Forest System lands for personal, noncommercial recreational use on the Rogue River-Siskiyou National Forest, subject to the terms and conditions of this permit and its appendices. This permit covers .5 acres, hereinafter referred to as "the permit area" and described as:

- (1) Lot 20 of the UNION CREEK, BLOCK B tract. plat of which is on file in the office of the Forest Supervisor.)
- OR
- (2) Sec. 34, T. 30 S., R. 3 E., WILLAMETTE PRINCIPAL MERIDIAN as shown on the attached map.

The following improvements, whether on or off the lot, are authorized in addition to the residence structure;

- Cabin is approximately 453 sq ft
- Rock and cement step entry way attached to the cabin
- One outhouse approximately 17 sq ft and associated native surface trail on the lot
- One Lean-to wood storage area approximately 83 sq ft on the lot
- One native surface driveway on and off the lot
- One sign post with lot number and/or name on or off the lot on the driveway
- Utility drop-lines, phone and power on and off the lot.
- One fire-ring and associated benches on the lot
- One horseshoe pit on the lot
- One Propane tank and distribution line
- One native surface trail for river access on and off the lot

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**WATER RESOURCES DEPT
SALEM, OREGON**

TERMS AND CONDITIONS

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the Act of March 4, 1915, 16 U.S.C. 497, 36 CFR Part 251, Subpart B, as amended, Forest Service Manual (FSM) 1920, 1950, 2340, 2720, and 5410, Forest Service Handbook (FSH) 2709.11, Chapters 10-50, and FSH 5409.12, Chapter 60, and is subject to their provisions. Copies of these regulations and directives shall be provided by the authorized officer to the holder at no charge upon request.

B. AUTHORIZED OFFICER. The authorized officer for this permit is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

C. AUTHORIZED USE. This permit authorizes only noncommercial recreational use by the holder's immediate family and the holder's non-paying guests, other than incidental rental that has prior written approval from the authorized officer pursuant to clause VII.A.

D. TERM. This permit shall expire at midnight on 12-31-2028.

E. CHANGE IN ADDRESS, OWNERSHIP OF THE RECREATION RESIDENCE, OR THE TRUSTEE. The holder or the holder's executor or personal representative shall immediately notify the authorized officer of a change in the holder's permanent address or a change in the ownership of the recreation residence. If the permit is issued to a trust, the trustee shall immediately notify the authorized officer of a change in the trustee or revocation or termination of the trust.

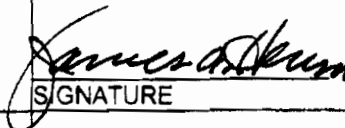

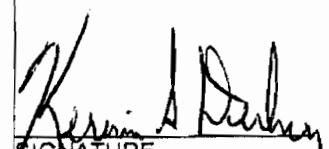
F. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law.

S-07701

location of use from a water facility without prior written approval from the authorized officer shall result in termination of the authorization of that facility.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

ACCEPTED:

JAMES A HENSON (Holder Name)	 SIGNATURE	01-12-09 DATE
ANNIS RAE HENSON (Holder Name)	 SIGNATURE	01-12-09 DATE
APPROVED: KERWIN S. DEWBERRY, DISTRICT RANGER (Name and Title Of Authorized Officer)	 SIGNATURE	1/21/09 DATE

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond, to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

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Auth ID: PRO93
Contact ID: STRAUS,DA
Expiration Date: 12-31-2028
Use Code: 123

JAN 23 2012
FS-2700-5a (02/07)
OMB No. 0596-0082
WATER RESOURCES DEPT
SALEM, OREGON

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

TERM SPECIAL USE PERMIT FOR RECREATION RESIDENCES
AUTHORITY: Act of March 4, 1915, 16 U.S.C. 497

DAVID A STRAUS, 2217 DELLWOOD PLACE (the holder) MEDFORD, OR 97504 is authorized to occupy a recreation residence on National Forest System lands for personal, noncommercial recreational use on the Rogue River-Siskiyou National Forest, subject to the terms and conditions of this permit and its appendices. This permit covers .5 acres, hereinafter referred to as "the permit area" and described as:

(1) Lot 18 of the UNION CREEK, BLOCK B tract. (A plat of which is on file in the office of the Forest Supervisor.)

