

MAR 30 2026

Attachment 2: Land Use Information Form

# Land Use Information Form

 BY: 


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

## NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

This form is **NOT** required if:

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

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or [WRD\\_DL\\_customerservice@water.oregon.gov](mailto:WRD_DL_customerservice@water.oregon.gov).

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Attachment 2: Land Use Information Form

Land Use Information Form

BY: [Signature]



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

NAME: Sunstone Water, LLC; PHONE: 541-279-3178; MAILING ADDRESS: 250 SW Taylor Street; CITY: Portland; STATE: OR; ZIP: 97204; EMAIL: jolson@nwnaturalwaterservices.com

A. Land and Location

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

Table with 8 columns: Township, Range, Section, 1/4, Tax Lot #, Plan Designation (e.g., Rural Residential/RR-5), Water to be:, Proposed Land Use:.

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

City of Shady Cove and Jackson County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond (checked), Ground Water, Surface Water (name) Stored water from Lost Creek Reservoir

Estimated quantity of water needed: 50 acre-feet (checked)

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

Briefly describe:

Sunstone Water, LLC is requesting a water use permit for the use of stored water from Lost Creek Reservoir, which it will use to serve its customers within the tax lots shown on the application map. The use is Quasi-Municipal.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 3 and include it with the application filed with the Oregon Water Resources Department.

See Page 3 ->

MAR 30 2026

For Local Government Use Only

BY: [Signature]

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

- [X] Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): See Attached Supplemental Findings
[X] Land uses to be served by the proposed water use(s), 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."

Table with 3 columns: Type of Land-Use Approval Needed, Cite Most Significant, Applicable Plan Policies & Ordinance Section References, Land-Use Approval: (Obtained, Denied, Being Pursued, Not Being Pursued)

Local governments are invited to express special land use concerns or make recommendations to the Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

See Attached Supplemental Findings

Name: Title:
Signature: Date:
Governmental Entity: Phone:

Receipt Acknowledging Request for Land Use Information
Note to Local Government Representative:
Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant.
Applicant Name: SUNSTONE WATER, LLC
Staff Name: JOHN EDWARDS Title: CITY ADMINISTRATOR PROTEM
Staff Signature: [Signature] Date: 30 MARCH 2026
Governmental Entity: City of Sandy Cove Phone: 541-878-2225

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BY: [Signature]

# WATER RIGHT PERMIT APPLICATION MAP

## LEGEND

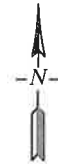
- POD 2 - LOST CREEK RESERVOIR RE-DIVERSION 790' SOUTH AND 350' WEST FROM E 1/4 CORNER SECTION 16
- PLACE OF USE QUASI-MUNICIPAL
- EXISTING TRANSMISSION LINE
- EXISTING DISTRIBUTION LINE
- URBAN GROWTH BOUNDARY
- CITY BOUNDARY

