

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.oregon.gov/OWRD

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME MARCIA RAMSAY-COOTS		PHONE (HM)	
PHONE (WK)	CELL 541.944.1757	FAX	
ADDRESS 306 PARK DRIVE			
CITY SHADY COVE	STATE OR	ZIP 97539	E-MAIL * MARCIRAMSAY-COOTS@WINDERMERE.COM

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.

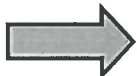
AGENT / BUSINESS NAME RICK PARSONS / PARSONSWATER CONSULTING LLC		PHONE 541.499.0257	FAX
ADDRESS 1619 MINEAR ROAD			CELL 303.667.5067
CITY MEDFORD	STATE OR	ZIP 97501	E-MAIL * RICK.PARSONS@PARSONSWATER.COM

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 proposed and final order documents will also be mailed.)

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

		10/9/20
Applicant Signature	Print Name and Title if applicable	Date
		10/5/2020
Applicant Signature	Print Name and Title if applicable	Date

Memorandum

Oregon Water Resources Department Water Rights Service Division

To: File, S-88890 and S-88889

From: Judy Ferrell

Subject: Shane Ramsay as applicant

Date: October 23, 2020

On October 23, 2020, agent Rick Parsons clarified that Shane Ramsay is also an applicant, at the same mailing address. His additional contact information is noted below.

Shane Ramsay

541-944-1757

shane@ramsayelectric.com

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.

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- 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).*

Shady Cove Property Owners Assn. POB 968 Shady Cove, OR 97539

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: Rogue River	Tributary to: Pacific Ocean
TRSQQ of POD: Section 15 Township 34 South Range 1 West	
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.)

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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.

- 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.

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

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

Yes No

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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.

SECTION 5: 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
Rogue River	Human Consumption; limited to 500 gpd	1/1 - 12/31	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: _____ Acres Supplemental: _____ Acres
 If supplemental acres are listed, provide 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: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 2-1/2 hp gas motor
- Other means (describe): _____

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

PVC pipeline from Rogue River down Laurel Drive (Tax Lot 3900, for which easement will be forthcoming) to Tax Lots 600, 601 and 602. Storage tanks will be installed to facilitate delivery to residences on the three Tax Lots.

B. Application Method

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

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.

Limit of 500 gpd. Domestic water supply on the property is necessary for livelihood. Water will be supplied to houses on three Tax Lots for indoor use. Water diverted from river will be recorded via totalizer meter.

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: ODFW will be consulted to ensure approved screen is incorporated into delivery system.

- 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: Pump and pipeline will be placed within easement to be secured from Shady Cove Property Owners Association. Installation will minimize area of impacts; all of which will total less than one acre.

- 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: ODFW will be consulted to ensure installation can be timed and implemented with minimal impact to riverine system.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: Installation of pump and pipeline will minimize area of impact. Impact area is rocky and no waste or runoff is expected as part of installation.

- 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: Before 2026; coincident with home construction on the property
- b) Date construction will be completed: Within one year of start date
- c) Date beneficial water use will begin: Upon occupancy of residence

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	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (*Attach additional sheets if necessary*). Municipal water service is provided to portions of Shady Cove, Oregon that are situated north and west of the Rogue River. Applicant owns three adjacent, vacant Tax Lots (600, 601, 602) that are located approximately 300 feet to 500 feet east of the Rogue River. Municipal water delivery is unlikely to be available in the short- or medium-term. In addition, well yields in the area are sporadic. To ensure their ability to use the lots for residences, Applicant is filing for a single Human Consumption right to supply water to the three properties. To allow for irrigation on the three ~8000 square foot lots, Applicant is also filing an application for secondary use of water for irrigation pursuant to a contract with Reclamation for deliveries from Lost Creek Lake.

