



May 23, 1997

Oregon

Mike Davis or Linda Tourville  
12039 Meadows Road  
White City, OR 97503

WATER  
RESOURCES  
DEPARTMENT

RE: Existing Dam & Reservoir  
Application R-81348

Dear Applicants,

As per the provisions of House Bill 2153, I have been informed that the water rights section of this agency is now prepared to issue a Certificate of Water Right for the referenced application.

The size of the existing dam and reservoir located in **Section 15, T35S, R2W, Jackson County**, appears to exceed the statutory limits for height and storage capacity. Normally, one of the requirements for construction of hydraulic structures in Oregon is that all dams and reservoirs greater than, or equal to, the size limits of 10 feet height *and* 9.2 acre-feet storage must be designed by an Oregon licensed professional engineer, and that the design plans and specifications must be approved by the Water Resources Department prior to storage of water.

However, because this structure is already in existence, a set of asbuilt drawings prepared and sealed by a professional engineer will be an acceptable substitute for design plans and specifications. Please be advised that a Certificate will not be issued until a set of asbuilt drawings have been prepared for the existing structure and subsequently reviewed and approved by OWRD dam safety.

The asbuilt drawings should be drafted on quality reproducible stock such as mylar, vellum, or suitable equivalent and should be no smaller than 11x17 inches. The reproducible drawings and two sets of blue-line prints should be sent to the dam safety engineer at the address listed on this letterhead. One set of approved blue-lines will be returned with your Certificate; the other drawings will remain here for public record. The drawings should contain at a minimum the following information:

- 1) Vicinity map showing the dam and reservoir in relation to township, range and quarter-quarter section, together with a survey tie from the dam to a known government land corner.
- 2) Watershed map that delineates the drainage area above the dam listing its calculated areal extent, i.e. square miles. This map may be prepared from an existing USGS 7.5' quadrangle maps and may be combined with the vicinity map (above).



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

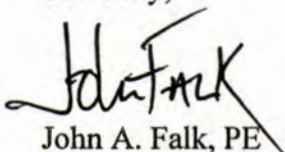
- 3) Plan view of the dam accurately showing locations and dimensions of outlet works, emergency spillway, property lines, buildings, etc. The plan view should be drawn to scale (1"=200' or less) and superimposed on a topographic survey with contour intervals not to exceed two (2) feet.
- 4) Area-capacity diagram illustrating the surface area of the reservoir and its storage capacity plotted against the height of the dam. A table representing area/capacity vs. height of dam would also be acceptable.
- 5) Typical cross-section through the dam accurately showing embankment and pool elevations, embankment crest and base widths, grades for upstream and downstream slopes, and the outlet conduit and spillway dimensions.
- 6) Sectional view of the emergency spillway to include hydraulic flow calculations for the spillway.
- 7) A brief description of existing downstream hazards, such as habitable buildings, public roads or bridges, utilities or other man-made structures together with a cursory assessment of the potential threat to life and property in the event of a sudden dam failure.

You may wish to lower the dam to a height that is *less* than 10.0 feet, if possible, thereby avoiding the requirements for asbuilt drawings listed above. If this is your decision, it will be necessary for you to physically lower the top of your dam until its height is less than 10 feet above the surrounding ground surface. After this has been accomplished, please amend the application (Item #2 of the application form) to reflect the lower dam height. Issuance of the Certificate can proceed after we have either:

- a) reviewed and approved the final set of asbuilt drawings,
- or -
- b) received the amendment(s) to your application which then will exempt you from certain dam safety requirements.

Thank you for your cooperation and patience. Should you have any questions, please do not hesitate to let me know.

Sincerely,



John A. Falk, PE  
Dam Safety

cc: Dwight French - Water Rights  
Bruce Sund - Watermaster

May 23, 1997

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WATER  
RESOURCES  
DEPARTMENT

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MIKE DAVIS  
12039 MEADOWS ROAD  
WHITE CITY OR 97503

RE: Excess fees submitted with application # R-81348

Dear Mr. Davis,

Enclosed you will find a check for excess fees you submitted with your HB 2153 reservoir application.

If you have any questions, please feel free to the Water Rights Information Group at 1-800-624-3199 ext 499.

Sincerely,



Gerry Clark  
Water Rights Specialist

enclosures



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Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

433708

WARRANT NO.  
114470723

WATER RESOURCES DEPARTMENT

(503) 378-8455

INVOICE NO.	INVOICE DATE	INVOICE DESCRIPTION	AGY	DOCUMENT	AMOUNT
		REV REF R-81348 29013	690	VP003437	100.00

VENDOR NAME:	DAVIS, MIKE	ISSUE DATE:	05/06/97	WARRANT AMOUNT	100.00
VENDOR NUMBER:	9690000001				

REMOVE CHECK AT PERFORATION

STATE OF OREGON

Dept of Administrative Services  
To the State Treasurer, Salem, OR 97310

DATE ISSUED
MO-DAY-YR
05/06/97

VOID AFTER
MO-DAY-YR
05/06/99



96-10  
1232

BANK	WARRANT NO.
11	4470723

VENDOR NO.  
9690000001

PAY THIS AMOUNT
\$100.00

\*\*\*\*\*ONE HUNDRED AND 00/100 DOLLARS\*\*\*\*\*

PAY TO THE ORDER OF:

DAVIS, MIKE  
12039 MEADOWS ROAD  
WHITE CITY OR 97503



TO: MARIE LICARI, FISCAL  
 FROM: Gerry Clark  
~~Mike Marks~~  
 Authorized Examiner  
 SUBJECT: Request for Refund Check

DATE: 4-4-97

OK Doughty Ful

Please refund \$ 100.00 to Mike Davis  
 file no. R-81348, receipt no. 29013. These funds are  
 refunded due to:

- Application rejected
- Application withdrawn
- Excess fees collected for application
- File closed
- Other: \_\_\_\_\_
- Protest Filing Fees

0102C

0201

APR 01 1997

August 29, 1996

FILE#: R 81348

MIKE DAVIS  
TOURVILLE, LINDA  
12039 MEADOWS RD  
WHITE CITY, OR

97503

WATER  
RESOURCES  
DEPARTMENT

Dear Applicant,

The Department has received and filed your House Bill 2153 Reservoir Application. A receipt is enclosed unless one has been previously issued. The application has been assigned the number found on the address label. Please refer to this number when contacting the Department.