QUASI-MUNICIPAL USE

FOR  
SUNSTONE WATER, LLC  
250 SW TAYLOR STREET  
PORTLAND, OR 97204

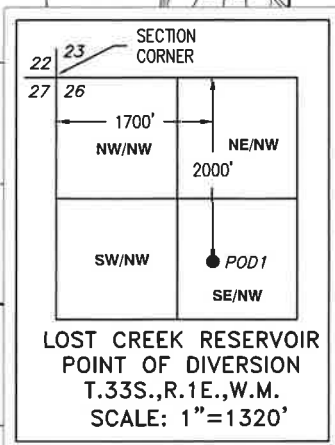
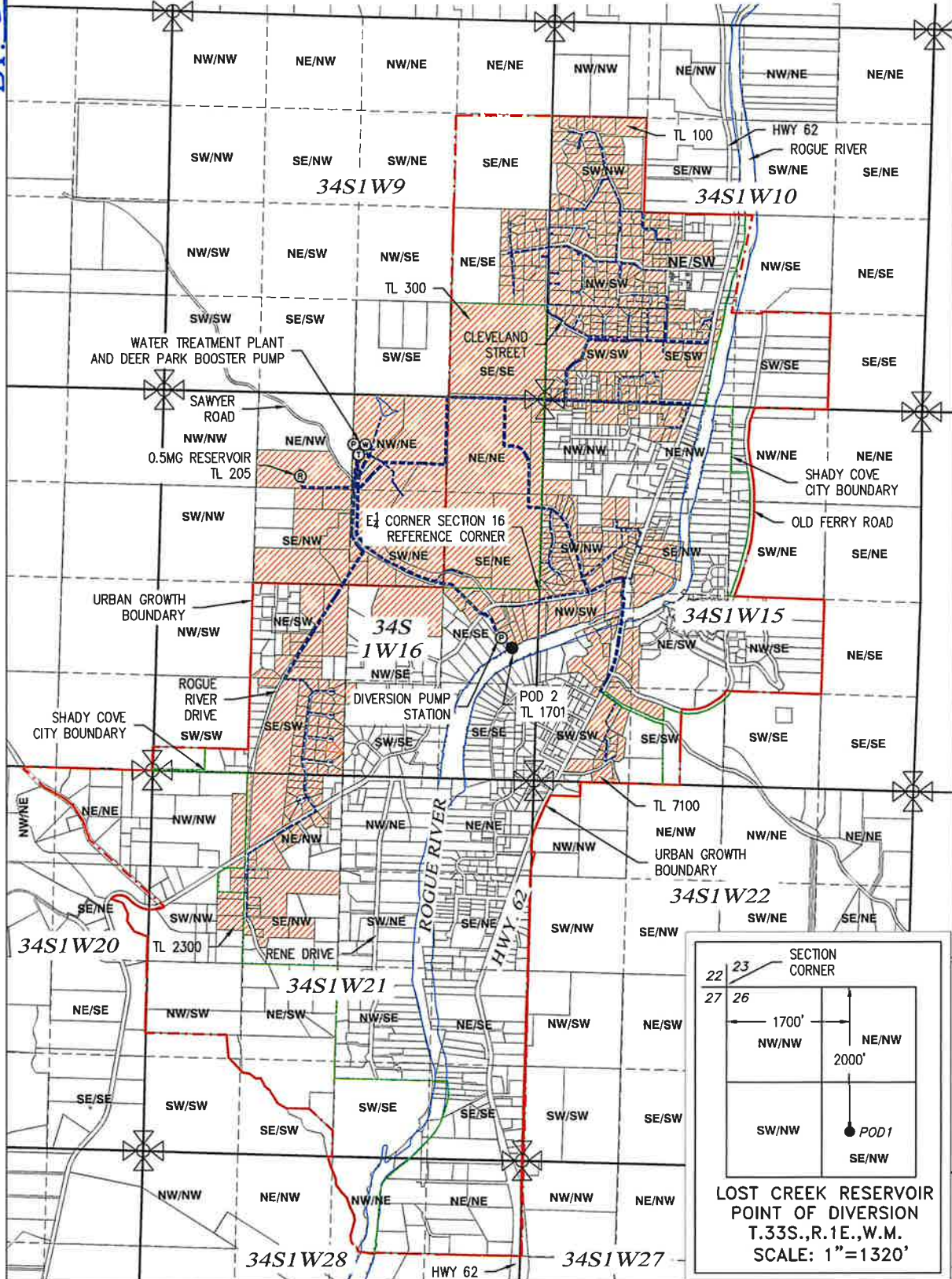
SITUATED IN  
SECTIONS 9, 10, 15, 16, 21, TOWNSHIP 34 SOUTH, RANGE 1 WEST, W.M.  
JACKSON COUNTY, OREGON

0 660 1320  
SCALE: 1"=1320'



This map is not intended to provide legal dimensions or locations of property ownership lines.

EHM-March 26, 2026  
ROGUE CIVIL LLC  
emalepsy@roguecivil.com 541-621-2868



MAR 30 2026

Sunstone Water LLC

BY: 

