

Application for a Permit to  
**Store Water in a Reservoir**  
 Alternate Review (ORS 537.409)



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

You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

**SECTION 1: APPLICANT INFORMATION AND SIGNATURE**

**Applicant**

NAME <i>Don &amp; Pat Knight's family trust</i>			PHONE (HM)
PHONE (WK) <i>541-430-7312</i>	CELL	FAX	
MAILING ADDRESS <i>660 Driver Valley Rd</i>			
CITY <i>Oakland</i>	STATE <i>OR</i>	ZIP <i>97462</i>	E-MAIL * <i>dan@knightmgt.com</i>

**Organization**

NAME			PHONE	FAX <b>RECEIVED</b>
MAILING ADDRESS			CELL	<b>FEB 24 2023</b>
CITY	STATE	ZIP	E-MAIL *	<b>OWRD</b>

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

AGENT / BUSINESS NAME			PHONE	FAX
MAILING ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

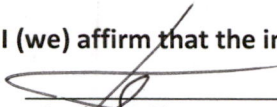
Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

**By my signature below I confirm that I understand:**

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

 **I (we) affirm that the information contained in this application is true and accurate.**

	<i>DAVID KNIGHT TRUSTEE</i>	<i>1-17-23</i>
Applicant Signature	Print Name and Title if applicable	Date
Applicant Signature	Print Name and Title if applicable	Date

**SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR**

Reservoir name:	N/A				
Source*:	Run off	Tributary:	Calapooia Cr.		
County:					
Quantity:	8.7	Acre-Feet [length x width x depth / 43,560]			
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	24S	05W	34		202 & 205
Maximum Height of Dam:	96"	feet. If excavated write "zero feet."			

\* Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, an unnamed stream, or spring.

**SECTION 3: WATER USE**

Indicate the proposed use(s) of the stored water: Multi purpose use

**NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir.** Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stock water, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.

**SECTION 4: PROPERTY OWNERSHIP**

Do you own all the land where you propose to divert, transport, and use water?

Yes (please check appropriate box below then skip to section 5)

There are no encumbrances

This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

No (Please check the appropriate box below)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

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 irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

RECEIVED

FEB 24 2023

OWRD

**SECTION 5: ENVIRONMENTAL IMPACT**

RECEIVED  
FEB 24 2023  
OWRD

**Channel:** Is the Reservoir:  in-stream or  off channel?

**Wetland:** Is the project in a wetland?  YES  NO  unknown

**Existing:** Is this an existing reservoir?  YES  NO

If YES, how long has it been in place? 6 years.

**Fish Habitat:** Is there a fish habitat upstream of the proposed structure?  YES  NO  unknown

If YES, how much? miles.

**Existing:** Have you been working with other agencies?  YES  NO

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

**SECTION 6: WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name:		Address:	
City:	State:	Zip:	

**SECTION 7: DESCRIPTION**

Provide a short description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

If the diversion involves a dam, use this space below for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

### Watermaster Alternate Reservoir Application Review Sheet

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

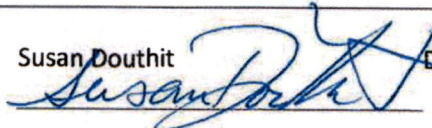
The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the Water Resources Department provides public notice, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

<b>Applicant's Name Dan Knight</b>		
1. Does the proposed reservoir have the potential to injure existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Explain: water not available year-round; needs limited when water is available to avoid injury. – see supp'l doc.		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Explain: <b>limit storage to time when water is available according to water availability report</b>		
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
4. If yes, during what period? Beginning: December End: <b>May – see attached</b>  Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))		
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Who:		Date:
Who:	Agency:	Date:

Watermaster Name: Susan Douthit

Watermaster  
Signature:

Susan Douthit  Date: 1/25/2023

**NOTE: This completed form must be returned to the applicant**

WATER AVAILABILITY TABLE

CALAPOOYA CR > UMPQUA R - AB WILLIAMS CR

Watershed ID #: 290  
 Exceedance Level: 80  
 Time: 12:25 PM  
 Date: 01/25/2023