In accordance with House Bill 2376 (1995 Ponds Legislation) a Certificate of Water Right will be issued within the next few weeks.

If you have any questions, feel free to contact the Water Rights Information Group at 1-800-624-3199 extension 499 statewide or at (503)378-8455 extension 499 from outside Oregon. Correspondence can be sent to:

Oregon Water Resources Department  
158 12th Street NE  
Salem, Oregon 97310-0210

Sincerely,



Ms. Anita Mc Loud  
Water Rights Specialist  
Water Rights/Adjudication Division

cc: CWRE



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

Application No. R-81348

HB 2153

Amnesty

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DEC 30 1994

WATER RESOURCES DEPARTMENT  
SALES  
OREGON

State of Oregon  
WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

Applicant(s) Mike DAVIS, Linda Tourville  
(Please print or type - use dark ink)

Mailing Address: 12039 Meadows Road  
White City Oregon 97503 503-826-2897  
City State Zip Daytime Phone No.

I (We) make application for a permit to construct Winter runoff storage reservoir and store the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: Un named seasonal stream, a tributary of Snyder Creek.  
If not in channel of a stream, state how it is to be filled: In Channel

2. THE DAM: The maximum height of the structure will be 10' (ten) feet above stream bed or ground surface at the centerline.

The dam will be (check one)  earthfill,  concrete,  flashboard,  other.

~~If "other"~~ give description: Clay core, Clay-silt-sand surfacing. No cracks. Has 5' wide decomposed granite roadway access top center. Top of Dam is 14' wide, outer slope is 1:1 and inside slope 2.5:1. Dam is in good and shows no erosion after 7 years

Give the location, description, and dimensions of the outlet conduit:

18" x 40' Corrogated Metal. Lays parallel to earthen spillway. Approx 20' from spillway.

(Is Not installed presently - Will install if application approved)

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water will be: 6 acres farm irrigation.  
A mix of sprinklers and drip.

Application No. R-81348  
Permit No.



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WATER RESOURCES DEPT.  
SALEM, OREGON

4. THE AMOUNT OF WATER to be stored is: 12 (twelve) acre-feet.  
The area submerged by the reservoir, when filled, will be 2.5 acres,  
and the maximum depth of water will be 12 feet.

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam. Around dam on East side of pond. 8' wide x 3' deep.  
Rocked with coarse shale - 12" minus  
Spillway located in natural, ~~unbroken~~ undisturbed soil  
consisting mainly of red clay.

6. PROJECT SCHEDULE; (List month and year)  
Proposed date construction work will begin Began Winter 1986/1987  
Proposed date construction work will be completed Finished Sept 1987  
Proposed date water use will be completed Has been in use since April 1988

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):  
 Applicant       CWRE       Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):  
 Applicant       CWRE       Other (Identify in REMARKS section)

Application No. R-81348  
Permit No.

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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SALEM, OREGON

REMARKS: Dam and Pond were constructed in Mid to Late 1980's. Owner was unaware of the need to acquire permits. Water in the pond has been in use steadily since 1988. Main use of water is Blueberry irrigation. This is a small U-pick operation. Dam is 10' high in center, has an 8" pvc sch 40 through center bottom, and 8' wide x 3' deep earthen spillway around East end on native soil. Pond has island in center. Is filled in approx 20 days of streamflow during winter.  
Supplied helicopters during fires of 1994. Has attracted much wild life to area.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Michael Davis  
Signature of Applicant

12-27-94  
Date

Linda J. Tourville  
Signature of Co-Applicant, if any

12-27-94  
Date

Application No. R-81348  
Permit No.

FOR WATER RESOURCES DEPARTMENT USE ONLY

RECEIVED

DEC 30 1994

WATER RESOURCES DEPARTMENT  
SALEM, OREGON

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Water Resources Director

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 30th day of December, 1994, at 8 o'clock, A M.

priority 1/1/93

Application No. R-81348  
Permit No.

APPLICATION NO: R-81348

May 16, 1995

Oregon

Application No. R-81348  
Permit No.

WATER  
RESOURCES  
DEPARTMENT

Michael Davis  
12039 Meadows Rd  
White City OR 97503

RE: Reference Number I-1026

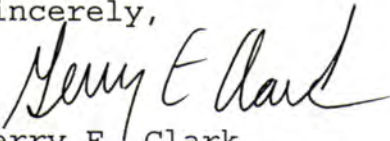
Dear Applicant,

The Department has received your Reservoir Application. However, we need more information before we can accept, file, and review the application.

We will return your application and any supporting documentation to you if you fail to return the information requested on the "ADDITIONAL INFORMATION SHEET" within 60 days.

We will begin our analysis when the application and information noted above is received. Please feel free to contact me at 1-800-624-3199 Ext. 261 if you have any questions.

Sincerely,



Gerry E. Clark  
Engineer Technician

enclosures

cc: general correspondence



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

Application No. 2-81348  
Permit No.