341W09	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use	341W10	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use
341W09	300	RR-5	U	Residential	341W10BC	100	R1-20	U	Residential
341W09DA	100	R1-20	U	Residential	341W10BC	101	R1-20	U	Residential
341W09DA	101	R1-20	U	Residential	341W10BC	200	R1-20	U	Residential
341W09DA	102	R1-20	U	Residential	341W10BC	300	R1-20	U	Residential
341W09DA	200	R1-20	U	Residential	341W10BC	400	R1-20	U	Residential
341W09DA	300	R1-20	U	Residential	341W10BC	500	R1-20	U	Residential
341W09DA	301	R1-20	U	Residential	341W10BC	600	R1-20	U	Residential
341W09DA	400	R1-20	U	Residential	341W10BC	700	R1-20	U	Residential
341W09DA	500	R1-20	U	Residential	341W10BC	900	R1-20	U	Residential
341W09DA	501	R1-20	U	Residential	341W10BC	1000	R1-20	U	Residential
341W09DA	502	R1-20	U	Residential	341W10BC	1100	R1-20	U	Residential
341W09DA	503	R1-20	U	Residential	341W10BC	1200	R1-20	U	Residential
341W09DA	504	R1-20	U	Residential	341W10BC	1201	R1-20	U	Residential
341W09DA	505	R1-20	U	Residential	341W10BC	1202	R1-20	U	Residential
341W09DA	506	R1-20	U	Residential	341W10BC	1300	R1-20	U	Residential
341W09DA	700	R1-20	U	Residential	341W10BC	1301	R1-20	U	Residential
341W09DA	701	R1-20	U	Residential	341W10BC	1302	R1-20	U	Residential
341W09DA	702	R1-20	C,U	Residential	341W10BC	1304	R1-20	U	Residential
341W09DA	703	R1-20	U	Residential	341W10BC	1305	R1-20	U	Residential
341W09DA	704	R1-20	U	Residential	341W10BC	1306	R1-20	U	Residential
341W09DA	705	R1-20	C,U	Residential	341W10BC	1307	R1-20	U	Residential
341W09DA	706	R1-20	C,U	Residential	341W10BC	1309	R1-20	U	Residential
341W09DA	707	R1-20	U	Residential	341W10BC	1310	R1-20	U	Residential
341W09DA	800	R1-20	U	Residential	341W10BC	1400	R1-20	U	Residential
341W09DA	900	R1-20	U	Residential	341W10BC	1500	R1-20	U	Residential
341W09DA	1000	R1-20	C,U	Residential	341W10BC	1501	R1-20	U	Residential
341W09DA	1100	R1-20	U	Residential	341W10BC	1600	R1-20	U	Residential
341W09DA	1101	R1-20	U	Residential	341W10BC	1603	R1-20	U	Residential
341W09DA	1200	R1-10	U	Residential	341W10BC	1605	R1-20	U	Residential
					341W10BC	1606	R1-20	U	Residential
					341W10BC	1700	R1-20	U	Residential
					341W10BC	1701	R1-20	U	Residential
					341W10BC	1702	R1-20	U	Residential
					341W10BC	1703	R1-20	U	Residential
					341W10BC	1704	R1-20	U	Residential
					341W10BC	1705	R1-20	U	Residential
					341W10BC	1706	R1-20	U	Residential
					341W10BC	1707	R1-20	U	Residential
					341W10BC	1708	R1-20	U	Residential

MAR 30 2026

Sunstone Water LLC

BY: 

341W10	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use	341W10	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use
341W10CA	1000	R1-10	U	Residential	341W10CB	1100	R1-20	U	Residential
341W10CA	1100	R1-10	U	Residential	341W10CB	1200	R1-20	U	Residential
341W10CA	1101	R1-10	U	Residential	341W10CB	1300	R1-20	U	Residential
341W10CA	1200	R1-10	U	Residential	341W10CB	1400	R1-10	U	Residential
341W10CA	1300	R1-10	U	Residential	341W10CB	1500	R1-10	U	Residential
341W10CA	1301	R1-10	U	Residential	341W10CB	1600	R1-10	U	Residential
341W10CA	1400	R1-10	U	Residential	341W10CB	1700	R1-10	U	Residential
341W10CA	1401	R1-10	U	Residential	341W10CB	1800	R1-10	U	Residential
341W10CA	1500	R1-10	U	Residential	341W10CB	1900	R1-10	U	Residential
341W10CA	1501	R1-10	U	Residential	341W10CB	2000	R1-10	U	Residential
341W10CA	1600	R1-10	U	Residential	341W10CB	2100	R1-10	U	Residential
341W10CA	1700	R1-10	U	Residential	341W10CB	2200	R1-10	U	Residential
341W10CA	1800	R1-10	U	Residential	341W10CB	2300	R1-10	C,U	Residential
341W10CA	1900	R1-10	U	Residential	341W10CB	2400	R1-10	C,U	Residential
341W10CA	2000	R1-10	U	Residential	341W10CB	2500	R1-10	U	Residential
341W10CA	2100	R1-10	U	Residential	341W10CB	2600	R1-10	U	Residential
341W10CA	3200	R1-10	U	Residential	341W10CB	2700	R1-10	U	Residential
341W10CA	3300	R1-10	U	Residential	341W10CB	2800	R1-10	C,U	Residential
341W10CA	3400	R1-10	U	Residential	341W10CB	2900	R1-10	C,U	Residential
341W10CA	3500	R1-10	U	Residential	341W10CB	2901	R1-10	C,U	Residential
341W10CA	3600	R1-10	U	Residential	341W10CB	3000	R1-10	C,U	Residential
341W10CA	3700	R2	U	Residential	341W10CB	3100	R1-10	C,U	Residential
341W10CA	3800	R2	U	Residential	341W10CB	3200	R1-20	C,U	Residential
341W10CA	3900	R2	U	Residential	341W10CB	3300	R1-20	U	Residential
341W10CA	3901	R2	U	Residential	341W10CB	3400	R1-20	U	Residential
341W10CA	4000	R2	U	Residential	341W10CB	3500	R1-20	U	Residential
341W10CA	5600	R3	U	Residential	341W10CB	3700	R1-20	C,U	Residential
341W10CA	5601	R3	U	Residential	341W10CB	3800	R1-20	C,U	Residential
341W10CA	5700	R3	U	Residential	341W10CB	3900	R1-20	U	Residential
341W10CA	5800	R3	U	Residential	341W10CB	4000	R1-20	U	Residential
341W10CA	5900	GC	U	Commercial	341W10CB	4100	R1-20	U	Residential
341W10CA	6000	GC	U	Commercial	341W10CB	4200	R1-20	U	Residential
341W10CA	6100	GC	C,U	Commercial	341W10CB	4300	R1-20	C,U	Residential
341W10CA	6200	GC	C,U	Commercial	341W10CB	4301	R1-20	C,U	Residential
341W10CA	6300	GC	U	Commercial	341W10CB	4400	R1-20	U	Residential
341W10CB	100	R1-20	U	Residential					
341W10CB	101	R1-20	U	Residential					
341W10CB	200	R1-20	U	Residential					
341W10CB	300	R1-20	U	Residential					
341W10CB	400	R1-20	U	Residential					
341W10CB	401	R1-20	U	Residential					
341W10CB	500	R1-20	U	Residential					
341W10CB	600	R1-20	U	Residential					
341W10CB	700	R1-20	U	Residential					
341W10CB	701	R1-20	U	Residential					
341W10CB	800	R1-20	U	Residential					
341W10CB	900	R1-20	U	Residential					
341W10CB	1000	R1-20	U	Residential					

