

MONEY SLIP

DATE: 2-16-2021	RECEIPT #: 134535
------------------------	--------------------------

RECEIVED FROM: Brian Cully
Tracy Cully

APPLICATION	
PERMIT	
TRANSFER	

CASH **CHECK #** 2252 **OTHER (IDENTIFY)**

TOTAL REC'D	\$ 1,800.00
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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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MISCELLANEOUS		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE (IDENTIFY) _____		\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$
0240 EXTENSION OF TIME _____		\$

WATER RIGHTS		
0201 SURFACE WATER	EXAM FEE	
0203 GROUND WATER	\$	
0205 TRANSFER	\$	
		RECORD FEE
		0202 \$
		0204 \$

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

0607 TREASURY		0467 HYDROELECTRIC
----------------------	--	---------------------------

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	
0231 HYDRO LICENSE FEE (FW/WRD)	\$	
_____ HYDRO APPLICATION		\$

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT -- LETTER ATTACHED

Application for a Permit to Use Surface Water

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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 BRIAN AND/OR TRACY CUILTY		PHONE (HM)	
PHONE (WK)	CELL (541)430-5599		FAX
ADDRESS 905 WOODRUFF MOUNTAIN ROAD			
CITY ROSEBURG	STATE OR	ZIP 97471	E-MAIL * Bctracks1965@gmail.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		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.)

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

	Brian Culty	1-25-2021
Applicant Signature	Print Name and Title if applicable	Date
	Tracy E. Culty	1-25-2021
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.

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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).*

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: Unnamed Stream	Tributary to: Umpqua River
TRSQQ of POD: T.26S R.7W Section 13 SWNE	
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.)

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.

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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.

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

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
Unnamed Stream	Domestic Expanded	Year Round .01	.01 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

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: one
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- Pump (give horsepower and type): One horsepower, electric
- Other means (describe): _____

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

Water will be pumped from a unnamed stream to residence for domestic use and irrigation of up to 1/2 acre of lawn/garden.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Household plumbing system and lawn/garden irrigation sprinklers.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Water is needed for domestic use at the property. Best residential management will be used to minimize water use and prevent run off/erosion.

SECTION 7: RESOURCE PROTECTION

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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 approved fish screen will be installed on pump intake prior to diversion of water.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
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: Non planned.
- 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: None planned.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: Will use best residential management practices to prevent erosion and run off.
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
none

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: Upon issuance of permit
- b) Date construction will be completed: Oct 1, 2022
- c) Date beneficial water use will begin: Oct 1, 2023

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*).

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Land Use Information Form

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Received

JAN 25 2021

Douglas County
Planning Department

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 ground water 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.wrd.state.or.us

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Applicant(s): Brian & Tracy Cuiilty

Mailing Address: 905 Woodruff Mountain Road

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City: Roseburg State: OR Zip Code: 97471 Daytime Phone: (541) 430-5599

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>T.26S</u>	<u>R.7W</u>	<u>13</u>	<u>SWNE</u>	<u>1500</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Domestic Water</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Douglas

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) Unnamed Stream

Estimated quantity of water needed: .01 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Water is needed on property for Domestic Expanded purposes for one household.

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

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.8.050 SR Residential

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.

DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470

R47448 Dwelling and accompanying property rights
SR-3.8,050

Name: Mariah Mitchell Title: Planner

Signature: Mariah Mitchell Phone: (541)440-4289 Date: 1-25-21

Government Entity: Douglas Planning Department

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: _____

KNOW ALL MEN BY THESE PRESENTS, That DONALD F. HULL, DDS MD INC., DEFINED BENEFIT PENSION PLAN

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by MICHAEL K. PHELPS

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of DOUGLAS and State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF AS IF FULLY WRITTEN HEREIN.

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TO HAVE and to HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said 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 those as set out in exhibit "A" attached hereto and made a part hereof as if fully written herein.

and that grantor will warrant and forever defend the said 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 \$ 25,000.00. However, the actual consideration consists of or includes other property or value given or promised which is (the whole/ part/none) consideration (indicate which). (The sentence between the symbols @, if not applicable should be deleted. See ORS 93.030.)

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

In Witness Whereof, the grantor has executed this instrument this 19th day of January, 1992; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto 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.

DONALD F. HULL, DDS MD, INC. DEFINED BENEFIT PENSION PLAN

STATE OF OREGON CALIFORNIA County of Santa Clara } ss.

BE IT REMEMBERED, That on this 17th day of February, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named DONALD F. HULL, DDS MD INC., DEFINED BENEFIT PENSION PLAN

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that HE executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Ruth Tubbs Notary Public for Oregon Calif.

