

APR 01 2013

SALEM, OR

Last revised: Feb 1, 2010



State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301  
(503) 986-0900

# Application for Limited Water Use License

A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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License No. LL-1457

Applicant(s): Marcia Fitch

WATER RESOURCES DEPT  
SALEM, OREGON

Contact Person: \_\_\_\_\_

Mailing Address: 239 Halmlton Road

Jacksonville

OR

97530

City

State

Zip

Telephone No: 541-899-1580

I (We) make application for a Limited License to use or store the following described surface waters or groundwater-not otherwise exempt, or to use stored water of the State of Oregon for a use of a short-term or fixed duration:

- SOURCE(S) OF WATER for the proposed use: Applegate Reservoir a tributary of Applegate River.
- TOTAL AMOUNT OF WATER to be diverted: 27 cubic feet per second, or \_\_\_\_\_ gallons per minute. If water is to be used from more than one source, give the quantity from each: \_\_\_\_\_.
- INTENDED USE(S) OF WATER: (check all that apply)
  - Road construction or maintenance
  - General construction
  - Forestland and rangeland management; or
  - Other: crop establishment
- DESCRIPTION OF PROPOSED PROJECT: Include a description of the intended place of use as shown on the accompanying site map, the method of water diversion, the type of equipment to be used (including pump horsepower, if applicable), length and dimensions of supply ditches and pipelines:

Crop establishment while waiting for Surface Water Permit for irrigation use of Stored Water to be approved (see enclosed surface water app). Water is diverted from Applegate River at the main pump station (POD on map) and conveyed to property through a 1000' of pipeline. Pipeline is 4" to booster pump then reduces to 2" on the property. Watering is done on property using pressurized sprinklers (3: 50gpm sprinklers)

S-87882

5. PROJECT SCHEDULE: (List day, month, and year)

Date water use will begin ASAP

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Date project will be completed When Surface Water Permit is Issued

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Date water use will be completed When Surface Water Permit is Issued

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars)  Yes  No

**PLEASE READ CAREFULLY**

**NOTE:** A completed water availability statement from the local watermaster, Land Use Information Form completed by the local Planning Department, fees and site map meeting the requirements of OAR 690-340-030 must accompany this request. The fee for this request is \$250 for the first point of diversion plus \$25 for each additional point of diversion. Please review the Department's fee schedule to view fees required to request a limited license for Aquifer Storage and Recovery testing purposes or for Artificial Groundwater Recharge testing purposes.

Failure to provide any of the required information will result in return of your application. The license, if granted, will not be issued or replaced by a new license for a period of more than five consecutive years. The license, if granted, will be subordinate to all other authorized uses that rely upon the same source, or water affected by the source, and may be revoked at any time it is determined the use causes injury to any other water right or minimum perennial streamflow.

If water source is a well, well logs or adequate information for the Department to determine aquifer, well depth, well seal and open interval, etc. are required. The licensee shall indicate the intended aquifer. If for multiple wells, each map location shall be clearly tied to a well log.

If a limited license is approved, the licensee shall give notice to the Department (Watermaster) at least 15 days in advance of using the water under the Limited License and shall maintain a record of use. The record of use shall include, but need not be limited to, an estimate of the amount of water used, the period of use and the categories of beneficial use to which the water is applied. During the period of the Limited License, the record of use shall be available for review by the Department upon request.

REMARKS:

SIGNATURE of Applicant: *Maria E. Fitch* DATE: 3/26/13

Title: \_\_\_\_\_

**Mapping Requirements (OAR 690-340-0030):**

(1) A request for a limited license shall be submitted on a form provided by the Water Resources Department, and shall be accompanied by the following:

(c) A site map of reproducible quality, drawn to a standard, even scale of not less than 2 inches = 1 mile, showing:

(A) The locations of all proposed points of diversion referenced by coordinates or by bearing and distance to the nearest established or projected public land survey corner;

(B) The general course of the source for the proposed use, if applicable;

(C) Other topographical features such as roads, streams, railroads, etc., which may be helpful in locating the diversion points in the field.

