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Application for a Permit to Use Groundwater

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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

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Applicant

NAME <i>Gerard Arciuoli</i>		PHONE (HM) <i>541-935-4006</i>
PHONE (WK)	CELL <i>541-968-0941</i>	FAX
ADDRESS <i>88083 Rustad Ln.</i>		
CITY <i>Veneta</i>	STATE <i>OR</i>	ZIP <i>97487</i>
E-MAIL*		

Organization

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

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

AGENT/BUSINESS NAME <i>Sabato Arciuoli</i>		PHONE <i>541-735-2926</i>	FAX
ADDRESS <i>PO Box 181</i>			CELL
CITY <i>Veneta</i>	STATE <i>OR</i>	ZIP <i>97487</i>	E-MAIL* <i>slrciuoli-su@gmail.com</i>

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 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.

Gerard P. Arciuoli *Gerard P. Arciuoli* *11-2-2021*
 Applicant Signature Print Name and Title if applicable Date

 Applicant Signature Print Name and Title if applicable Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- 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: 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
14429	pond area	about 300 ft	Seasonal 2.5' to 5.5'
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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).*

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 56 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)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Lane 14429	<input type="checkbox"/>	6 ft	18 1/2 ft		18 1/2 ft	9 ft	Gray Sedimentary Rock	84 ft	5	3.5
	<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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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/

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.

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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:

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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)
irrigation	year round	3.5 acre-feet

For irrigation use only:

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

Primary: 3.5 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: 3.5

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1 (**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.)

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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 1 H.P. Dempster well pump
- Other means (describe): _____

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

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) Irrigation lines with drip system

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).

See attachment

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SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Existing Well
- b) Date construction will be completed: _____
- c) Date beneficial water use will begin: Jan 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: Monitor our usage closely, any fertilizer waste water will be contained and used to irrigate orchard/drain field
 - 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: List: OLCC rec. marijuana grow permit

C. Conservation:

Our Farm is requesting the amount of water, to ensure that we are able to sufficiently irrigate our current and future crop capacities.

We have existing well we are proposing to pull water from. From this Well, we will have a water line with a meter to document and log our use, as well as a check valve that will only allow us to draw 5GPM from the Proposed Well.

To prevent waste we will be measuring our usage very closely, for our indoor crops we will pump water into a barrel to help measure and distribute. For outdoor crops we will have another meter for monitoring usage.

If any waste water it will be collected and distributed onto the properties Orchard/drain field area. We feel this is the best solution for any waste water as it will be quickly used by fruit trees and vegetation preventing any negative impact on aquatic life/ riparian zones, any other water bodies or land areas.

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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 District #2	Address 125 E 8 th Ave	
City Eugene	State OR	Zip 97401

SECTION 10: REMARKS

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

Existing well 20gpm, pump is 15GPM
Well feeds house @ 15GPM, we would like
to dedicate 5gpm of this well to metered
irrigation of the farm.

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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

Applicant

NAME <i>Sabato Uracioli, Gerard Uracioli</i>		PHONE (HM)	
PHONE (WK)	CELL <i>541-735-2926</i>	FAX	
ADDRESS <i>88083 Rustad LN</i>			
CITY <i>Veneta</i>	STATE <i>OR</i>	ZIP <i>97487</i>	E-MAIL* <i>SURacioli.SU@gmail.com</i>

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<i>17S</i>	<i>6W</i>	<i>34</i>	<i>NW-SW</i>	<i>600</i>	<i>E-40</i>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>Plant: irrigation</i>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Veneta, OR Lane 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: *5* 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 _____

Briefly describe:

water to be used for orchard, garden, future crops, cannabis cultivation,

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.

