

Application for a Permit to Use Surface Water

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

SALEM, OR

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME JOSEPH DIAS		PHONE (HM)	
PHONE (WK)	CELL 209-670-5624	FAX	
ADDRESS 1895 OLALLA RD.			
CITY WINSTON	STATE OR	ZIP 97496	E-MAIL * FIREMEDIC_BOOM@YAHOO.COM

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

Joseph H. Dias
Print Name and title if applicable

7-31-14
Date

Applicant Signature

Print Name and title if applicable

Date

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.

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Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances.

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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.

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

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

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: Ben Irving Reservoir

Tributary to: Berry 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).

Certificate 80425 _____

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
Ben Irving Reservoir	Irrigation - 12.5 acre feet of water	March 1 - October 31	<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Ben Irving Reservoir	Supplemental - Irrigation of 2.0 acre feet of water	March 1 - October 31	<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

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 5.0 Acres Supplemental: 0.50 Acres
 List the Permit or Certificate number of the underlying primary water right(s): 19503
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 14.5 acre feet

- 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: **RECEIVED BY OWRD**

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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): 2 Horsepower Pump

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 Ollalla Creek and piped to irrigation area.

B. Application Method

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

Water will be pumped from Olalla Creek and piped to 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 irrigation of 5.0 acres primary and 0.50 acre supplemental on the property. Most efficient method of irrigation will be used as feasible to prevent waste, erosion and control 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 approved fish screening will be installed on pump intake prior to diversion of water.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: None planned
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: None planned
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Will use best residential management practices to prevent erosion and run-off.

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: Exsisting system in place

Date construction will be completed: N/A

Date beneficial water use will begin: Upon issuance of water right permit

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.

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July 31, 2014

Evan Barnes, District Manager
Lookingglass Olalla Water Control District
P.O. Box 1579
Roseburg, OR 97471

To Whom It May Concern:

I hereby intend to file an application with the Oregon State
Water Resources Department to use 14.5 acre feet of stored
water from Ben Irving Reservoir.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Dias", with a long horizontal flourish extending to the right.

Joseph Dias

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S-80002

**LOOKINGGLASS OLALLA WATER CONTROL DISTRICT
AGREEMENT FOR PURCHASE OF STORED WATER**

AGREEMENT made this 22th day of July, 2014 between
LOOKINGGLASS OLALLA WATER CONTROL DISTRICT
and Joseph Dias

WATER RIGHTS NOTES

DISTRICT AND CONSUMER AGREE:

USE TO BE MADE OF WATER / STORAGE ALLOCATION / DIVERSION LOCATION:

USE OF WATER	ACRES	STORAGE ALLOCATED	TWP	RGN	SEC	TL OR ¼ SECTION
IRRIGATION	5.5		28s	7w	34	Tax lot #1200
DOMESTIC						
MUNICIPAL						
SUB-DISTRICT						
INDUSTRIAL						
MULTIPURPOSE						

TYPE AND TERM OF AGREEMENT / FEES:

AGREEMENT TYPE	BEGINNING DATE	RENEWAL DATE	Administration Fee (ANNUAL)	Water Meter Reading	Use Fee
METERED	7-22-14	12-31-23	\$125.00	\$160.00	\$12.00 per acre

See attached Exhibit A

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5-88002

This agreement is made upon the following terms and conditions:

1. Price of Water Service; Payment.

1.1 The price of stored water purchased by the Consumer shall be at the rates shown in attached Exhibit A, as may be amended from time to time, and shall be applicable at the time the Consumer signs this agreement.

1.2 The annual administration fee, the meter reading fee and the use fee shall be non-refundable and due in full no later than 60 days after billing.

1.3 The Consumer shall pay the billing for the season's water use within 60 days of being billed. The Consumer shall pay interest on the billing at the rate of 18% per annum from the date of billing on all late payments. Additionally, there shall be a late fee of \$10.00 for every 60-day period that the account remains delinquent. The District has the right to refuse to deliver water to the Consumer or the real property to which water is furnished under this agreement at any time that the Consumer is in default in the payment of any water charge or billing. Default is defined as any billing, or portion thereof, that remains unpaid for a period of 60 days or more.

1.4 The District shall periodically review and may adjust the price of water as shown on Schedule A, taking into account the following factors and any other factors that are reasonable to consider:

1.4.1 The current cost of operating and maintaining the dam, reservoir, and related facilities.

1.4.2 The projected costs for operating, maintaining, and replacing delivery facilities, including administrative expenses.

