

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 SEAN NEGHERBON, CITY ADMINISTRATOR, CITY OF MYRTLE CREEK			PHONE (HM)
PHONE (WK) 541-863-3171	CELL		FAX 541-863-6851
ADDRESS PO BOX 940			
CITY MYRTLE CREEK	STATE OR	ZIP 97457	E-MAIL * SNEGHERBON@CI.MYRTLE-CREEK.OR.US

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 NATHAN JACKSON		PHONE	FAX
ADDRESS 3845 ROBERTS MT. RD.			CELL 541-591-2758
CITY MYRTLE CREEK	STATE OR	ZIP 97457	E-MAIL * NJACKSON@COWCREEK.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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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. SALEM, OR
- 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

SEAN NEGHERBON
Print Name and title if applicable

2/14/17
Date

Applicant Signature

NATHAN JACKSON
Print Name and title if applicable
General Mgr. SA

2/14/17
Date

Revise

App. No. 17-000370

For Department Use

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.

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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: Galesville Reservoir

Tributary to: Cow Creek > South 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

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
Galesville Reservoir	Primary 15 acres	March 1 - October 31	33.45 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 15 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: _____

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type): 60 Horsepower centripetal 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 is pumped through main lines to wheel lines.

B. Application Method

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

Rainbird sprinklers on wheel lines.

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 15 acres. Flow meter will be used to measure water use. Most efficient method of field irrigation will be used to prevent waste, erosion, and 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 is installed on pump intake.

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 irrigation management practices to prevent erosion and run-off.

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: System is currently installed

Date construction will be completed: N/A

Date beneficial water use will begin: March 1 2017

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): City of Myrtle Creek - Sean Negherbon, City Administrator

Mailing Address: PO Box 940

City: Myrtle Creek

State: OR

Zip Code: 97457

Daytime Phone: 541-863-3171

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>29S.</u>	<u>5W.</u>	<u>32</u>	<u>SWSE,</u> <u>SESE</u>	<u>1000</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

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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: 33.45
 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 irrigation of 15 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. →

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): 18.75.080 MCMC
- 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
	RECEIVED BY OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 17 2017	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	SALEM, OR	<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.

Permitted Per 18.75.080 MCMC

MC17-03 R62881


 City of Myrtle Creek

Name: Richard J. Hoffman Title: City Planner

Signature: *Richard J. Hoffman* Phone: 541-863-3171 Date: 02-07-17

Government Entity: City of Myrtle Creek

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: _____

89-05227

BOOK 1055 PAGE 909

TRI-CITY STATE AIRPORT

DEED

THE STATE OF OREGON, acting by and through its AERONAUTICS DIVISION, hereinafter called AERONAUTICS, conveys to the City of Myrtle Creek, an Oregon municipal corporation, hereinafter called CITY, that land situated in Douglas County, Oregon, commonly known as the Tri-City State Airport, which is described as follows:

That portion of Section 32, Township 29 South, Range 5 West of the Willamette Meridian and Section 5, Township 30 South, Range 5 West of the Willamette Meridian, Douglas County, Oregon, being described as follows:

Commencing at a point 514.5 feet South and 2864.9 feet West from the Southwest corner of the H. Adams D.L.C. 42 in said Township 29 South, Range 5 West of the Willamette Meridian; said point being the most easterly corner of that tract of land described in Volume 176, Page 31 of Douglas County Deed Records; thence North 89°29'00" East 73.98 feet to the true point of beginning; thence North 49°45'00" East 1864.82 feet; thence South 43°48'00" East 650 feet more or less to the center of the South Umpqua River; thence upstream in a southwesterly direction to the Southeast corner of that tract of land described in Warranty Deed as recorded in Volume 327, Page 954 of Douglas County Deed Records; thence North 22°23'00" West 510 feet more or less to a point which is South 49°45'00" West of the true point of beginning; thence North 49°45'00" East 1221.75 feet; thence North 40°15'00" West 165.95 feet; thence North 46°06'00" East 550 feet; thence South 89°34'00" West 576.70 feet; thence North 46°06'00" East 87.22 feet; thence North 89°34'00" East 824.62 feet; thence North 89°29'00" East 73.98 feet to the point of beginning.

Excepting therefrom any and all easements for utilities, irrigation pipelines, or roads which have been duly recorded.

The attached diagram, labeled Exhibit "A" and by this reference made a part of this Deed, depicts the above-described property.

