

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 DANIEL GRIGSBY		PHONE (HM) 541-846-6837	
PHONE (WK)	CELL 541-761-7514	FAX	
ADDRESS P.O. BOX 3303			
CITY APPLEGATE	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.


Applicant Signature

DANIEL GRIGSBY
Print Name and title if applicable

8/12/13
Date

Applicant Signature

Print Name and title if applicable

Date

Revised



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SEP 23 2013

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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: TARWEGO POND R-27235 Tributary to: TALLOWBOX CREEK
 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. * SEE ENCLOSED ALTERNATE RESERVOIR APPLICATION
- 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.)

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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
TARWEED POND	TEMPERATURE CONTROL / IRRIGATION	MAY 1 THROUGH OCT 31	3 <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: 9 Acres Supplemental: _____ Acres
 List the Permit or Certificate number of the underlying primary water right(s): R-87935
 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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Surface Water/5

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S-87770

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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): 5 H.P. CENTRIFUGAL

Other means (describe):

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

WATER TO BE PUMPED FROM POND TO PRESSURIZED TEMPERATURE CONTROL SPRINKLERS AND DRIP IRRIGATION SYSTEM.

B. Application Method

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

DRIP IRRIGATION AND OVERHEAD SPRINKLERS FOR TEMPERATURE CONTROL.

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 NEEDED TO SUPPLY GROWTH OF GRAPE VINES. CORRECT MAINT. + USE OF IRRIGATION SYSTEMS. MINIMUM USE OF WATER FOR PLANT HEALTH.

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: PUMP WILL BE SCREENED

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: EXCAVATION DONE OUTSIDE OF WET SEASON TO PREVENT EROSION. EXCAVATION KEPT TO A MINIMUM.

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: NO EQUIPMENT IN WET STREAM.

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: CHEMICAL USE WILL BE KEPT TO A MINIMUM AND ALL REGULATIONS + INSTRUCTIONS FOLLOWED.

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: **ASA.P DRY SEASON 2014 - 2015 WHEN PERMITTED.**
 Date construction will be completed: **ASA.P. APPROXIMATELY 1 YEAR AFTER START OF PROJECT.**
 Date beneficial water use will begin: **A.S.A.P. AFTER PERMITTED WATER IS AVAILABLE**

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

N/A

SECTION 9: REMARKS

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

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Land Use

Revised 2/1/2012

Surface Water/7



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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Information Form

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: DANIEL GRIGSBY
First Last

Mailing Address: P.O. BOX 3303

APPLEGATE OR 97530 Daytime Phone: 541-761-7514
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	4W	4	SW/NW	600	EFV	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" 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:

JACKSON COUNTY
APPLEGATE CITY

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B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

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- 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

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Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: 3
 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:

TEMPERATURE CONTROL AND IRRIGATION FOR VINYARD, ORCHARD, AND VEGETABLE CROPS.

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.

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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): Chapter 4.2-1
- 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.

Irrigation for farm use (Ag Use) allowed in EFD zoning.

Name: Youngsook Kim Title: Planner
 Signature: [Signature] Phone: 541-774-6946 Date: 3/13/14
 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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 JACKSON COUNTY
 PLANNING



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
www.wrd.state.or.us

September 26, 2013

Daniel Grigsby
P.O. Box 3303
Applegate, OR 97530

Dear Mr. Grigsby:

The Water Resources Department has received your applications to store and use water. At this time however, we are unable to accept your Application for a Permit to use Surface Water. We must first process and accept your Application to Store Water. Therefore we are returning the surface water application and fees submitted.

The Application for a Permit to use Surface Water may be re-submitted once a permit has been issued to store water. Before submitting your secondary application, the additions noted on the enclosed Checklist will need to be made.

Should you have any questions, please contact Customer Service at the address above or by telephone at 503-986-0801.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Cc: OWRD Fiscal

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Jackson County Official Records 2008-001506
 R-WD
 Cnt#1 Str#10 ALONZOR 01/14/2008 08:00:00 AM
 \$10.00 \$5.00 \$5.00 \$11.00 Total:\$31.00



0130402620000015080020028
 I, Kathleen S. Beckett, County Clerk for Jackson County, Oregon,
 certify that the instrument identified herein was recorded in the Clerk
 records.
 Kathleen S. Beckett - County Clerk

After recording return to:
 Daniel B. Grigsby
 11341 Williams Hwy.
 Grants Pass, OR 97527

Until a change is requested, all tax statements shall be sent
 to the following address:
 Daniel B. Grigsby
 11341 Williams Hwy.
 Grants Pass, OR 97527

STATUTORY WARRANTY DEED

Sharron Martin, Trustee of the Survivors Trust UA of the Herman L. Martin, Sharron L. Martin Revocable Trust dated 1/18/1995 and 6/24/2000, Grantor, conveys and warrants to Daniel B. Grigsby and Margaret R. Grigsby, as tenants by the entirety, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Beginning at the Northwest corner of the Southwest one-quarter of the Northwest one-quarter of Section 4, Township 39 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon; thence running South on line between Sections 4 and 5, a distance of 420 feet to the place of beginning; thence South 635 feet; thence East 686 feet; thence North 635 feet; thence West 686 feet to the place of beginning.

Account No. 10311001; Map 394W04 600

Tax Account No. 10311001

This property is free of encumbrances, EXCEPT:
 SEE EXHIBIT "A" WITH EXCEPTIONS
 The true consideration for this conveyance is \$284,000.00

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007.

Dated 10th day of January, 2008

Survivors Trust UA of the Herman L. Martin and
 Sharron L. Martin Revocable Trust dated
 1/18/1995 and 6/24/2000

Sharron L. Martin, Trustee
 BY Sharron L. Martin, Trustee

STATE OF OREGON
 COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 10th day of January, 2008 by Sharron L. Martin, Trustee of Survivors Trust UA of the Herman L. Martin and Sharron L. Martin Revocable Trust dated 1/18/1995 and 6/24/2000 on its behalf.

Notary Public State of Oregon
 My commission expires: 1/20/10

Order No. 46g0471241



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Exhibit "A" with Exceptions

Subject to:

1. **Regulations, levies, liens assessments, rights of way and easements for ditches and canals of the Thompson Creek Irrigation District.**
2. **An easement disclosed by instrument,**
Recorded : August 17, 1946
As : V 272; P 350 and 353
In favor of : The California Oregon Power Company
For : Electrical transmission, distribution lines and appurtenances
3. **An easement created by instrument, including the terms and provisions thereof,**
Recorded : July 21, 1993
As : 93-23838
In favor of : PacifiCorp, an Oregon corporation, or its predecessor in interest
For : Transmission and distribution of electricity, and other purposes
4. **Conditions, restrictions and/or easements contained in and imposed by Jackson County Land Ordinance, a certified copy of which was**
Recorded : June 25, 1991
As : 91-14593

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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
www.wrd.state.or.us

April 29, 2014

Daniel Grigsby
PO Box 3303
Applegate OR 97530

Dear Daniel Grigsby:

The Water Resources Department has received your application to use or store 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 Customer Service at the address above or by telephone at 503-986-0801.

Sincerely,

Scott Grew
Customer Service Group

Cc: OWRD Fiscal

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