My Commission expires 10-8-95

Form with fields for Grantor's Name and Address (DONALD F. HULL, DDS MD, INC., 99 3RD STREET, LOS ALTOS, CA 94022) and Grantee's Name and Address (MICHAEL K. PHELPS, 222 IMPALA DRIVE, ROSEBURG, OR 97470). Includes a note about tax statements and a signature 'No Change'.

STATE OF OREGON, County of Santa Clara } ss. I certify that the within instrument was received for record on the day of February, 1992, at 10 o'clock AM, and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Deeds of said county. Witness my hand and seal of County affixed. Name Title By Deputy

DOUGLAS COUNTY TITLE COMPANY

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EXHIBIT "A"

BOOK 1513 PAGE 789

Beginning at a point from which the section corner to Sections 11, 12, 13 and 14, Township 26 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, bears North 1850.58 feet and West 3482.12 feet which point is a 5/8 inch iron rod; thence South 73° 38' 40" East 277.75 feet to a 5/8 inch iron rod; thence 71.60 feet along the arc of a curve to the left having a radius of 630.00 feet, the chord of which is South 75° 54' 03" East 71.57 feet, which point is a 5/8 inch iron rod; thence South 15° 58' 57" West 655.69 feet to a 5/8 inch iron rod; thence North 60° 14' 50" West 380.00 feet to a 5/8 inch iron rod; thence North 17° 59' 25" East 565.04 feet to the place of beginning, all lying in Section 13, Township 26 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.

SUBJECT TO:

1. Roads and highways and the rights of the public therein.
2. Protective Covenants and Easement Provisions, including the terms and provisions thereof, Recorder's No. 70-5231, Records of Douglas County, Oregon.
3. Declaration of Covenants and Restrictions, River Bend West Owner's Association, Inc., dated December 3, 1974, and recorded December 12, 1974, in Book 560, Recorder's No. 74-16405, Records of Douglas County, Oregon.
4. Easement, including the terms and provisions thereof, granted by River Bend West, Inc., to River Bend West Owner's Association, Recorder's No. 75-14834, Records of Douglas County, Oregon.
5. Easement, including the terms and provisions thereof, granted by River Bend West, Inc., to River Bend West Water Co., Recorder's No. 75-14835, Records of Douglas County, Oregon.

STATE OF OREGON }
COUNTY OF DOUGLAS } SS
I, DOYLE SHAVER JR., COUNTY CLERK AND
RECORDER OF CONVEYANCES, DO HEREBY CERTIFY
THAT THIS INSTRUMENT WAS RECORDED

98 JAN -9 PH 2:15

DOYLE SHAVER JR.
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

Robert K. ...
DEPUTY

DCR
98-00510

FEB 30 35

Property Details for Property ID: R57448

Owner Information :

Owner Name: CUILTY, BRIAN &
 Owner Address #1: CUILTY, TRACY
 Owner Address #2: 905 WOODRUFF MOUNTAIN RD
 Owner Address # 3:
 Owner City/State/Zip: ROSEBURG, OR 97471

Alternate Account #: 7598.27
 Account Status: A

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Property Information :

Township: 26	Situs Address: 905 WOODRUFF MOUNTAIN RD ROSEBURG, OR 97471
Range: 07W	Map ID: 260713A01500
Section: 13	County Property Class: 401
Quarter: A	Legal Acreage: 5.00
Sixteenth:	Code Area: 00402
Maintenance Area: 5	Neighborhood Code: KY
Year Built: 2001	Living Area: 3156
Bedrooms: 4	Baths: T.TUB
Exemption Code:	Exemption Desc.:
MFD Home ID:	

Value Information : 2020-2021 Certified Values and Tax Information

Improvement Appr. Value: \$153,133.00	Total Appr. Value: \$351,133.00
Land Appr. Value: \$198,000.00	Exemption Value: \$0.00
Land Market Value: \$198,000.00	Total Assessed Value: \$281,911.00
Total Real Market Value: \$351,133.00	Taxes Imposed: \$2,809.02

Sales Information :

Deed No: 1998-510
 Sale Price: \$0.00
 Sale Date: 2/4/1992

DISCLAIMER

The information provided here is for convenience ONLY. For All Commercial, Industrial, and Multi-Family Properties visit the Douglas County Assessor's Office. The records located at the Douglas County Assessor's office are the one and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Douglas County in no way will be liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Douglas County Assessor's Office.