Such conveyance is to include all easements appurtenant thereto, including the following Clear Zone Easements, which are depicted on the attached diagram, labeled Exhibit "A":

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STATE OF OREGON TO CITY OF MYRTLE CREEK

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1. Clear Zone Easement from Joseph T. Kain and Ida M. Kain, husband and wife, recorded in Book 451, Page 544, Douglas County Deed Records.
2. Clear Zone Easement from Earl D. Stonerod and Doris C. Stonerod, husband and wife, and Robert C. Jenkins and Pearl E. Jenkins, husband and wife, recorded in Book 436, Page 772, Douglas County Deed Records.
3. Clear Zone Easement from Tri-City Water District, a municipal corporation, recorded in Book 439, Page 811, Douglas County Deed Records.
4. Clear Zone Easement from Mabel Lewis, a single woman, recorded in Book 434, Page 921, Douglas County Deed Records.
5. Clear Zone Easement from El Paso Natural Gas Company, recorded in Book 385, Page 144, Douglas County Deed Records.
6. Clear Zone Easement from William P. Weaver and Mary H. Weaver, husband and wife, and C. R. Weaver, a single man, recorded in Book 438, Page 679, Douglas County Deed Records.

TO HAVE AND TO HOLD the above described real property, and all easements appurtenant thereto, to CITY, its successors and assigns, for so long as CITY, its successors and assigns, maintains and uses the property for the primary purpose of providing public airport facilities and only for such secondary and incidental purposes as are not inconsistent with the primary purpose, it being the object and intent of AERONAUTICS to expedite the orderly expansion of the Airport according to the needs of the people of the Tri-City area.

Such conveyance is made subject to the Grant Agreements between the Federal Aviation Administration of the Department of Transportation and AERONAUTICS for Federal Aviation Administration Grant Agreement, Contract No. FA69WE-3906 and Contract Amendment No. 1 dated December 14, 1972 which are incorporated herein by reference for all pertinent purposes.

Such conveyance is further made subject to all outstanding lease agreements.

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STATE OF OREGON TO CITY OF MYRTLE CREEK

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The consideration for this transfer is \$0 and the assumption by the CITY of all of the obligations, covenants, terms and conditions with respect to the operations and maintenance of the Tri-City State Airport, including AERONAUTICS' obligations under Contract No. FA69WE-3906 with the Federal Aviation Administration, and the agreement to maintain Tri-City State Airport as a public use airport for twenty years from the date of transfer.

IN WITNESS WHEREOF the STATE OF OREGON, acting by and through its AERONAUTICS DIVISION, causes this Deed to be executed this 13th day of April, 198⁸8, subject to formal acceptance by the City of Myrtle Creek as provided below.

STATE OF OREGON, acting by and through its AERONAUTICS DIVISION

Paul E. Burket
Paul E. Burket
Aeronautics Administrator

State of OREGON)
County of Marion) ss

Personally appeared before me this 13th day of April, 198⁸8, the above named Paul E. Burket, Aeronautics Administrator, and acknowledged the foregoing instrument to be the voluntary act of the STATE OF OREGON.

APPROVED AS TO
LEGAL SUFFICIENCY
Dyann Ross
Asst. Attorney General

Honda Zimmerman
Notary Public for Oregon
My commission expires:
9-16-91

Date 3/10/89

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.

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STATE OF OREGON TO CITY OF MYRTLE CREEK

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5-88370

ACCEPTANCE

The City of Myrtle Creek, acting by and through its Mayor and City Manager, accepts conveyance of the above-described real property as herein provided and agrees to assume all of the rights, privileges, duties, and obligations herein contained.

IN WITNESS WHEREOF said Mayor and City Manager hereto set their hands and seals this 24th day of April, 1988.

CITY OF MYRTLE CREEK

Robert M. Cotterell
Robert M. Cotterell, Mayor

Joseph A. Hannan
Joseph Hannan, City Manager

State of OREGON)
County of Douglas) ss

Personally appeared before me this 24th day of April, 1988, the above named Robert M. Cotterell, Mayor, and Joseph Hannan, City Manager, and acknowledged the foregoing instrument to be the voluntary act of the CITY OF MYRTLE CREEK.

Lee Pringle
Notary Public for Oregon
My commission expires: 4-9-91



STATE OF OREGON)
COUNTY OF DOUGLAS) ss.
I, SAY FIELDS, COUNTY CLERK AND RECORDER
OF CONVEYANCES, DO HEREBY CERTIFY THAT
THIS INSTRUMENT WAS RECORDED
1988 APR 25 PM 1:13

DOUGLAS COUNTY CLERK
IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY
Clay Johnson
CLERK
FEB 20 1988

89-05227

HANDEL

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STATE OF OREGON TO CITY OF MYRTLE CREEK

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Oregon Water Resources Department
Permit to Appropriate Only Stored Water - Expedited Secondary

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Today's Date: Thursday, October 27, 2016

Base Application Fee.		\$450.00
Acre feet of Stored Water to be diverted.	33.45	\$614.00
Permit Recording Fee. ***		\$450.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,514.00

OWRD Fee Schedule

Fee Calculator Version: B20130709

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