OR

(2) Sec. 4, T. 31 S., R. 3 E., WILLAMETTE PRINCIPAL MERIDIAN as shown on the attached map.

The following improvements, whether on or off the lot, are authorized in addition to the residence structure;

- Cabin is approximately 733 sq ft
- Two Porch or portico entry ways approximately 190 sq ft attached to the cabin
- One combination storage shed/pump-house approximately 105 sq ft on the lot
- Wood storage area on the lot
- One native surface driveway on and off the lot
- One sign post with lot number and/or name on or off the lot on the driveway
- Utility drop-lines, phone and power on and off the lot.
- One fire-ring and associated benches on the lot
- One septic system on the lot
- One water system (well house [approximately 19 sq ft], draw-line or well and distribution lines) on and off the lot
- One native surface trail for river access on and off the lot
- One picnic table on the lot
- One Propane tank and distribution lines on the lot

TERMS AND CONDITIONS

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the Act of March 4, 1915, 16 U.S.C. 497, 36 CFR Part 251, Subpart B, as amended, Forest Service Manual (FSM) 1920, 1950, 2340, 2720, and 5410, Forest Service Handbook (FSH) 2709.11, Chapters 10-50, and FSH 5409.12, Chapter 60, and is subject to their provisions. Copies of these regulations and directives shall be provided by the authorized officer to the holder at no charge upon request.

B. AUTHORIZED OFFICER. The authorized officer for this permit is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

C. AUTHORIZED USE. This permit authorizes only noncommercial recreational use by the holder's immediate family and the holder's non-paying guests, other than incidental rental that has prior written approval from the authorized officer pursuant to clause VII.A.

D. TERM. This permit shall expire at midnight on 12-31-2028.

E. CHANGE IN ADDRESS, OWNERSHIP OF THE RECREATION RESIDENCE, OR THE TRUSTEE. The holder or the holder's executor or personal representative shall immediately notify the authorized officer of a change in the holder's permanent address or a change in the ownership of the recreation residence. If the permit is issued to a trust, the trustee shall immediately notify the authorized officer of a change in the trustee or revocation or termination of the trust.

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WATER RESOURCES DEPT
SALEM, OREGON

termination of the authorization of that facility.

3. Water Rights Acquired in the Name of the Holder

a. Identification of Water Rights. The holder has obtained the following water rights for use under this permit in the holder's name:

State ID #: _____

Owner: _David Straus – Lot 18_

Purpose of Use: _Domestic Use for three families: Lot 16 – Rushing; Lot 17 – Bills; Lot 18 – Straus._

Decree, License, or Certificate: _Certificate of Water Right_

Point of Diversion: _ _

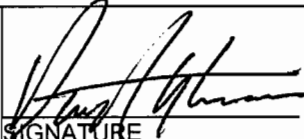

b. Revocation or Termination. Upon revocation or termination of this permit, the holder shall transfer the water rights enumerated in paragraph 3a to the succeeding permit holder for use only in connection with the recreation residence authorized by this permit provided that if that recreation residence is not reauthorized, the holder shall promptly petition in accordance with state law to remove from National Forest System lands the point of diversion and water use associated with the water rights or shall relinquish the water rights to the state where they are located.

c. Abandonment. Upon abandonment of the recreation residence authorized by this permit, any of the water rights enumerated in paragraph 3a that remain in the name of the holder at the time of abandonment shall be deemed to have been transferred to the United States to hold for the benefit of any succeeding permit holder for use only in connection with that recreation residence; provided that if that recreation residence is not reauthorized, the United States shall retain the water rights or relinquish them to the state where they are located.

d. Waiver. The holder waives any claims against the United States for compensation for any water rights that are transferred, removed, or relinquished as a result of revocation or termination of this permit or abandonment of the use authorized by this permit, or for compensation in connection with imposition of any conditions on installation, operation, maintenance, and removal of water facilities associated with water rights enumerated in paragraph 3a.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

ACCEPTED:

DAVID A STRAUS _____ (Holder Name)	 SIGNATURE	12-30-09 _____ DATE
APPROVED: KERWIN S. DEWBERRY, DISTRICT RANGER _____ (Name and Title Of Authorized Officer)	 SIGNATURE	1/21/09 _____ DATE

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond, to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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(2B)

Auth ID: PRO84 Contact ID: BILLS,R Expiration Date: 12-31-2009 Use Code: 123	FS-2700-5a (02/07) OMB No. 0596-0082
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**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

**TERM SPECIAL USE PERMIT FOR RECREATION RESIDENCES
AUTHORITY: Act of March 4, 1915, 16 U.S.C. 497**

ROBERT BILLS, 486 Covey Ln. (the holder) EUGENE, OR 97401 is authorized to occupy a recreation residence on National Forest System lands for personal, noncommercial recreational use on the Rogue River-Siskiyou National Forest, subject to the terms and conditions of this permit and its appendices. This permit covers .5 acres, hereinafter referred to as "the permit area" and described as:

- (1) Lot 17 of the UNION CREEK, BLOCK B tract. (A plat of which is on file in the office of the Forest Supervisor.)
OR
(2) Sec. 34, T. 30 S., R. 3 E., WILLAMETTE PRINCIPAL as shown on the attached map.

The following improvements, whether on or off the lot, are authorized in addition to the residence structure;

Cabin is approximately 390 sq ft
Porch entry-way approximately 13 sq ft attached to the cabin
One outhouse approximately 15 sq ft and associated native surface trail on the lot
One storage shed approximately 86 sq ft on the lot
Wood storage area approximately 32 sq ft on the lot
One native surface driveway on and off the lot
One sign post with lot number and/or name on or off the lot on the driveway
Utility drop-lines, phone and power on and off the lot.
One fire-ring and associated benches on the lot
One water system (pump house [approximately 20 sq ft] , draw-line or well and distribution lines)
One native surface trail for river access on and off the lot
Two picnic tables on the lot
Gravel around entry ways, driveways and fire pit are **CONDITIONALLY AUTHORIZED** - (see definition below)

DEFINITION: CONDITIONALLY AUTHORIZED - If this cabin changes, or if this/these improvements are damaged they will not be replaced. Gravel will be expected to diminish over time, not be added to or replaced.

TERMS AND CONDITIONS

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the Act of March 4, 1915, 16 U.S.C. 497, 36 CFR Part 251, Subpart B, as amended, Forest Service Manual (FSM) 1920, 1950, 2340, 2720, and 5410, Forest Service Handbook (FSH) 2709.11, Chapters 10-50, and FSH 5409.12, Chapter 60, and is subject to their provisions. Copies of these regulations and directives shall be provided by the authorized officer to the holder at no charge upon request.

B. AUTHORIZED OFFICER. The authorized officer for this permit is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

C. AUTHORIZED USE. This permit authorizes only noncommercial recreational use by the holder's immediate family and the holder's non-paying guests, other than incidental rental that has prior written approval from the authorized officer pursuant to clause VII.A.

D. TERM. This permit shall expire at midnight on 12-31-2009.

E. CHANGE IN ADDRESS, OWNERSHIP OF THE RECREATION RESIDENCE, OR THE TRUSTEE. The holder or the holder's executor or personal representative shall immediately notify the authorized officer of a change in the holder's permanent address or a change in the ownership of the recreation residence. If the permit is issued to a trust, the trustee shall immediately notify the authorized officer of a change in the trustee or revocation or termination of the trust.

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SALEM, OREGON

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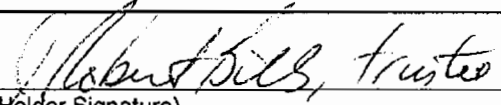
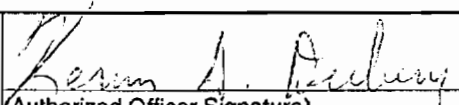
Authorization ID: PRO84 Contact ID: BILLS,R Use Code: 123	FS-2700-23 (03/06) OMB No. 0596-0082
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**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
AMENDMENT
FOR
SPECIAL USE AUTHORIZATION
AMENDMENT NUMBER: 1**

This amendment is attached to and made a part of the special use authorization (identified above) issued to ROBERT BILLS on 12/09/2008 which is hereby amended as follows:

#1: This amendment changes the expiration date from 12-31-2009 to 12-31-2028 which adds nineteen (19) years to the original 1-year permit thereby extending the permit to the full twenty 20-year term. All issues and concerns that were out of compliance with the terms of the permit have been correct whereas the permit holder is in full compliance with the terms of the permit as of October 26, 2009 with the exception of the Conditionally Authorized Gravel improvement as outlined and listed under Authorized Improvements on the face of the permit.