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MAR 30 2026

Sunstone Water LLC

BY: 

341W10	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use	341W10	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use
341W10CB	4500	R1-20	U	Residential	341W10CC	2209	R1-10	U	Residential
341W10CB	4600	R1-20	C,U	Residential	341W10CC	2210	R1-10	U	Residential
341W10CB	4700	R1-20	C,U	Residential	341W10CC	2211	R1-10	U	Residential
341W10CB	4800	R1-20	U	Residential	341W10CC	2212	R1-10	U	Residential
341W10CB	4900	R1-20	U	Residential	341W10CC	2300	R1-20	C,U	Residential
341W10CB	5000	R1-20	C,U	Residential	341W10CC	2304	R1-20	U	Residential
341W10CB	5100	R1-20	C,U	Residential	341W10CC	2400	R2	U	Residential
341W10CB	5200	R1-20	U	Residential	341W10CC	2401	R2	C,U	Residential
341W10CB	5300	R1-20	U	Residential	341W10CC	2402	R2	U	Residential
341W10CB	5400	R1-20	C,U	Residential	341W10CC	2403	R2	U	Residential
341W10CB	5500	R1-20	C,U	Residential	341W10CC	2404	R2	U	Residential
341W10CB	5501	R1-20	U	Residential	341W10CC	2405	R2	U	Residential
341W10CB	5502	R1-20	U	Residential	341W10CC	2406	R2	C,U	Residential
341W10CB	5600	R1-20	U	Residential	341W10CC	2407	R2	C,U	Residential
341W10CB	5601	R1-20	U	Residential	341W10CC	2408	R2	C,U	Residential
341W10CB	5602	R1-20	U	Residential	341W10CC	2409	R2	C,U	Residential
341W10CB	5700	R1-20	C,U	Residential	341W10CC	2500	R2	U	Residential
341W10CC	100	R1-10	U	Residential	341W10CC	2600	R2	U	Residential
341W10CC	200	R1-10	U	Residential	341W10CC	2802	R2	U	Residential
341W10CC	300	R1-10	U	Residential	341W10CC	2804	R2	U	Residential
341W10CC	400	R1-10	U	Residential	341W10CC	2900	R2	U	Residential
341W10CC	500	R1-10	U	Residential	341W10CC	2901	R2	U	Residential
341W10CC	600	R1-10	U	Residential	341W10CC	3000	R2	U	Residential
341W10CC	700	R1-10	C,U	Residential	341W10CC	3001	R2	U	Residential
341W10CC	800	R1-10	U	Residential	341W10CC	3100	R2	U	Residential
341W10CC	900	R1-10	U	Residential	341W10CC	3300	R2	U	Residential
341W10CC	1000	R1-10	U	Residential	341W10CC	3301	R2	U	Residential
341W10CC	1100	R1-10	U	Residential	341W10CC	3302	R2	U	Residential
341W10CC	1200	R1-10	U	Residential	341W10CC	3303	R2	U	Residential
341W10CC	1300	R1-10	U	Residential	341W10CC	3304	R2	U	Residential
341W10CC	1400	R1-10	U	Residential	341W10CC	3305	R2	U	Residential
341W10CC	1500	R1-10	U	Residential	341W10CC	3306	R2	U	Residential
341W10CC	1600	R1-10	U	Residential	341W10CC	3308	R2	U	Residential
341W10CC	1700	R1-10	U	Residential	341W10CC	3310	R2	U	Residential
341W10CC	1800	R1-10	U	Residential	341W10CC	3400	R2	U	Residential
341W10CC	1900	R1-10	U	Residential	341W10CC	3401	R2	U	Residential
341W10CC	2000	R1-10	U	Residential	341W10CC	3500	R2	U	Residential
341W10CC	2100	R1-10	U	Residential					
341W10CC	2200	R1-10	U	Residential					
341W10CC	2201	R1-10	U	Residential					
341W10CC	2202	R1-10	U	Residential					
341W10CC	2203	R1-10	U	Residential					
341W10CC	2204	R1-10	U	Residential					
341W10CC	2205	R1-10	U	Residential					
341W10CC	2206	R1-10	U	Residential					
341W10CC	2207	R1-10	U	Residential					
341W10CC	2208	R1-10	U	Residential					