Basin: UMPQUA

-----

# Watershed

Nest ID	Number	Stream Name	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	368	UMPQUA R > PACIFIC OCEAN - AT MOUTH	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	73350	UMPQUA R > PACIFIC OCEAN - AB LITTLE MILL CR	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO
3	31630301	UMPQUA R > PACIFIC OCEAN - AB WOLF CR	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO
4	289	CALAPOOYA CR > UMPQUA R - AT MOUTH	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO
5	290	CALAPOOYA CR > UMPQUA R - AB WILLIAMS CR	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO

-----

RECEIVED  
 FEB 24 2023  
 OWRD

# ODFW Alternate Reservoir Application Review Sheet

## This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Dan Knight 499 Driver Valley Road, Oakland, OR 97462

Dan@knightmgt.com

Reservoir Name: Unknown Source: Run-off Volume (AF): 1 acre

Twp Rng Sec QQ: T24S-R5W-Sec 35 Basin Name: Calapooya Creek  in-channel  
 off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

## This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

- 1) Is the proposed project and AO<sup>1</sup> off channel? .....  YES  NO  
(if yes then proceed to #4; if no then proceed to #2)
- 2) Is the proposed project or AO located where NMF<sup>2</sup> are or were historically present?.....  YES  NO  
(if yes then proceed to #3; if no then proceed to #4)
- 3) If NMF are or were historically present:
- a. Is there an ODFW-approved fish-passage plan?.....  YES  NO
  - b. Is there an ODFW-approved fish-passage waiver or exemption?.....  YES  NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

- 4) Would the proposed reservoir pose any other significant detrimental impact to an existing fishery resource?.....  YES  NO

*Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)*

- Any diversion or appropriation of water for storage during the period \_\_\_\_\_ through \_\_\_\_\_ poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.
- This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

RECEIVED

FEB 24 2023

OWRD

<sup>1</sup> AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

<sup>2</sup> NMF = Native Migratory Fish Species in Oregon as defined by OAR 635-412-0005 (32)

Went on a site visit of Knight's pond on January 20, 2023 to verify current condition. Pond and dikes were in good condition and were located out of any stream channel and was at least a mile from Calapooya Creek. No fish are currently in the pond and there are no inlet or outlet culverts and no screening will be needed. This pond is valuable to wildlife species and poses no risk to native fish species in the Calapooya Creek basin.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?  
 NO (explain)       YES (select from Menu of Conditions on next page)

RECEIVED  
FEB 24 2023  
OWRD

ODFW Signature:  Print Name: Eric Himmelreich

ODFW Title: Fish Habitat Biologist Date: 1/23/2023

**NOTE: This completed form must be returned to the applicant.**

Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

**fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

**fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

**fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**fishdiv33:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

**b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.

**b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

**b51a** The period of use has been limited to \_\_\_\_\_ through \_\_\_\_\_.

**b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

**b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

**futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the \_\_\_\_\_ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

**riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

**wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

**fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.

**blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

RECEIVED

FEB 24 2023

OWRD



RECEIVED

FEB 24 2023

OWRD



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266503-986-0900
www.oregon.gov/OWRD

Land Use Information Form

NAME: DAVID KNIGHT TRUSTEE
PHONE (WK):
CELL: 541-671-7126
PHONE (HM):
FAX:
ADDRESS: 660 DRYER VALLEY RD
CITY: OAKLAND STATE: OR ZIP: 97462 E-MAIL\*: DAVID@KNIGHTMGT.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 1/4, Tax Lot #, Plan Designation, Water to be: (Diverted, Conveyed, Used), Proposed Land Use. Includes handwritten entries for tax lots 202 and 205.

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

Handwritten entry: Douglas County

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond, Ground Water, Surface Water (name) N/A

Estimated quantity of water needed: 8.7 acre-feet

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

Briefly describe:

Handwritten entry: STOCK WATER, IRRIGATION, AGRICULTURE, FIRE PROTECTION



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.

