

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 BRAELEE BIRTCH		PHONE (HM) 541-672-3035	
PHONE (WK)	CELL		FAX
ADDRESS 2962 W. HARVARD			
CITY ROSEBURG	STATE OR	ZIP 97471	E-MAIL * BFOX81@HOTMAIL.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 PATRICK O'CONNOR		PHONE	FAX
ADDRESS 5437 COLVER RD.			CELL 541-840-6989
CITY TALENT	STATE OR	ZIP 97450	E-MAIL * OCONNOR2627@MSN.COM

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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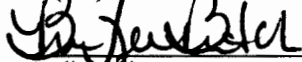
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By my signature below I confirm that I understand:

SALEM, OR

- 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

Braelee Birtch
Print Name and title if applicable

9.23.16
Date

Applicant Signature

Print Name and title if applicable

Date

Revise

For Department Use		
App. No. <u>S-88296</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: North Umpqua River

Tributary to: Umpqua River>Pacific Ocean

Source 2: _____

Tributary to: _____

Source 3: _____

Tributary to: _____

Source 4: _____

Tributary to: _____

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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
North Umpqua River	Domestic Expanded	Year round	0.01 <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: .50 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: 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): _____

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 pumped from the North Umpqua River for domestic purposes and 0.50 acre lawn/garden

B. Application Method

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

Household plumbing system and residential lawn/garden sprinkler irrigation.

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 domestic use and lawn/garden irrigation on the property. A totalizing flow restricter and ODFW approved fish screen will be installed prior to diverting water. Best residential mangement practices will be used 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: October, 2017

Date construction will be completed: October, 2018

Date beneficial water use will begin: October, 2019

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): Braelee Birtch

Mailing Address: 2962 W. Harvard

City: Roseburg

State: OR

Zip Code: 97471

Daytime Phone: 541-840-6989

672-3035

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.

1220-0721
WS10-0721

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>26S.</u>	<u>6W.</u>	<u>23b</u>	<u>SESE</u>	<u>1200</u>	<u>RC2</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) North Umpqua River

Estimated quantity of water needed: 0.01 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 purposes and 0.50 acre law/garden

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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

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): 3.9.050
- 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

R52212
WS16-0721

Name: THOMAS MCINTOSH Title: DP

Signature: [Handwritten Signature] Phone: 541-440-4289 9-26-16

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.

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Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Douglas County Official Records
Patricia K. Hitt, County Clerk

2016-014424

09/09/2016 01:08:49 PM

DEED-WD Cnt=1 Str=9 CAROL
\$15.00 \$11.00 \$10.00 \$20.00

\$56.00

70316 048492 TICOR TITLE

DOUGLAS COUNTY CLERK



CERTIFICATE
PAGE

DO NOT REMOVE THIS PAGE FROM ORIGINAL
DOCUMENT

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

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SALEM, OR

RECORDING REQUESTED BY:



940 N Garden Valley Blvd., Ste 104
Roseburg, OR 97471

GRANTOR'S NAME:
Carol J Tolar

GRANTEE'S NAME:
BreeLee K. Birtch

AFTER RECORDING RETURN TO:
BreeLee K. Birtch
*2962 W. Harvard
Roseburg, OR 97471*

SEND TAX STATEMENTS TO:
BreeLee K. Birtch
*2962 W. Harvard
Roseburg, OR 97471*
R52212
0 Fisher Road, Roseburg, OR 97471

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Carol J Tolar, Grantor, conveys and warrants to BreeLee K. Birtch, 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:

The Northerly portion of that parcel of land which is recorded in Volume 116, Page 284, Deed Records of Douglas County, Oregon, which is more particularly described as follows: Beginning at a rifle barrel on the West line of said recorded property, said beginning point being North 10° 02' West 679 feet; North 21° 14' West 291.4 feet and North 7° 28' West 69.1 feet from the exterior L corner of Donation Land Claim No. 47, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon; thence running from said beginning point North 70° 56' East 488.22 feet to a rifle barrel on the left or West bank of the North Umpqua River; thence running along said river bank North 15° 59' West 236.66 feet and North 10° 16' West 42 feet to an iron pipe; thence leaving said river bank and running South 70° 56' West 448.12 feet along the North line of said recorded property to an iron pipe at the Northwest corner of said property; thence running South 5° 14' East 157.41 feet along the West line of said recorded property to a point; thence continuing along the West line of said recorded property 127.7 feet to the place of beginning, situated in Section 23, said Township and Range.

Also that portion of property described in County Clerk's Deed Records in Volume 116, Page 284, which is described as follows: Beginning at a point on the West line of said recorded property, which is North 10° 02' West 679.0 feet and North 21° 14' West 270.82 feet from the exterior L corner of Donation Land Claim No. 47, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon; thence running from said beginning point North 21° 14' West 20.6 feet and North 7° 28' West 69.1 feet along the Westerly line of said recorded property to a rifle barrel; thence North 70° 56' East 488 feet to a rifle barrel on the Easterly line of said recorded property, which is the left bank of the North Umpqua River; thence South 15° 59' East 89 feet along said river bank to a rifle barrel; thence South 70° 56' West 496.65 feet on a line parallel to the South line of said recorded property to the place of beginning situated in Section 23, said Township and Range.

EXCEPT that portion conveyed to Douglas County for road purposes as recorded in Volume 256, Recorder's No. 219917, Deed Records of Douglas County, Oregon.

ALSO, excepting therefrom: Beginning at a point from which the exterior L corner of Donation Land Claim No. 47, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, bears South 7° 28' East 159.09 feet, South 21° 14' East 291.40 feet, and South 10° 02' East 679.00 feet; thence North 70° 56' East 474.83 feet to the West bank of the North Umpqua River; thence North 15° 59' West 147.66 feet along the West bank of the North Umpqua River; thence North 10° 16' West 42.00 feet along the West bank of the North Umpqua River; thence South 70° 56' West 448.12 feet along the North line of those lands conveyed in Volume 416, Page 761, Records of Douglas County, Oregon; thence South 5° 14' East 157.41 feet; thence South 7° 28' East 37.71 feet to the place of beginning. All lying in Section 23, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

SUBJECT TO: Covenants, Conditions, Restrictions, Reservations, set back lines, Power of Special Districts, and easements of Record, if any.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00). (See ORS 93.030).

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STATUTORY WARRANTY DEED

(continued)

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.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 9/8/2016

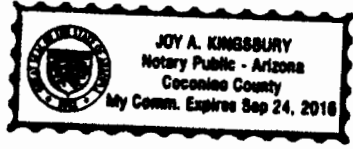
Carol J Tolar
Carol J Tolar

State of Arizona
County of Cocconino

This instrument was acknowledged before me on 8 September 2016 by Carol J Tolar.

Joy A. Kingsbury
Notary Public - State of Arizona

My Commission Expires: 9/24/2016



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