Southern Oregon Water Wells
 Schattenkerk Well Drilling
 5057 N. Umpqua Hwy
 Roseburg, Oregon 97470
 541-672-7834

Date: 8/12/2020

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Well Flow Test

Owner: Brian Culty
 Send Results To: Brian Culty
 Site Address: 905 Woodruff Mtn Rd, Roseburg, OR

Well ID#: L50565

OWRD

* Well in Use

Well Depth (if known): 113'
 Test Length: 4 hr. Sample Taken: no Type: none

Time	Meter	GPM
8:20	114810	Start
8:50	114867	1.9
9:20	114875	0.27
9:50	114880	0.03
10:20	114884	0.13
10:50	114888	0.13
11:20	114888	0
11:50	114894	0.2
12:20	114897	0.1

Notes:
 Measurement of well was based off of well log DOUG 52817. Liner was placed in the well in November 2001 to a depth of 113'.

Average Rate: .36 gpm
 Source Rate: .1 gpm

**This flow test is a snapshot of the wells production.
 Flow rates may fluctuate seasonally and/or year to year.**

Phone #	Fax #	E-mail	Website
541-672-7834	541-672-0375	kristen@sowaterwells.com	www.sowaterwells.com



Southern Oregon Water Wells
 Schattenkerk Well Drilling
 5057 N. Umpqua Hwy
 Roseburg, Oregon 97470
 541-672-7834

Invoice

Customer & Work Site
Brian Culty 905 Woodruff Mtn Rd Roseburg, OR 97471

Date	Invoice No.	Terms
09/14/20	1080	Net 15

Due Date
09/29/20

Well Drilled in 2020

Description	Quantity	Rate	Amount
Start Card Permit & Well Log Submittal	1	275.00	275.00
Mobilization/Demobe	1	500.00	500.00
6" Steel Casing -Grade USA- (per ft.) in place with 10" bentonite surface seal	31	60.00	1,860.00
6" Drilling (per ft.)	160	17.00	2,720.00
Drive Shoe	1	120.00	120.00
6" Aluminum Well Cap	1	45.00	45.00
4" PVC -USA Grade- Locking Liner (per ft.)	200	6.00	1,200.00
Flow Test Checks & TDS Readings While Drilling	1	300.00	300.00
9/11/2020 Deposit of \$3,350 received ck#10001			

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Deposit	\$-3,350.00	Total	\$7,020.00
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A finance charge of 1 1/2% per month (18% annually) on all accounts 30 days past due date.

Balance Due	\$3,670.00
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Questions? Please call Kristen at (541) 672-7834 or kristen@sowaterwells.com
 Please make checks payable to: Schattenkerk Well Drilling

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January 27th, 2021

Plea for Water

OWRD

To Whom It May Concern,

The well that has been on our property when we purchased the land is producing less and less water-approximately 1/3 of a gallon per minute (**See Well Flow Test**). When we purchased the land this well was producing 2 gallons per minute.

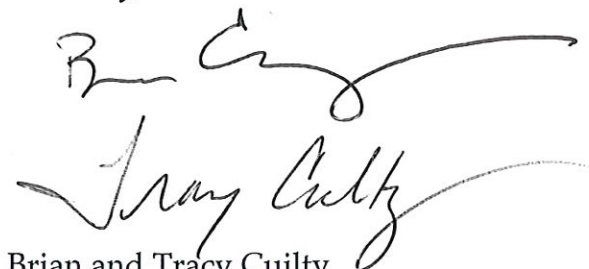
There is also another well on the property that was drilled before we owned the property that is 300 ft. in depth and only has a trace amount of water.

Last summer/fall we contracted with Southern Oregon Water Wells to drill another well. This well tested at about 1/3 of a gpm. This was at an expense over \$7,000. (**See Invoice**)- Not only is this well low producing but would cost us over \$6,000 to connect it to our 1,500-gallon holding tank.

Together these wells would produce about 2/3 of gallon per minute with no guarantee of continual and consistent production. We don't have the financial means to have water hauled to this location as we have done for the last 6 years. We have a large household and require more water. This is our plea for rights to use the stream that runs through our property at 905 Woodruff Mountain Road, Roseburg, Oregon. This stream that flows through our property has never gone dry. It is a more reliable source of water than wells in this area. The water we are seeking would be used for domestic use only.

We need some supplement to our existing well which has declined over the years. We appreciate your time and consideration on this matter.

Sincerely,

The image shows two handwritten signatures in black ink. The first signature is 'Brian Culty' and the second is 'Tracy Culty'. Both signatures are written in a cursive, flowing style.

Brian and Tracy Culty
905 Woodruff Mountain Road
Roseburg, OR 97471

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Water-Use Permit Application Processing

OWRD

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

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: \$ _____
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)



Oregon Water Resources Department
Surface Water Application

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

Today's Date: Thursday, January 21, 2021

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	.01	\$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
* 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.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,800.00

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