

# 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       |       | PHONE (HM) |          |
| PHONE (WK) | CELL  |            | FAX      |
| ADDRESS    |       |            |          |
| CITY       | STATE | ZIP        | E-MAIL * |

### Organization Information

|   |             |                       |                                       |
|---|-------------|-----------------------|---------------------------------------|
| NAME<br>DOUGLAS COUNTY PARKS DEPARTMENT                 |             | PHONE<br>541-464-6387 | FAX                                   |
| ADDRESS<br>1036 SE DOUGLAS AVE., JUSTICE BLDG., RM. 116 |             |                       | CELL                                  |
| CITY<br>ROSEBURG  | STATE<br>OR | ZIP<br>97470          | E-MAIL *<br>RLHOUSTO@CO.DOUGLAS.OR.US |

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

|   |             |                       |                                       |
|---|-------------|-----------------------|---------------------------------------|
| AGENT / BUSINESS NAME<br>ROCKY HOUSTON – DOUGLAS COUNTY PARKS |             | PHONE<br>541-464-6387 | FAX                                   |
| ADDRESS<br>1036 SE DOUGLAS AVE., JUSTICE BLDG., RM. 116       |             |                       | CELL                                  |
| CITY<br>ROSEBURG  | STATE<br>OR | ZIP<br>97470          | E-MAIL *<br>RLHOUSTO@CO.DOUGLAS.OR.US |

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:

- 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 have not provided my social security number in any of the materials submitted to the Department.

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

Applicant Signature

Rocky Houston  
Print Name and title if applicable

4/7/17  
Date

Applicant Signature

Print Name and title if applicable

Date

|                         |  |            |
|-------------------------|--|------------|
| App. No. <u>P-88391</u> | For Department Use<br>Permit No. _____ | Date _____ |
|-------------------------|--|------------|

applicant working  
closely w/ WM  
Please keep me  
in the loop

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ok [Signature]  
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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: North Umpqua River

Tributary to: 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.)

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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 | Equivalent to 3 Domestic Expanded | Year round    | .02 <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: \_\_\_\_\_

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: equivalent to 3 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): 1 horse power submersible pump to a 1" to 1.5" pipeline. The pipeline will run approximately 400' to an existing pump house. A small reservoir tank and purification system will be installed and the treated water will be run through an additional 1 horse power pump to push the water to the existing holding tank.

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 North Umpqua River for domestic purposes and up to 1.50 acre irrigation.

### B. Application Method

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

Water will be pumped through a 4" pipeline to sprinkler system and storage tank.

### 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 the equivalent of 3 domestic use and lawn/garden irrigation on the property. Best management 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 management practices to prevent erosion and run-off.

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Revised 2/1/2012

Surface Water/6

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**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: October 1, 2017

Date construction will be completed: October 1, 2017

Date beneficial water use will begin: March 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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# Douglas County

## Planning and Sanitation Pre-Application Worksheet

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### OTHER ACTION

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|                                      |   |  |
|--------------------------------------|---|--|
| Worksheet Number<br><b>WS17-0231</b> | Applicant<br>DOUGLAS COUNTY PARKS DEPT<br>DOUGLAS COUNTY COURTHOUSE<br>ROSEBURG, OR 97470<br>(541) 464-6367 | Owner<br>DOUGLAS COUNTY<br>1036 SE DOUGLAS AVE<br>ROSEBURG, OR 97470 |
|--------------------------------------|---|--|

### SITE INFORMATION

|   |                               |   |                               |
|---|-------------------------------|---|-------------------------------|
| Site Address<br><b>2828 WHISTLERS PARK RD ROSEBURG, OR 97</b>           | MTL<br><b>26-04W-18-00100</b> | Property ID Number (Primary)<br><b>R40680</b>                                       | Size (Acres)<br><b>162.63</b> |
| Improvement<br><b>LUCS FOR OWRD</b>                                     |                               | Proposed Use<br><b>Land Use Compatibility Statement</b>                             |                               |
| Existing Structures (Number and Type)<br><b>WHISTLERS BEND PARK</b>     |                               | Distance of Building Site from River, Creek, or Stream Bank<br><b>NONSTRUCTURAL</b> |                               |
| Directions<br><b>HWY 138 TOWARD GLIDE; LEFT ONTO WHISTLERS PARK RD.</b> |                               |   |                               |