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
- 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

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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: \$ 1800
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)

Jackson County Official Records **2006-020172**
R-BSD
Cnt=1 Sin=6 HELMANCD 04/17/2006 08:03:37 AM
\$15.00 \$5.00 \$11.00 **Total:\$31.00**



I, Kathleen S. Beckett, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Kathleen S. Beckett - County Clerk

THIS SPACE RESERVED

After recording return to:
Marcia Jean Ramsay

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

Date: April 13, 2006

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STATUTORY BARGAIN AND SALE DEED

Marcia Jean Ramsay and Jami Shane Ramsay, Grantor, conveys to **Marcia Jean Ramsay and Jami Shane Ramsay and Lisa Rene Ramsay**, Not as tenants in common but with right of survivorship, Grantee, the following described real property:

See attached Exhibit 'A'

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is **\$0.00**. (Here comply with requirements of ORS 93.030)

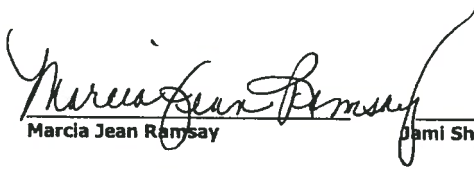
Dated this 13 day of April, 2006.

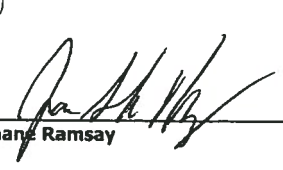
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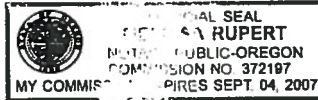
OCT 21 2020

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Bargain and Sale Deed
- continued


 Marcia Jean Ramsay


 Jami Shane Ramsay



STATE OF Oregon)
)ss.
 County of Jackson)

This instrument was acknowledged before me on this 13th day of April, 2006
 by Marcia Jean Ramsay and Jami Shane Ramsay.

Melissa Rupert

Notary Public for Oregon
 My commission expires:

2-

Exhibit A

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Commencing at a 5/8" x 30" iron pin marking the center quarter corner of Section 15 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence North 09-33'00" East 21.86 feet to a 1-1/2" iron pin (at the northeast corner of Shady Cove Subdivision (unrecorded), thence South 89-00'00" West 480.00 feet, thence South 01-00'00" East 136.00 feet to a 5/8" iron pin at the point of beginning of Tract C described in Volume 586 page 92 of the Deed Records of Jackson County, Oregon, thence North 01-07'00" West 44.00 feet to the northwest corner of said Tract C, thence along the northerly boundary of said Tract C as follows: North 74-04'07" East 62.10 feet (record North 74-03' East 62.0 feet) to a 5/8" iron pin, North 89-00'00" East 60.00 feet to a 5/8" iron pin, North 89-00'00" East 60.00 feet to a 5/8" iron pin, and North 74-30'00" East 30.47 feet for the true point of beginning; thence along the northerly boundary of said Tract C as follows: South 74-30'00" West 30.47 feet to a 5/8" iron pin; thence South 89-00'00" West 60.00 feet to a 5/8" iron pin; thence South 01-00'00" East 120.00 feet to the southerly boundary of said Tract C; thence along the southerly boundary of said Tract C, North 89-00'00" East 89.50 feet; thence North 01-00'00" West 127.63 feet to the true point of beginning.

3/

97-36965

75 CT-ACcom

This instrument filed for record as an accommodation only, it has not been examined as to its execution or as to its effect upon the title.

Crater Title Insurance Co.

Crater's Name and Address

Crater's Name and Address

After recording, return to (Name, Address, Zip):

Until requested otherwise, send all tax statements to (Name, Address, Zip):
Marcia L. Ramsay, Jane S. Ramsay,
Lisa R. Ramsay
625 B East Jackson Ste 333
Medford, OR 97504

STATE OF OREGON,

County of _____ ss.

