

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME TERRY D. & TAMARA K. SHORES		PHONE (HM) 541 660-1500	
PHONE (WK)	CELL		FAX
ADDRESS P.O. Box 2022			
CITY ROGUE RIVER	STATE OR	ZIP 97537	E-MAIL *

Organization

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

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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.)

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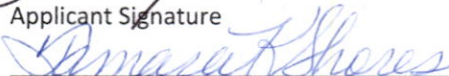
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By my signature below I confirm that I understand:

- 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 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

	<u>TERRY D. SHORES</u>	<u>5/19/2022</u>
Applicant Signature	Print Name and Title if applicable	Date
	<u>TAMARA K. SHORES</u>	<u>5/19/2022</u>
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).*
none

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.

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SECTION 3: SOURCE OF WATER

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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: N. Fork Queens Branch Creek	Tributary to: Queens Branch
TRSQQ of POD: NW-NW Section 17, T35S R4W W.M.	
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).

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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.

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) 986-0900.

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.

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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.

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.

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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
N. Fork Queens Branch	Human Consumption	Year Round	0.005 ☒ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: _____ Acres

Supplemental: _____ Acres

Nursery Use: _____ Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: _____

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

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SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): not yet determined
☐ 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.

An electric pump will divert water into a storage tank. Water will be filtered and treated

B. Application Method

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

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.

There are 4 dry wells on the property. System will be fully piped and only used in house

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- ☒ Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: contact ODF&W fish screen biologist
- ☒ 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: no clearing necessary
- ☒ 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: No equipment in water
- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: water used in house only
- ☒ List other federal and state permits or contracts to be obtained, if a water right permit is granted.
None necessary

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: as soon as permit issued
b) Date construction will be completed: within 5 years
c) Date beneficial water use will begin: within 5 years

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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*).

Agreement with neighbor to use their water will end soon. 4 dry wells on property – only source reasonably available is the creek

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

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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.

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NOTE TO LOCAL GOVERNMENTS

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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 503-986-0900.

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

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541-660-1500

NAME TERRY D. & TAMARA K. SHORES		PHONE (HM) 541 660-1500	
PHONE (WK)	CELL	FAX	
ADDRESS P.O. Box 2022			
CITY ROGUE RIVER	STATE OR	ZIP 97537	E-MAIL*

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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:
35S	4W	17	NW-NW	701	WR	☒ Diverted	☒ Conveyed	☒ Used	RESIDENCE
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

JACKSON

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Groundwater ☒ Surface Water (name) N. FK. QUEENS BRANCH CREEK

Estimated quantity of water needed: 0.005 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

There are 4 dry wells on the property. We need water from the creek for domestic (human consumption) purposes as the creek is the only viable source available. A State water use permit is required to use water

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

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LD 1.7.5 (A).
- ☐ 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:	
RECEIVED JUN 30 2022	RECEIVED MAY 23 2022	☐ Obtained	☐ Being Pursued
		☐ Denied	☐ Not Being Pursued
OWRD	OWRD	☐ Obtained	☐ Being Pursued
		☐ Denied	☐ Not Being Pursued
		☐ Obtained	☐ Being Pursued
		☐ Denied	☐ 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>541-774-6907</i>	DATE: <i>05-17-2022</i>
GOVERNMENT ENTITY <i>Jackson County Development Services</i>		

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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439-22-00985-ZON

05/13/2022

Land Use Compatibility

35-4W-17-701

ZONING: Woodland Resource

RECORD NO: 439-22-00985-ZON

PROCESS: Type I Permit

PROJECT NAME: LUCS

ASSIGNED STAFF:

RECEIVED DATE: 05/13/2022

SITE ADDRESS: 2583 QUEENS BRANCH RD

Owners

SHORES TERRY D/TAMARA K
PO BOX 2022
ROGUE RIVER, 97537-2022
5416601500

Record Detail Description

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Contacts

Norman E. Daft

normthewaterguy@charter.net
(541) 761-1057

Terry & Tamara Shores
P.O. Box 2022 Rogue River, OR 97537

(541) 660-1500

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File #:



Oregon Water Resources Department

Application Supplement for Human
Consumption & Livestock Uses

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

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

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

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

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

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

We have 4 dry wells on the property. Our neighbor will supply a limited amount of well water, but only until we get a permit to use creek water. If a permit is denied, use of their well is to be discontinued.