This Amendment is accepted subject to the conditions set forth herein, and to conditions na to na attached hereto and made a part of this Amendment.

 (Holder Signature)	 (Authorized Officer Signature)
--	---

 (Holder Signature)	KERWIN S. DEWBERRY, DISTRICT RANGER (Name and Title)
------------------------	---

Date: <u>NOV 1, 2009</u>	Date: <u>11/9/09</u>
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According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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WATER RESOURCES DEPT
SALEM, OREGON

S-07701

20

Auth ID: PRO129
Contact ID: KING,R&A
Expiration Date: 12/31/2028
Use Code: 123

FS-2700-5a (v.10/09)
OMB No. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

**TERM SPECIAL USE PERMIT FOR RECREATION RESIDENCES
AUTHORITY: Act of March 4, 1915, 16 U.S.C. 497**

Robert and Anne King, 3436 Creek View Drive (the holder) MEDFORD, OR 97504 is authorized to occupy a recreation residence on National Forest System lands for personal, noncommercial recreational use on the Rogue River-Siskiyou National Forest, subject to the terms and conditions of this permit and its appendices. This permit covers .5 acres, hereinafter referred to as "the permit area" and described as:

(1) Lot 16 of the UNION CREEK, BLOCK B tract, a plat of which is on file in the office of the Forest Supervisor;

OR

(2) Sec. 34, T. 30 S., R. 3 E., WILLAMETTE MERIDIAN as shown on the attached map.

The following improvements, whether on or off the lot, are authorized in addition to the recreation residence:

Cabin is approximately 492 sq ft
One deck approximately 362 sq ft , with wood steps and railing attached to the cabin
One porch entry-way approximately 46 sq ft attached to the cabin
One outhouse approximately 18 sq ft and associated native surface trail on the lot
One fire wood storage shed attached to an outside shower stall approximately 87 sq ft on the lot.
One storage building approximately 81 sq ft on the lot
One native surface driveway on and off the lot
One sign post with lot number and/or name on or off the lot on the driveway
Utility drop-lines (underground), and power on and off the lot.
One Propane tank and distribution line
One water system (draw-line or well and distribution lines)
One native surface trail for river access on and off the lot
One picnic table on the lot
Drain dips and associated drain tubes for water run-off
One gray water septic tank and drain field on the lot

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WATER RESOURCES DEPT
SALEM, OREGON

TERMS AND CONDITIONS

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the Act of March 4, 1915, 16 U.S.C. 497, 36 CFR Part 251, Subpart B, as amended, Forest Service Manual (FSM) 1920, 1950, 2340, 2720, and 5410, Forest Service Handbook (FSH) 2709.11, Chapters 10-50, and FSH 5409.12, Chapter 60, and is subject to their provisions. Copies of these regulations and directives shall be provided by the authorized officer to the holder at no charge upon request.

B. AUTHORIZED OFFICER. The authorized officer for this permit is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

C. AUTHORIZED USE. This permit authorizes only noncommercial recreational use by the holder's immediate family and the holder's non-paying guests, other than incidental rental that has prior written approval from the authorized officer pursuant to clause VII.A.

D. TERM. This permit shall expire at midnight on 12/31/2028, IN MOST CASES, 20 YEARS FROM THE DATE OF ISSUANCE.

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WATER RESOURCES DEPT

Forest. An offer of an in-lieu lot must be accepted within 90 days or within 90 days of final disposition of administrative appeal of the revocation decision, termination when rebuilding is not allowed, or notification that a new permit will not be issued upon permit expiration, whichever is later, or the offer will expire.

XI. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS. No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. SUPERSEDED PERMIT. This permit replaces a special use permit issued to: GENE G & LOVETTE M RUSHING, PRO83, on 01/06/2009.