I certify that the within instrument was received for record on the _____ day _____, 19____, at _____

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

SPACE RESERVED FOR RECORDER'S USE

recorded in _____ on page _____ of instru-

of County _____

OCT 02 1997

2:00 PM

Jean Lund
COUNTY CLERK

_____, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that _____ JEAN LUND

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto MARCIA JEAN RAMSAY, JANE SHANE RAMSAY AND LISA RENE RAMSAY, not as tenants in common but with the right, hereinafter called grantees, and unto grantee's heirs, successors and assigns, all of 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:

**right of survivorship

Commencing at at 5/8" iron pin marker; the center quarter corner of Section 15 in Township 34 South Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence North 09 33'00" East 21.86 feet to a 1-1/2" iron pin [at the northeast corner of Shady Cove subdivision (unrecorded), thence South 89 00'00" West 460.00 feet, thence South 01 00'00" East 136.00 feet to a 1 5/8" iron pin at the point of beginning of Tract C described in Volume 506 page 92 of the Deed Records of Jackson County, Oregon, North North 01 00'00" East 44.00 feet to the northeast corner of said Tract C, thence along the northerly boundary of said Tract C as follows: North 74 04'07" East 62.10 feet, (record North 74 03' East 62.0 feet) to a 3/8" iron pin, North 89 00'00" East 60.00 feet to a 5/8" iron pin, North 89 00'00" East 60.00 feet to a 5/8" iron pin, and North 74 30'00" East 30.47 feet, for the true point of beginning; thence North 73 30'00" East 39.13 feet to a 5/8" iron pin on the northerly boundary of Tract B described in said Volume 586 page 92 of said Deed Records; thence North 88 12'00" East, along said northerly boundary, and its easterly prolongation, 46.30 feet to a 5/8" iron pin the northerly boundary of said Tract C; thence South 79 39'00" East 16.32 feet (Record 16.1 feet) to a 3/8" iron pin at the northeast corner of said Tract C; thence South 01 00'00" East 144.56 feet (Record 146.33 feet) to a 5/8" iron pin at the southeast corner of said Tract C; thence along the southerly boundary of said described Tract C as follows: North 74 30'00" West 61.23 feet (record 61.1 feet) to a 5/8" iron pin, and South 87 00'00" West 30.50 feet; thence, leaving the southerly boundary of said Tract C, North 01 00'00" West 127.63 feet to the true point of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 20,000.00

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.

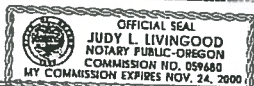
IN WITNESS WHEREOF, the grantor has executed this instrument this 1st day of OCTOBER, 1997, if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Jean Lund
Jean Lund

STATE OF OREGON, County of Jackson ss.
This instrument was acknowledged before me on September 14, 1997,
by Jean Lund

This instrument was acknowledged before me on _____, 19____,
by _____
ss _____
of _____



Judy L. Livingood
Notary Public for Oregon
My commission expires Nov. 24, 2000

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96-33794

JACKSON COUNTY TITLE DIVISION
CONFIDENTIAL LAWYERS TITLE COMPANY
502 W. Main Street (P. O. Box 218) Medford, OR 97501 (541) 779-2811

70430cs
Accounts

20-
10-
20

CITY OF SHADY COVE FILE NO. 96-05-LLA
PROPERTY LINE ADJUSTMENT DEED

40 }
341W15CA - x1600 }
 x1700 }
 x1900 }

KNOW ALL MEN BY THESE PRESENTS, that ,

JESS A. STORM AND ELLEN M. STORM, Trustees of the STORM FAMILY TRUST u.s.d. March 26, 1993, and SHADY COVE DEVELOPMENT COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Oregon

hereinafter called the Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

SHADY COVE PROPERTY OWNERS ASSOCIATION, formerly known as SHADY COVE DEVELOPMENT COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Oregon

hereinafter called the Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of JACKSON State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ 0.00

WHERE THE CONTENT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 7th day of October, 1996.

"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, AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

Jess A. Storm
JESS A. STORM, TRUSTEE

Ellen M. Storm
ELLEN M. STORM, TRUSTEE

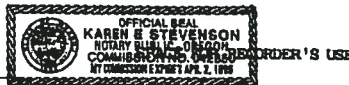
Paula H. Teudeau
(Secretary, Shady Cove Property Owners Association)

Barbara J. Ingle
Robert G. Betts

STATE OF OREGON
COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 7th day of October, 1996, by Barbara J. Ingle and Robert G. Betts.