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Sunstone Water LLC

BY: 

341W10	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use	341W15	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use
341W10CD	100	R3	U	Residential	341W15	1103	Park/Open	U	Public
341W10CD	200	R3	U	Residential	341W15	1127	R3	U	Residential
341W10CD	300	R3	U	Residential	341W15BA	4001	GC	U	Commercial
341W10CD	400	R3	U	Residential	341W15BA	4500	GC	U	Commercial
341W10CD	500	R3	U	Residential	341W15BA	4800	GC	C,U	Commercial
341W10CD	600	R3	U	Residential	341W15BA	4801	GC	C,U	Commercial
341W10CD	700	R3	U	Residential	341W15BA	4900	GC	U	Commercial
341W10CD	701	R3	U	Residential	341W15BA	5000	R2	U	Residential
341W10CD	702	R3	U	Residential	341W15BA	5400	R2	U	Residential
341W10CD	800	R3	U	Residential	341W15BA	5401	R2	U	Residential
341W10CD	900	R3	U	Residential	341W15BA	5500	R2	U	Residential
341W10CD	1000	R3	U	Residential	341W15BB	100	R2	U	Residential
341W10CD	1002	R3	U	Residential	341W15BB	101	R2	U	Residential
341W10CD	1100	R2	U	Residential	341W15BB	400	R2	U	Residential
341W10CD	1200	R2	U	Residential	341W15BB	500	R2	U	Residential
341W10CD	1201	R2	U	Residential	341W15BB	501	R2	U	Residential
341W10CD	1300	R2	U	Residential	341W15BB	600	R2	U	Residential
341W10CD	1400	R2	U	Residential	341W15BB	601	R2	U	Residential
341W10CD	1500	R2	C,U	Residential	341W15BB	603	R2	U	Residential
341W10CD	1501	R2	C,U	Residential	341W15BB	700	R2	U	Residential
341W10CD	1502	R2	C,U	Residential	341W15BB	800	R2	U	Residential
341W10CD	1503	R2	C,U	Residential	341W15BB	802	R2	U	Residential
341W10CD	1504	R2	C,U	Residential	341W15BB	803	R2	U	Residential
341W10CD	1505	R2	C,U	Residential	341W15BB	1402	R2	U	Residential
341W10CD	1600	Park/Open	C,U	Public	341W15BB	1500	R2	U	Residential
341W10CD	1700	Park/Open	U	Public	341W15BB	5700	R1-20	U	Residential
341W10CD	1900	GC	U	Commercial	341W15BC	100	GC	U	Commercial
341W10CD	2000	Park/Open	U	Public	341W15BC	200	GC	U	Commercial
341W10CD	2100	Park/Open	U	Public	341W15BC	300	GC	U	Commercial
341W10CD	2200	R2	C,U	Residential	341W15BC	301	R3	U	Residential
341W10CD	2201	R2	C,U	Residential	341W15BC	400	R3	U	Residential
341W10CD	2203	R2	U	Residential	341W15BC	600	R3	U	Residential
341W10CD	2204	R2	C,U	Residential	341W15BC	900	R1-6	U	Residential
341W10CD	2300	R2	U	Residential	341W15BC	1000	R1-6	U	Residential
341W10CD	2400	R2	U	Residential	341W15BC	1100	R1-6	U	Residential
341W10CD	2500	R2	U	Residential	341W15BC	1201	R1-6	U	Residential
341W10CD	3200	R1-10	U	Residential	341W15BC	1205	R1-6	U	Residential
341W10CD	3300	R1-10	U	Residential	341W15BC	1300	R1-6	C,U	Residential
341W10CD	3400	R1-10	U	Residential	341W15BC	1301	R1-6	C,U	Residential
341W10CD	3500	R1-10	U	Residential	341W15BC	1400	R1-6	C,U	Residential
					341W15BC	1500	R3	U	Residential
					341W15BC	1600	GC	C,U	Commercial
					341W15BC	1601	GC	U	Commercial
					341W15BC	1700	GC	U	Commercial
					341W15BC	1800	GC	C,U	Commercial