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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): _____.
- 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	NOV 05 2021	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

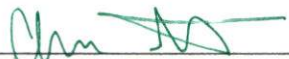
NAME	TITLE:
SIGNATURE	PHONE:
DATE:	
GOVERNMENT ENTITY	

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: Sabato Urciholi

City or County: Lane County Staff contact: Chloe Trifilio

Signature:  Phone: 541-682-2007 Date: 9/15/2021

** See next page*

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): Lane Code 16.212(3)(1.1) + (1.9) - Farm Use marijuana production
- 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:	
Recreational Zoning Determination 509-PA17-06013	LC16.420	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
Agricultural Building Self-Certification 509-PA17-06014	"	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
RECEIVED		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
NOV 05 2021		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
OWRD		<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>Chloe Trifilio</u>	TITLE: <u>Planner</u>
SIGNATURE: <u>[Signature]</u>	PHONE: <u>541-682-2007</u> DATE: <u>10/13/2021</u>
GOVERNMENT ENTITY: <u>Lane County - Land Management</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: Sabato Ursinoli

City or County: Lane County Staff contact: Chloe Trifilio

Signature: [Signature] Phone: 541-682-2007 Date: 9/15/2021

EXHIBIT "A"

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OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

CODE NO. 928-00

OLD NUMBER

MAP NO. 17 06-34	TAX LOT NO. 600	519 932	SECTION _____ TOWNSHIP _____ S. RANGE _____ W.M. _____		AERIAL PHOTO
ACCOUNT NUMBER		ADDITION _____			CITY _____
LOT NO. _____	BLOCK NO. _____				

LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING
	DATE OF ENTRY	DEED NUMBER	
<p>F.T.L.P.O.</p> <p>Beg. at a point 198.96 ft. S. 89° 43' E. from the SW. cor. of Sec. 34, 17S, 6W, WM. thence N. 00° 04' E. 937.77 ft. to the true POB. run thence</p> <p>N. 31° 10' W. 463.44 ft. thence</p> <p>N. 19° 20' W. 140.00 ft. "</p> <p>N. 07° 37' W. 753.58 ft. to the S'ly line of the S.P.R.R. thence</p> <p>N. 89° 23' E. 391.00 ft. to the West line of the G.F. Herbert DLC #46, thence</p> <p>S. 00° 04' W. along the W. line of the Herbert DLC. & into Gov. Lot 6 to the POB.</p> <p>Cont. m/l</p> <p>Note: the desc. on the deed R148/91995 does not desc. this prop. alone so cannot use it as a desc.</p>	1959		7.91
	1961	R148/91995	
<p>Beginning at the NE corner of the SE 1/4 of Sec. 33, Twp. 17 S, R 6 W.W.M., running thence</p> <p>South along the East line of Sec. 33 to the SE corner of said SE 1/4 of Sec. 33, thence</p> <p>North 40 chains to a point 10 chains West of the point of beginning, thence</p> <p>East 10 chains to the point of beginning.</p> <p>EXCEPTING THEREFROM: Right of way for a railroad conveyed to the Willamette Pacific Railroad Co.</p>	1969	R407/38196 38197	
	1974	R675/3723	
	1980	R1070/21902	
	1984	R1312/8434425	
<p>ALSO: The West 3.05 chains of Lot 5 in Sec. 34, Twp. 17 S, R 6 W.W.M. more particularly described as follows: Beginning at the SW corner of Sec. 34 in Twp. 17 S, R 6 W.W.M., thence</p> <p>North along the West line of Sec. 34, 20 chs. thence</p> <p>East 3.05 chs.; thence</p> <p>South 20 chs. to the South line of Sec. 34, thence</p> <p>West 3.05 chains to the point of beginning in Lane County, Oregon.</p>	2007	2007-026674	
<p>ALSO: Beginning at the SW corner of Lot 6 in Sec. 34, Twp. 17 S., R 6 W.W.M. and running thence;</p> <p>(Over)</p>			

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OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

OLD NUMBER

CODE NO.

MAP NO.	TAX LOT NO.	SECTION	TOWNSHIP	S.	RANGE	W.M.	AERIAL PHOTO
ACCOUNT NUMBER		ADDITION		CITY			
LOT NO.	BLOCK NO.						

LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING
	DATE OF ENTRY	DEED NUMBER	
<p>INDENT EACH NEW COURSE TO THIS POINT</p> <p>S 89° 43' E 2.98 chs. to the SE corner of Lot 6, thence;</p> <p>North 20 chs. to the NE corner of said Lot 6, thence;</p> <p>N 89° 43' W 2.73 chains to a point 0.25 chs S 89° 43' E of the quarter-section corner between secs. 33 & 34 Twp 17 S, R 6 W.W.M. thence</p> <p>South 0.25 chs, thence</p> <p>N 89° 43' W 0.25 chs. to the West line of said Lot 6, thence</p> <p>South along said West line to the point of beginning, in Lane County, Oregon.</p> <p>EXCEPT: Beginning at the East quarter-section corner of Section 33, Twp. 17 S., R 6 W.W.M. and running thence</p> <p>N 89° 43' W along the East and West quarter line of said Sec. 33, 660.0 ft., thence</p> <p>South 2672.34 ft. to the South line of said Sec. 33, thence</p> <p>S 89° 43' E 660 ft. to the SE corner of the section, thence</p> <p>S 89° 43' E along the South line of said Sec. 34 in said township and range, 198.96 ft. to a point where the West line of the George Herbert DLC #46 of said Twp. & Range (if the same were extended southward) intersects the said section line, thence</p> <p>N 0° 04' E. (along said claim line if extended) 937.77 ft. thence</p> <p>N 31° 10' W. 434.44 ft., thence</p> <p>N 19° 20' W 140.0 ft., thence</p> <p>N 7° 37' W. 753.0 ft. to the southerly line of the Southern Pacific Railroad, thence</p> <p>N 82° 23' E. 391.0 ft. to the west line of said Herbert claim, thence</p> <p>N 0° 04' E along said west line of the claim 407.75 ft to the NE corner of Lot 6 of said Sec. 34, thence</p> <p>N 89° 43' W along the North line of said Lot 6 185.56 ft., thence</p> <p>South 16.50 ft., thence</p> <p>N 89° 43' W 16.50 ft., thence</p> <p>North 16.50 ft. to the point of beginning.</p> <p>(more)</p>			

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#15348

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

cont.
OLD NUMBER

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

CODE NO.

MAP NO. 17 06 34	TAX LOT NO. 600	SECTION 34	TOWNSHIP 17 S.	RANGE 6W	W.M.	AERIAL PHOTO
ACCOUNT NUMBER						
LOT NO.	BLOCK NO.	ADDITION	CITY			

INDENT EACH NEW COURSE TO THIS POINT

LEGAL DESCRIPTION

DEED RECORD

DATE OF ENTRY DEED NUMBER

ACRES REMAINING

EXCEPTING THEREFROM: The right of way for the railroad conveyed to the Willamette Pacific Railroad Co. in Lane County, Oregon.

Containing more or less

7.91

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GRANT OF EASEMENT AND MAINTENANCE AGREEMENT

~~10~~
~~10~~

20
10

For value received, receipt of which is hereby acknowledged, STEVE AND RITA WALERI (GRANTORS), hereby grant, transfer and convey to GERARD P. URCIUOLI (GRANTEE), a perpetual nonexclusive easement to use a strip of land over and across the real property described in Paragraph No. 3 herein for the purposes of access to and from the real property described in Paragraph No. 2 of this easement.

0562JAN.07'94#02REC 30.00
0562JAN.07'94#02PFUND 10.00
0562JAN.07'94#02A&T FUND 20.00

1. Description of Easement:

The easement conveyed herein is that strip of land shown as the hatched area on Exhibit A, which is attached hereto and incorporated by reference herein, more particularly described in Exhibit B, which is attached hereto and incorporated by reference herein.

