

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 GEORGE AND HEATHER NELSON			PHONE (HM) 541-997-1239
PHONE (WK)	CELL 406-698-0471		FAX
ADDRESS PO BOX 175			
CITY WESTLAKE	STATE OR	ZIP 97493	E-MAIL * HEATHER59102@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.)

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By my signature below I confirm that I understand:

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- 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.

SALEM, OR



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

George Nelson
Applicant Signature
Heather Nelson
Applicant Signature

George Nelson
Print Name and title if applicable
Heather Nelson
Print Name and title if applicable

7/20/2016
Date
7/20/2016
Date

Revise

For Department Use		
App. No. <u>5-88627</u>	Permit No. _____	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.

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: Siltcoos Lake

Tributary to: Siltcoos River

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Source 2: _____

Tributary to: _____

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Source 3: _____

Tributary to: _____

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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.)

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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
Siltcoos Lake	Domestic	Year Round	.015 <input checked="" 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
			<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: 3
- 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): 1/2 hp, submersible x 2

Other means (describe): _____

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

1 inch diameter Pipe, 100 feet length each for property 1 and 2

B. Application Method

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

NA

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.

NA

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 Filter

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: _____

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

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: _____

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: na Existing Systems

Date construction will be completed: na

Date beneficial water use will begin: na

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.

Property Addresses: #1: 4924 Darlings Loop
Florence, OR 97439
Tax Lots 1800 and 1700
Map #19-12-27-14
#2 4948 Darlings Loop
Florence, OR 97439
Tax Lot #1600
Map #19-12-27-14

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SCHEDULE A Property #1

4924

Order No.: FTE-1891

Policy No.: 0-9993-350438

Date of Policy: AUGUST 18, 1994 @ 11:26 A. M.

Amount of Insurance: \$ 130,000.00

1. Name of Insured: GEORGE R. NELSON AND HEATHER S. NELSON

2. The estate or interest in the land which is covered by this policy is:

A FEE

3. Title to the estate or interest in the land is vested in:

GEORGE R. NELSON AND HEATHER S. NELSON,
AS TENANTS BY THE ENTIRETY

4. The land referred to in this policy is described as follows:

Beginning at the Northeast corner of Lot 34, Tsiltcoos Lake Club Plat, as platted and recorded in Book 3, Page 18, Lane County Oregon Plat Records, and running thence South 119.79 feet to the true point of beginning of the following described tract of land and running thence South 55 degrees 30' West 91.01 feet; thence South to the ordinary high water mark of the Tsiltcoos Lake; thence Easterly along the high water mark to a point South of the point of beginning; thence North to point of beginning, in Lane County, Oregon.

TOGETHER with grantors interest in the following described property: All of those portions lying between the ordinary high water mark and the low water mark of the Tsiltcoos Lake of the following described tract of land: The East 75 feet of Lot 34, Tsiltcoos Lake Club Plat, as platted and recorded in Book 3, Page 13, Lane County Plat Records, in Lane County, Oregon.

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JUN 27 2003

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WATER RESOURCES DEPT.
SALEM, OREGON

SALEM, OR

S-88627

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: George R. Nelson
First Last

Mailing Address: PO Box 175

Westlake OR 97493 Daytime Phone: 541-997-1239
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:
19	12	27	14	01600	Rural Residential	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
19	12	27	14	01800	Rural Residential	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
19	12	27	14	01700		<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:

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B. Description of Proposed Use

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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) Siltcoos Lake

Estimated quantity of water needed: Less than 1 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for 3 household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Drinking Water Supply
Human Consumption, domestic use, domestic use expanded

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.

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): Comp Plan IV
- 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.

Dunes City Comprehensive Plan - Policy EB's E10
Dunes city Comprehensive Plan - (ii) Water Systems

Name: Renee Green Title: Permit Tech/Admin Assist
 Signature: Renee Green Phone: 541-997-3338 Date: 7.13.16
 Government Entity: City of Dunes City

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.

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Receipt for Request for Land Use Information

JUL 25 2016

Applicant name: _____ **SALEM, OR**
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

WARRANTY DEED

Property #2

4948

9230144

KNOW ALL MEN BY THESE PRESENTS, That DOROTHY A. NELSON, by GREG ALLEN HUNT, conservator, as to 1/2 undivided interest

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

GEORGE RICHARD NELSON

, hereinafter called

the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Lane and State of Oregon, described as follows, to-wit:

Beginning at the intersection of the West line of Lot 33, of Tsiltcoos Lake Club Plat, as platted and recorded in Book 3, Page 13, Lane County Oregon Plat Records, with the Southerly line of a private roadway described in that certain agreement between C.B. Christensen and Nancy B. Christensen, his wife; C.W. Iddings, and Theresa B. Iddings, his wife, and A.E. Sutton and Martha S. Sutton, recorded February 10, 1938, Book 193, Page 328, Lane County Oregon Deed Records, thence Southeasterly along the south line of said roadway to a point 53 1/2 feet due East of the West line of said lot 33, thence South to the South line of said Lot 33, thence Westerly to the Southwest corner of said Lot 33, thence North along the west line of said Lot to the placement of beginning, being all of the West 53 1/2 feet of said Lot 33, lying South of said roadway, in Lane County, Oregon,

ALSO, an easement for roadway purposes, on an existing road, across Lots 34 and 39, Tsiltcoos Lake Club Plat, as platted and recorded in Book 3, Page 13, Lane County Oregon Plat Records. Also, the right to use *(see back

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

Grantee will pay all past real estate taxes and accepts the property with taxes unpaid.

and that

grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 100,000.00 .

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols (H), if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 3 day of June, 1992;

if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL 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 APPROVED USES.

GREG ALLEN HUNT, Conservator for DOROTHY A. NELSON

0145JUN.03'92#02REC 10.00 0145JUN.03'92#02PFUND 10.00

STATE OF OREGON, County of Lane } ss.

This instrument was acknowledged before me on 3 June, 1992,

by GREG ALLEN HUNT, Conservator for DOROTHY A. NELSON

This instrument was acknowledged before me on June 3, 1992

by as of 0145JUN.03'92#02A&T.FUND 20.00



Lisa Walters Notary Public for Oregon My commission expires 3-18-94

Dorothy A. Nelson, c/o Greg Hunt, Conservator 492 E. 13th, Suite 201 Eugene, OR 97401

GRANTOR'S NAME AND ADDRESS

George Richard Nelson 3809 mesa Road Billings, MT 59102

GRANTEE'S NAME AND ADDRESS

After recording return to:

greg allen hunt

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:

George R. Nelson 3809 mesa Road Billings, MT 59102

NAME, ADDRESS, ZIP

STATE OF OREGON, County of } ss.

I certify that the within instrument was received for record on the day of 1992, at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME TITLE By Deputy

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JUL 25 2016

SALEM, OR

9230144

* water from an existing well on said Lot 34.
Also includes 1976 Toyota pickup and miscellaneous machinery and
personal property located on the property.

9230144

State of Oregon,
County of Lane--ss.

I, the County Clerk, in and for the said
County, do hereby certify that the within
instrument was received for record at

3 JUN 92 11: 52

Reel **1766R**

Lane County OFFICIAL Records.
Lane County Clerk

By: John E. Fawcett
County Clerk

±2988-5