ADDITIONAL INFORMATION SHEET

Please provide the following:

Reference File # I-1026

- Additional fees in the amount of \$\_\_\_\_\_.00  
A copy of the fee schedule is enclosed.
  
- Item (1) on the application concerning the source of the water was not completed. Please complete the statement below.  
Source of Water for the proposed use: \_\_\_\_\_,  
a tributary of \_\_\_\_\_.  
If not in channel of a stream, state how it is to be filled:  
\_\_\_\_\_
  
- Item (2) on the application concerning The Dam was not completed. Please complete the statement below.  
The maximum height of the structure will be \_\_\_\_\_ feet above stream bed or ground surface at centerline.  
The dam will be (check one) \_\_\_\_\_ earthfill, \_\_\_\_\_ concrete, \_\_\_\_\_ flashboard, \_\_\_\_\_ other. If "other" give description:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Give the location, description, and dimensions of the outlet conduit:  
\_\_\_\_\_  
\_\_\_\_\_
  
- Item (3) on the application concerning The Use was not completed. Please complete the statement below.  
The use(s) of the impounded water will be: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- Item (4) on the application concerning The Amount of Water to be stored was not completed. Please complete the statement below.  
The Amount of Water to be stored is: \_\_\_\_\_ acre-feet.  
The area submerged by the reservoir, when filled, will be \_\_\_\_\_ acres.  
and the maximum depth of the water will be \_\_\_\_\_ feet.

- A Quick Calculation For Reservoir Volumes:

- Volume= (length X width) (maximum depth) (0.4)  
(cu/ft) (surface area)
  
- To determine Acre Feet, divide above number by 43,560 which is the number of cubic feet in one acre foot.  
(1 acre, 1 foot deep in water)
  
- The "factor" of 0.4 is to be used in all cases where sufficient information is not available for use in determining a more precise reservoir volume.

- Item (8) on the application was not completed. Please complete the statement below.  
Are the lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?\_\_\_\_\_. If not, list below the names and mailing addresses of the legal owners of all property involved in the proposed development.

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- A map showing the place where water is to be used and the place where the water will be diverted. *The map must show the township and range, and section corners near the property applied for.*
- Evidence that the reservoir was constructed prior to January 1, 1993. Construction receipts, dated aerial photos, or a notarized affidavit by the landowner or other knowledgeable person will meet this requirement.

Land Use Information Form *signed by a county planner* (a form is enclosed).

Enclosed you will find the correct form to complete your application.

There can only be a maximum of 10 reservoirs per application. The excess reservoirs must be applied for on another application. Please complete the enclosed application.  
( ORS 595 Sec. 4(2) (a) )

A separate application must be submitted for each reservoir that stores 9.2 acre feet or more of water or that has a dam 10 feet or more in height. ( ORS 595 Sec. 4(3) (a) ) Each application will require a fee. A copy of the fee schedule is enclosed.

An oath that the information contained in the application and in this Additional Information Sheet is a true and accurate representation of the proposed water use.  
Please sign the oath statement below.

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

---

Name

Date

---

Name

Date

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

May 16, 1995

Oregon

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JUL 19 1995  
WATER RESOURCES  
SALEM, OREGON

WATER  
RESOURCES  
DEPARTMENT

Michael Davis  
12039 Meadows Rd  
White City OR 97503

RE: Reference Number I-1026

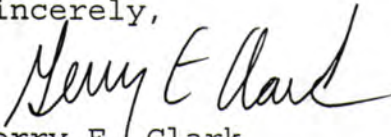
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We will return your application and any supporting documentation to you if you fail to return the information requested on the "ADDITIONAL INFORMATION SHEET" within 60 days.

We will begin our analysis when the application and information noted above is received. Please feel free to contact me at 1-800-624-3199 Ext. 261 if you have any questions.

Sincerely,



Gerry E. Clark  
Engineer Technician

enclosures

cc: general correspondence

Application No. R-81342  
Permit No.



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

REC

JUL 19 1995

WATER RESOURCES  
SALEM, OR

Oregon

WATER  
RESOURCES  
DEPARTMENT

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, 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 both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.

Application No. *E-81348*  
Permit No.



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



**Land Use Information Form: Permits, Hydroelectric Licenses,  
Water Uses in Addition to Classified Uses**

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Mike Davis / Linda Tourville  
 Address: 12039 Meadows Rd  
 City: White City State: Oregon Zip: 97503 Day Phone: 826-2897 899-5263

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
<u>35 2W 15 1101</u>	<u>EFU Exclusive Farm Use</u>			

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

=====

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); 218.030 (1). Go to section b) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)**

=====

Receipt for Request for Land Use Information

WRD Applicant Name: Mike Davis / Linda Tourville **Application No.**  
**Permit No.**

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: Jackson County  
 Staff Contact: Bobbi Becker Planning Technician I Phone: 776-3554  
 Signature: Bobbi Becker Date of Information Request: 6-20-95

### Description of Water Use

**RECEIVED**

**JUL 19 1995**

WATER RESOURCES DEPARTMENT  
SALEM, OREGON

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Mike Davis / Linda Tourville  
Address: 12039 Meadows Road  
White City Oregon 97503  
Phone: 826-2897 899-5263 Bus.

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): Blue berries, Tree Fruits
- Livestock (type of livestock, feedlot, slaughterhouse): \_\_\_\_\_
- Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- Institutional (i.e., school, library, etc.): \_\_\_\_\_
- Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- Fish and Wildlife (pond, hatchery, etc.): Pond contains many types of Wildlife
- Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- Other (Name and list key characteristics): \_\_\_\_\_

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
Surface Water Name sources: _____ _____	_____ Cubic feet per second. _____ Gallons per minute.
Reservoir or pond	<u>12</u> Acre-Feet
Ground Water	

**Application No.** R-81348  
**Permit No.** \_\_\_\_\_

(for Local Use Continued)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily
None				

b) Please provide printed name and written signature.

