

# 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 <i>Roland Theiss</i>		PHONE (HM) <i>541-863-4323</i>	
PHONE (WK) <i>541-430-7263</i>	CELL <i>541-430-7263</i>	FAX <i>541-863-3100</i>	
ADDRESS <i>P.O. Box 824</i>			
CITY <i>Myrtle Creek</i>	STATE <i>OR</i>	ZIP <i>97457</i>	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 providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. 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.

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I (we) affirm that the information contained in this application is true and accurate.


  
*Roland Theiss*      *Roland Theiss*      *9-4-12*  
 Applicant Signature      Print Name and title if applicable      Date  
 \_\_\_\_\_  
 Applicant Signature      Print Name and title if applicable      Date

Revise	App. No. <u><i>S-87817</i></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*).

\_\_\_\_\_

**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: N. 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).

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**B. Applications to Use Stored Water**

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

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Yes.

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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
<i>N. Umpqua River</i>	<i>Domestic Expanded</i>	<i>year round</i>	<i>0.01</i> <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: \_\_\_\_\_
- 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 horsepower, 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 N. Umpqua River to the House for domestic use & irrigation of approx. 50 acre lawn, garden

**B. Application Method**

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

Household plumbing system & lawn, garden sprinklers

**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 damage to public uses of affected surface waters.

Water is needed for domestic use at the property. Best Residential Management will be used to minimize water use & prevent run off/erosion.

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

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

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: \_\_\_\_\_

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**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: upon issuance of a permit

Date construction will be completed: Oct 1, 2013

Date beneficial water use will begin: Oct 1, 2014

**SECTION 8: WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

**SECTION 9: REMARKS**

Use this space to clarify any information you have provided in the application.

\_\_\_\_\_

*Section 2 included letter from Neil Hibbs Land Survey Inc.*

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Neil Hibbs Land Surveying, Inc.  
4739 Lookingglass Rd.  
Roseburg, OR. 97471

August 20, 2012

Re: 169 Scotty Court, Glide, OR. 97443

To Whom it may concern:

This letter is to document our findings as to the relationship of the land described in Instrument No. 2010-16584 of the Deed Records of Douglas County, 169 Scotty Court in Glide, Oregon, to the North Umpqua River.

The entire length of this property would be within the ordinary high water area of the North Umpqua River. The amount of land within the high water area would vary from approximately 35 feet to 45 feet.

F. Neil Hibbs, P.L.S. 52989



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S-87817

# 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: Roland Theiss  
First Last

Mailing Address: PO Box 824

Myrtle Creek OR 97457 Daytime Phone: 541-430-7263  
City State Zip

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
26S.	3W.	11	BCX	1500	<i>RSH / RS</i>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
26S.	3W.	11		100		<input checked="" type="checkbox"/> Diverted	<input checked="" 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:

Douglas County

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## B. Description of Proposed Use

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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 1 household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

Domestic use for one household and irrigation of .50 acre of lawn/garden.

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

See bottom of Page 3. →

S-07837

# For Local Government Use Only

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

**Please check the appropriate box below and provide the requested information**

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.11.050.1

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<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.

<p><b>DOUGLAS COUNTY PLANNING DEPARTMENT ROOM 108, JUSTICE BUILDING DOUGLAS COUNTY COURTHOUSE ROSEBURG, OR 97470</b></p>	<p><i>R64038 WS12-0444 RCPT #P13717</i></p>	<p><b>RECEIVED BY OWRD</b>  AUG 02 2012  <b>SALEM, OR</b></p>
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Name: JAMIE CHARTER Title: DP

Signature: *Jamie Charter* Phone: 541- Date: 7-31-12

Government Entity: DOUGLAS COUNTY PLANNING

**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: \_\_\_\_\_ **RECEIVED BY OWRD**  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: SEP 05 2012