See GW

2. Benefitted Land:
This easement is not personal or in gross but is to be appurtenant to each and every portion of the following described property owned by Grantee:

TRS 17-06-34 T.L. 600 OWNER: Gerard P. Urciuoli

Beginning at the Northeast corner of the Southeast one-quarter of Section 33, Township 17 South, Range 6 West of the Willamette Meridian, running thence South along the East line of Section 33, to the Southeast corner of said Southeast quarter of Section 33, thence West 10 chains along the South line of said Section 33, thence North 40 chains to a point 10 chains West of the Point of Beginning, and thence East 10 chains to the point of beginning.

0553APR.26'94#09REC 30.00

EXCEPTING THEREFROM: Right of way for a railroad conveyed to the Willamette Pacific Railroad Co.

0553APR.26'94#09PFUND 10.00

ALSO: The West 3.05 chains of Lot 5 in Section 34, Township 17 South, Range 6 West of the Willamette Meridian; more particularly described as follows: Beginning at the Southwest corner of Section 34 in Township 17 South, Range 6 West of the Willamette Meridian, thence North along the West line of Section 34, 20 chains, thence East 3.05 chains; thence South 20 chains to the South line of Section 34, thence West 3.05 chains to the point of beginning.

ALSO: Beginning at the Southwest corner of Lot 6 in Section 34, Township 17 South, Range 6 West of the Willamette Meridian, and running thence South 89 degrees 43' East 2.98 chains to the Southeast corner of said Lot 6, thence North 20 chains to the Northeast corner of said Lot 6, thence North 89 degrees 43' West 2.73 chains to a point 0.25 chains South 89 degrees 43' East of the quarter section corner between Sections 33 and 34, Township 17 South, Range 6 West of the Willamette Meridian, thence South 0.25 chains, thence North 89 degrees 43' West 0.25 chains to the West line of said Lot 6, thence South along said West line to the point of beginning.
Corrected Deed; *See J.W. L.A.W.*
Adding legal description.

EASEMENT AGREEMENT - Page 1 of 4 Pages

After recording return to: Gerard Urciuoli
88083 Rustad Ln.
Vancouver, Or. 97487

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EXCEPT: Beginning at the East quarter section corner of Section 33, Township 17 South, Range 6 West, Willamette Meridian, and running thence North 89 degrees 43' West along the East and West quarter line of said Section 33, 660.0 feet, thence South 2672.34 feet to the South line of said Section 33, thence South 89 degrees 43' East 660.0 feet to the Southeast corner of the section, thence South 89 degrees 43' East along the South line of Section 34, in said Township and Range, 198.96 feet to a point where the West line of the George Herbert Donation Land Claim No. 46 of said Township and Range (if the same is extended Southward) intersects the said section line, thence North 0 degrees 04' East (along said claim line if extended) 937.77 feet, thence North 31 degrees 10' West 463.44 feet, thence North 19 degrees 20' West 140.0 feet, thence North 7 degrees 37' West 753.0 feet to the Southerly line of the Southern Pacific Railroad, thence North 82 degrees 23' East 391.0 feet to the West line of the said Herbert claim; thence North 0 degrees 04' East along the West line of the claim 407.75 feet to the Northeast corner of Lot 6 of said Section 34, thence North 89 degrees 43' West along the North line of said Lot 6, 185.56 feet, thence South 16.50 feet, thence North 89 degrees 43' West 16.50 feet, thence North 16.50 feet to the place of beginning.

EXCEPTING THEREFROM: The right of way for railroad conveyed to the Willamette Pacific Railroad Company.

