

# MONEY SLIP

DATE: <u>01/19/2021</u>	RECEIPT #: <u>134351</u>
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RECEIVED FROM: <u>Boque River Family Farms LLC</u>	APPLICATION
	PERMIT
	TRANSFER

CASH	CHECK #	OTHER (IDENTIFY)	
<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>270</u>	<input type="checkbox"/>	TOTAL REC'D \$ <u>2,650.00</u>

1083 TREASURY	4170 MISC CASH ACCT.
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0407 COPIES	\$
OTHER: (IDENTIFY) _____	\$

0243 Instream Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

1083 TREASURY	4270 WRD OPERATING ACCT.
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<b>MISCELLANEOUS</b>		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE (IDENTIFY) _____		\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$
0240 EXTENSION OF TIME _____		\$

<b>WATER RIGHTS</b>		<b>EXAM FEE</b>	<b>RECORD FEE</b>
0201 SURFACE WATER	\$		0202 \$
0203 GROUND WATER	\$		0204 \$
0205 TRANSFER	\$		

<b>WELL CONSTRUCTION</b>		<b>EXAM FEE</b>	<b>RECORD FEE</b>
0218 WELL DRILL CONSTRUCTOR	\$		0219 \$
LANDOWNER'S PERMIT			0220 \$
OTHER (IDENTIFY) _____			

0607 TREASURY	0467 HYDROELECTRIC
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0233 POWER LICENSE FEE (FW/WRD)		LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)			\$

HYDRO APPLICATION	\$
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**SPECIAL INSTRUCTIONS:**

RETURN TO APPLICANT - LETTER ATTACHED

# Application for a Permit to Use Groundwater



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 JENNIFER DRIVER			PHONE (HM)
PHONE (WK)	CELL 936-554-4375		FAX
ADDRESS 280 SPRING CREEK DRIVE			
CITY NACOGDOCHES	STATE TX	ZIP 85965	E-MAIL* jdriverford@msn.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 HOLLIE CANNON / WATER RIGHT SOLUTIONS, LLC		PHONE	FAX
ADDRESS 409 PINE ST #311			CELL 541-821-5848
CITY KLAMATH FALLS	STATE OR	ZIP 97601	E-MAIL* HCANNON@WATERRIGHTSOLUTIONS.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.)

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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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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

  
Applicant Signature

Jennifer Driver - owner 9/1/20  
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.

- 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.

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**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. *(See attached deed)*

**SECTION 3: WELL DEVELOPMENT**

WELL NO	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
#1	PLEASANT CREEK	666.5 FT	71 FT

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

THIS WILL BE A NEW WELL.

**SECTION 3: WELL DEVELOPMENT, continued**

**Total maximum rate requested: 25 GPM** (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

**The table below must be completed for each source to be evaluated or the application will be returned.** If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL #1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6"	+1 TO 100'	NA	0 TO 100'	NA	FRACTURED GRANITE	350'	25	17
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

\* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.  
 \*\* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.  
 \*\*\* Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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For Department Use: App. Number: \_\_\_\_\_

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**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 if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) 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 TRSQQ or the Lat/Long of a POA 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/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

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

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

Is the well or proposed well 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, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:**

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the 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 well or proposed well located in an area where the Lower Columbia rules apply?

Yes  No

**If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified 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, you will be required to provide the following information, if applicable.

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 well or proposed well located in an area where the Statewide rules apply?

Yes  No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that 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**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery	Year around	10
Multipurpose storage	Year around	7

**For irrigation use only:**

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: \_\_\_\_\_ Acres Supplemental: \_\_\_\_\_ Acres

If you listed 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: \_\_\_\_\_ (Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5,000 gallons per day for a single industrial or commercial purpose are exempt from permitting requirements.)

For Department Use: App. Number: \_\_\_\_\_

- If the use is mining, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): \_\_\_\_\_

## SECTION 6: WATER MANAGEMENT

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### A. Diversion and Conveyance

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What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): submersible 5 hp  
 Other means (describe): \_\_\_\_\_

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The well will be drilled and the water piped directly to the nursery use and used as needed. Water will also be stored in tanks and/or a reservoir to store water for times of peak use.

### B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Drip

### 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 aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

Only the amount of water required for healthy plant growth will be used. Drip irrigation and timers will be used to apply the water. No runoff will be allowed.

## SECTION 7: PROJECT SCHEDULE

- Date construction will begin: June 2021
- Date construction will be completed: October 2022
- Date beneficial water use will begin: July 2023

## SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent 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.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe: water will be applied using drip irrigation and timers to control the amount of water applied. There will not be any runoff.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
**Note:** If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.  
Describe planned actions and additional permits required for project implementation: \_\_\_\_\_
- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:

For Department Use: App. Number: \_\_\_\_\_

List: \_\_\_\_\_

**SECTION 9: WITHIN A DISTRICT**

Check here if the point of appropriation (POA) or place of use (POU) are located within or 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*).