Karen E. Stevenson
Notary Public for Oregon



My commission expires 4-2-9699 (B)

Mail Tax Statements to:

Grantee
REMAINS AS OF RECORD

JACKSON COUNTY TITLE DIVISION has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency as to its effect upon the title to any real property that may be described therein.

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OCT 21 2020

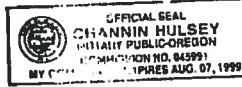
OWRD

96-33794

STATE OF OREGON
COUNTY OF JACKSON

The foregoing instrument was acknowledged before me this 2ND day of OCTOBER, 1996, by JESS A. STORM and ELLEN M. STORM, who executed the within instrument as THEIR voluntary act and deed.

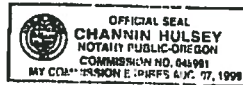
Channin Hulsey
Notary Public for Oregon
My commission expires 8/7/99



STATE OF OREGON
COUNTY OF JACKSON

The foregoing instrument was acknowledged before me this 3RD day of OCTOBER, 1996, by PAULA M. TRUDEAU, SECRETARY of SHADY COVE DEVELOPMENT COMPANY, a corporation, on behalf of the corporation.

Channin Hulsey
Notary Public for Oregon
My commission expires 8/7/99



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2

96-33794

EXHIBIT "A"

Commencing at a 5/8" rebar found set for the center
Quarter corner to Section 18, Township 34 South, Range 1 West
of the Willamette Meridian in Jackson County, Oregon; thence
North 9° 13' 48" East, 21.87 feet to a 1/4" iron pin located
at the Northeast corner of Shady Cove Subdivision, an
unrecorded subdivision; thence along the East boundary of
said unrecorded subdivision, South 8° 02' 58" West (record -
South 1° 08' East), 667.79 feet to a 5/8" rebar found set for
the Northwesterly corner of Block 9 of said subdivision;
thence along the Northwesterly boundary of said Block 9,
North 66° 06' 52" West (record - North 66° 18' West), 261.18
feet to a 5/8" rebar with plastic cap set for an angle point
on the Westerly Boundary of Parcel No. 1 as described in
Instrument No. 93-12895 of the Official Records of said
County for the TRUE POINT OF BEGINNING; thence North
65° 06' 52" West (record - North 65° 18' West), 21.86 feet to
a 5/8" rebar found set for the most Westerly corner of said
Parcel and also being the Southeastly corner of the Fir
Street, a road, right-of-way; thence North 38° 06' 14" East,
16.437 feet (record - North 37° 03' East, 16.44 feet) to a
5/8" rebar with plastic cap set for the Northeastly corner
of the Fir Street right-of-way; thence along the Northerly
right-of-way line of relocated Fir Street as follows: South
65° 06' 52" East, 19.712 feet; thence South 47° 05' 18"
East, 23.47 feet; thence 16.183 feet on the arc of a
18.88-foot radius curve left (the long chord bears South
88° 33' 05" East, 13.824 feet); thence North 56° 49' 08"
East, 62.894 feet; thence 14.838 feet on the arc of a
98.88-foot radius curve right (the long chord bears North
75° 23' 08" East, 81.487 feet); thence South 88° 03' 08"
East, 23.87 feet to a 5/8" rebar with plastic cap set on the
Westerly right-of-way line of Old Ferry Road; thence along
said road line 16.246 feet on the arc of a 1838.88-foot
radius curve left (the long chord bears South 8° 06' 27"
West, 15.246 feet) to a 5/8" rebar with plastic cap set;
thence leaving said road line and running along the Southerly
right-of-way line of said relocated Fir Street as follows:
North 88° 03' 08" West, 35.85 feet; thence 78.318 feet on the
arc of a 82.88-foot radius curve left (the long chord bears
South 75° 23' 08" West, 68.183 feet); thence South
56° 49' 08" West, 62.894 feet; thence 36.876 feet on the arc
of a 26.88-foot radius curve right (the long chord bears
North 88° 33' 05" West, 33.862 feet); thence North
47° 05' 18" West, 21.85 feet to the TRUE POINT OF BEGINNING.