***This page to be completed by the local Watermaster.***

**WATER AVAILABILITY STATEMENT**

Name of Applicant: Marcia Fitch Limited License Number: LL-1457

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?  Yes  No

If yes, please explain:

Regulation of live flow of the Applegate has occurred during drought years. Use of stored water from the Applegate Reservoir is generally not regulated for prior rights.

2. Based on your observations, would be there water available in the quantity and at the times needed to supply the use proposed by this application?  Yes  No

3. Do you observe this stream system during regular fieldwork?  Yes  No

If yes, what are your observations for the stream?

BOR/Army Corp release water to meet in-stream and water users rights.

4. If the source is a well and if WRD were to determine that there is the potential for substantial interference with nearby surface water sources, would there still be ground water and surface water available during the time requested and in the amount requested without injury to existing water rights?  Yes  No  N/A

What would you recommend for conditions on a limited license that may be issued approving this application?

N/A

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5. Any other recommendations you would like to make?

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Issue the limited license; Water is available, see enclosed BOR contract and Surface Water Permit Application.

Signature



WM District #: 13

Date: 3-26-13

# 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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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# Land Use Information Form



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

Applicant: Marcia Fitch  
First Last

Mailing Address: 239 Hamilton Road

Jacksonville OR 97530 Daytime Phone: 541-899-1580  
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: |
|----------|-------|---------|-------|-----------|---|---|--------------------|
| 39S      | 3W    | 3       | NW/NW | 1000      |   | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Irrigation         |
| 39S      | 3W    | 4       | NE/NE | 801       |   | <input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used            | Point of Diversion |
|          |       |         |       |           |   | <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:

Jackson

## 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) Applegate Reservoir

Estimated quantity of water needed: 27  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:

Water is diverted from Applegate River at the main pump station (POD on map) and conveyed to property through a 1000' of pipeline. Pipeline is 4" to booster pump then reduces to 2" on the property. Watering is done on property using pressurized sprinklers (3: 50gpm sprinklers)

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

See bottom of Page 3. →

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# For Local Government Use Only

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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): 6.2-1

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<br>(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<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><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: Francisco Hernandez Title: Planner III  
 Signature: [Signature] Phone: 501-774-6903 Date: 3-26-2013  
 Government Entity: Jackson County

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

Exhibit A to Easement Agreement

Property now owned by John & Bonnie Rinaldi

Grantor, Jesse L. Sword Property description Commencing at the Northeast Corner of Section 4, Township 39 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon; thence South 0 12' 45", along the east line of said Section 4, 415.07 feet to the Point of Beginning; thence West, 213.46 feet to a 3/4" iron pipe; thence North 27 02' 20" West, 32.04 feet to a 5/8" iron pin; thence South 65 43' 30" West, 128.54 feet, to a 5/8" iron pin; thence South 28 40' 30" West, 53.13 feet to a 5/8" iron pin; thence South 65 43' 30" West, 413.74 feet, to a 1/2" iron pin; thence continue South 65 43' 30" West, 97.09 to the center of the Applegate River; thence South 30 31' 50" East, along the center of said Applegate River, 191.25 feet; thence North 74 25' 00" East, 767.46 feet, to the East Line of said Section 4; thence North 0 22' 45" East, 239.81 feet, to the point of beginning.

willie deceased daughter Shirley Shaw neik

Grantee Willie L. Ratiluff Trust property description Commencing at the Northwest Corner of Section 3, Township 39 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon; Thence South, along the West Line of said Section 3, 971.92 to the point of beginning; thence S 89° 46' E, 449.21' to a 5/8" iron pin; thence N 0° 14' 00" E 203.91'; thence S 89° 46' E, 640.10' to the westerly line of the County Road; thence N 9° 44' 10" E, 25.35'; thence N 89° 46' W, 338.28'; thence N 0° 14' E, 270'; thence N 89 46' W, 757.27' to the west line of said Section 3; thence South, 498.91' to the POB.

A distance of 971.92 feet

more or less

Grantee Janet Barker property description Commencing at the NW Corner of Section 3, T39S, R3W, WM, Jackson County, Or.; thence South along the West line of said Sec 3, 971.66' to the POB; thence S 89 46' E, 1055.07' to the West ROW line of the County Road; thence S 9 44' 10" W, along said ROW, 283.93'; thence along a curve radius 848.51 feet (long chord of which bears S 4 07' 50" W, 165.76'), 166.02' to a 5/8" iron pin; thence S 78 26' 30" W, 1015.71', to the west line of said Sec 3; thence North along said section line, 653 feet, to the point of beginning.