As, for, or on behalf of, all property owners:

APPLICANT SIGNATURE: Douglas County DATE: 04-07-17

### PLANNING DEPARTMENT INFORMATION

|                     |                       |
|---------------------|-----------------------|
| Zoning<br><b>PR</b> | Overlays<br><b>FP</b> |
|---------------------|-----------------------|

### SETBACKS (Public Reserve)

|   |                                   |                                    |   |
|---|-----------------------------------|------------------------------------|---|
| Front Property Line of Right of Way<br><b>15 Feet</b> | Rear Line<br><b>5 Feet</b>        | Side Line<br><b>5 Feet</b>         | Exterior Side Line<br><b>10 Feet</b>              |
| Sign Code<br><b>NO SIGN PROPOSED - N/A</b>            | Special Setback<br><b>N/A</b>     | Riparian Setback<br><b>50 FEET</b> |   |
| Parking Spaces Required<br><b>N/A</b>                 | Building Height<br><b>35 Feet</b> | Flood Plain<br><b>Yes</b>          | Floor Height Above Ground<br><b>NONSTRUCTURAL</b> |

Conditions of Approval

**LUCS FOR OWRD FOR WATER DIVERSION APPLICATION FOR DRINKING WATER AT WHISTLERS BEND PARK; NO LAND USE AUTHORIZATION FOR DEVELOPMENT; AUTHORIZATION FOR LUCS SIGN OFF ONLY; PARK LAND USE IS PERMITTED PER 3.7.050(12)**

|  |                   |                         |                                      |
|--|-------------------|-------------------------|--------------------------------------|
| Sanitation<br><b>OSS - Existing System</b> | Sanitary District | Water<br><b>Private</b> | Access Permit Required?<br><b>NO</b> |
|--|-------------------|-------------------------|--------------------------------------|

Report Codes

**NONSTRUCTURAL SEPTIC-EXISTING PRIVATE WATER COUNTY ACCESS STATE COMPAT.**

Refer To

**NONE**

|                            |                          |                             |                           |                                     |
|----------------------------|--------------------------|-----------------------------|---------------------------|-------------------------------------|
| Approved By:<br><b>RJH</b> | Date:<br><b>4/7/2017</b> | Receipt #:<br><b>No Fee</b> | Amount:<br><b>\$ 0.00</b> | Expiration Date:<br><b>4/6/2018</b> |
|----------------------------|--------------------------|-----------------------------|---------------------------|-------------------------------------|

### SANITATION INFORMATION

|         |      |                 |                                 |
|---------|------|-----------------|---------------------------------|
| SE#     | STP# | Existing System | System: Approved ___ Denied ___ |
| Remarks |      |                 |                                 |
| By:     |      | Date:           | CSC Date:                       |

*S-80391*

# 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): Douglas County Parks - Rocky Houston, Parks Director

Mailing Address: 1036 SE Douglas Ave., Justice Bldg. Rm. 116

City: Roseburg

State: OR

Zip Code: 97470

Daytime Phone: 541-464-6367

## 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>26S</u> | <u>4W</u> | <u>18</u> | _____ | <u>100</u> | _____   | <input type="checkbox"/> Diverted            | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | _____              |
| <u>26S</u> | <u>4W</u> | <u>7</u>  | _____ | <u>100</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            | _____              |

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

|                       |  |
|-----------------------|--|
| <u>Douglas County</u> | <b>RECEIVED BY OWRD</b><br><br>APR 13 2017 |
|-----------------------|--|

## 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) North Umpqua

Estimated quantity of water needed: 0.02  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 3 Domestic Expanded

Briefly describe:

|   |
|---|
| <u>Water is needed for use at Whistlers Bend Park for domestic purposes and up to 1.5 acre lawn/garden.</u> |
|---|

**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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# For Local Government Use Only

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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): Section 3.7.050(12) DC LUDO
- 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<br>(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<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><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>R40680<br/>WS17-0231</p> | <p><b>DOUGLAS COUNTY PLANNING DEPARTMENT</b><br/>ROOM 106, JUSTICE BUILDING<br/>DOUGLAS COUNTY COURTHOUSE<br/>ROSEBURG, OR 97470</p> |
|-----------------------------|--|

Name: Ricky Hoffman Title: Planner

Signature: [Signature] Phone: 541-440-4289 Date: 04-07-17

Government Entity: Douglas County Planning Dept.