1.4.3 The price of water provided by similar facilities for similar uses.

2. Meters and Equipment.

2.1 All installations and facilities, such as but not limited to the intake pipe, pump, electrical wiring, etc., shall be provided by the Consumer at his or her own expense. The cost, installation, and maintenance of meters shall be the responsibility of the Consumer, and be approved by the State of Oregon and the District.

2.2 All Irrigation Consumers shall use a meter approved by the State of Oregon and the District. Domestic users shall comply with conditions contained within their approved permit from State Water Resources.

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3. Use of Water

3.1 All water provided under this agreement shall be for the uses stated in the declarations on page 1 of this contract, only. As provided on page 1, the uses of the water are limited to irrigation, municipal (only if the Consumer is a municipality), industrial, and multipurpose. SALEM OR

3.2 The Consumer agrees **not** to use, or allow others to use, the water provided under this agreement for **domestic purposes**, unless the Consumer is a municipality. The Consumer acknowledges that the water provided under this agreement has not been treated or tested as suitable for drinking water. The Consumer shall indemnify the District from any damages or claim that may result from or arise in connection with any person using the water provided under this agreement for domestic purposes. "Domestic purposes" means use of water for human consumption or household purposes; "domestic purposes" does not include use of water for lawn, garden, yard, or small-scale livestock watering, which are residential irrigation uses.

3.3 The Consumer agrees to not waste water, and agrees to promptly remedy any situation leading to waste of water which may be brought to his or her attention by the District.

3.4 The Consumer shall provide the District with the county assessor's tax lot identification describing where water under this contract shall be used.

4. Contract Term and Extensions for Metered Service Consumers.

The contract for Consumers currently using meters (metered service) shall terminate December 31, 2023. Metered service Consumers shall have the right to extend the terms of this contract for additional periods of 10 years each under the following conditions:

- 4.1 A functioning meter approved by the State of Oregon and the District is in use.
- 4.2 The Consumer is paid current and not in default of any of the contract terms.
- 4.3 The extension shall occur automatically without further act or agreement of the parties at the end of the then-current term. Each extension shall take effect on January 1 after extension.
- 4.4 The provisions of this contract shall apply to any extension of the contract,

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except for changes in the price of service, which may be modified.

- 4.5 The Consumer shall not be entitled to extend the term of this contract if he or she is in default of any of the terms under this contract at the end of the then-current term.

5. Termination of Contract by Consumer.

The Consumer may terminate his or her contract by giving written notice to the District at least 30 days prior to the date of termination. The Consumer shall be responsible for the full fee for the entire irrigation season, unless the contract is terminated prior to the start of irrigation season (March 1).

6. Termination and Reinstatement of Contract by District.

The District may terminate for cause any person's right to receive water under an irrigation contract by mailing written notice to the affected person at that person's last known address at least 30 days prior to date of termination. The District may terminate or refuse to extend or reinstate an irrigation contract for any of the following causes:

6.1 Non-payment of irrigation fees after the District mailed written notice that one or more fees were due. The District may reinstate the contract if payment is received within the 30-day period.

6.2 Refusal or failure to comply with District regulations or orders. The District may reinstate the contract if the contract holder complies with District regulations and orders within the 30-day period.

6.3 Change in ownership of the land to which water is being provided. The District may reinstate the contract if the new owner agrees to enter into a new contract with the District within the 30 day period, provided any sums due to the District for providing water service to the real property involved are paid in full.

6.4 Change in circumstances that make it likely that the District will not be able to provide water to all contract holders. The District may reinstate the contract if circumstances further change so as to make it likely the District will have sufficient water for the projected need.

In all cases, the District's decision to terminate or reinstate an irrigation contract shall be at the discretion of the District. A decision to terminate or reinstate a particular contract shall have no precedential value in determining whether to terminate or

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reinstate the same or a different contract in a later situation.

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7. Allocation of Water in Drought Years.

In the event of a drought year (e.g., any year in which Ben Irving Reservoir does not fill through natural rainfall to the point where all District irrigation contract holders can be supplied with enough water to satisfy their contracts) the District shall use reasonable efforts to evenly allocate water to all Consumers by an across-the-board percentage cut in allocations. For example, if the reservoir level requires a 25% cut in allocations, the District shall use reasonable efforts to assure that all Consumers shall have their allocations cut 25%, i.e., each Consumer shall receive 75% of his or her contracted water. Meters shall be read on a regular basis and when the allocated amount of water has been delivered, the pump shall be tagged out by District personnel. Consumers with flat rate service shall be contacted by the District as early as reasonably possible in a drought year to determine which acreage Consumer shall not irrigate that year.

8. Water Rights.

The District shall be responsible for obtaining all water rights to store and deliver water for the Consumer's use allocated under this agreement. The Consumer shall be responsible for obtaining at Consumer's expense any necessary water rights, permits or certificates from the State of Oregon for use of the stored water provided under this contract. The Consumer shall also be responsible for any other permits necessary to use water provided under this agreement.