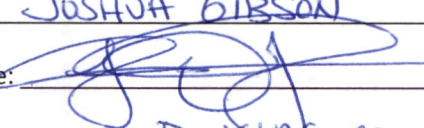
**Please check the appropriate box below and provide the requested information**

- 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): LUDO 3.4.050(5)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>FEB 24 2023</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
<b>DOUGLAS COUNTY PLANNING DEPARTMENT ROOM 106, JUSTICE BUILDING DOUGLAS COUNTY COURTHOUSE ROSEBURG, OR 97470</b>	<b>OWRD</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

LUDO 3.4.050(5) - water impoundments with less than 1000 Acre feet of storage in conjunction with Farm and Forest use  
Zone: FC/F3 - Exclusive farm use - cropland      R70635 / R119933

Name: JOSHUA GIBSON Title: PLANNER II  
 Signature:  Phone: 541-440-4289 Date: 1/20/23  
 Government Entity: DOUGLAS COUNTY

**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: \_\_\_\_\_

AFTER RECORDING RETURN TO:

Stephen O. Lane  
Gleaves Swearingen LLP  
975 Oak Street, Suite 800  
Eugene, OR 97401



\$51.00

02/20/2013 12:19:08 PM

DEED-BS Cnt=1 Stn=13 CAROL  
\$15.00 \$11.00 \$15.00 \$10.00

Grantor(s):  
Donald C. Knight, Trustee and  
Patsy M. Knight, Trustee  
660 Driver Valley Road  
Oakland, OR 97462

RECEIVED

FEB 24 2023

OWRD

Grantee(s):  
Donald C. Knight and Patsy M. Knight,  
660 Driver Valley Road  
Oakland, OR 97462

**OREGON STATUTORY BARGAIN AND SALE DEED**

Donald C. Knight, Donald C. Knight Trustee under the Donald C. Knight Revocable Living Trust Agreement, Patsy M. Knight, and Patsy M. Knight Trustee under the Patsy M. Knight Revocable Living Trust Agreement, Grantors, convey to Donald C. Knight and Patsy M. Knight, husband and wife as tenants by the entireties, Grantees, the real property described on Exhibit A attached hereto and incorporated herein by this reference:

The true consideration for this conveyance is other than money.

Until a change is requested, all tax statements are to be sent to the following address:

No Change

Tax Lot 205

Tax Account Number: R119933

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,



EXHIBIT A

All that portion of the Jonathan Tibbetts Donation Land Claim No. 40, lying North of the County Road more particularly described as follows:

BEGINNING at a point which is the Southeast corner of said Donation Land Claim No. 40; thence Northerly 650 feet along the East line of said Donation Land Claim No. 40 to a point; thence West 800 feet to a point; thence South 650 feet, more or less, to a point on the South line of said Donation Land Claim No. 40; thence Easterly along the South line of said Donation Land Claim No. 40, 800 feet, more or less, to the point of beginning. Lying in the South one half of Section 34, Township 24 South, Range 5 West, Willamette Meridian, Douglas County, Oregon.

RECEIVED

FEB 24 2023

OWRD

**AFTER RECORDING RETURN TO:**

Stephen O. Lane  
Gleaves Swearingen LLP  
975 Oak Street, Suite 800  
Eugene, OR 97401

Grantor(s):  
Donald C. Knight, Trustee and  
Patsy M. Knight, Trustee  
660 Driver Valley Road  
Oakland, OR 97462

Grantee(s):  
Donald C. Knight and Patsy M. Knight,  
Trustees of the Donald and Patsy Knight  
Family Trust Agreement UTD 11/24/09  
660 Driver Valley Road  
Oakland, OR 97462

Douglas County Official Records  
Patricia K. Hitt, County Clerk

2013-003909



\$56.00

DEED-BS Cnt=1 Stn=13 CAROL  
\$20.00 \$11.00 \$15.00 \$10.00

02/20/2013 12:20:13 PM

RECEIVED

FEB 24 2023

OWRD

**OREGON STATUTORY BARGAIN AND SALE DEED**

Donald C. Knight, Donald C. Knight Trustee under the Donald C. Knight Revocable Living Trust Agreement, Patsy M. Knight, and Patsy M. Knight Trustee under the Patsy M. Knight Revocable Living Trust Agreement, Grantors, convey to Donald C. Knight and Patsy M. Knight, Trustees of the Donald and Patsy Knight Family Trust Agreement UTD 11/24/09, Grantee, the real property described on Exhibit A attached hereto and incorporated herein by this reference:

The true consideration for this conveyance is other than money.