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341W15	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use	341W15	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use
341W15BC	1801	GC	C,U	Commercial	341W15BD	500	GC	C,U	Commercial
341W15BC	1900	GC	U	Commercial	341W15BD	600	GC	U	Commercial
341W15BC	2100	GC	U	Commercial	341W15BD	700	GC	U	Commercial
341W15BC	2200	GC	U	Commercial	341W15BD	800	GC	U	Commercial
341W15BC	2300	GC	U	Commercial	341W15BD	900	GC	C,U	Commercial
341W15BC	2500	GC	U	Commercial	341W15BD	901	GC	U	Commercial
341W15BC	2600	GC	U	Commercial	341W15BD	1000	GC	U	Commercial
341W15BC	2700	GC	U	Commercial	341W15BD	1100	GC	U	Commercial
341W15BC	2800	GC	U	Commercial	341W15BD	1301	GC	U	Commercial
341W15BC	2900	GC	U	Commercial	341W15CA	4001	R1-20	U	Residential
341W15BC	3000	Park/Open	U	Public	341W15CA	4100	GC	U	Commercial
341W15BC	3100	R1-6	U	Residential	341W15CB	100	Park/Open	U	Public
341W15BC	3200	R1-10	U	Residential	341W15CB	101	GC	C,U	Commercial
341W15BC	3201	R1-10	U	Residential	341W15CB	200	Park/Open	U	Public
341W15BC	3202	R1-10	U	Residential	341W15CB	300	Park/Open	U	Public
341W15BC	3203	R1-10	U	Residential	341W15CB	400	Park/Open	U	Public
341W15BC	3205	R1-10	U	Residential	341W15CB	401	R1-40	U	Residential
341W15BC	3206	R1-10	U	Residential	341W15CB	500	R1-40	U	Residential
341W15BC	3207	R1-10	U	Residential	341W15CB	708	R1-20	U	Residential
341W15BC	3208	R1-10	U	Residential	341W15CB	900	GC	U	Commercial
341W15BC	3209	R1-10	U	Residential	341W15CB	1001	GC	U	Commercial
341W15BC	3210	R1-10	U	Residential	341W15CB	1004	GC	U	Commercial
341W15BC	3211	R1-10	U	Residential	341W15CB	1200	Park/Open	U	Public
341W15BC	3212	R1-10	U	Residential	341W15CC	100	GC	U	Commercial
341W15BC	3213	R1-10	U	Residential	341W15CC	5600	R3	U	Residential
341W15BC	3214	R1-10	U	Residential	341W15CC	5700	GC	C,U	Commercial
341W15BC	3215	R1-10	U	Residential	341W15CC	5800	GC	C,U	Commercial
341W15BC	3216	R1-10	U	Residential	341W15CC	6300	Park/Open	U	Public
341W15BC	3217	R1-10	U	Residential	341W15CC	6500	R3	U	Residential
341W15BC	3218	R1-10	U	Residential	341W15CC	6501	R3	U	Residential
341W15BC	3219	R1-10	U	Residential	341W15CC	6600	R3	U	Residential
341W15BC	3220	R1-10	U	Residential	341W15CC	6700	R3	U	Residential
341W15BC	3221	R1-10	U	Residential	341W15CC	6800	R3	U	Residential
341W15BC	3222	R1-10	U	Residential	341W15CC	6900	R3	C,U	Residential
341W15BC	3223	R1-10	U	Residential	341W15CC	7000	R3	U	Residential
341W15BC	3224	R1-10	U	Residential	341W15CC	7100	R3	U	Residential
341W15BC	3225	R1-10	U	Residential	341W15CC	7101	R3	U	Residential
341W15BC	3226	R1-10	U	Residential					
341W15BC	3227	R1-10	U	Residential					
341W15BC	3228	R1-10	U	Residential					
341W15BC	3229	R1-10	U	Residential					
341W15BC	3230	R1-10	U	Residential					
341W15BC	3231	R1-10	U	Residential					
341W15BC	3232	R1-10	U	Residential					
341W15BC	3233	R1-10	U	Residential					
341W15BC	3234	R1-10	U	Residential					
341W15BC	3235	R1-10	U	Residential					