Name: Mike Davis / Linda Tourville Date: 6-20-95

Title: Owners Phone: 826-2897 Farm 899-5263 Business

Signature: Mike Davis Linda Tourville

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

Additional Comments:

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Application No. R-81348  
Permit No.

REC

JUL 19 1995

ADDITIONAL INFORMATION SHEET

WATER DIVISION  
SALEM, OREGON  
Reference File # I-1026

Please provide the following:

Reference File # I-1026

- Additional fees in the amount of \$\_\_\_\_\_.00  
A copy of the fee schedule is enclosed.
  
- Item (1) on the application concerning the source of the water was not completed. Please complete the statement below.  
Source of Water for the proposed use: \_\_\_\_\_,  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Give the  
location, description, and dimensions of the outlet conduit:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
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The use(s) of the impounded water will be: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
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\_\_\_\_\_ acres.  
and the maximum depth of the water will be \_\_\_\_\_ feet.

- A Quick Calculation For Reservoir Volumes:

- Volume= (length X width) (maximum depth) (0.4)  
(cu/ft) (surface area)
  
- To determine Acre Feet, divide above number by 43,560 which  
is the number of cubic feet in one acre foot.  
(1 acre, 1 foot deep in water)
  
- The "factor" of 0.4 is to be used in all cases  
where sufficient information is not available for use in  
determining a more precise reservoir volume.

- Item (8) on the application was not completed. Please complete the statement below.  
Are the lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?\_\_\_\_\_. If not, list below the names and mailing addresses of the legal owners of all property involved in the proposed development.
- 
- 
- 

- A map showing the place where water is to be used and the place where the water will be diverted. The map must show the township and range, and section corners near the property applied for.

- Evidence that the reservoir was constructed prior to January 1, 1993. Construction receipts, dated aerial photos, or a notarized affidavit by the landowner or other knowledgeable person will meet this requirement.

- Land Use Information Form signed by a county planner (a form is enclosed).

- Enclosed you will find the correct form to complete your application.

- There can only be a maximum of 10 reservoirs per application. The excess reservoirs must be applied for on another application. Please complete the enclosed application.  
( ORS 595 Sec. 4(2) (a) )

- A separate application must be submitted for each reservoir that stores 9.2 acre feet or more of water or that has a dam 10 feet or more in height. ( ORS 595 Sec. 4(3) (a) ) Each application will require a fee. A copy of the fee schedule is enclosed.

- An oath that the information contained in the application and in this Additional Information Sheet is a true and accurate representation of the proposed water use.  
Please sign the oath statement below.

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

<u>Mike Conroy</u>	<u>6-20-95</u>
Name	Date
<u>Linda Jounelle</u>	<u>6-20-95</u>
Name	Date

- Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

secondary exempt  
Application No. R-81348

HB 2153

Amnesty  
RECEIVED  
DEC 30 1994  
WATER RESOURCES DEPT.  
OREGON

State of Oregon  
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Surface Water

Applicant(s) Michael E. Davis Linda Tourville  
(Please print or type - use dark ink)

Mailing Address: 12039 Meadows Rd.  
White City Oregon 97503 503-826-2897  
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: Unnamed seasonal stream,  
a tributary of Snyder Creek

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: 12 acft. Total Storage per  
second, OR \_\_\_\_\_ gallons per minute. If water is to be used from more than one source,  
give the quantity of water from each: Seasonal stream normally flows Dec. through March.  
fills pond in approx. 20 days once flow begins.  
12 acre feet total storage

3. INTENDED USE(S) OF WATER: Irrigate 6 acres made up of  
Blueberries, Fruit Trees, Evergreen trees, Produce garden, Herb garden  
If for more than one use, give the quantity of water from each source for each use; \_\_\_\_\_

If for DOMESTIC use, state the number of households to be supplied; NA

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served,  
and an estimate of the future requirements; (List population projections, water needs, anticipated areas  
to be provided water.)  
NA

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; NA

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed  
under each use;

Irrigation 6 ac. (12 acre feet)  
Other (describe) \_\_\_\_\_

Application No. R-81348  
Permit No. \_\_\_\_\_

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

Dam described in Reservoir Permit Application. Has 8" Sch. 40 PVC through center bottom of dam. This pipe is Y into 2 ends. One end is capped 8". The other end reduces to 2" and enters pumping station. Pumps are 1 1/2 hp. and 3 hp. Two Pressure tanks. Can run one or both. System is always pressurized. Mainline is 2" and is buried. Distribution is through Approx. 80 fixed sprinklers and Approx 16 assorted Drip irrigation lines. Most sprinklers and Drip lines are on automatic timers and electric valves.

Approx 6000' feet of various size (up to 2") PVC pipe is buried throughout farm property. Approx 10,000' of drip irrigation tubing is supplying water to plants. Drip lines are above ground.

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin Began Winter 1986/1987

Proposed date construction work will be completed Finished Sept. 1987

Proposed date water use will be completed In use Now - Started using Spring 1988

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

Applicant       CWRE       Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

Applicant       CWRE       Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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DEC 30 1994

WATER RESOURCES DEPARTMENT  
SALEM, OREGON

REMARKS: System was installed in Mid to Late 1980's.