Until a change is requested, all tax statements are to be sent to the following address:

No Change

TAX LOT 202

Tax Account Numbers: R70628, R70635, R70642, R70649, R70656 and R132904

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



EXHIBIT A

Beginning at the Northwest corner of the Jonathan Tibbetts D. L. C. No. 40, Township 24 South, Range 5 West, W. M., Douglas County, Oregon; thence East 2.81 chains to the center of Pollock Creek; thence North 36.45° East 25.00 chains following the center of said creek to its intersection with the North boundary of and 17.75 chains East of the Northwest corner of Section 34, Township 24 South, Range 5 West, W. M., Douglas County, Oregon; thence East 0.25 chains; thence North 64 1/2° East 5.57 chains; thence North 75 1/4° East 2.85 chains; thence North 50 1/2° East 4.50 chains; thence South 84° East 16.54 chains; thence North 49 1/2° East 3.00 chains to a point North of the Northwest corner of the W. O. Green D. L. C. No. 41, of the aforesaid Township and Range; thence South 27 chains to the Northwest corner of said D. L. C. No. 41; thence South 587.0 feet along the West boundary of said D. L. C. No. 41; thence South 55° West 700 feet; thence South 28° West 104 feet; thence South 4° West 150 feet; thence South 82° East 637.5 feet to the West boundary of D. L. C. No. 41 at its intersection with the center line of Calapooia Creek; thence south 38.08 chains along the West boundary of said D. L. C. No. 41 to its intersection with the centerline of a county road (said intersection being the Northeast corner of the parcel of land deeded to A. C. Leabo by Hilda Roston Kruger and H. R. Kruger, and described in Volume 74, Page 405, Deed Records of Douglas County, Oregon), thence South 84° 30 feet West 14.28 chains and North 84° West 5.14 chains along said County Road and the North boundary of said Leabo property; thence South 1.08 chains to the South boundary of the aforesaid Section 34, thence West 28.72 chains to the Southwest corner thereof and the Southwest corner of Jonathan Tibbetts D. L. C. No. 40; thence North 30.00 chains along the West boundary of said Section 34, to the Southeast corner of the Northeast quarter of the Northeast quarter of the Southeast quarter of Section 33, said township and range; thence West 10.00 chains along the South boundary of said Northeast quarter of the Northeast quarter of the Southeast quarter of Section 33 to the Southwest corner thereof, thence North 10 chains along the West boundary of the said Northeast quarter of the Northeast quarter of the Southeast quarter of Section 33, to the Northwest corner thereof; thence West 0.29 chains to the center of the Calapooia Creek; thence following the corner of Calapooia Creek North 25° East 3.08 chains, North 42° East 1.45 chains, North 23° East 4.55 chains, North 6° East 4.10 chains, North 57° East 2.25 chains and South 65 1/2° East 4.25 chains to its intersection with the West boundary of the aforesaid D. L. C. No. 40; thence North 6.40 chains along the West boundary of said D. L. C. No. 40 to the Northwest corner thereof and the place of beginning, in Sections 27, 33 and 34, Township 24 South, Range 5 West of the Willamette Meridian, in Douglas County, Oregon.

EXCEPTING THEREFROM any portion lying within County Roads.

And:

That part of Parcel 3 of Land Partition 2005-27, Partition Plat Records of Douglas County, Oregon, situated Westerly of the east line of the J. Tibbits Donation Land Claim No. 40, in Section 34, Township 24 South, Range 5 West, Willamette Meridian, Douglas County, Oregon.