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341W16	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use	341W16	TL	Zoning	Water to be: Diverted (D), Coveyed (C), Used (U)	Land Use
341W16	100	OSR	C,U	Open	341W16CD	700	R1-20	U	Residential
341W16	101	OSR	U	Open	341W16CD	800	R1-20	U	Residential
341W16	200	OSR	C,U	Residential	341W16CD	900	R1-20	U	Residential
341W16	201	OSR	C,U	Open	341W16CD	1000	R1-20	U	Residential
341W16	204	OSR	C,U	Residential	341W16CD	1100	R1-20	U	Residential
341W16	205	OSR	C,U	Open	341W16CD	1200	R1-20	U	Residential
341W16	300	OSR	C,U	Open	341W16CD	1300	R1-20	U	Residential
341W16	400	OSR	U	Residential	341W16CD	1400	R1-20	U	Residential
341W16	500	RR5	C,U	Residential	341W16CD	1500	R1-20	U	Residential
341W16	501	RR5	U	Residential	341W16CD	1600	R1-20	U	Residential
341W16	601	OSR	U	Residential	341W16CD	1700	R1-20	U	Residential
341W16	604	EFU	U	Residential	341W16CD	1800	R1-20	U	Residential
341W16	605	OSR	U	Residential	341W16CD	1900	R1-20	U	Residential
341W16	607	OSR	U	Residential	341W16CD	2000	R1-20	U	Residential
341W16	2000	OSR	C,U	Residential	341W16CD	2100	R1-20	U	Residential
341W16CA	100	R1-20	C,U	Residential	341W16CD	2200	R1-20	U	Residential
341W16CA	200	R1-20	C,U	Residential	341W16CD	2300	R1-20	U	Residential
341W16CA	300	R1-20	U	Residential	341W16CD	2400	R1-20	U	Residential
341W16CA	400	R1-20	U	Residential	341W16CD	2500	R1-20	U	Residential
341W16CA	1401	Airport	U	Residential	341W16DA	100	R1-20	U	Residential
341W16CA	1402	Airport	U	Residential	341W16DA	101	R1-20	U	Residential
341W16CA	1403	Airport	U	Residential	341W16DA	102	R1-20	U	Residential
341W16CA	1408	R1-10	U	Residential	341W16DA	103	R1-20	U	Residential
341W16CA	1409	R1-10	U	Residential	341W16DA	104	R1-20	U	Residential
341W16CA	1500	R1-10	U	Residential	341W16DA	200	R1-20	U	Residential
341W16CA	1700	R1-10	U	Residential	341W16DA	202	R1-20	U	Residential
341W16CA	1800	Airport	U	Residential	341W16DA	300	R1-20	C,U	Residential
341W16CA	1801	Airport	U	Residential	341W16DA	400	R1-20	C,U	Residential
341W16CA	1900	R1-20	U	Residential	341W16DA	401	R1-20	C,U	Residential
341W16CD	100	R1-20	U	Residential	341W16DA	1700	R1-40	U	Residential
341W16CD	101	R1-20	U	Residential	341W16DA	1701	R1-40	D,C,U	Residential
341W16CD	102	R1-20	U	Residential	341W16DA	1702	R1-40	U	Residential
341W16CD	103	R1-20	C,U	Residential	341W16DA	1703	R1-40	U	Residential
341W16CD	104	R1-20	C,U	Residential	341W16DA	1800	R1-40	U	Residential
341W16CD	105	R1-20	U	Residential	341W16DA	1801	R1-40	U	Residential
341W16CD	106	R1-20	U	Residential	341W16DA	1900	R1-40	U	Residential
341W16CD	107	R1-20	U	Residential	341W16DA	1901	R1-40	U	Residential
341W16CD	108	R1-20	U	Residential	341W16DB	100	R1-20	U	Residential
341W16CD	109	R1-20	U	Residential	341W16DC	1606	R1-20	U	Residential
341W16CD	110	R1-20	U	Residential					
341W16CD	111	R1-20	U	Residential					
341W16CD	112	R1-20	U	Residential					
341W16CD	113	R1-20	U	Residential					
341W16CD	114	R1-20	U	Residential					
341W16CD	115	R1-20	U	Residential					
341W16CD	116	R1-20	U	Residential					
341W16CD	117	R1-20	U	Residential					
341W16CD	200	Airport	C,U	Airport					
341W16CD	300	R1-20	U	Residential					



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Land Use Information Form

Supplemental Findings

City of Shady Cove

Sunstone Water, LLC (“Sunstone”) submitted a “Land Use Information Form” (“LUIF”) to the City of Shady Cove (“City”) as part of its application to the Oregon Water Resources Department (“OWRD”) for a permit to use stored water. As described in the LUIF and other information submitted by Sunstone, Sunstone is requesting that the water right it seeks from OWRD be deemed to allow either the diversion, conveyance, or use of the stored water for tax lots situated along its existing pipe infrastructure.

The LUIF asks the City to determine one of two things: (1) that the “Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by [the City’s] comprehensive plan,” in which case the City is to cite applicable ordinance sections; or (2) that the “Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals,” in which case the City can list the required approvals already obtained or to be obtained. The LUIF also invites the City to express special land use concerns or to make recommendations to OWRD regarding the proposed use of water.

The materials submitted by Sunstone do not identify specific land uses to be served by the proposed water use. Instead, Sunstone provided a list of each tax lot, the zoning designation of that tax lot, and a general descriptor of the “land use” category associated with each tax lot – i.e., whether the lot is zoned residential, commercial, public, or airport. The list Sunstone provided also indicates whether each tax lot will be a location for water to be diverted, conveyed, or used. Sunstone indicates that some tax lots will have multiple water uses (e.g. conveyance and use).