- b. Securing stored water from upstream reservoirs.

No upstream reservoirs

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

Trucking water is not feasible as we live quite a ways out. Too expensive.

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- d. Community or municipal water suppliers.

None available

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

No springs

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

Not feasible. We need water year round

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

There are no other sources available except the creek.

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

☒ Yes ☐ No ☐ NotApplicable

If so, please describe how:

We would like to make this property our home. We can't live on it without a legal source of water.

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

☐ Yes ☐ No ☒ Not Applicable

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

☐ Yes ☐ No ☒ Not Applicable

Applicant Signature: Terry D. Shores Date: 5/19/2022

Applicant Signature: Samara K. Shores Date: 5/19/2022



H2O To Go
Water Service LLC
P.O. Box 468
Grants Pass Oregon 97528

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Water Delivery Quote:

2,000 gallons
2583 Queens Branch Road, Rogue River,
Oregon 97537

Price:

\$200 per 2,000 gallon load

James Eskitgis
Owner
541-761-6899

RECORDING COVER SHEET (Please print or type) This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234

After Recording Return To:
Post Closing Department
SIERRA PACIFIC MORTGAGE COMPANY,
INC.
1180 IRON POINT ROAD, SUITE 200
FOLSOM, CA 95630

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First American Title

3631272-EV

1. Title(s) of the Transaction(s) ORS 205.234(a)
Deed of Trust

2. Direct Party/Grantor(s) ORS 205.125(1)(b) and 205.160
RICHARD H. WEHLING AND LEANNA THOMAS-WEHLING, AS TENANTS BY THE ENTIRETY
44 Maranatha Rd, Carson City, NV 89704

3. Indirect Party/Trustee ORS 205.125(1)(a) and 205.160
FIRST AMERICAN TITLE INSURANCE CO., OF OREGON
1225 CRATER LAKE AVE., STE.101, MEDFORD, OR 97504
Mortgage Electronic Registration Systems, Inc., as Nominee for Lender, its Successors and or Assigns, P.O. Box 2026, Flint, MI 48501-2026, tel.

4. True and Actual Consideration:
ORS 93.030(5) – Amount in dollars or other
\$ 945,250.00

☐ **Other:** _____

5. Send tax statements to: ORS 93.260

6. Satisfaction of Order or Warrant:

ORS 205.125(1)(e)

CHECK ONE:

(If applicable)

☐ FULL

☐ PARTIAL

7. The amount of the monetary obligation imposed by the order or warrant.

ORS 205.125(1)(c)

(If applicable) \$ _____

8. If this instrument is being Re-Recorded, complete the following statement: ORS 205.244
"RERECORDED AT THE REQUEST OF _____
TO CORRECT _____"

PREVIOUSLY RECORDED IN BOOK _____ AND PAGE _____, OR AS FEE
NUMBER _____."

Originator Company: SIERRA PACIFIC MORTGAGE COMPANY, INC., NMLSR ID:
1788

Originator Name: CARSON TAYLOR MCMURTREY, NMLSR ID: 1688653



PARTITION PLAT NO. P-35-2016

LOCATED IN

THE NORTHWEST 1/4 OF SECTION 17

TOWNSHIP 35 SOUTH, RANGE 4 WEST,

WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON

FOR

Terry and Tamara Shores

2585 Queens Branch Road

Rogue River, Oregon 97537

RECEIVED
DATE 9-23-16 BY JH
This survey consists of:
2 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY
SURVEYOR

Surveyor's Certificate

I, Sean P. Metzger, a duly registered Professional Land Surveyor of the State of Oregon, do hereby certify that I have correctly surveyed and marked with proper monuments, as provided by law, the tract of land shown hereon, this plat being a correct representation of the same, and the following is an accurate description of the exterior boundary lines:

The Northwest Quarter of the Northwest Quarter of Section 17, Township 35 South, Range 4 West of the Willamette Meridian, Jackson County, Oregon

Sean P. Metzger, PLS 82769

Declaration:

KNOW ALL MEN BY THESE PRESENTS, that Terry D. and Tamara K. Shores are the owners in fee of the lands shown on this Partition Plat, more particularly described in the Surveyor's Certificate, and has caused the same to be partitioned and platted into two parcels as shown hereon, and does hereby dedicate to the public that area shown on sheet 2 labeled Public Utility Easement (PUE)

Terry D. Shores
Tamara K. Shores

State of Oregon)
County of Jackson)

Personally appeared before me the above named Terry D. Shores on this the 14 day of Sept. 2016 and acknowledged the foregoing instrument to be his voluntary act and deed.

(Signature) Patty Wake
(Printed Name) Patty Wake

Notary Public - Oregon Commission No. 931400
My Commission Expires August 11, 2018

State of Oregon)
County of Jackson)

Personally appeared before me the above named Tamara K. Shores on this the 14 day of Sept. 2016 and acknowledged the foregoing instrument to be her voluntary act and deed.

(Signature) Patty Wake
(Printed Name) Patty Wake

Notary Public - Oregon Commission No. 931400
My Commission Expires August 11, 2018



I, Sean P. Metzger, do hereby certify that this is an exact copy of the original.

SPmetz

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250

SURVEY FOR: Terry Shores, 2585 Queens Branch Road
Rogue River, Oregon 97537

DATE FINAL MONUMENT SET: August 8, 2016

BASIS OF BEARING: Per Survey Number 6860, as filed in the County Surveyor's Office, Jackson County, Oregon

PURPOSE OF SURVEY: To partition the property described in the Surveyor's Certificate and divide said property into two parcels as tentatively approved by planning action File Number SUB 2012-00014

PROCEDURE USED DURING SURVEY: This survey began with a diligent search of available records including:

- Filed Survey Numbers 6860 and 11936
- The blm master plat and historical index of Township 35 South, Range 4 West
- County, blm and forest service reestablishment notes of government corners (GCDB)
- GCDB coordinates provided by the blm
- Clients current deed 1997-44385 and deeds for surrounding properties

Upon completion of research, an analysis of client's deed compared to adjacent surrounding deed descriptions for possible title problems was completed with no found apparent evidence of any gaps, overlaps, or junior/senior rights issues.

After a comparison of deeds, surveys and reestablishment notes, it was determined that the Northwest corner and North 1/4 corner of section 17 were re-established in 1937 and again in 1982 by the County Surveyor, the West 1/16 corner common to sections 8 and 17 was set in 1937 by the County Surveyor by an unknown method per information available at time of initial research.

All researched data was then used to perform the preliminary analysis and calculations needed for the field search and recovery of controlling corners of section 17 needed for completing partition. During monument recovery the West 1/16 was not found. Per request the County Surveyor reset the West 1/16 in August of 2016. The controlling corners as shown hereon were measured and accepted in their location as the best available evidence of each corner location.

Per said tentative approval the boundaries of Parcel 1 were calculated as shown here-on, and monumented accordingly.

All found monuments were measured via static GPS observations, redundant RTK measurements and/or closed loop traverse.