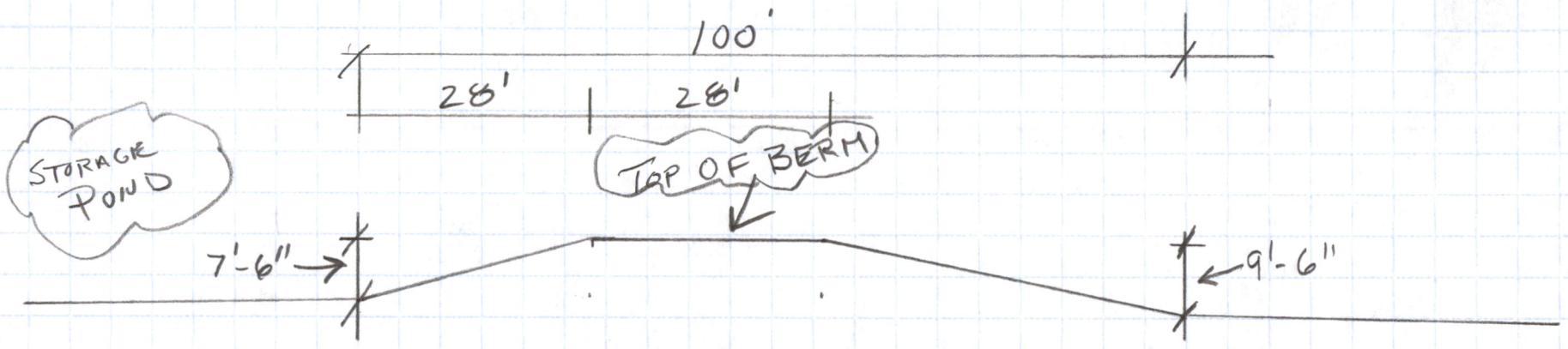
RECEIVED  
FEB 24 2023  
OWRD



EXCEPTING THEREFROM:

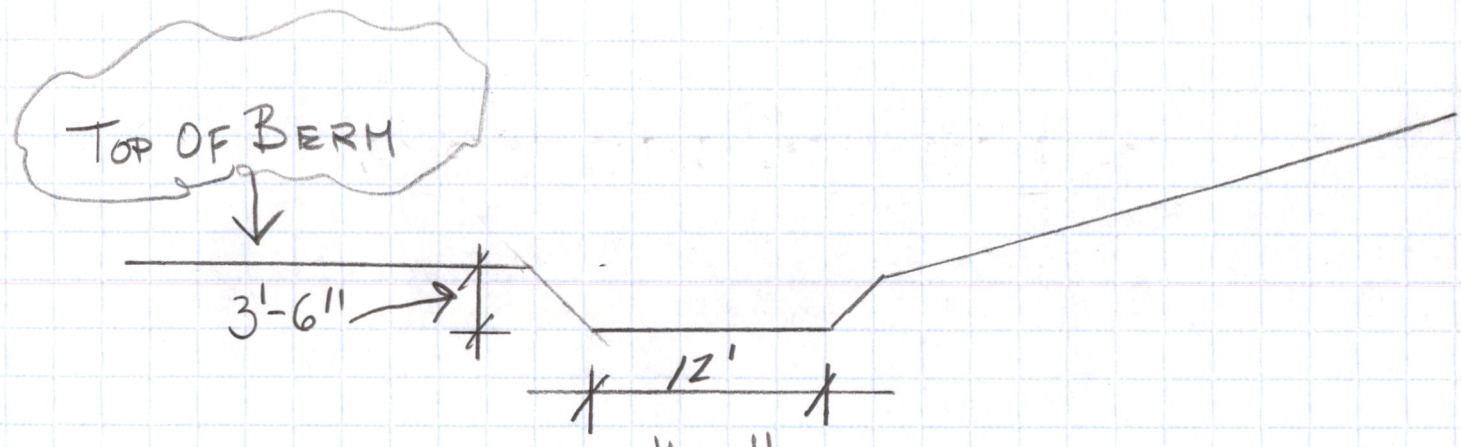
- (1) All that portion of DLC No. 40 located in the west  $\frac{1}{2}$  of the southwest  $\frac{1}{4}$  of Section 34, township 24 south, Range 5 west, W.M. Douglas County, Oregon.  
Described as follows:  
Beginning at a point on the south line of said DLC #40 from which the southwest corner of said Section 34 bears west 650 feet; thence along said south line, east 400 feet; thence leaving said southerly line, north 700 feet; thence west 400 feet; thence south 700 feet to the point of beginning.  
Situating in Section 34, Township 34 south, Range 5 west, W.M. Douglas County, Oregon.
  
- (2) All of that portion of the Jonathan Tibbetts Donation Land Claim No. 40, lying North of the County Road more particularly described as follows:  
  
BEGINNING at a point which is the Southeast corner of said Donation Land Claim No. 40; thence Northerly 650 feet along the East line of said Donation Land Claim No. 40 to a point; thence West 800 feet to a point; thence South 650 feet, more or less, to a point on the South line of said Donation Land Claim No. 40; thence Easterly along the South line of said Donation Land Claim No. 40, 800 feet, more or less, to the point of beginning.  
Lying the South one half of Section 34, Township 24 South, Range 5 West, Willamette Meridian, Douglas County, Oregon.