The nursery operation will use the existing irrigation water right when it is available. The water pertaining to this application will be used during the times that it is non-irrigation season or there is not surface water available.



## 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: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- 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: \$ 2560<sup>00</sup>  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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)

# 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

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## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

# 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

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**Applicant**

NAME JENNIFER DRIVER			PHONE (HM)		
PHONE (WK)		CELL 936-554-4375		FAX	
ADDRESS 280 SPRING CREEK DRIVE					
CITY NACOGDOCHES		STATE TX	ZIP 85965	E-MAIL* jdriverford@msn.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:
34 S	4 W	15	NE SW	1400		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
34 S	4 W	15	SE SW	1400		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
						<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:

Jackson County

**B. Description of Proposed Use**

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Groundwater Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond     Groundwater     Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 17     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 Nursery

Briefly describe:

A well for nursery use.



**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.

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**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): \_\_\_\_\_
- 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."

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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:	
<i>Use Permit 439-16-02427-70n</i>	<i>4.2-1</i>	<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
		<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.

NAME <i>Francisco M. Hernandez</i>	TITLE: <i>Planner III</i>
SIGNATURE <i>Francisco M. Hernandez</i>	PHONE: <i>541-774-6903</i>
GOVERNMENT ENTITY <i>Jackson County Development Services</i>	DATE: <i>10-26-2020</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: \_\_\_\_\_



After recording return to:  
Jennifer Driver  
280 Spring Creek Drive  
Nacogdoches, TX 75965

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Jennifer Driver  
280 Spring Creek Drive  
Nacogdoches, TX 75965

File No.: 7151-2657107 (RAC)  
Date: May 16, 2016

Jackson County Official Records 2016-027556  
R-WD  
Stn=17 MORGANSS 08/23/2016 10:27:04 AM  
\$15.00 \$11.00 \$10.00 \$8.00 \$20.00 \$64.00

THIS SPACE RES

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

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## STATUTORY WARRANTY DEED

**Diolenda B. Sellers, Trustee of the Walter D. Sellers Trust dated August 18, 1980, as to an undivided one-half interest and Diolenda B. Sellers, Trustee of the Diolenda B. Sellers Trust dated August 18, 1980, as to an undivided one-half interest, Grantor, conveys and warrants to Jennifer Driver, an unmarried person, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

**LEGAL DESCRIPTION:** Real property in the County of Jackson, State of Oregon, described as follows:

**The North Half of the Southwest Quarter, the West Half of the Southeast Quarter of the Southwest Quarter and the West Half of the East Half of the Southeast Quarter of the Southwest Quarter in Section 15, Township 34 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon.**

**NOTE:** This legal description was created prior to January 1, 2008.

**TOGETHER WITH an easement for ingress, egress and other purposes, over the existing roadway, as set forth in Easement Agreement recorded August 3, 2016 as Document No. # 2016-025132, Jackson County, Official Records.**

**Subject to:**

1. The 2016-2017 Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$675,000.00**. (Here comply with requirements of ORS 93.030)

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APN: 1-051924-0

Statutory Warranty Deed  
- continued

File No.: 7151-2657107 (RAC)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 19 day of August, 2016.

Diolenda B. Sellers, Trustee of the Walter D. Sellers Trust dated August 18, 1980

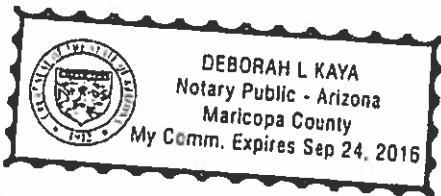
Diolenda B. Sellers, Trustee of The Diolenda B. Sellers Trust dated August 18, 1980

Diolenda B. Sellers  
Diolenda B. Sellers, Trustee

Diolenda B. Sellers  
Diolenda B. Sellers, Trustee

STATE OF Arizona )  
 )ss.  
County of Maricopa )

This instrument was acknowledged before me on this 19 day of August, 2016 by Diolenda B. Sellers as Trustee of the Walter D. Sellers Trust dated August 18, 1980, on behalf of the Trust.



DKaya  
Notary Public for Arizona  
My commission expires: 9-24-16

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JAN 19 2021

3

OWRD

APN: 1-051924-0

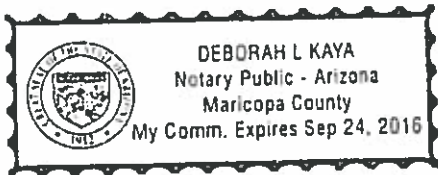
Statutory Warranty Deed  
- continued

File No.: 7151-2657107 (RAC)

STATE OF Arizona )  
County of Maricopa )ss.  
)

This instrument was acknowledged before me on this 19 day of August, 2016 by Diolenda B. Sellers as Trustee of the Diolenda B. Sellers Trust dated August 18, 1980, on behalf of the Trust.