9. Right of Entry.

The District, its agents, employees, and contractors, shall have the right at all reasonable times to enter upon the premises of the Consumer to inspect the water intake and meter and beneficial use of the water. The Consumer agrees to maintain such areas to ensure safety of the meter reader, and to provide such access to the District and its personnel.

10. Miscellaneous.

10.1 The obligation of the District to deliver water to the Consumer is conditioned upon the ability of the District to provide the same. The District shall not be liable for failure to deliver the water at any given time or in any given amount if it is prevented from doing so by breakdown of facilities, accidents or other events which may occur.

10.2 The obligation of the District hereunder at any time may be limited by any lawful order.


10.3 The District reserves the right to promulgate reasonable rules and regulations from time to time applicable to all water users of the District governing the taking and use of water from the District, and the implementation of the terms of this contract.

10.4 This agreement inures to the benefit of the parties hereto and their respective successors and assigns.

10.5 In the event any court action or suit is necessary to enforce payment or any other provision of this agreement, the prevailing party shall be entitled to reasonable attorney fees and costs as determined by the court. Jurisdiction and venue of any case filed to enforce the terms of this agreement shall be exclusively in the circuit court of Douglas County, in Roseburg, Oregon.

IN WITNESS WHEREOF, the parties have affixed their signatures below.
LOOKINGGLASS-OLALLA WATER CONTROL DISTRICT

BY: 
Date 7-22-14
Representing District

BY: 
Date 7-22-14
Consumer (Landowner / Agent)

PHONE: 509-670-5624

FAX _____

E-mail firemedic-boone@yahoo.com

Billing Address:

Physical Address:

1895 Olalla Road
Winston, Oregon 97496

Same

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5-88002

LOOKINGGLASS OLALLA WATER CONTROL DISTRICT RATE SCHEDULE Exhibit A

Effective January 2014 through December 2023

TYPE OF USER	ANNUAL ADMIN FEE	RATE OR USE FEE	METER READING FEE	COMMENTS
METERED IRRIGATION	\$125.00 FROM 2014-2023	\$12.00 PER ACRE FOOT	\$160.00 PER YEAR FLAT RATE	METER REQUIRED
IRRIGATION SUB DISTRICT (Up to 4 irrigators) EACH ADD IRRIGATOR	\$250.00 \$75.00	\$12.00 PER ACRE FOOT	\$160.00 PER YEAR FLAT RATE	MASTER METER REQUIRED
MUNICIPAL QUASI MUNICIPAL	\$2,175.00	\$64.00 PER AF / FIRST 100 AF \$70.00 PER AF / OVER 100 AF	TO BE DETERMINED	METER REQUIRED
INDUSTRIAL	\$2,175.00	\$64.00 PER / FIRST 100 AF \$70.00 PER AF / OVER 100AF	TO BE DETERMINED	METER RQUIRED
DOMESTIC	\$165.00	\$128.00 PER DWELLING NO MORE THAN 3 DWELLING PER CONTRACT.	\$160.00 METER CURRENTLY NOT REQUIRED	\$64.00 PER AF w/ 2 AF MINIMUM NO METER REQUIRED CURRENTLY REQUIRED
MULTIPLE USE	TO BE DETERMINED	\$64.00 PER ACRE FOOT	\$160.00	METER REQUIRED MASTER METER REQUIRED
SUB-DIST DOMESTIC UP TO 3	\$165.00	\$64.00 PER ACRE FOOT	\$160.00 IF METER IS REQUIRED	\$64.00 PER AF W/2 AF MINIMUM NO METER CURRENTLY REQUIRED
UN-METERED IRRIGATION BROKEN METER		\$0.04 AF/ PER ACRE/ PER DAY		BROKEN OR METER- THAT IS NOT WORKING PROPERLY MUST BE REPAIRED ASAP
ANY OTHER USE		MAY VARY	COST TO BE DETERMINED	COST TO BE DETERMINED NEGOTIATED

5-20002

STATE OF OREGON

COUNTY OF DOUGLAS

AUG 04 2014

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CERTIFICATE OF WATER RIGHT

This Is to Certify, That ISAAC JAMES and BETTY LOU JAMES

of Star Route, Box 36, Winston, State of Oregon 97496, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Olalla Creek

a tributary of South Umpqua River for the purpose of irrigation of 0.5 acre

under Permit No. 19503 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 18, 1950

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.01 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within McGuire DLC 52, Section 34, T28S, R7W, WM; 550 feet North and 1,062 feet East from W $\frac{1}{2}$ Corner, Section 34.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