Exceptions and Easements per Public Record Report-Not Shown

- Easement, including terms and provisions contained therein:
Recording Information: October 30, 1951 as Volume 358, Page 420
In Favor of: California Oregon Power Company
For: Transmission and distribution of electricity
Affects: None Given
- Right of way, including terms and conditions contained therein:
Granted to: Pacific Telephone and Telegraph Company
Recording Information: October 30, 1951 as Volume 358, Page 420
- Easement, including terms and provisions contained therein:
Recording Information: December 07, 1982 as Document No. 82-17628
In Favor of: Pacific Power and Light Company
For: Transmission and distribution of electricity
Affects: None Given

Approvals:

Examined and Approved by the Jackson County Development Services
this 21st day of September, 2016
Planning File Number: SUB2012-00014

KAMahl
County Planner

Examined and approved this 1st day of January 2016

Scott
Jackson County Surveyor

All taxes, fees, assessments, and other charges as required by O.R.S. 92.095 have been paid as of this 1st day of Sept. 2016

Chad Keller deputy
Date 9-23-16

Examined and approved as required by O.R.S. 92.100 this 23rd day of Sept. 2016

Chad Keller Deputy
Date 9/23/16

Recorder:

Filed for record this 23rd day of September, 2016 at 11:00 clock A.M.
and recorded as Partition Plat Number P-35-2016 in Record of Partition Plats in Jackson County, Oregon. Index Volume 87 Page 35

Christina D. Wallen
County Clerk

Filed in the Office of the Jackson County Surveyor as Survey Number

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JUN 30 2022
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REGISTERED
PROFESSIONAL
LAND SURVEYOR

SPmetz
OREGON
JUNE 8, 2009
SEAN P. METZGER
No. 82769
RENEWS: 12/31/2016

PREPARED BY: METZGER LAND SURVEYING, LLC
P.O. BOX 3521
CENTRAL POINT, OR 97502
PHONE: 541-727-2749

DRAWN BY: SPM DATE: 8/8/2016
CHECKED BY:

SURVEY FOR: TERRY SHORES
2585 QUEENS BRANCH ROAD, ROGUE RIVER, OREGON 97537

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94-37135

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

11:48 OCT 17 1994 A.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

Guadalupe Gutierrez Deputy

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JUN 30 2022

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94-37135

1472

5
10
20

WARRANTY DEED

Until a change is requested, all tax statements shall be sent to the following address: TERRY D. SHORES and TAMARA K. SHORES, PO Box 1243, Albany, Oregon 97321.

After recording, return to: TERRY D. SHORES and TAMARA K. SHORES, PO Box 1243, Albany, Oregon 97321.

The true consideration for this conveyance is \$265,000.00.

Eugene L. Mars, Trustee for the Inter Vivos Revocable Trust of Eugene L. Mars, dated April 21, 1989, Grantor, conveys and warrants to TERRY D. SHORES and TAMARA K. SHORES, husband and wife, the following described real property free of encumbrances except as specifically set forth herein:

The Northwest Quarter of the Northwest Quarter of Section 17, Township 35 South, Range 4 West of the Willamette Meridian, Jackson County, Oregon.

SUBJECT TO: Easements, conditions and restrictions of record.

Jackson County Assessor Map No. 35-4W-17, Tax Lot 700, Account Numbers 1-053270-0 and 1-052567-0. Situs Address: 2565 Queens Branch Rd., Rogue River, Oregon 97537.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED effective the 1st day of October, 1994.

INTER VIVOS REVOCABLE TRUST OF EUGENE L. MARS

By: Eugene L. Mars
EUGENE L. MARS, Trustee

State of Oregon
County of Linn

This instrument was acknowledged before me on October 14, 1994, by EUGENE L. MARS as Trustee of the Inter Vivos Revocable Trust of Eugene L. Mars dated April 21, 1989.



Andrea J. Whittington
Notary Public for Oregon
My Commission Expires: 2-22-98



After recording return to:
Richard H. Wehling and Leanna
Thomas-Wehling
2585 Queens Branch Road
Rogue River, OR 97537

Until a change is requested all tax
statements shall be sent to the
following address:
Richard H. Wehling and Leanna
Thomas-Wehling
2585 Queens Branch Road
Rogue River, OR 97537

File No.: 7161-3631272 (EV)
Date: December 04, 2020

THIS SPACE RES

Jackson County Official Records **2021-008438**
R-WD
Stn=7 SIMPSOHP **02/24/2021 02:24:48 PM**
\$15.00 \$10.00 \$11.00 \$11.00 \$60.00 **\$107.00**