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October 29, 2020

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Coots HC Application pg 1 of 2

Attachment 2: Land Use Information Form

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

Applicant

NAME MARCIA RAMSAY-COOTS			PHONE (HM)		
PHONE (WK)		CELL 541.944.1757		FAX	
ADDRESS 306 PARK DRIVE					
CITY SHADY COVE		STATE OR	ZIP 97539	E-MAIL* MARCIRAMSAY-COOTS@WINDERMERE.COM	

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:
34S	1W	15	NE SW	3900	Rural Tract	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Domestic
34S	1W	15	NE SW	600	Residential	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Domestic
34S	1W	15	NE SW	601	Residential	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Domestic
34S	1W	15	NE SW	602	Residential	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Domestic

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

Jackson

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: 2.25 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Application is for use of water for Indoor use (i.e., human consumption)

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): NA
- 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 checked="" 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.

NAME: <u>Debby Jermain</u>		TITLE: <u>Planning Technician</u>	
SIGNATURE: <u>Debby Jermain</u>	PHONE: <u>541-878-8204</u>	DATE: <u>10/27/20</u>	
GOVERNMENT ENTITY: <u>City of Shady Cove</u>			

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: _____



File #: _____

Oregon Water Resources Department

Application Supplement for Human Consumption & Livestock Uses

For water use permit applications within or above scenic waterways, or from streams for which water is not available due to required instream flows, the Department may issue limited permits for human consumption and livestock uses. Human consumption is limited to indoor use for drinking, cooking, and sanitation and is limited to 500 gallons per day. It does not include outdoor uses such as lawn watering, garden watering or other similar uses.

In order to issue a permit to you for human consumption or livestock use, the Department must find that you cannot reasonably obtain water from any other source. For human consumption, an additional finding must be made that denial of the water right would result in loss of reasonable expectations for use of your property. For livestock use, additional findings must be made that issuance of a permit is necessary to prevent the livestock from watering in or along the stream bed and that you have excluded livestock from the stream and the adjacent riparian zone.

Please answer the following questions, and sign and return this form to Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266.

1. Can you reasonably obtain water from any other source? Yes No

If not, please describe why each of the following options are not reasonable:

- a. Groundwater, such as a well on yours or a neighbor's property. (If expense is the reason groundwater is not reasonable, please provide two estimates of the cost.)

Well yields in the area are sporadic and not sure to provide sufficient supply for indoor use over the long term.

- b. Securing stored water from upstream reservoirs.

Lost Creek Reservoir is a federal project that provides contract water for irrigation and municipal use but does not enter into contracts with individuals or for domestic use.

- c. Trucking water. (If expense is the reason this option is not reasonable, please provide a copy of an estimate of the cost of trucking water.)

Trucking water would cost approximately \$100/week or \$5,000/yr, which is cost-prohibitive.

d. Community or municipal water suppliers.

Hiland Water Company supplies water to subdivisions located on the west side of the Rogue River but the subject properties are located on the east side of the river.

e. Tying in to a neighboring property's spring.

No nearby springs have been identified in the area.

f. Transferring existing water rights to your proposed use(s).

[Empty box for transferring existing water rights]

Please identify any other alternate water sources you have considered, and why they are not feasible:

[Empty box for alternate water sources]

2. If you are seeking a permit for **human consumption use**, would denial of your application result in loss of reasonable expectations for use of your property?

Yes No NotApplicable

If so, please describe how:

Domestic water supply on a property is necessary for livelihood. Absence of that supply limits the use of the property.

3. If you are seeking a permit for **livestock use**, is the proposed use necessary to prevent the livestock from watering in or along the stream bed?

Yes No Not Applicable

4. If you are seeking a permit for **livestock use**, have you excluded livestock from the stream and the adjacent riparian zone?

Yes No Not Applicable

Applicant Signature: [Signature]

Date: 10/9/20

Applicant Signature: [Signature]

Date: 10/05/2020



Today's Date: Tuesday, September 8, 2020

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	0.005	\$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. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
	Subtotal:	\$1,280.00
Permit Recording Fee. ***		\$520.00
<p>* 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.</p>	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,800.00

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