C. DISCLAIMER REGARDING TITLE. Issuance of this permit shall not be construed as an admission by the United States as to the title to any of the authorized improvements. The United States disclaims any liability for issuance of a permit in the event of disputed title.

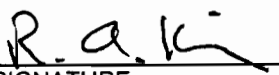
D. RULES OF CONSTRUCTION


1. If there is a conflict between the foregoing standard printed clauses and any clauses added to the permit, the standard printed clauses shall control.

2. If this permit is issued to a trust and there is a conflict between any of the terms and conditions of this permit and the terms of the trust documents or state law applicable to the trust, the terms and conditions of this permit shall control.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

ACCEPTED:

Robert A King		6-26-2011
HOLDER NAME	SIGNATURE	DATE

Anne E. King		4/15/2011
HOLDER NAME	SIGNATURE	DATE

APPROVED:		
KERWIN S. DEWBERRY DISTRICT RANGER		
NAME AND TITLE OF AUTHORIZED OFFICER	SIGNATURE	DATE

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average one (1) hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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S-87781

David Straus

From: Dick McLaughlin [bdmclaughlin@charter.net]
Sent: Monday, July 11, 2011 11:53 AM
To: David Straus
Subject: Fw: request for copy of title

Here is what I received. If I get her mail I will dellver. How are doing on receiving these? Dick
----- Original Message -----

From: Mollie Thorniley
To: bdmclaughlin@charter.net
Sent: Saturday, July 09, 2011 2:42 AM
Subject: Fwd: request for copy of title

Hi Dick,
Here's the copy of our title. Talk to you soon,
Mollie

Begin forwarded message:

From: Marc L Ellis <mlellis@fs.fed.us>
Date: July 08, 2011 11:22:18 AM
To: Mollie Thorniley <mthorniley@mac.com>
Subject: **Re: request for copy of title**

Here are copies of the first and last pages. The entire permit document has been sent by mail and should arrive by Tuesday.

Thanks,

Marc L. Ellis
High Cascades RD
Rogue River-Siskiyou NF
Office: 541-865-2730
Cell: 541-944-9179
FAX: 541-865-2795

Mollie Thorniley <mthorniley@mac.com>

07/01/2011 09:30 AM

To Marc L Ellis <mlellis@fs.fed.us>
cc
Subject request for copy of title

Marc Ellis
High Cascades Ranger District
47201 Highway 62
Prospect, OR 97536

S-07781

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JAN 23 2012

WATER RESOURCES DEPT
SALEM, OREGON

Dear Mr. Ellis,
I would appreciate it very much if you could make me a copy of my title, for cabin A24 at Union Creek, OR, and scan it and email it to me. I have misplaced my cabin file somewhere, and I need to send it to Dick McLaughlin and David Straus regarding the water permit application. Thank you very much for doing this and sorry to trouble you!

Mollie Thorniley
10020 SE 37th Ave
Milwaukie, OR 97222

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WATER RESOURCES DEPT
SALEM, OREGON

S-07701

④ LOT A-21

Authorization ID: PRO55
Contact ID: DEUEL, H
Use Code: 123

FS-2700-23 (03/06)
OMB No. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
AMENDMENT
FOR
SPECIAL USE AUTHORIZATION
AMENDMENT NUMBER: 1**

This amendment is attached to and made a part of the special use authorization (identified above) issued to HALBERT S DEUEL, JR on 12/22/2008 which is hereby amended as follows:

#1: This amendment changes the expiration date from 12-31-2009 to 12-31-2028 which adds nineteen (19) years to the original 1-year permit thereby extending the permit to the full twenty 20-year term. All issues and concerns that were out of compliance with the terms of the permit have been correct whereas the permit holder is in full compliance with the terms of the permit as of October 26, 2009.

This Amendment is accepted subject to the conditions set forth herein, and to conditions ___na_ to ___na_ attached hereto and made a part of this Amendment.