RECEIVED  
FEB 24 2023  
OWRD



"A"  
CROSS SECTION OF BERM

SCALE 20: 1"



CROSS SECTION SPILLWAY "B"

SCALE 10: 1"

RECEIVED  
FEB 24 2023  
OWRD

# Oregon Water Resources Department Alternate Reservoir Application

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

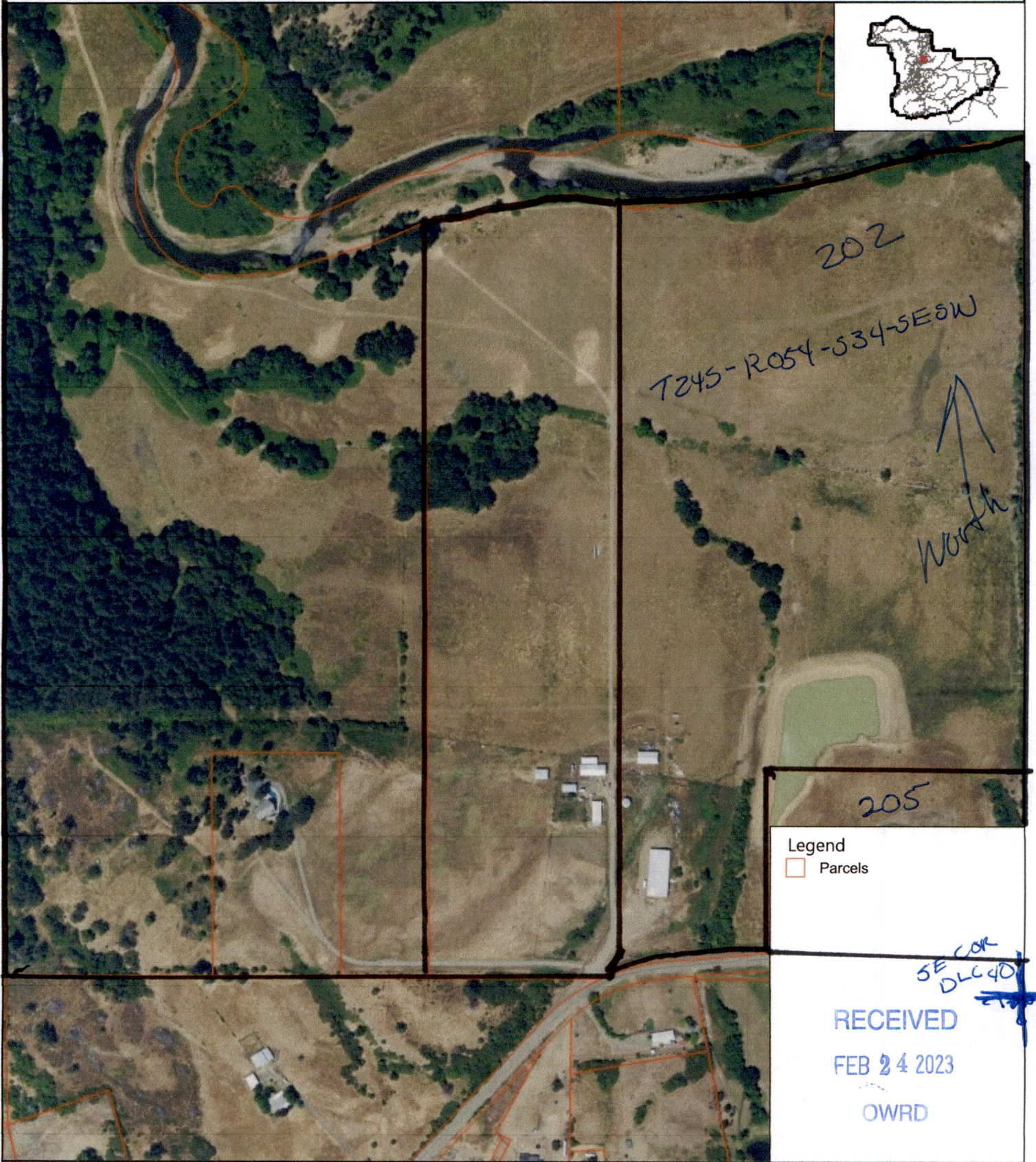
For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Monday, February 20, 2023

Base Application Fee.		\$480.00
Proposed Dam Height in feet.	9.50	
Proposed Reservoir volume in Acre Feet.	8.70	\$369.00
	Subtotal:	\$849.00
Permit Recording Fee. ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,459.00

RECEIVED  
FEB 24 2023  
OWRD





Legend  
Parcels

RECEIVED  
FEB 24 2023  
OWRD

SE COR  
DLC40

800.0 0 400.02 800.0 Feet

1" = 400'

Notes

THIS MAP IS NOT TO BE USED FOR NAVIGATION  
© Latitude Geographics Group Ltd.