*P-27837*

**SALEM, OR**





**DOUGLAS COUNTY PLANNING & BUILDING**

7/31/2012  
1:22 pm

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

**Permit Number: WS12-0444**  
**Job Address: 169 SCOTTY CT, GLIDE**

Receipt: P13717

*RL64038*

Fee Description	Fee Amount
LAND USE COMPATABILITY STATEME	\$55.00
<b>Total Fees Paid:</b>	<b>\$55.00</b>

Paid By: **THEISS, ROLAND & MARGARET &**  
Pay Method: **Check 0853**  
Received By: **Debbi Garris**

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After recording return to:  
Roland Theiss, et al  
P.O. Box 824  
Myrtle Creek, OR 97457

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

Roland Theiss, et al  
P.O. Box 824  
Myrtle Creek, OR 97457

Escrow No. RB0705070  
Title No. 0705070  
SWD r.012910

DOUGLAS COUNTY OFFICIAL RECORDS  
BARBARA E. NIELSEN, COUNTY CLERK

2010-016584



\$46.00

10/13/2010 09:06:36 AM  
DEED-WD Cnt=1 Stn=18 RECORDINGDESK  
\$10.00 \$11.00 \$15.00 \$10.00

**STATUTORY WARRANTY DEED**

**Thomas M. Carlson, Trustee of the Thomas M. Carlson 1989 Living Trust, Grantor(s)** hereby convey and warrant to **Roland Theiss and Margaret Theiss, husband and wife, as to an undivided 50% interest, and C.W. Lebengood, as to an undivided 50% interest, 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:

All that portion of Lots 15 and 16, NORTH UMPQUA HOMES, Douglas County, Oregon, lying Southerly of the Southerly right of way line of the relocated North Umpqua Highway. EXCEPTING THEREFROM that part conveyed to Douglas County by deed recorded in Book 678, Page 633, Recorder's No. 78-10719, Records of Douglas County, Oregon.

ALSO, all that portion of the Old County Road No. 4s.5 which inured to said premises upon the vacation thereof.

ALSO, EXCEPTING the following: The rights of the public and governmental bodies in and to any portion of the above described property lying below the ordinary high water mark of the North Umpqua River.

FOR INFORMATION PURPOSES ONLY, THE MAP TAX ACCT #(S) ARE REFERENCED HERE:

**R64038**

**T26S R03W S11BC TL 1500**

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:

The true and actual consideration for this conveyance is **\$73,700.00**.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 92.011, 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 200

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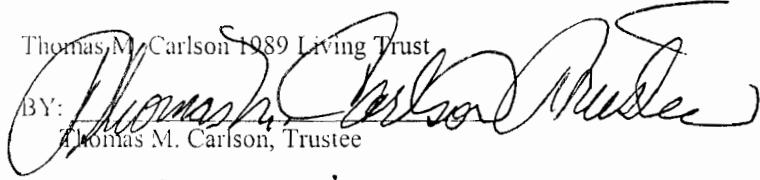
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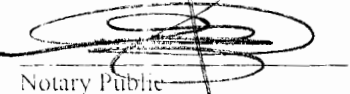
Dated this 8<sup>th</sup> day of OCTOBER, 2010.

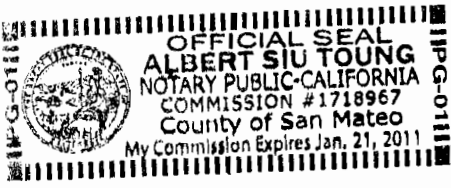
Thomas M. Carlson 1989 Living Trust

BY:   
Thomas M. Carlson, Trustee

State of CALIFORNIA  
County of SAN MATEO

On this 8<sup>th</sup> day of OCTOBER, 2010, before me ALBERT SIU TOUNG, a notary public in and for said State, personally appeared Thomas M. Carlson being by me first duly sworn, declared that he is the Trustee of the Thomas M. Carlson 1989 Living Trust, that he signed the foregoing document as the Trustee, and that statements therein contained are true.

  
Notary Public  
Residing at: SAN CARLOS, CA  
Commission Expires: 1-21-2011



END OF DOCUMENT

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