3. **Servient Estate:**

This easement is granted over and across Grantors' property, described as follows:

TRS 17-06-33 T.L. 2000

OWNER: Steve and Rita Waleri

Beginning at the East quarter section corner of Section 33, Township 17 South, Range 6 West Willamette Meridian, run thence N 89 degrees 43' W 660.00 feet along the East and West center line of said Section; thence South to the North line of the Southern Pacific Railroad right of way; thence N 82 degrees 23' E along the North line of said right of way line to the East line of said Section 33; thence North along said East line to the place of beginning, in Lane County, Oregon. Except: 0.45 acres out to new parcel 1902 for 1978 by R922/46235. Also Except: 3.67 acres out to TL 2001 for 1979 by R934/58851.

4. **Use of Easement:**

Grantee is granted the right to use the easement strip as a means of ingress and egress to and from the land described in paragraph 2 herein, or any portion thereof.

5. **Maintenance and Repairs:**

It is understood among the parties that Lane County is currently maintaining a roadway on the easement property. However, in the event the county should cease to maintain such roadway, Grantee, his renters, agents and independent contractors may, in conjunction with their use of the easement strip, reconstruct, maintain and repair a road thereon.

6. **Reservation of Use by Grantors:**

Grantors shall, at all times and without restriction, have the right to use the easement property and

EASEMENT AGREEMENT - Page 2 of 4 Pages

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roadway for purposes not inconsistent with Grantee's full enjoyment of the rights herein granted.

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7. Duty to Cooperate:

The parties shall cooperate during periods of joint use such that each party's use shall cause a minimum of interference with the use of the other party.

8. Prior Encumbrances:

This easement is granted subject to all prior easements or encumbrances of record or apparent from a visual inspection of the property.

9. Successor Interests:

This grant of easement shall run with the land and shall be binding upon and shall inure to the benefit of Grantors and Grantee, their heirs, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Easement and Maintenance Agreement on the 6 day of Feb, 1994.

GRANTORS:

GRANTEE:

Steve Waleri
Steve Waleri

Gerard P. Urciuoli
Gerard P. Urciuoli

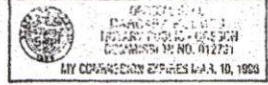
Rita Waleri
Rita Waleri

STATE OF OREGON)
County of Lane) ss.

The foregoing easement and maintenance agreement was acknowledged before me this 16th day of December, 1993 by Steve Waleri.

Jan
16
94

Barbara Holmes
Notary Public of Oregon
My commission expires NA



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STATE OF OREGON)
County of Lane) ss.

The foregoing easement and maintenance agreement was acknowledged before me this 6th day of December, 1993 by Rita Waleri.

sw
R.W.
A.U.

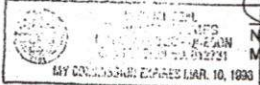


Barbara Holmes
Notary Public of Oregon
My commission expires NPX

STATE OF OREGON)
County of Lane) ss.

The foregoing easement and maintenance agreement was acknowledged before me this 6th day of December, 1993 by Gerard P. Urciuoli.

sw
R.W.
A.U.



Barbara Holmes
Notary Public of Oregon
My commission expires NPX

EXHIBIT "B"