Owner was unaware of the need to acquire permits. Water has been used constantly since 1988. At present time (1994)

water is used for Approximately - 1000 Blueberry plants

300 Fruit Trees

2000 Evergreen Christmas trees

1/4 ac. Produce Garden

1/4 ac. Herb Garden

Small Plant Nursery

This property is zoned E.F.U. Due to substantial outcrops of bedrock and shallow subsoils to rock, planting without water available is not likely to produce any type of income on a property of this nature. Rejection of this permit could result in an improperly zoned property.

Income taxes were filed for Blueberry sales for 1993 and will be for 1994.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Michael E. Davis  
Signature of Applicant

Dec. 27, 1994  
Date

Linda J. Tourville  
Signature of Co-Applicant, if any

Dec, 27, 1994  
Date

Application No. R-81348  
Permit No.



FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Water Resources Director

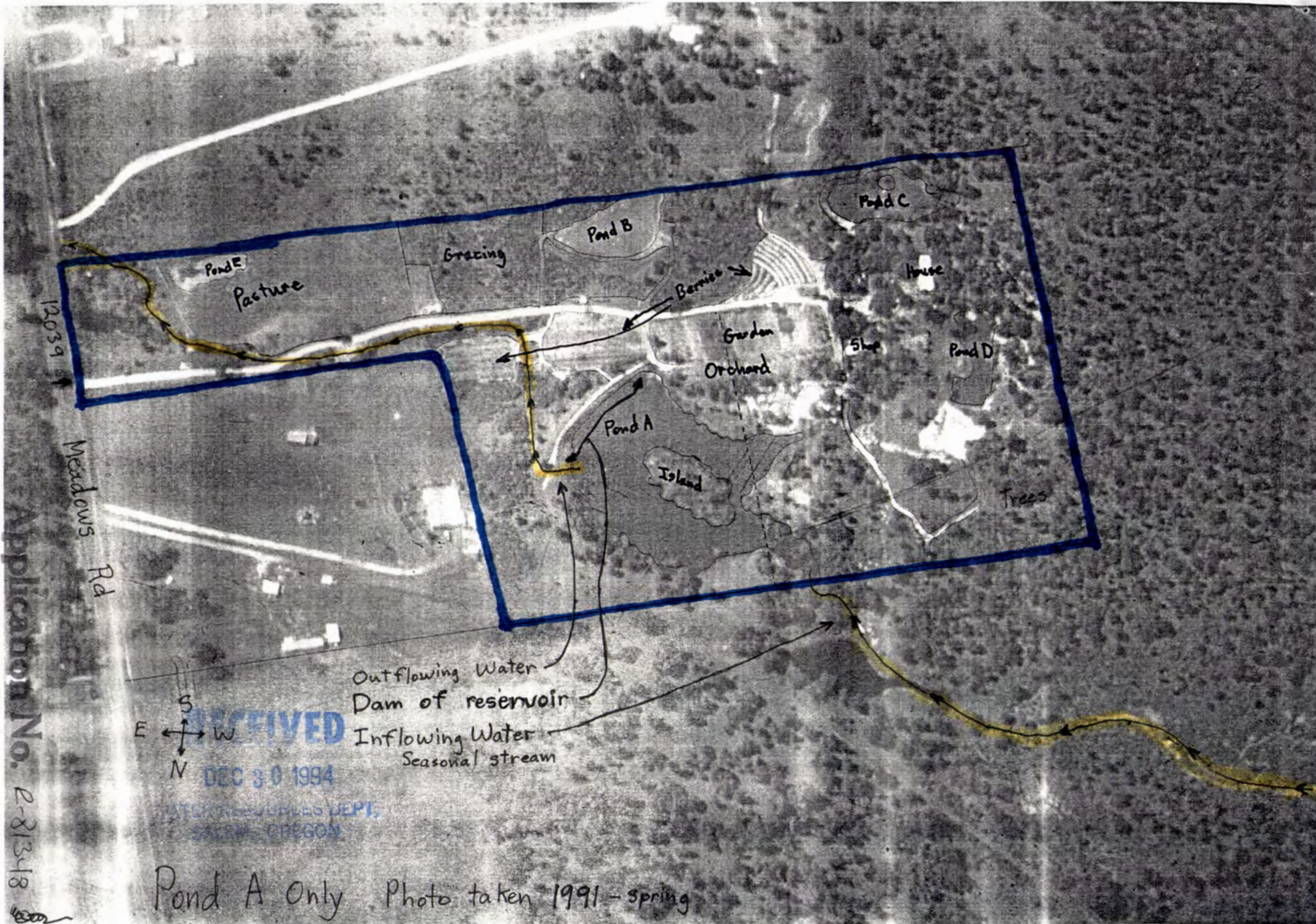
By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 30th day of December, 1994, at 8 o'clock, a M.

priority 1/1/93

APPLICATION NO: R-81348

PERMIT NO: \_\_\_\_\_



Permit No.

Application No. 2-21348

Map for Permits to Construct a Reservoir and Appropriate Surface Water



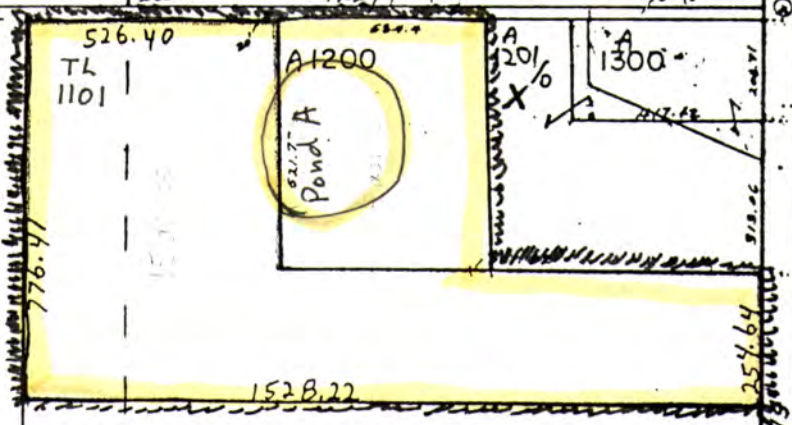
# CRATER TITLE INSURANCE CO.