**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: Douglas County Parks

City or County: Douglas Staff contact: Rocky Houston

Signature: [Signature] Phone: 541-95-7001 Date: 4/7/17

272 649

DEED AND AGREEMENT

WHEREAS, THELMA TESTER, widow and sole heir at law of Clarence Tester, Deceased, hereinafter called Grantor, heretofore on the 31st day of July, 1957, granted to DOUGLAS COUNTY, OREGON, a body politic and corporate of the State of Oregon, hereinafter called Grantee, the right and option to purchase the real property more particularly hereinafter described.

WHEREAS, the Grantee has elected to purchase from the Grantor said real property more particularly hereinafter described, subject to the conditions which are hereinafter more particularly expressed.

NOW THEREFORE, based in part on the foregoing recitals and the further consideration of TEN DOLLARS(\$10.00) and other valuable considerations paid by the Grantee to the Grantor, receipt of which is hereby acknowledged, the Grantor does grant, bargain, sell and convey unto the said Grantee and its successors all the following real property, with the tenements, hereditaments and appurtenances situated in the County of Douglas and the State of Oregon, bounded and described as follows, to-wit:

All of Lot Five (5) in Section Seven (7), Township Twenty-Six (26) South, Range Four (4) West of the Willamette Meridian, Douglas County, Oregon, excepting therefrom a tract containing 2.029 acres described as follows: Beginning at a three-quarter (3/4) inch iron pipe driven into the ground from which the quarter section corner common to Sections seven (7) and eighteen (18), bears South fifty-six (56) degrees fifty-six (56) minutes East five hundred eighty-six and nineteen hundredths (586.19) feet; thence South fifty-eight (58) degrees sixteen (16) minutes West one hundred ninety-four and fifty-five hundredths (194.55) feet; thence North fifty-five (55) degrees nine (09) minutes thirty (30) seconds West two hundred fifty-six and fifty-six hundredths (256.56) feet to the southerly bank of the North Umpqua River; thence along said river bank North thirty-two (32) degrees three (03) minutes East one hundred thirty-nine and seventy hundredths (139.70) feet and North fifty (50) degrees twenty-two (22) minutes thirty (30) seconds East two hundred sixty-one and sixty hundredths (261.60) feet; thence, leaving the river bank and running South eleven (11) degrees fifty-seven (57) minutes East three hundred forty-four and forty-five hundredths (344.45) feet to the place of beginning.  
Net amount of land being transferred amounting to 40.541 acres, more or less, all located in the above said Section, Township, and Range, Douglas County, Oregon.

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Reserving unto the Grantor and her heirs a right-of-way of sufficient width for the passing of motor vehicles over, across and upon the lands herein conveyed as a means of ingress to and egress from the said 2.029 acres aforesaid for the use of the Grantor and her heirs and their invitees; provided however, that wherever practicable the route of such road of ingress and egress shall follow the route of such roads now constructed or hereafter by the Grantee constructed upon the lands herein conveyed.

TO HAVE AND TO HOLD the above described and granted premises unto the Grantee and its successors forever, being subject however to the following terms and conditions, each of which the Grantee, by the acceptance of this conveyance, covenants and agrees to keep and perform:

(1) The Grantee will, as soon as practicable, following the execution of this agreement, fence the 2.029 acres reserved to Grantor and her heirs aforesaid, with a new Cyclone fence with appropriate barbed wire at the top, which said fence shall provide two gates as follows; one small gate along the river side of said fence, of sufficient size for persons to pass through and another gate at such place in the boundary fence as the Grantor may designate of sufficient size to permit passage of motor vehicles. That said fence shall be on the boundary of the lands reserved to the Grantor save and except that along the river side of said fence, said fence shall be set back to a point on the banks of said river where the same will not be damaged by reason of ordinary flood waters; and the Grantee shall hereafter, so long as the Grantor and her heirs are the owners of the 2.029 acres, reserved as aforesaid, maintain said fence at its expense.

(2) That the lands herein conveyed shall be dedicated as a public park.