The City’s Comprehensive Plan is implemented through the Zoning Ordinance of the City of Shady Cove (“Zoning Code” or “Code”), codified in Chapter 154 in Title XV of the City’s municipal code. Pursuant to the Code, each zoning designation lists uses that are allowed either outright or allowed conditionally. Pursuant to Code Section 154.005, if any specific land use is not listed as a permitted use or conditional use, the use is not allowed.

Due to the broad nature of Sunstone’s request and the lack of specificity in land uses provided by Sunstone, the City has checked both boxes on the LUIF, because some of the uses Sunstone contemplates serving with water may be allowed outright, but others may be allowed only as a conditional use. For example, in the City’s R-1 zone, single-family homes are a permitted use, whereas vacation rental dwellings are a conditional use. Both uses are “residential” in nature. The City’s G-C zone similarly lists five different use categories as outright permitted uses (e.g. various types of retail or entertainment

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establishments) and eleven different types of conditional uses, all of which are “commercial” in nature. Thus, while these residential and commercial uses may be allowed, a specific use may be allowed outright while another specific use may require additional approval by the City through the conditional use approval process.

The City cannot determine, based on the materials provided by Sunstone, whether the diversion and conveyance uses Sunstone proposes are allowed, either outright or conditionally, in all zones where they are proposed, much less on the specific lots where they are identified.

With respect to “conveyance” and “diversion”, it is not clear what sort of conveyance or diversion facilities Sunstone contemplates in the City’s residential and commercial zones. Because Sunstone lists most tax lots as simply “using” water, the City assumes that the “conveyance” or “diversion” activity that Sunstone contemplates will involve an activity different than simply distributing water to the end user on each tax lot. In that case, the conveyance and diversion uses appear to be akin to a “public utility use”, which is allowed in the P zone and the L-I zone, but which is not listed as an allowed use (either outright or conditionally) in the City’s residential and commercial zones. Typically, public utility uses in those zones are constructed in the public rights of way, where they are subject to the City’s right of way regulations rather than the land use Code. It is therefore possible that Sunstone is proposing a conveyance or diversion use that is not allowed, and such a determination will need to be made as part of a land use application or other formal process. The City cannot pre-determine the outcome of such an application.

To the extent that Sunstone will use the stored water in facilities that have already been constructed to serve uses that already exist, those uses of the water are presumed to be allowed by right either because they are existing non-conforming uses, or because they are uses that have received prior City approval. Sunstone, however, has not provided the City with information regarding the location of its existing facilities. Nor has Sunstone provided the City with any expansion plans. Before Sunstone can construct new facilities for the use, conveyance, or diversion facilities, it will need to demonstrate that those uses are allowed uses, or that they can otherwise be permitted as “similar uses” as contemplated by Code section 154.005 and other provisions applicable to each zone that allow a similar use determination.

Based on the information provided by Sunstone and the foregoing discussion, the City cannot make a final determination with respect to land use compatibility of the proposed use in areas outside of Sunstone’s current infrastructure area (hereafter referred to as customer service area), which is depicted in the LUIF map. The City therefore concludes that Sunstone has not demonstrated that any diversion, conveyance, or use of water outside of its current customer service boundary is compatible with the City’s land use regulations. Within Sunstone’s current customer service area, the City concludes that Sunstone’s proposed use of water is compatible with the City’s land use regulations for those tax lots where Sunstone has existing facilities. To the extent that Sunstone will need

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to construct new facilities in its existing customer service area, Sunstone will need to demonstrate that the specific use (i.e. diversion, conveyance, or use) is allowed either outright or conditionally on each tax lot.

It is the City's understanding that ORWD uses the LUIF as part of its State Agency Coordination Program ("SACP"), adopted in August 1990. According to the SACP, ORWD can, when issuing a new permit, rely on land use information confirmed by the local planning official, but, depending on the local rules, will approve the permit conditionally and prohibit water use "until all necessary local land use approvals are obtained." The City therefore requests that ORWD condition any approval of Sunstone's permit with a requirement that prohibits Sunstone from using any water under the permit until: (1) for uses that require conditional use approval, the City has issued a conditional use permit; and (2) for any use that is not listed as an allowed use in a zone, the City has determined the use can be permitted as a similar use.

Finally, as requested by the LUIF, the City does wish to express a concern to OWRD. The City notes that Sunstone currently serves only a portion of the tax lots in the City. The City adopted a resolution establishing the City's official policy to explore options to ensure that there is a continual, reliable, and safe drinking water system publicly available within the City, including by developing its own water system, and to closely review all proposals for the development or expansion of private water systems. The City requests that OWRD not make any decision that would preclude the City from pursuing those policies.