

# 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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## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

SALEM, OR

NAME MARCIA FITCH		PHONE (HM) 541-899-1580	
PHONE (WK)	CELL		FAX
ADDRESS 239 HAMILTON ROAD			
CITY JACKSONVILLE	STATE OR	ZIP 97530	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.)

**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.

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

 MARCIA E. FITCH 3/26/13  
Applicant Signature Print Name and title if applicable Date

Applicant Signature

Print Name and title if applicable

Date

Revised



**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
  - There are no encumbrances.
  - This land is encumbered by easements, rights of way, roads or other encumbrances.
- No
  - I have a recorded easement or written authorization permitting access.
  - I do not currently have written authorization or easement permitting access.
  - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
  - Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

\*See Enclosed Easement Agreement

Jon & Bonne Rinaldi: 375 Hamilton Road Jacksonville, OR 97530

Janet Braker: 1974 Upper Applegate Road Jacksonville, OR 97530

Shirley Shaw: 1944 Upper Applegate Road Jacksonville, OR 97530

Marcia Fitch: 239 Hamilton Road Jacksonville, OR 97530

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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: <u>Applegate Reservoir</u>	Tributary to: <u>Applegate River</u>
Source 2: _____	Tributary to: _____
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

**B. Applications to Use Stored Water**

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

- Yes.

- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- 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
Applegate Reservoir/Applegate River	Irrigation	April 1- October 31	27 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" 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:       

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- 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): POD 20HP Berkeley, Booster 10 HP Berkeley

Other means (describe): \_\_\_\_\_

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

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)

### B. Application Method

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

High-Pressure Sprinkler

### 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.

Totalizing meter will be used to verify that use is within the allowed rate. Sprinklers will be used to eliminate run-off\_\_\_\_\_

## SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

Diversion will be screened to prevent uptake of fish and other aquatic life.  
Describe planned actions: ODFW screen used at POD

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
Describe planned actions: No excavation planned.

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

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe: Sprinklers will be used to prevent run-off all chemicals will be used w/in guidelines of labels on bottle.

**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: Already Complete

Date construction will be completed: Already Complete

Date beneficial water use will begin: ASAP

**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.  
See enclosed BOR Application for Stored Water Contract.

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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

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 (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: Francisco Hernandez Title: Planner III  
 Signature: [Signature] Phone: 541.774.6903 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: \_\_\_\_\_

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Exhibit A to Easement Agreement

Property 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 of Shirley Shaw

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.

S-87882





# 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*

### 1. Applicant Information:

#### 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 Licen. & 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].

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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 (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
39S	3W	3	NW1/4	6	Pasture

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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? <sup>NO</sup>~~Yes~~ 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.