(3) That neither the whole nor any part of the lands conveyed shall be sold or otherwise disposed of by the Grantee except by sale or other disposition as may be authorized by the laws of the State of Oregon respecting the disposition of public park lands.

That each and all of the foregoing conditions and covenants shall be deemed covenants running with the land.

And the Grantor does warrant that she is lawfully seized in fee simple of the above granted premises free from all encumbrances except United States patent reservations, if any, and that she will and her heirs, executors and administrators shall warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

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And the Grantor does further covenant with the Grantee that the 2.029 acres of land reserved to the Grantor and her heirs aforesaid shall not be used for any purpose other than as a dwelling, which term shall not be construed to include any commercial abodes such as motels, apartments, etc. and shall not be construed to prohibit the Grantor and her heirs from renting any single dwelling now or hereafter by the Grantor, constructed upon said reserved lands. And further, that no timber or other trees upon said reserved lands shall be severed for commercial purposes.

And the Grantor does further hereby give and grant to the Grantee and its successors, the exclusive right, privilege and option to purchase the 2.029 acres aforesaid for a price determined upon a basis of \$625.00 per acre, said option to be exercised only in the event that the Grantor or her heirs shall determine to sell said reserved acreage; provided however, that in the event of any such sale and election to purchase under this option, the Grantor or her heirs, as the case may be, shall have the right to remove any buildings or other structure erected by her or by them upon said premises.

And the Grantor does hereby further consent that the access of the public shall not be restricted in the use of that part of the 2.029 acres reserved to the Grantor and her heirs aforesaid lying between the fence to be constructed by the Grantee aforesaid along the North Umpqua River edge of the reserved acres and the North Umpqua River except that such access shall not include the right of the public to picnic upon said area but only as ingress and egress.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal and the Grantee has caused these presents to be executed in its corporate name by its County Judge and County Commissioners on this 10<sup>th</sup> day of December, 1957.

Thelma Tester  
Grantor

DOUGLAS COUNTY, OREGON

By V. T. Jackson  
County Judge

By Frank A. ...  
County Commissioner

Deed and Agreement  
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By *Harold M. Aldrey*  
County Commissioner

STATE OF OREGON )  
                          )  
COUNTY OF DOUGLAS )

December 10, 1957. Personally appeared the above named  
Thelma Tester and acknowledged the foregoing instrument to be her  
voluntary act and deed.

BEFORE ME:



*J. V. Long*  
Notary Public for Oregon  
My commission expires *Jan. 1, 1958*

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242507

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For \_\_\_\_\_  
 STATE OF OREGON, )  
 COUNTY OF DOUGLAS, )  
 I, Clerk of said County, do hereby certify and declare  
 in public view that the within instrument was  
 filed \_\_\_\_\_  
 and recorded at Volume \_\_\_\_\_  
 in Page \_\_\_\_\_ of DEED  
 Records of Douglas County, Oregon.

Clerk, Douglas  
*Margie Weisenthal*  
 Deputy

INDEXED *MB*

LONG, NEUNER & DAVIS  
 LAWYERS

*Done to Make Record*

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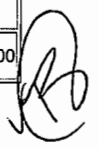


**Oregon Water Resources Department**  
**Apply for a Permit to Appropriate Surface Water**

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Today's Date: Monday, April 17, 2017

|  |                    |            |
|--|--------------------|------------|
| Base Application Fee for use of Surface and optionally Stored Water.   |                    | \$800.00   |
| Number of proposed cubic feet per second (cfs) to be diverted.<br>(1 cfs = 448.83 gallons per minute)  | .5                 | \$300.00   |
| Number of proposed Use's for the appropriated water.<br>(i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *  | 1                  |            |
| Number of proposed Surface Water points of diversions. **  | 1                  |            |
| Number of Acre Feet to be diverted from Stored Water.<br>(if the application is appropriating water from a pond/reservoir)   | 0                  |            |
| Permit Recording Fee. ***  |                    | \$450.00   |
| * the 1st Water Use is included in the base cost.<br>** the 1st Surface Water point of diversion is included in the base cost.<br>*** 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. | <b>Recalculate</b> |            |
| Estimated cost of Permit Application   |                    | \$1,550.00 |



OWRD Fee Schedule

Fee Calculator Version: B20130709

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