(Holder Signature)

Kerwin S Dewberry
(Authorized Officer Signature)

NS [Signature]
(Holder Signature)
Date: 11/02/09

KERWIN S. DEWBERRY, DISTRICT RANGER
(Name and Title)
Date: 11/9/09

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SALEM, OREGON

5-87781



United States
Department of
Agriculture

Forest Service
Rogue River-Siskiyou
National Forest

High Cascades Ranger District
47201 Highway 62
Prospect, Oregon 97536

LOT A-21

File Code: 2720-2
Date: November 24, 2009

Dear *Mr Dewel*

Enclosed is a copy of the recreation residence special use permit amendment whereas your special use permit is officially authorized for an additional 19-years moving your current expiration date to December 31, 2028.

Also enclosed is the 2010 billing invoice for your current fee. Please send your payment to the address highlighted in the upper right corner by the due date.

Sincerely,

Kerwin S. Dewberry
for

KERWIN S. DEWBERRY
District Ranger

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WATER RESOURCES DEPT
SALEM, OREGON

S-87781



5

Auth ID: PRO75
Contact ID: MCLAUGHLIN,FT
Expiration Date: 12-31-2028
Use Code: 123

FS-2700-5a (02/07)
OMB No. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

**TERM SPECIAL USE PERMIT FOR RECREATION RESIDENCES
AUTHORITY: Act of March 4, 1915, 16 U.S.C. 497**

RICHARD MC LAUGHLIN, 1423 VILLAGE CENTER DR (the holder) MEDFORD, OR 97504 is authorized to occupy a recreation residence on National Forest System lands for personal, noncommercial recreational use on the Rogue River-Siskiyou National Forest, subject to the terms and conditions of this permit and its appendices. This permit covers .5 acres, hereinafter referred to as "the permit area" and described as:

(1) Lot 5 of the UNION CREEK, BLOCK A tract. (A plat of which is on file in the office of the Forest Supervisor.)

OR

(2) Sec. 34, T. 30 S., R. 3 E., WILLAMETTE PRINCIPAL MERIDIAN as shown on the attached map.

The following improvements, whether on or off the lot, are authorized in addition to the residence structure;

Cabin is approximately 768 sq ft
Bird feeder attached to a building
Entryway steps and covered porch at 98 sq ft
Native rock (flat lava) surfaced entry and walk way for buildings on the lot
Wood storage area on the lot
One native surface driveway on and off the lot
One sign post with lot number and/or name on or off the lot on the driveway
Utility drop-lines, phone and power on and off the lot.
One fire-ring and associated benches on the lot
One horseshoe pit on the lot
One water system (draw-line or well and distribution lines)
One Septic system on the lot
One native surface trail for river access on and off the lot
One picnic table on the lot
Concrete Patio, 324 sq ft. - CONDITIONALLY AUTHORIZED (see definition below)

DEFINITION: CONDITIONALLY AUTHORIZED - If this cabin changes ownership these improvements will be removed, or if this/these improvements are damaged they will not be replaced.

TERMS AND CONDITIONS

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the Act of March 4, 1915, 16 U.S.C. 497, 36 CFR Part 251, Subpart B, as amended, Forest Service Manual (FSM) 1920, 1950, 2340, 2720, and 5410, Forest Service Handbook (FSH) 2709.11, Chapters 10-50, and FSH 5409.12, Chapter 60, and is subject to their provisions. Copies of these regulations and directives shall be provided by the authorized officer to the holder at no charge upon request.

B. AUTHORIZED OFFICER. The authorized officer for this permit is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

C. AUTHORIZED USE. This permit authorizes only noncommercial recreational use by the holder's immediate family and the holder's non-paying guests, other than incidental rental that has prior written approval from the authorized officer pursuant to clause VII.A.

D. TERM. This permit shall expire at midnight on 12-31-2028.

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WATER RESOURCES DEPT
SALEM, OREGON

S-877A

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JAN 23 2012

water only in connection with the recreation residence authorized by this permit. If the use of any water facilities in connection with this recreation residence ceases, the authorization to use any associated water facilities also ceases. The United States reserves the right to place any conditions on installation, operation, maintenance, and removal of water facilities that are necessary to protect public property, public safety, and natural resources on National Forest System lands in compliance with applicable law. Any change in the beneficial use of or location of use from a water facility without prior written approval from the authorized officer shall result in termination of the authorization of that facility.