Serving all of Jackson County

Application No. R-81348  
Permit No.

REC'D  
DEC 30 1994  
WATER RESOURCES DIV.  
SALEM, OREGON  
6-3

Map for Permits  
to Construct Reservoir  
and  
Appropriate Surface Water



5280'  
2640'

RC  
50  
17  
180  
MEADOWS

16 15  
21 22

PERRY ROAD  
2645.28'

TWP 35 N 2W SEC 15  
THIS SKETCH IS FOR LOCATION PURPOSES ONLY. NUMBERS ON SKETCH ARE COMPANY NUMBERS & NO LIABILITY IS ASSUMED FOR VARIATIONS DISCLOSED BY SURVEY OR COUNTY RECORDS.

#10  
800  
200J7

35-2W-15 Tax Lot 1101

83-01696

SPECIAL WARRANTY DEED

1.52

RECORDED  
DEC 30 1994  
SALEM, OREGON

ELMER ROY VAGUE and IMOGENE VAGUE, husband and wife, Grantors, convey and specially warrant to MICHAEL E. DAVIS and LINDA J. TOURVILLE, Grantees, not as tenants in common, but with the right of survivorship, that is, that the fee shall vest in the survivor of the grantees, the following described real property free of encumbrances created or suffered by the Grantors except as specifically set forth herein:

Commencing at the Northeast corner of the Southwest quarter of Section 15 in Township 35 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence South 0° 19' West, along the East line of said quarter, 541.77 feet to the Southeast corner of tract described in deed recorded as Document No. 77-16573 of the Official Records of Jackson County, Oregon, for the true point of beginning; thence South 89° 49' West (record West) along the South line of said tract, 1001.82 feet to the Southwest corner of said tract; thence North, along the West line of said tract, 521.77 feet to a point 20.00 feet South of, when measured at right angles to, the North line of said Southwest quarter; thence West, parallel with and 20.00 feet South of, when measured at right angles to, the North line of said Southwest quarter, 526.40 feet; thence South 0° 19' West 776.41 feet; thence North 89° 49' East 1528.22 feet to the East line of said Southwest quarter; thence North 0° 19' East 254.64 feet to the true point of beginning.

EXCEPTING THEREFROM that portion lying within the boundaries of the County Road (Meadows Road).

Application No. 2-81348  
Permit No.

Subject to the following exceptions:

1. These premises are situated in the Sams Valley Irrigation District, and subject to the levies and assessments thereof, water and irrigation rights, easements for ditches and canals and regulations concerning the same.
2. Conditions, reservations and declarations as set forth in deed recorded in Volume 312, Page 369, Jackson County, Oregon, Deed Records.
3. Reservation of all merchantable timber as set forth in deed recorded in Volume 408, Page 134, Jackson County, Oregon, Deed Records
4. Easement for transmission and distribution of electricity, granted the California Oregon Power Company, as set forth in Volume 534, Page 490, Jackson County, Oregon, Deed Records.

The true consideration for this conveyance is \$12,000. Until a change is requested, all tax statements shall be sent to the following address: 12518 Meadows Road, Central Point, OR. 97502.

REC- 9:24 403

35-2W-15 Tax Lot 1200

WARRANTY DEED

DEC 30 1994 WATER RESOURCES DEPT SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS, That MILTON RONALD BELL, grantor, in consideration of TEN THOUSAND TWO HUNDRED SEVENTY ONE AND 93/100 DOLLARS (\$10,271.93) to him paid by MICHAEL E. DAVIS and LINDA J. TOURVILLE, grantees, does hereby grant, bargain, sell and convey unto the said grantee, their heirs and assigns, all of the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson, State of Oregon, bounded and described as follows, to-wit:

Grantees take not as tenants in common, but with the right of survivorship, that is, that the fee shall vest in the survivor of the grantees.

Commencing at the NE corner of the SW Quarter of Section 15 in Township 35 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, thence South along the East line of said Quarter, a distance of 541.77 feet, thence West 584.39 feet to the true point of beginning; thence continue West 417.43 feet, thence North 521.77 feet to a point 20.0 feet South of the North line of said SW Quarter; thence East parallel to said line and 20.0 feet therefrom, a distance of 417.43 feet, thence South 521.77 feet to the true point of beginning.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

To have and to Hold the above described and granted premises unto the said Grantee, their heirs and assigns forever.

And the Grantor does covenant that he is lawfully seized in fee simple of the above granted premises free from all encumbrances, except easements and rights of way of record, the interest of Jackson County, Oregon under a Quitclaim Deed recorded Volume 296, Page 227, and the interest of TERRY C. HARDER and CHERYL HARDER, as Vendors under a contract of sale dated August 17, 1976, and that he will and his heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness my hand and seal this 14th day of January, 1985.

Milton R. Bell  
Milton Ronald Bell

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On this 14th day of January, 1985, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named MILTON RONALD BELL who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Alice F. Kottler  
Notary Public for Oregon  
My commission expires: 3-21-87  
ALICE F. KOTTLER  
NOTARY PUBLIC  
STATE OF OREGON

STATE OF OREGON )  
 ) ss.  
County of Jackson )

I certify that the within instrument was received for record on the day of \_\_\_\_\_, 1985, at \_\_\_\_\_ o'clock \_\_\_\_\_ m., and recorded in book \_\_\_\_\_ on page \_\_\_\_\_ Record of Deeds of said County. Witness my hand and seal of County affixed.