DKaya



Notary Public for Arizona  
My commission expires: 9-24-16

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SURVEY NO. 5531

SURVEY NARRATIVE IN COMPLIANCE WITH OREGON REVISED STATUTE NO. 209.250

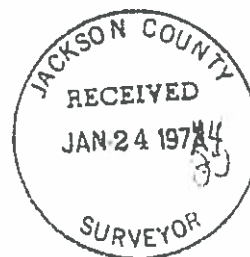
SURVEY FOR: BILL MURR  
209 SAINT JAMES DRIVE  
PIEDMONT, CALIFORNIA.

PROCEDURE: I run all of the lines shown on the accompanying map and tie to the 1958 Bureau of Land Management Survey. All lines were blazed and said blazes were painted with red paint.  
This survey was made in accordance with the laws of the State of Oregon and the United States Government and said survey was made by me at the request of Mr. Murr.

PURPOSE: To locate and monument that property owned by Mr. Murr located in the North One Half of Section 15, Township 34 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Gerald D. Riley*  
OREGON  
JULY 9, 1948  
GERALD D. RILEY  
705







**Transaction Receipt**  
**Record ID: 439-20-01495-ZON**  
**IVR Number: 439015696561**

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

**Receipt Number: 271850**

**Receipt Date: 9/21/20**

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www.jacksoncounty.org

Worksite address: 6395 PLEASANT CR RD, ROGUE RIVER, OR

Parcel: 34-4W-15-1400

**Fees Paid**

Transaction date	Units	Description	Account code	Fee amount	Paid amount
9/21/20	1.00 Ea	Type I Counter Permit	3701040000.45105.1300	\$115.00	\$115.00

Payment Method: Cash      Payer: Astrea Driver      Payment Amount: \$115.00  
 Transaction Comment: LUCS\_NS

Cashier: Nick J. Schubert      **Receipt Total: \$115.00**

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# 439-20-01495-ZON

09/21/2020

## Land Use Compatibility

34-4W-15-1400

ZONING: Exclusive Farm Use

RECORD NO: 439-20-01495-ZON

PROCESS: Type I Permit

PROJECT NAME: LUCS

ASSIGNED STAFF:

RECEIVED DATE: 09/21/2020

SITE ADDRESS 6395 PLEASANT CR RD

### Owners

DRIVER JENNIFER  
280 SPRING CREEK DR  
NACOGDOCHES, TX 75965-6928

### Record Detail Description

OWRD

### Contacts

DRIVER JENNIFER  
280 SPRING CREEK DR NACOGDOCHES, TX  
75965-6928  
jdriverford@msn.com  
(936) 554-4375

**WATER RIGHT SOLUTIONS, LLC**

3246 Hammer St  
Klamath Falls, OR 97603  
541-821-5848

hcannon@waterightsolutions.com

---

August 26, 2020

Jennifer Driver  
280 Spring Creek Drive  
Nocogdoches, TX 75965

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Subject: instructions for submitting a water right application for use of Groundwater.

Ms. Driver

Please find attached the application to appropriate groundwater for Nursery Use and storage year around. This is the first of three applications that it will take to get what you need done.

The second application will be the application to Store Water in a Reservoir. I have sent that application to the Watermaster and the fish biologist for Oregon Department of Fish and Wildlife for their comments. When I receive their comments, then I can send it to you for your signature.

The third application will be what OWRD calls a "secondary application" to use the water stored in the pond. I will not waste time and money on that until we have a better idea of approval of the first two applications.

In this packet is the applications to be signed and sent to OWRD. There is a duplicate for your files.

You need to

- ✓ 1) Sign and date the page with the purple tag for "Applicant Signature"
- 2) Take the Land Use Information Form to Jackson County Planning for their signature. The last I knew, they charged \$120 for their signoff.
- ✓ 3) Write a check to Oregon Water Resources Department for \$2,560 for the application fee
- 4) Mail the signed application (including the signed Land Use Information Form) and the check to OWRD in the envelope attached.