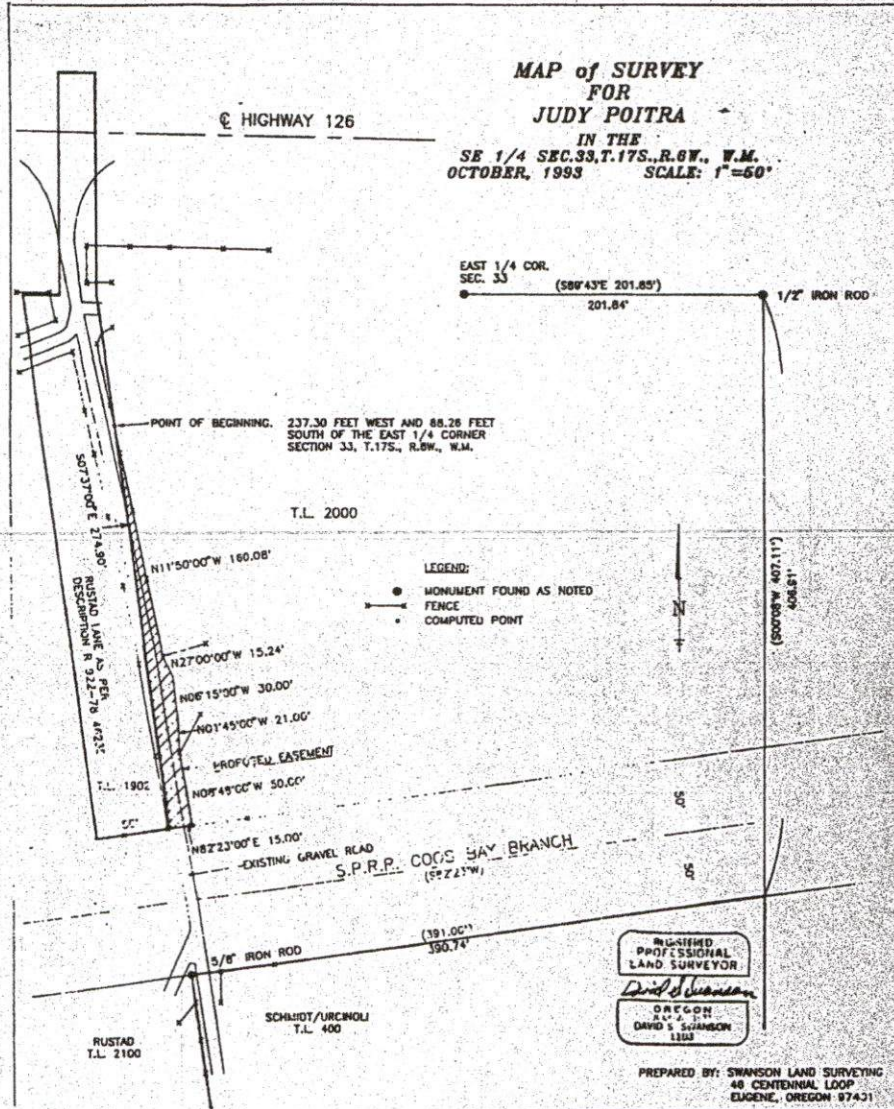
Beginning at a point on the Easterly Right-of-Way of Rustad Lane as described by Deed recorded on Reel 922, Reception No. 78 46235, said point being 237.20 feet West and 88.26 feet South of the East Quarter Corner of Section 33, Township 17 South, Range 6 West, Willamette Meridian, thence S07°37'E along the Easterly Right-of-Way of said Rustad Lane a distance of 274.90 feet to the Northerly Right-of-Way of the Southern Pacific Railroad, thence N82°23'E along said Northerly Right-of-Way a distance of 15.00 feet, thence N08°48'W a distance of 50.00 feet, thence N01°45'W a distance of 21.00 feet, thence N06°15'W a distance of 30.00 feet, thence N27°00'W a distance of 15.24 feet, thence N11°50'W a distance of 160.08 feet to the point of beginning, all in Lane County, Oregon.

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EXHIBIT A



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State of Oregon,
County of Lane-ss.

I, the County Clerk, in and for the said
County, do hereby certify that the within
instrument was received for record at

7 JAN 94 11 26

Reel **1911R**

Lane County OFFICIAL Records.
Lane County Clerk

By: *[Signature]*
County Clerk

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State of Oregon,
County of Lane-ss.