Jackson County, Oregon  
Recorded  
OFFICIAL RECORDS

County Clerk--Recorder  
By \_\_\_\_\_ Deputy

9:24 JAN 15 1985 A.M.

KATHLEEN S. BECKETT  
CLERK and RECORDER  
By \_\_\_\_\_ Deputy

Application No. R-81348  
Permit No.

ACE Aerial Photography  
P. O. Box 2501  
White City, Oregon 97503  
503-830-8022

Date 9/26/92 No. 0258

Received Of MIKE DAVIS

Address 12039 MEADOWS RD \$ 35.00

For AERIAL PHOTOGRAPHY DEPOSIT

HOW PAID BALANCE DUE

By David A Engstrom

REDIFORM 81820 carbonless

RECEIVED  
DEC 30 1994  
WATER RESOURCES DIVISION  
SALEM, OREGON

ACE Aerial Photography  
P. O. Box 2501  
White City, Oregon 97503  
503-830-8022

Date 10-19-92 No. 0259

Received Of MIKE DAVIS

Address 12039 MEADOWS RD \$ 65.00  
SAMS VALLEY

For AERIAL PHOTOGRAPHS

HOW PAID BALANCE DUE

By David A Engstrom

REDIFORM 81820 carbonless

CTF 1

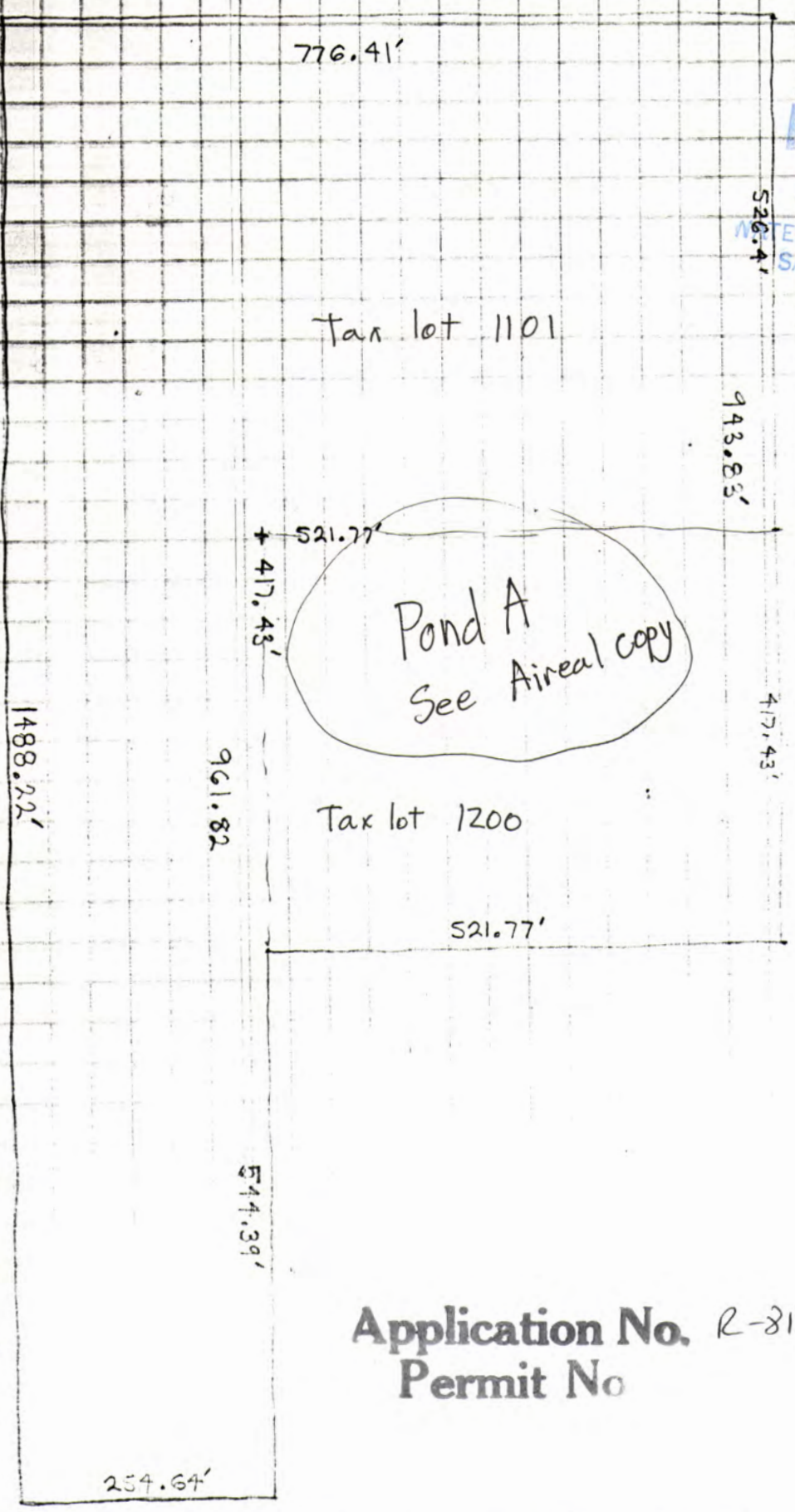
BAL. FORWARD	\$	
DEPOSIT/CREDIT		
TOTAL		
MISC. TRANSACTION		
THIS CHECK		
BALANCE		

DATE Sept. 26 19 92 0738  
PAY TO Dave Reed \$ 35.00  
FOR ACE Aerial Photo's  CHECK IF TAX DEDUCTIBLE

Receipt for photos. Dated 9-26-92 and 10-19-92  
Photo's show ponds exist before Jan 1, 1993.  
Have complete set of 36 photo's available.