3. Water Rights Acquired in the Name of the Holder

a. Identification of Water Rights. The holder has obtained the following water rights for use under this permit in the holder's name:

State ID #: Presently working for Water Rights to

Owner: Richard McLaughlin

A-5 -

Purpose of Use: Domestic Use for one family ✓

Decree, License, or Certificate: Certificate of Water Right

Point of Diversion:

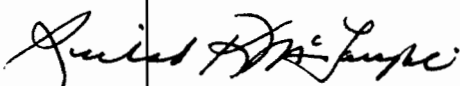
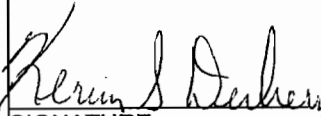
b. Revocation or Termination. Upon revocation or termination of this permit, the holder shall transfer the water rights enumerated in paragraph 3a to the succeeding permit holder for use only in connection with the recreation residence authorized by this permit provided that if that recreation residence is not reauthorized, the holder shall promptly petition in accordance with state law to remove from National Forest System lands the point of diversion and water use associated with the water rights or shall relinquish the water rights to the state where they are located.

c. Abandonment. Upon abandonment of the recreation residence authorized by this permit, any of the water rights enumerated in paragraph 3a that remain in the name of the holder at the time of abandonment shall be deemed to have been transferred to the United States to hold for the benefit of any succeeding permit holder for use only in connection with that recreation residence; provided that if that recreation residence is not reauthorized, the United States shall retain the water rights or relinquish them to the state where they are located.

d. Waiver. The holder waives any claims against the United States for compensation for any water rights that are transferred, removed, or relinquished as a result of revocation or termination of this permit or abandonment of the use authorized by this permit, or for compensation in connection with imposition of any conditions on installation, operation, maintenance, and removal of water facilities associated with water rights enumerated in paragraph 3a.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

ACCEPTED:

RICHARD MC LAUGHLIN <hr/> (Holder Name)	 SIGNATURE	<u>12/10/08</u> DATE
APPROVED: KERWIN S. DEWBERRY, DISTRICT RANGER <hr/> (Name and Title Of Authorized Officer)	 SIGNATURE	<u>1/6/09</u> DATE

S-8778



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building

725 Summer St. NE, Suite A

Salem, OR 97301

Phone 503-986-0900

FAX 503-986-0904

June 21, 2011

David A. Straus
2217 Dellwood
Medford, Oregon 97504

Dear David A. Straus:

The Water Resources Department has received your application to use water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information, and this checklist, so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact Herb Mosgar at the address above or by telephone at 503-986-0804.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Cc: OWRD Fiscal

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JAN 23 2012

WATER RESOURCES DEPT
SALEM, OREGON

S-07781



January 20, 2012

David A. Straus
2217 Dellwood
Medford, OR 97504

ORIGINAL

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301

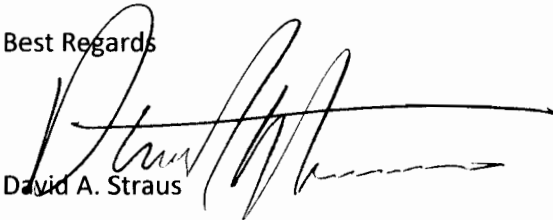
Mr. Jerry Sauter (or whom it may concern)

Attached is the "Application for a Permit to Use Surface Water" for a "Human Consumption Group Domestic" use for eight cabins on US Forest Service (USFS) Land at Union Creek, Oregon. The cabin owners have gone through the process of locating the intake for each cabin or group of cabins and have provided the Lease Agreement with the USFS for each cabin (see attached). This Application is a resubmitted for your review and approval. **It is noted in your returned Standard Application Completeness Checklist that the application must be signed by the USFS. The USFS has indicated to the cabin owners that they must complete all applications and work associated with the request; as such I have signed the application as authorized agent for the group. The approved application will need to be made out to the USFS and they will then add to each cabin owners lease the right to use water.**

Please contact me if you require additional information or discussion on this matter.

Best Regards

David A. Straus



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WATER RESOURCES DEPT
SALEM OREGON

S-87781