



Oregon Water Resources Department
Surface Water Application

- [🏠 Main](#)
- [? Help](#)
- [↶ Return](#)
- [📞 Contact Us](#)

Today's Date: Friday, March 15, 2019

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (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. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** 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		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

Application for a Permit to Use
Surface Water

RECEIVED

MAR 14 2019

OWRD



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME <i>William H. Hoag</i>		PHONE (HM) <i>541 560 4172</i>
PHONE (WK)	CELL <i>541 941 2533</i>	FAX
ADDRESS <i>2750 Mill CR. DR.</i>		
CITY <i>PROSPECT</i>	STATE <i>OR</i>	ZIP <i>97536</i>
E-MAIL *		

Organization

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

Agent – 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 proposed and final order documents will also be mailed.)

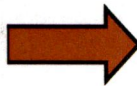
RECEIVED

FEB 19 2019

OWRD

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.
- I cannot legally use water until the Water Resources Department issues a permit.
- 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 receive 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 receive water to which they are entitled.



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

William H Hoag WILLIAM H HOAG (OWNER) 2-12-19
 Applicant Signature Print Name and Title if applicable Date

 Applicant Signature Print Name and Title if applicable 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.

RECEIVED
MAR 14 2019
OWRD

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: 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), and the locations of the point of diversion (POD):

Source 1: <u>Rogue River</u>	Tributary to: <u>PACIFIC OCEAN</u>
TRSQQ of POD: <u>32-3E-29 NWSW</u>	
Source 2:	Tributary to:
TRSQQ of POD:	

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 Section 3A above?

- Yes.
- No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

RECEIVED
FEB 19 2019
OWRD

For Department Use: App. Number: 5-88758

If *all* sources listed in Section 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: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

RECEIVED

MAR 14 2019

OWRD

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

RECEIVED

FEB 19 2019

OWRD

SECTION 5: WATER USE

OWRD

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
Rogue River	Domestic	year Round	2.25 <input type="checkbox"/> cfs <input checked="" 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

Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 0 Acres Supplemental: 0 Acres
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):
0
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 500 GPD

- 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: 0

SECTION 6: 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): _____

WATER IS CONVEYED VIA NYE DITCH WATER IS GRAVITY Fed
 Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

B. Application Method

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

INFRASTRUCTURE EXISTING FROM CURRENT IRR. SYSTEM
 — SEE ANSWER ABOVE

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.

— HUMAN CONSUMPTION ONLY NOT TO EXCEED 500 GPD

SECTION 7: 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 per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
 Describe planned actions: NYE Ditch Currently Has Fish Screens in Place
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
 Describe planned actions and additional permits required for project implementation: _____
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: _____
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
 Describe planned actions: _____
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: when permit is granted
- b) Date construction will be completed: with in 5 yrs of receiving permit
- c) Date beneficial water use will begin: when permit is granted

SECTION 9: WITHIN A DISTRICT

- Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name <u>NYE Ditch</u>		Address <u>PO BOX 93</u>	
City <u>Prospect</u>	State <u>Oregon</u>	Zip <u>97536</u>	

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

SEE ATTACHMENT

For Department Use: App. Number: 5-88758

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

RECEIVED
MAR 14 2019
OWRD

Applicant

NAME <i>William H HOAG</i>		PHONE (HM) <i>541-560-4172</i>	
PHONE (WK)	CELL <i>541-941-2533</i>	FAX	
ADDRESS <i>2750 Mill Creek DR</i>			
CITY <i>PROSPECT</i>	STATE <i>OR</i>	ZIP <i>97536</i>	E-MAIL*

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:
<i>33</i>	<i>2E</i>	<i>16</i>	<i>NWNE</i>	<i>204</i>		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>Dom</i>
						<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:

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 Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) *Rogue River*

Estimated quantity of water needed: *500 GPD* cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for *1* household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Requesting Domestic water from Rogue River

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.

RECEIVED

MAR 14 2019

OWRD

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): Table 6.2-1
- 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.

Use is allowed by right / use to serve dwelling

NAME <i>Summer Williams</i>	TITLE: <i>Planner I</i>
SIGNATURE <i>[Signature]</i>	DATE: <i>2/15/19</i>
PHONE: <i>341-774-6907</i>	
GOVERNMENT ENTITY <i>Jackson County Development Services</i>	

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: _____

5-88758

This application requests an exception to the 80% water availability calculation, as permitted under OAR 690-410-0070(2)(a). Under the rule, when a stream is otherwise over-appropriated to the extent that water is not available based on the 80% exceedance methodology, “some additional uses may be allowed where the public interest in those uses is high and uses are conditioned to protect instream values.” There can be no question that water for human consumption constitutes a high public interest. ORS 536.310(3) expresses state policy that adequate and safe supplies of water are to be preserved and protected for human consumption. ORS 536.310(12) provides that when proposed uses of water are in conflict, or supplies are inadequate for all who desire to use them, preference shall be given to human consumption over all other uses. Applicable OWRD guidance documents also confirm the Department’s previous determination of a high public interest in providing water for human consumption needs. *See*, OWRD Guidance Memo dated August 15, 2008 relating to Water Availability Determinations for HC [human consumption] applications; Guidance Memo dated December 5, 1996, relating to Human Consumption and Instream Water Rights; Guidance Memo dated August 26, 1996, relating to Instream Water Right “Exceptions” and human consumption use.