Application No. R-81348  
Permit No.

1520  
1440  
1360  
1280  
1200  
1120  
1040  
960  
880  
800  
720  
640  
560  
480  
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776.41'

Tax lot 1101

521.77'  
417.43'

Pond A  
See Aerial copy

Tax lot 1200

521.77'

961.82'

1488.22'

514.39'

254.64'

0 80 160 240 320 400 480 560 640 720 800

Meadows Rd.

RECEIVED  
DEC 30 1994  
WATER RESOURCES DEPT.  
SALEM, OREGON

Map for Permits to Construct a Reservoir and Appropriate Surface Water

Application No. R-81348  
Permit No

RECEIVED

DEC 30 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

to Water Resources Department

12-27-94

Enclosed please find:

HB 2153

- 1) Notice of Exempt Reservoir--for 4 ponds along with maps and assorted documents
- 2) Application for a Permit to Construct a Reservoir  
Application for a Permit to Appropriate Surface Water with maps and assorted documents
- 3) Check for 400 dollars---for exam fees for above

Mike Davis  
Linda Tourville  
12039 Meadows Road  
White City, Oregon 97503

voice- 503-826-2897  
fax- 503-826-2897

Application No. R-81348  
Permit No.



- \_\_\_\_\_ Ground Water App[...]
- \_\_\_\_\_ Transfer Application
- \_\_\_\_\_ Power Claim
- \_\_\_\_\_ Hydroelectric Examination
- \_\_\_\_\_ Hydroelectric License
- \_\_\_\_\_ Copying
- \_\_\_\_\_ Assignment
- \_\_\_\_\_ Extension of Time
- \_\_\_\_\_ Other
- \_\_\_\_\_ P-6
- \_\_\_\_\_ Quadrangle
- \_\_\_\_\_ Basin
- \_\_\_\_\_ Protest
- \_\_\_\_\_ Constructors Examination
- \_\_\_\_\_ Constructors License
- \_\_\_\_\_ Adjudication

*Return*  
*- need LW*  
*- need oath*

19-7095-29013

NAME <i>Michael E. Davis</i>	SHIP TO
ADDRESS	ADDRESS
CITY, STATE, ZIP	CITY, STATE, ZIP

ORDER NUMBER <i>1026</i>	TERMS	DATE
WHEN SHIP	HOW SHIP	SALESMAN

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	<i>total check</i>	<i>\$ 400.</i>	<i>-</i>
	<i>\$ 200. Exam Surface</i>		
	<i>water app</i>		
	<i>\$ 200. Exam Reservoir</i>		
	<i>R-81348</i>		
	<b>Application No.</b> <i>R-81348</i>		
	<b>Permit No.</b>		

BUYER:

KEEP THIS SLIP FOR REFERENCE

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # R 81348

HB 2153

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

7/30/96  
\_\_\_\_\_  
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Name and mailing address of applicant  
Source of water  
Quantity of water  
Map showing location of POD & POU  
Use of water  
Names and addresses of legal owners  
Signature of applicant  
Oath  
Application date stamped per money receipt date  
Land use approved \_\_\_\_\_ pending \_\_\_\_\_  
  
If reservoir < 5 AF \$\_\_\_\_\_, if > 5 AF \$\_\_\_\_\_  
  
HB 2153/HB 2107 APPLICATION -- SEE REVERSE  
  
Route to Data Center (Unless 2153/2107)

DATA CENTER

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Stream Code \_\_\_\_\_  
Entered into WRIS \_\_\_\_\_

SUPPORT SERVICES

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Stamp contents with application number  
Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file  
Place label on file and calender card

APPLICATION SECTION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Stream Indexed Basin # \_\_\_\_\_  
Plat Carded and copy made YES NO  
If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section

TR CASEWORKER

\_\_\_\_\_  
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\_\_\_\_\_

TR Checklist complete YES NO  
Within Irrigation District \_\_\_\_\_  
District Notified \_\_\_\_\_  
District excerpt received \_\_\_\_\_  
  
TR Mailed DATE \_\_\_\_\_  
  
Public Interest Checklist complete \_\_\_\_\_  
  
Management Codes \_\_\_\_\_

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MINIMUM APPLICATION REQUIREMENTS TO FILE:**

**HB 2153 - existing, small, EXEMPT ponds**

\_\_\_\_\_  
(date & initials) NOTICE OF EXEMPT RESERVOIR form (or letter if prior to April 8, 1994).

\_\_\_\_\_  
Appropriate map (see item 1 on form).

\_\_\_\_\_  
Evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation).

\_\_\_\_\_  
Items 2, 3, 4, 5, and 6 are completed.

\_\_\_\_\_  
Signature (and title, if applicable)

**HB 2153 - non-exempt existing ponds (large, on-channel)**

Complete Minimum Requirements to File on reverse, except before routing to Data Center, change priority date to 1/1/1993. Also, confirm the following:

\_\_\_\_\_  
Receipt of evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation)

**HB 2107 - wetland, stream restoration and storm water management**

Complete Minimum Requirements to File on reverse EXCEPT DO NOT ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the following:

\_\_\_\_\_  
within 1/4 mile Name/address of adjacent property owner

\_\_\_\_\_  
Map with scale not less than 2 in.=1 mi.

\_\_\_\_\_  
CWRE map if > 10 feet dam or > 9.2 AF

\_\_\_\_\_  
Description of proposed use

\_\_\_\_\_  
Condition addressed

\_\_\_\_\_  
Resulting benefits

\_\_\_\_\_  
Public notices (circle) #1 #2