

# 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 CINDY BENTLEY		PHONE (HM)	
PHONE (WK)	CELL 805-407-2948	FAX	
ADDRESS 875 INDIAN BEND RD.			
CITY UMPQUA	STATE OR	ZIP 97486	E-MAIL *

### Organization Information

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

### Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

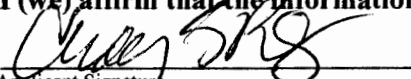
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By my signature below I confirm that I understand:

JUN 30 2016

- 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

Cindy S. Bentley  
Print Name and title if applicable

6/28/16  
Date

Applicant Signature

Print Name and title if applicable

Date

Revised

App. No. <u>5-88252</u>	For Department Use Permit No. _____	Date _____
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**SECTION 2: PROPERTY OWNERSHIP**

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

Yes

There are no encumbrances.

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

No

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

Water is to be diverted, conveyed, and/or used only on federal lands.

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

\_\_\_\_\_

***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: Galesville Res.

Tributary to: Cow Ck> S. Umpqua River>Umpqua River

Source 2: \_\_\_\_\_

Tributary to: \_\_\_\_\_

Source 3: \_\_\_\_\_

Tributary to: \_\_\_\_\_

Source 4: \_\_\_\_\_

Tributary to: \_\_\_\_\_

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

\_\_\_\_\_

**B. Applications to Use Stored Water**

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

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Yes.

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

**R9964**

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
Galesville Reservoir	Domestic Expanded	Year-round	2.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Galesville Reservoir	Irrigation of 4.0 acres	Irrigation - 3/1 - 10/31	8.92 <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: 4.0 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: 8.92

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1
- 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): 10 HP centrifetal bank mounted

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

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

Water will be pumped from the Umpqua River and piped to sprinklers for 4 acres of irrigation and to home for Domestic Expanded use. (Domestic+ .50 acre)

### B. Application Method

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

Water will be piped to irrigation area to irrigation 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 lawn/garden irrigation (.50 acre) and 4 acres of irrigation on the property. Most efficient method of irrigation will be used as feasible to prevent waste, erosion, and control of 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: Totalizing flow meter and 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: October 1, 2016

Date construction will be completed: October 1, 2017

Date beneficial water use will begin: October 1, 2018

**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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# 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(s): Joseph and Cindy Bentley

Mailing Address: 875 Indian Bend

City: Umpqua

State: OR

Zip Code: 97486

Daytime Phone: 805-407-2948

## 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>24</u>	<u>7</u>	<u>30</u>	_____	<u>1500</u>	<u>RCS</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) Galesville Reservoir

Estimated quantity of water needed: 10.92   
 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 needed for domestic expanded use and irrigation of 4 acres.

**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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*S-88252*

# For Local Government Use Only

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

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

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3, 8.050
- 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.

<p style="font-size: 1.2em; margin: 0;"><u>WS16-0474</u> <u>R12920</u></p>	<p><b>DOUGLAS COUNTY PLANNING DEPARTMENT</b> <b>ROOM 106, JUSTICE BUILDING</b> <b>DOUGLAS COUNTY COURTHOUSE</b> <b>ROSEBURG, OR 97470</b></p>
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Name: JAMIE CHARTER Title: DP

Signature: [Handwritten Signature] Phone: 541-442-4285 Date: 6-28-16

Government Entity: DOUGLAS 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: \_\_\_\_\_

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**DOUGLAS COUNTY PLANNING & BUILDING**

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

Date Printed  
6/28/2016  
10:41 am

**Permit Number: WS16-0474**  
**Job Address: 875 INDIAN BEND RD, UMPQUA**

**Receipt: P23931**

<b>Fee Description</b>	<b>Fee Amount</b>
LAND USE COMPATABILITY STATEMENT	\$165.00
<b>Total Fees Paid:</b>	<b>\$165.00</b>

Date Paid: **6/28/2016**

Paid By: **BENTLEY, JOSEPH J & CINDY S**

Pay Method: **CHECK 8857**

Received By: **COUNTER1**

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d

Douglas County Official Records  
Patricia K. Hitt, County Clerk  
2014-016115  
12/10/2014 02:13:29 PM  
DEED-WD Cnt=1 Stn=1 CAROL  
\$20.00 \$11.00 \$10.00 \$20.00 \$61.00

TJR

DOUGLAS COUNTY CLERK



CERTIFICATE  
PAGE

DO NOT REMOVE THIS PAGE FROM ORIGINAL DOCUMENT

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

First American Title  
1700 NW Garden Valley Blvd. #204  
Roseburg, OR 97471

2348430 CV

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S-00252



After recording return to:  
Joseph J. Bentley and Cindy S.  
Bentley  
775 Bismark Avenue  
Ventura, CA 93004

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Joseph J. Bentley and Cindy S. Bentley  
775 Bismark Avenue  
Ventura, CA 93004

File No.: 7391-2348430 (cv)  
Date: November 14, 2014

THIS SPACE RESERVED FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

**Glen D. Hammett and Margaret M. Hammett, Co-Trustees, The Hammett Revocable Living Trust u/a dated 3/1/91, Grantor, conveys and warrants to Joseph J. Bentley and Cindy S. Bentley as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$137,500.00**. (Here comply with requirements of ORS 93.030)

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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, 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 this 9 day of DECEMBER, 2014.

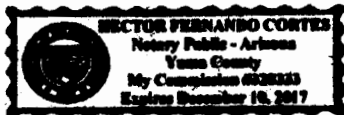
Hammett Revocable Living Trust

[Signature]  
Glen D. Hammett, Co-Trustee

[Signature]  
Margaret M. Hammett, Co-Trustee

STATE OF Arizona )  
County of Yuma )ss.  
)

This instrument was acknowledged before me on this 9th day of December, 2014 by Glen D. Hammett and Margaret M. Hammett as Co-Trustees of Hammett Revocable Living Trust, on behalf of the Trust.



[Signature]  
Notary Public for Arizona  
My commission expires: 12/10/2017

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SALEM, OR

APN: R12920

Statutory Warranty Deed  
- continued

File No.: 7391-2348430 (cv)

**EXHIBIT A**      R12920    24-07W-30-01500

**LEGAL DESCRIPTION:** Real property in the County of Douglas, State of Oregon, described as follows:

**A parcel of land lying in Section 30, Township 24 South, Range 7 West, Willamette Meridian, said parcel being more particularly described as follows: Beginning at a 5/8" iron rod set in the West line of a road right of way from which point the east one-quarter corner of the above said Section 30 bears North 530.88 feet and East 1007.12 feet; thence along the above said East line, South 0° 08' East 201.50 feet to a 5/8" iron rod; thence South 89° 58' West 1079.57 feet to the center of the Umpqua River; thence downstream along the center of said Umpqua River North 2°57' West 201.76 feet; thence North 89°58' East 1089.49 feet to the place of beginning, Douglas County, Oregon.**

**NOTE:** This Legal Description was created prior to January 01, 2008.

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