Grantee Howard & Diane Juul property description Commencing at the NE Corner of Sec 4, T39S, R3W, WM, Jackson County, Or.; thence South, along the East line of said Sec 4, 654.88' to the POB; thence S 74 25' 00" W, 767.46' to the center of Applegate River; thence S 30 31' 50" E, 251.98'; thence S 40 02' 46", 941.94' to the east line of said Sec 4, thence north, along said East line, 1144.59', to the point of beginning

Grantee Jack & Marcia Fitch property description Commencing at the Northwest Corner of Section 3, T39S, R3W of the WM in Jackson County, Or.; thence South, along the West line of said Section 4, 40' to the south County ROW and the point of beginning; thence S 89 46' 00" E, along said ROW, 1079.09 feet; thence South 176.54, along the West line of the Shedd tract as described in Doc # 69-00404 of the Official Records of Jackson County, Or; thence S 82 30' 35" W, 505.91 feet to a 5/8" iron pin; thence S 68 32' 54" W, 257.35' to a 5/8" iron pin; thence S 15 20' 40" E, 97.02 to a 5/8" iron pin; thence N 89 46' 00" W, 369.04' to the west line of said Sec 3; thence north along said west line, 433.01' to the point of beginning.

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# CONTRACT DATA SHEET



U.S. Bureau of Reclamation  
Attn: PN-3324  
1150 North Curtis Road  
Boise, ID 83706-1234  
208-378-5344

## RECLAMATION

*Managing Water in the West*

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### 1. Applicant Information:

SALEM, OR

#### A. Landowners

- 1) Name of landowner(s): MARCIA E. FITCH
- 2) Address: 239 HAMILTON Rd. JACKSONVILLE, OR. 97530
- 3) Mailing Address (if different): \_\_\_\_\_
- 4) Taxpayer Identification Number(s): 529-34-5706  
(Social Security Number or Employer Identification Number)<sup>1</sup>
- 5) Do you own all of the land where you propose to divert and make use of water? \_\_\_\_\_

#### B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: \_\_\_\_\_
- 2) Name & Title of Applicant: \_\_\_\_\_
- 3) Mailing Address of Organization: \_\_\_\_\_
- 4) Taxpayer Identification Number: \_\_\_\_\_  
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
  - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
  - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of Water (name of stream, river): Applegate River

3. Proposed point of diversion: 800 feet South and 650 feet West  
of N.E. corner of Section 4, Township 39 S, Range 3 W,  
Willamette Meridian.

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: see enclosed Applications (Limited License & surface water permit)

5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].

6. Do you currently hold a right to natural flows for irrigating the property described herein? NO  
If yes, what is/are the priority date(s)? \_\_\_\_\_
7. Total quantity of water from storage requested: 27 acre-feet.
8. Location of land to be irrigated in each 40-acre tract:

| TOWNSHIP | RANGE | SECTION | 40-ACRE TRACT<br>(1/4) (1/4) | NO. of<br>ACRES | TYPE of IRRIGATED CROP |
|----------|-------|---------|------------------------------|-----------------|------------------------|
| 39S      | 3W    | 3       | NW1/4                        | 6               | Pasture                |
|          |       |         |                              |                 |                        |
|          |       |         |                              |                 |                        |
|          |       |         |                              |                 |                        |
|          |       |         |                              |                 |                        |
|          |       |         |                              |                 |                        |

9. What is the present use of the land identified above? [*Farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)*].  
PASTURE
10. Is the land identified above currently being irrigated? NO If yes, what is the source? (*natural flows, wells, etc.*) \_\_\_\_\_
11. Diversion must be screened to prevent uptake of fish and other aquatic life.  
Describe plan(s) to comply with State/Federal fish screen standards: fish screen installed ON PUMP
12. Telephone number where you can be reached during the day: 541-899-1580

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE <sup>2</sup>, MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

<sup>1</sup> Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

<sup>2</sup> The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.