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

Christine Walker - County Clerk

STATUTORY WARRANTY DEED

Terry D. Shores and Tamara K. Shores, as tenants by the entirety, Grantor, conveys and warrants
to **Richard H. Wehling and Leanna Thomas-Wehling as tenants by the entirety**, 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:

**PARCEL 2, AS SHOWN ON THE PARTITION PLAT FILED IN THE OFFICE OF THE JACKSON
COUNTY, OREGON SURVEYOR AS NO. 22078 AND RECORDED AS PARTITION PLAT NO. P-35-
2016 OF "RECORD OF PARTITION PLATS" IN JACKSON COUNTY, OREGON.**

Subject to:

1. 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 **\$945,250.00**. (Here comply with requirements of ORS 93.030)

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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 19th day of February, 2021.

Terry D. Shores
Terry D. Shores

Tamara K. Shores
Tamara K. Shores

STATE OF Oregon)
County of Jackson)ss.
)

This instrument was acknowledged before me on this 19th day of February 2021
by **Terry D. Shores and Tamara K. Shores.**

Notary Public for Oregon
My commission expires: 11/20/23



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Application Completeness | Summary of Needed Items:

- ☐ 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. This requirement can be met by providing a copy of the deed, land sales contract, title insurance policy, or a lot book report prepared by a title company. Copies of tax bills are not acceptable.

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Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 25, 2022

Terry & Tamara Shores
PO Box 2022
Rogue River, OR 97537

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Dear Applicant:

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

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the reverse side of this letter.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801 or 503-986-0810.

Sincerely,

Corie Lovrien
Water Rights Customer Service

Cc: OWRD Fiscal (Check #2263),

Enclosures: Application and Check.

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

- ☒ Project schedule. (Note: If system is already completed, indicates "existing.", (Note: Estimates are okay if the water system has not been designed))
- ☒ Supplemental data sheets enclosed (if needed)
- ☐ Form M (Municipal or Quasi-Municipal)
- ☒ A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department. Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- ☒ A **Legal Description** of all the properties involved where water is diverted, conveyed, and used. The legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable
- ☒ The proposed source ☐ **IS** ☒ **IS NOT** restricted or withdrawn from further appropriation. **NOTE:** If it is withdrawn under ORS 538, reject/return application and fees.
- ☒ The **map** must meet all the minimum requirements of OAR 690-310-0050.
- ☒ Township, Range, Section
 - ☒ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - ☒ Place of use, 1/4-1/4's and tax lot clearly identified
 - ☒ Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - ☒ Location of **each** diversion point or well by reference to a recognized public land survey corner.
 - ☒ Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
 - ☒ Reference corner on map
 - ☒ North directional symbol
 - ☒ Number of acres per 1/4 1/4 if for irrigation, supplemental irrigation, or nursery use
- ☒ **Fees:** Amount of Water Requested: .005 cfs Name on Check: _____

Exam Fee Due:	\$1500
Exam Fee Submitted:	\$2210
Difference:	\$610
Recording Fee Paid?	☒ Yes ☐ No \$ 610
Total:	\$2210



Superior Water Right Consulting, LLC

NORM DAFT
"The Water Guy"

245 Glenoak Lane
Grants Pass, OR 97526

Phone (Cell): 541 761-1057
normthewaterguy@charter.net

May 20, 2022

Oregon Water Resources Department
725 Summer Street NE., Suite A
Salem, OR 97301-1266

Permit Application Section,

The following items are enclosed:

1. Application for Human Consumption – Terry and Tamara Shores
2. Application Supplement for Human Consumption
3. Map of property and POD
4. Fee schedule
5. Land Use Information Form signed by Jackson County Planning
6. Water Delivery quote
7. A check in the amount of \$2110.00

Please let me know if there are any questions.

Thank You.

Norman E. Daft

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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: \$2,110.00
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)

Water-Use Permit Application Processing

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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 \$310. 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 \$480.00 for the applicant and \$950.00 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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