RECEIVED
FEB 19 2019
OWRD

RECEIVED
MAR 14 2019
OWRD

5-88758

Grantor's Name and Address
 WILLIAM H. HOAG
 PO BOX 27
 PROSPECT, OREGON 97536
 Grantee's Name and Address
 WILLIAM H. HOAG AND
 NADA ATWOOD, TRUSTEES
 HOAG LIVING TRUST
 DATED MARCH 24, 2008
 PO BOX 27
 PROSPECT, OREGON 97536
 After recording, return to:
 JAMES H. SMITH, ATTORNEY AT LAW
 711 BENNETT AVENUE
 MEDFORD, OREGON 97504
 Until requested otherwise, send all tax statements to:
 WILLIAM H. HOAG
 NADA ATWOOD
 PO BOX 27
 PROSPECT, OREGON 97536

Jackson County Official Records 2008-013671
 R-WD
 Cnt=1 Stn=7 MANCUST 04/10/2008 03:49:37 PM
 \$10.00 \$5.00 \$5.00 \$11.00 Total: \$31.00



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
 Christine Walker - County Clerk

RECEIVED
 MAR 14 2019
 OWRD

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that WILLIAM H. HOAG, hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by WILLIAM H. HOAG AND NADA ATWOOD, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE HOAG LIVING TRUST DATED MARCH 24, 2008, AND ANY AMENDMENTS THERETO, hereinafter called grantee, do hereby grant, bargain, sell and convey unto grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Jackson County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to the Grantor at the time Grantor acquired the property. The limitations contained herein expressly do not relieve Grantor of any liability or obligation under this instrument, but merely define the scope, nature and amount of such liability or obligations.

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

And grantor hereby covenants to and with 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 except: NONE, and that grantor will warrant and forever defend the 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 \$ 0.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

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

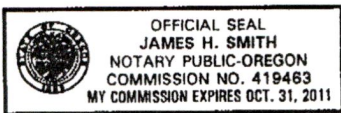
IN WITNESS WHEREOF, the grantor has executed this instrument this 24th day of March, 2008 if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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. 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.

WILLIAM H. HOAG

State of Oregon)
) : ss.
 County of Jackson)

Before me this 24th day of March, 2008, personally appeared WILLIAM H. HOAG, and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public of Oregon
 My Commission expires: 10/31/2011

RECEIVED
 FEB 19 2019
 OWRD

5-88758

EXHIBIT "A"

RECEIVED

MAR 14 2019

OWRD

Beginning at the east sixteenth corner between Sections 9 and 16 in Township 33 South Range 2 East of the Willamette Meridian in Jackson County, Oregon; thence along the east line of the West Half of the Northeast Quarter of said Section 16, South 1°27'02" West 761.46 feet to a brass cap monument; thence North 75°15'00" West 308.76 feet to a pipe; thence North 37°20'00" West 400.00 feet to a pipe; thence North 11°45'00" West 250.00 feet to a pipe; thence North 73°30'00" West 270.00 feet to a pipe; thence South 78°49'00" West 460.00 feet to a pipe on the north-south center line of said Section 16; thence North 1°24'16" East, along said line; to the northwest corner of the Northeast Quarter of said Section; thence South 86°02'55" East to the point of beginning. EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its State Highway commission by deeds recorded in Volume 478 page 158, Volume 487 page 154, and Volume 506 page 446 of the Deed Records of Jackson County, Oregon.

ALSO: Commencing at a 2" brass capped iron pipe set for the east sixteenth corner common to Sections 9 and 16 in Township 33 South, Range 2 east of the Willamette Meridian in Jackson County, Oregon, thence South 86°02'55" East, along the southerly boundary of Section 9, said Township and range, 114.58 feet to a 5/8" iron pin for the true point of beginning; thence, along the arc of a 61.84 foot radius curve to the left, the long chord of which bears North 46°16'35" East 91.44 feet, a distance of 102.91 feet to a 5/8" iron pin; thence South 1°23'55" East 67.90 feet to a 3/4" iron pin on the southerly boundary of Section 9, Said Township and Range; thence North 86°02'55" West, along said southerly boundary, 67.90 feet to the true point of beginning.