0.5 acre SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within T.J. McGuire DLC 52
Section 34
Township 28 South, Range 7 West, WM

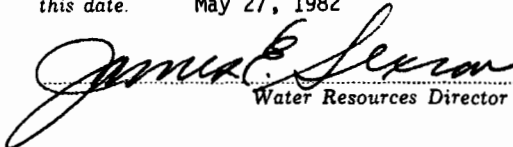
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 50333, Volume 44, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered February 9, 1982.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. May 27, 1982


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 45, page 50898

S-98002

TICOR TITLE

470314034049

Douglas County Official Records		2014-006721
Patricia K. Hitt, County Clerk		05/13/2014 11:22:48 AM
DEED-WD	Cnt=1 Str=4 ROBIN	\$51.00
\$10.00	\$11.00 \$10.00 \$20.00	

RECORDING REQUESTED BY:
 Ticor Title Company of Oregon
 940 NW Garden Valley Blvd, Suite 104
 Roseburg, OR 97471

GRANTOR:
 Michael Edward James and Cynthia Lee James
 1895 Olalla Rd
 Winston, OR 97496

GRANTEE:
 Joseph H. Dias
 5021 Timepiece Center
 Stockton, CA 95219

AFTER RECORDING RETURN TO AND SEND
 TAX STATEMENTS TO:
 Joseph H. Dias
 1895 Olalla Road
 Winston, OR 97496

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Michael Edward James and Cynthia Lee James, as tenants by the entirety, Grantor, conveys and warrants to Joseph H. Dias, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Douglas, State of Oregon:

Beginning at a 3/4 inch iron rod on the west line of Olalla Road (County Road No. 38) said beginning point being North 45° 01' West 1518.76 feet from the Northeast corner of Donation Land Claim No. 57, Section 34, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon; thence running from said beginning point along the line between properties recorded in Douglas County Clerk's Deed Record Book 241, Page 936, and Book 418, Page 63, North 88° 37' 1/2' West 255.0 feet to a 3/4 inch iron rod and continuing North 88° 37' 1/2' West 137.43 feet to a 3/4 inch iron rod on the right bank of Olalla Creek and continuing North 88° 37' 1/2' West 60.0 feet to a point in the center line of Olalla Creek; thence running along the center line of Olalla Creek, North 10° 07' West 517.29 feet to a point; thence leaving the center line of said Olalla Creek and running South 88° 37' 1/2' East 60.0 feet to a 3/4 inch iron rod on the right bank of said Olalla Creek and thence continuing South 88° 37' 1/2' East 417.86 feet to a 3/4 inch iron rod on the West right of way line of Olalla Road; thence running along the West right of way line of said Olalla Road South 18° 07' 1/2' East 93.58 feet to a 3/4 inch iron rod; thence running along the arc of a curve to the right, (whose radius is 800.25 feet and the long chord of which bears South 8° 28' East 270.80 feet) to a 3/4 inch iron rod; thence running South 1° 21' 1/2' West 151.92 feet to the point of beginning, and being situated in Section 34, Township 28 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$285,000.00. (See ORS 93.030)

Subject to and excepting: Covenants, Conditions, Restrictions, Reservations, set back lines, Power of Special Districts, and easements of Record, if any.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 ORS 195.300,

470314034049-TTJA22
 Deed (Warranty-Statutory)

S-88002

195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 5-7-14

Michael Edward James
Michael Edward James
Cynthia Lee James
Cynthia Lee James

State of OREGON

COUNTY of Clatsop

This instrument was acknowledged before me on May 7, 20 14

by Michael Edward James and Cynthia Lee James

Kathleen Ann Larew, Notary Public - State of Oregon
My commission expires: 10-1-14



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470314034049-TTJA22
Deed (Warranty-Statutory)

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Land Use Information Form



W 317-0002
 RCP# P18013
 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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Applicant(s): Joseph Dias

Mailing Address: 1895 Olalla Rd.

City: Winston

State: OR

Zip Code: 97496

Daytime Phone: 209-670-5624

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:
<u>28S</u>	<u>7W</u>	<u>34</u>	_____	<u>1200</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" 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:

Douglas County

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) Ben Irving Reservoir

Estimated quantity of water needed: 14.5
 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 need for irrigation of 5 acres and supplemental irrigation of .50 acres of land.

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. →

For Local Government Use Only

AUG 04 2014

SALEM, OR

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): **3.3.050**

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.

**DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470**

Name: Kelly N. White Title: Planning Tech.
Signature: Kelly N. White Phone: 541-440-4289 Date: 7-31-14
Government Entity: Douglas County B50155 - FG

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: _____

S-88002