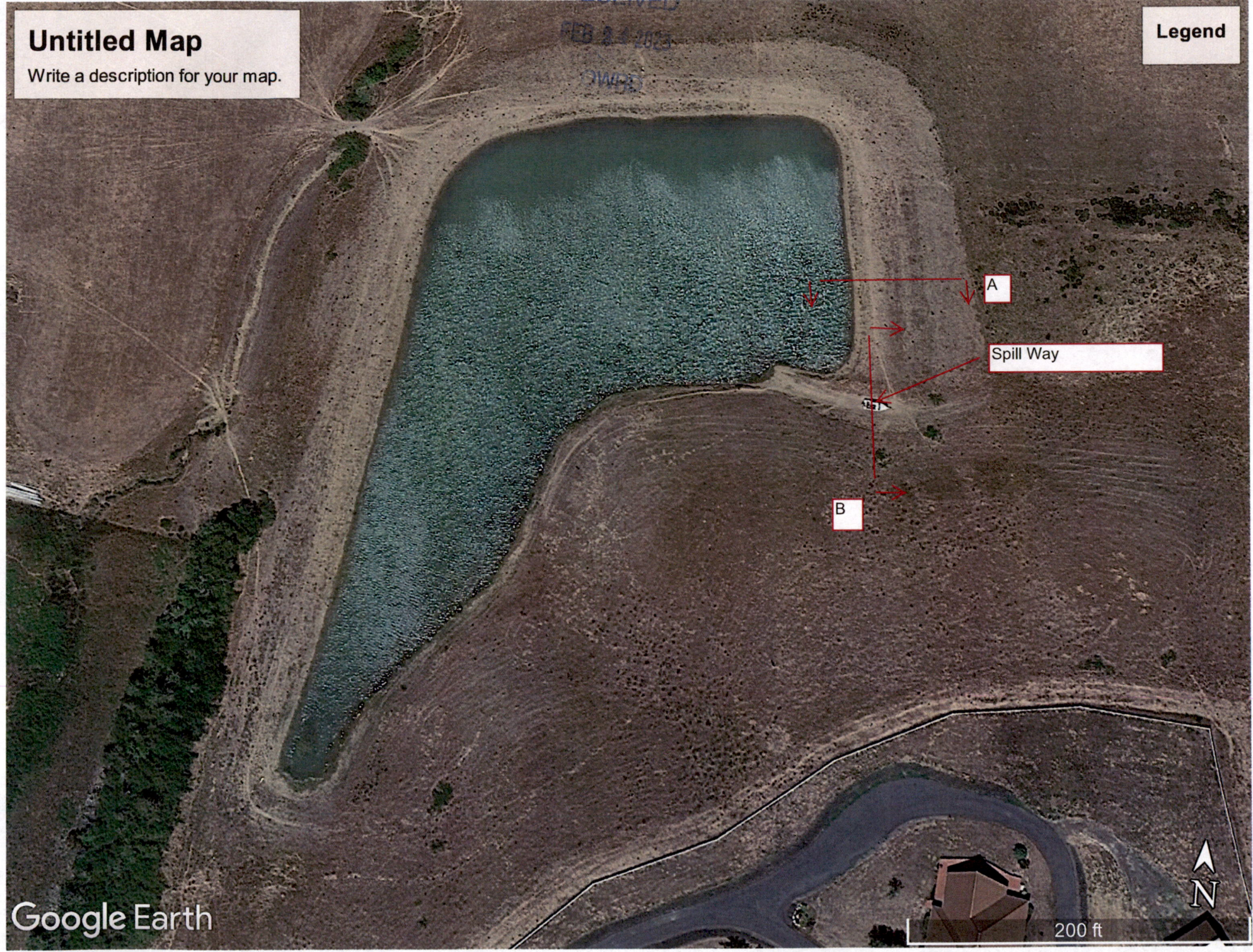


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

RECEIVED  
FEB 24 2023  
OWE

Legend

Untitled Map  
Write a description for your map.



Google Earth