I, the County Clerk, in and for the said
County, do hereby certify that the within
instrument was received for record at

26 APR 94 9 18

Reel **1944R**

Lane County OFFICIAL Records.
Lane County Clerk

By: *[Signature]*
County Clerk

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:

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- 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: \$ 2,590.00
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)

N/A

Water-Use Permit Application Processing

1. Completeness Determination

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

2. Initial Review

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

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

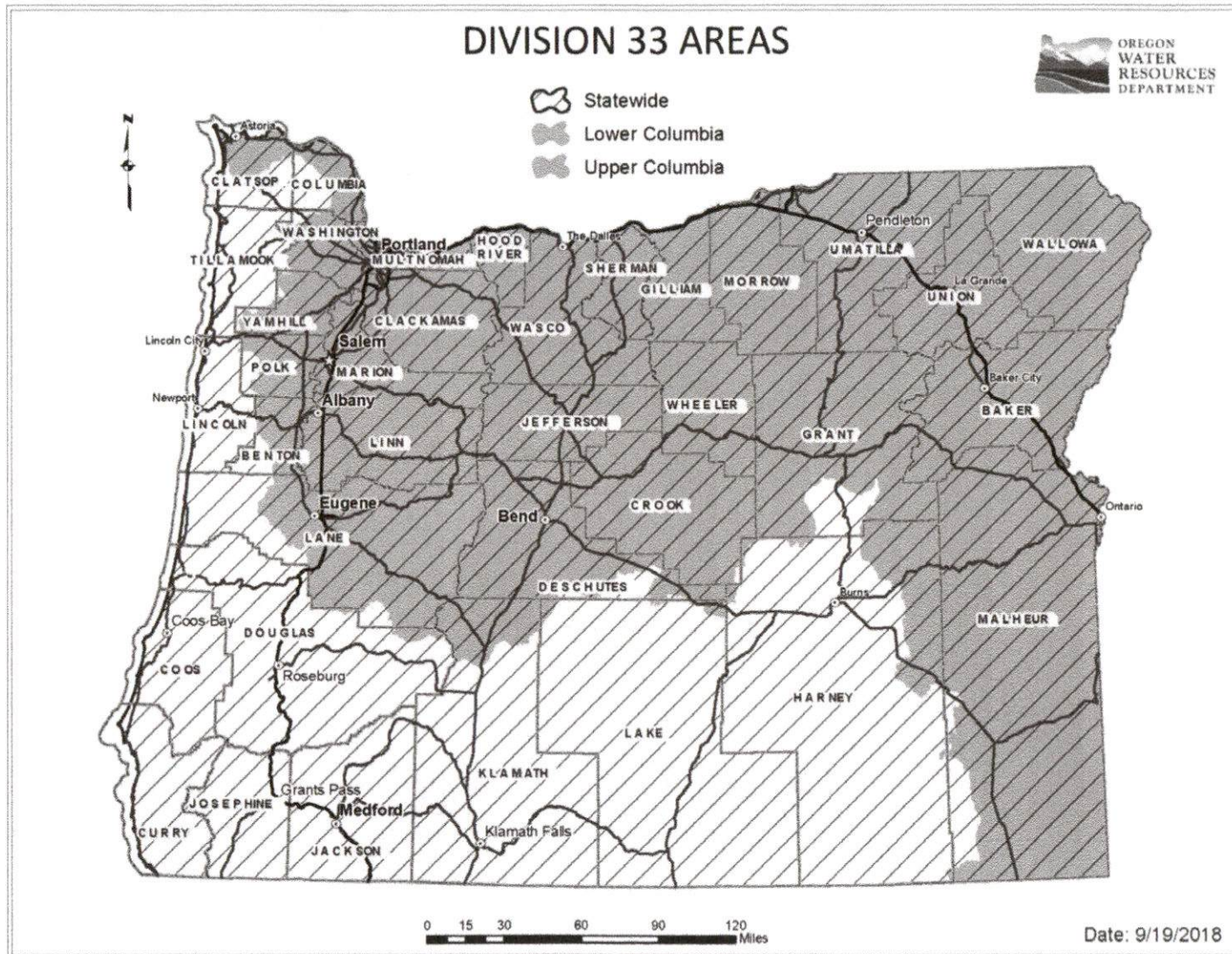
Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest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

6. Final Order Issued

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

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Figure 1: Map of Division 33 Areas



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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 Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