Thank you





Today's Date: Monday, August 24, 2020

Base Application Fee		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated (1 cfs = 448.83 gallons per minute)	06	\$350.00
Number of proposed Uses for the appropriated water (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$350.00
Number of proposed groundwater points of appropriation (i.e. number of wells) (include all injection wells, if applicable) **	1	
	Subtotal	\$2,040.00
Permit Recording Fee ***		\$570.00
* the 1st Water Use is included in the base cost ** the 1st groundwater point of appropriation 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		\$2,560.00

*Signatures on  
this stack to  
go to OWRD*

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**JAN 19 2021**  
**OWRD**

TERRASSMENT AND  
EAVESMENTS

SECTION 15, T.34S., R.4W., W.M.  
JACKSON COUNTY  
1" = 400'

34 4W 15



CALCULATED BY  
FOR SURVEYORS

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34 4W 15  
NEW MAP OR JUNE 23 2009  
REV APRIL 21 2012



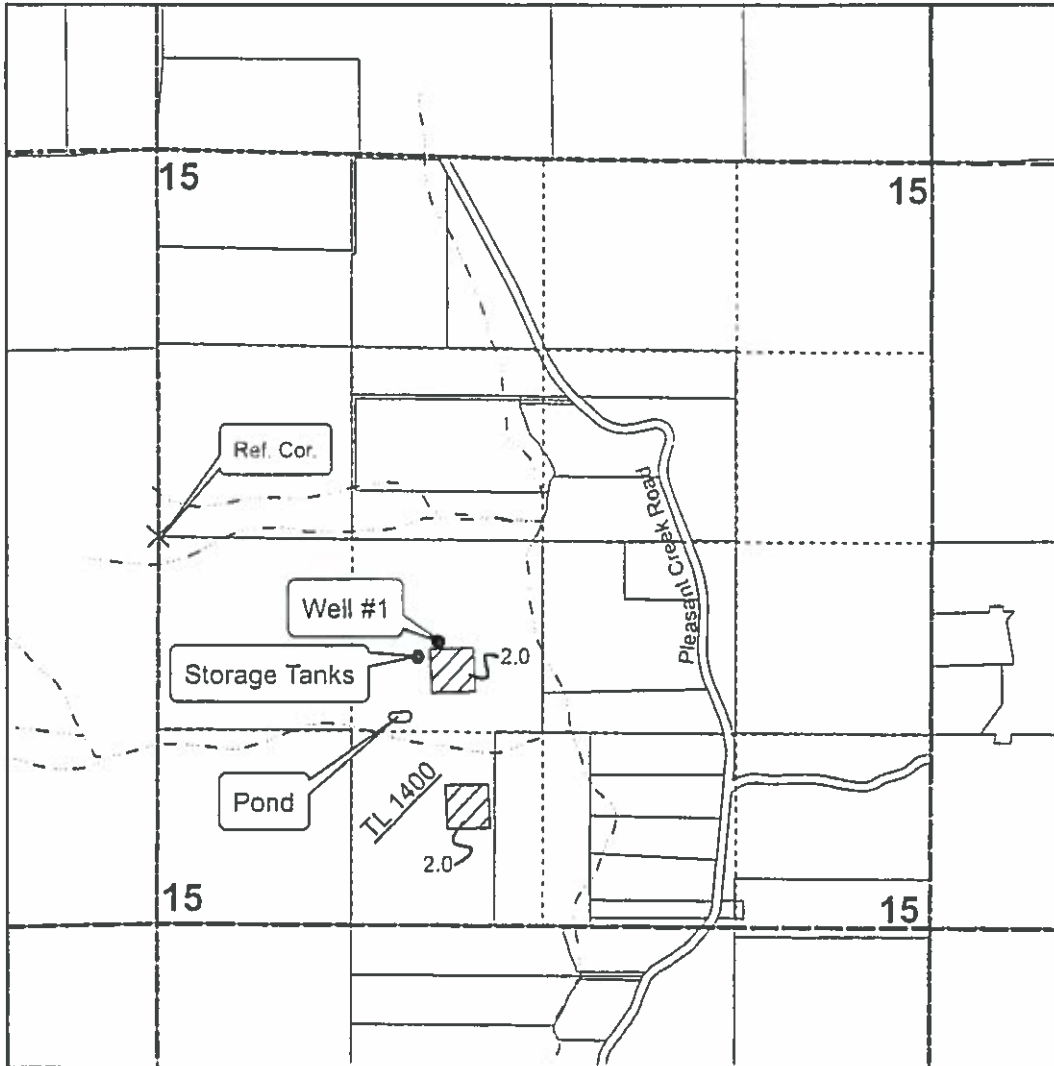
**Jennifer Driver  
Application Map  
Use of Groundwater**

**T 34 S, R 4 W  
Sec. 15**

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**JAN 19 2021**

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**Legend**

- Area of Nursery Use
- Well #1
- Storage tanks
- Pond
- × Reference Corner
- - - - - Creeks
- ..... Quarter-Quarter Line
- - - - - Section Line

Well #1 is located 782.7 ft South and 1886.5 ft East from the West 1/4 Cor of Sec 15, T 34 S, R 4 W.

Pond is located 1328 ft South and 1634 ft East from the West 1/4 Cor of Sec 15, T 34 S, R 4 W.

Note: Reference Corner is the W1/4 Cor of section 15, a Brass Cap Identified in Jackson County Survey # 5531



1 inch = 1,320 feet