ALSO: Beginning at a 2" brass capped iron pipe set for the east sixteenth corner common to Sections 9 and 16 in Township 33 South, Range 2 east of the Willamette Meridian in Jackson County, Oregon; thence South 86°02'55" East, along the southerly boundary of Section 9, said Township and range, 182.48 feet to a 3/4" iron pin; thence North 1°23'55" West 754.16 feet to a 1-1/4" iron pipe intended to be on the southerly boundary of Mill Creek Drive; thence North 77°25' East, along said southerly boundary, 30.58 feet to a 5/8" iron pin; thence leaving said southerly boundary, South 1°23'55" East 692.19 feet to a 5/8" iron pin; thence, along the arc of a 91.84 foot radius curve to the right, the long chord of which bears South 46°16'35" West 135.80 feet, a distance of 152.84 feet to a 5/8" iron pin; thence North 86°02'55" West 112.52 feet to a 5/8" iron pin intended to be on the westerly boundary of the Northeast Quarter of the Northeast Quarter of Section 16, said Township and Range; thence North 0°01'45" East, along said westerly boundary, 30.07 feet to the point of beginning.

RECEIVED

FEB 19 2019

OWRD

2'

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership - *copy of deed or proof of ownership*
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

RECEIVED

MAR 14 2019

OWRD

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- 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.
- Fees - Amount enclosed: \$ _____
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

RECEIVED

FEB 19 2019

OWRD

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

RECEIVED

FEB 19 2019

OWRD

RECEIVED

MAR 14 2019

OWRD

2:46
8:00



JACKSON
COUNTY
Oregon

Development Services

10 S. Oakdale Ave, Room 100 • Medford, OR 97501-2902 • Phone: 541-774-6900 • Fax: 541-774-6791

Request for Assistance

RECEIVED

MAR 14 2019

OWRD

* Indicates Required

PLEASE PRINT:

Nada
William H Hoag
*Name (Person completing this form)

541 560 4172
541 840 8714
*Phone

Property Owner (If different from above)

Email

439-19-00270-ZON (LULS)
Associated Permit / Case # (s) (i.e. ZON2004-00999, BLD2003-00899)

PROPERTY IDENTIFICATION:

2750 Mill Ck Dr 33 2E 16 204
*Site Address Township Range Section 1/4 Section Taxlot

Site Address Township Range Section 1/4 Section Taxlot

Site Address Township Range Section 1/4 Section Taxlot

***HOW CAN WE ASSIST YOU? (Please be as specific as possible)**

water resources

OSD-5 439-00-12-FC 439-2001-0004-R3 (P)



www.jacksoncounty.org

Transaction Receipt

439-19-00270-ZON

Receipt Number: 259364

Receipt Date: 2/15/19

Jackson County Planning Department

Development Services Planning Division
10 S Oakdale Ave, Room 100
Medford, OR 97501
541-774-6907
Fax: 541-774-6791
jcplanning@jacksoncounty.org

Worksite address: 2750 MILL CR DR, PROSPECT, OR
Parcel: 33-2E-16-204

Fees Paid

Transaction date	Units	Description	Account code	Fee amount	Paid amount
2/15/19	1.00 Ea	Type I Counter Permit	3701040000.45105.1300	\$116.00	\$116.00

Payment Method: Check number: 6460 Payer: William Hoag Payment Amount: \$116.00
 Transaction Comment: LUCS_sw

Cashier: Summer M. Williams **Receipt Total: \$116.00**

RECEIVED
MAR 14 2019
OWRD

5-88758



Oregon Water Resources Department
Surface Water Application

[Main](#)

[Help](#)

[Return](#)

[Contact Us](#)

Today's Date: Tuesday, February 12, 2019

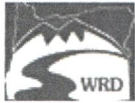
Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	.005	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	0	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** 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		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

RECEIVED
MAR 14 2019
OWRD

5-88758



**Oregon Water Resources Department
Surface Water Application**

- [Main](#)
- [Return](#)
- [Help](#)
- [Contact Us](#)

Today's Date: Tuesday, February 19, 2019

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (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. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** 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		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

RECEIVED
MAR 14 2019
OWRD

S-88758



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

February 20, 2019

William H Hoag
2750 Mill Creek Dr
Prospect OR 97536

RECEIVED

MAR 14 2019

OWRD

Dear William H Hoag:

The Water Resources Department has received your application for a permit to use surface or ground water. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the enclosed checklist.

Should you have any questions, please contact Water Right Customer Service at 503-986-0810.

Sincerely,

Judy Ferrell
Water Rights Customer Service

Cc: OWRD Fiscal

This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.

5-88758



Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

- A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*