
Return to applicant _____
Date of approval _____

Date for application of water 10-1-07
Extended to _____

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

Blank mailed _____
 Proof received 2034 11/2/2004
 Date Certificate issued DEC 31 2013

Stream Index, Page No. _____

[illegible]

NOTE:

ADD MIKE REYNOLDS
HYDRO SECTION

TO CC LIST



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Date Mailed: December 31, 2013

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM BLACKLAW
22396 S PARROTT CREEK RD
OREGON CITY OR 97045

confirms the right to store water perfected under the terms of Permit R-13488. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-85067

SOURCE: RUNOFF, AN UNNAMED STREAM AND A SUMP, TRIBUTARIES OF PARROTT CREEK

STORAGE FACILITY: SINGING HILLS RESERVOIR

PURPOSE or USE: MULTIPLE PURPOSE

MAXIMUM STORAGE VOLUME: 5.1 ACRE FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: DECEMBER 4, 2002

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	2 E	WM	30	SE NE	290 FEET NORTH & 450 FEET WEST FROM E1/4 CORNER, SECTION 30

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
3 S	2 E	WM	30	SE NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

CONDITIONS OF USE

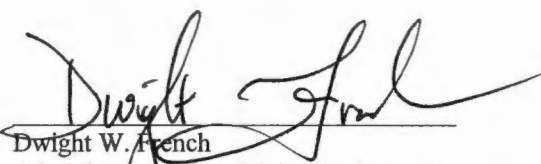
1. Measurement, recording and reporting:

A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order, and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.

B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used, and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water-use information, the periods of water use, and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

2. The water user shall maintain and operate fish screening to prevent fish from escaping into Parrott Creek.
3. The storage of water allowed herein is subject to the maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Director to satisfy prior downstream rights.
4. The water user shall pass all live flow outside the storage season described above.
5. This right does not provide for the appropriation of water for any out-of-reservoir uses, the maintenance of the water level, or maintaining a suitable freshwater condition. If any water is used for out-of-reservoir uses, or any live flow is appropriated to maintain either the water level or a suitable freshwater condition, a secondary water right is required.
6. Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.
7. This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. 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.
9. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
10. This right does not authorize the water user to interfere with or affect adjacent property not under the ownership of the water user.

Issued DEC 31 2013


Dwight W. French
Administrator Water Right Services, for
Phillip C. Ward, Director

Mailing List for Certificate

Scheduled Mailing Date:

Application: R-85067

Permit: R-13488

Certificate: 88855

Permit/Certificate Holder:

✓ WILLIAM BLACKLAW
22396 S PARROTT CREEK RD
OREGON CITY OR 97045

Copies Mailed	
by: <u>La</u>	(STAFF)
on: <u>12-31-13</u>	(DATE)

Copies of Final Certificate to be sent to:

- ✓ 1. Watermaster District 20, Jon J. Unger
- ✓ 2. Data Center (include copy of map)
- ✓ 3. Water Availability
- ✓ 4. Vault
- ✓ 5. File

Other persons to receive copies: (include map):

✓ MARTHA PAGEL

Mailing List for Certificate

Scheduled Mailing Date:

Application: R-85067

Permit: R-13488

Certificate: *****

Permit/Certificate Holder:

WILLIAM BLACKLAW ✓
22396 S PARROTT CREEK RD
OREGON CITY OR 97045

Copies Mailed

by: MG
(STAFF)

on: 6.19.13
(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 20, Jon J. Unger ✓
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File ✓

Other persons to receive copies: (include map):

1. Martha Pagel ✓



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

DATE MAILED:

JUN 19 2013

NOTICE

Reference: Permit R-13488

Application R-85067

Enclosed is a proposed certificate of water right and a map. The map and proposed certificate represent the extent water was stored based upon a Claim of Beneficial Use, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Jerry Sauter at 503-986-0817.

If you have any questions please contact Gerry Clark at 503-986-0811.

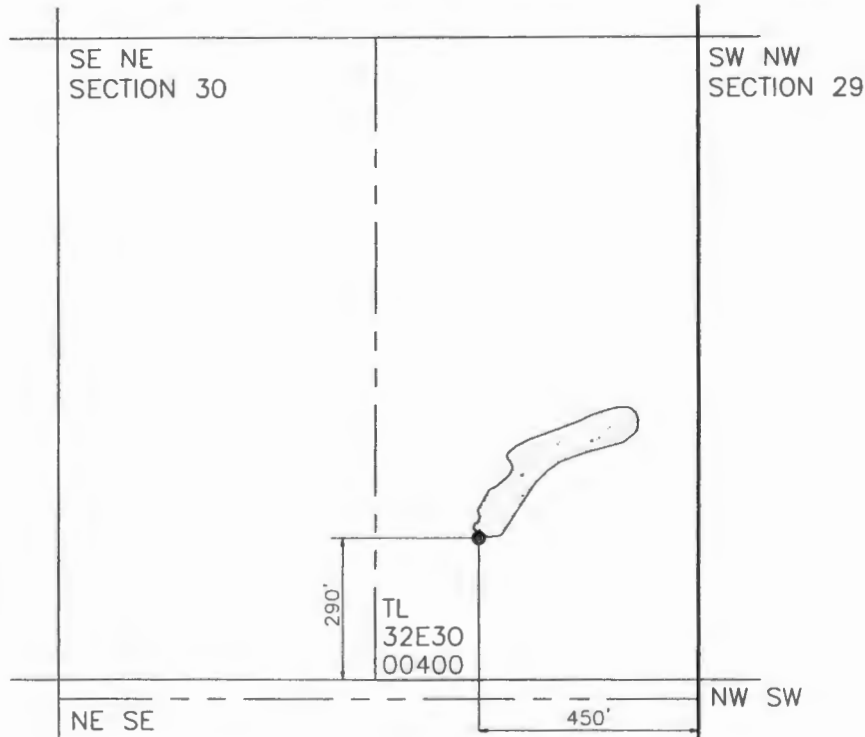
Sincerely,

Dwight French
Administrator Water Right Services



T3S, R2E SECTION 30 CLACKAMAS COUNTY

APPLICATION R-85067, PERMIT R-13488



RECEIVED

NOV 12 2004

WATER RESOURCES DEPT
SALEM OREGON

EXPLANATION:



RESERVOIR



POINT OF DIVERSION



APPROXIMATE PROPERTY LINE

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE PROPOSED WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

GEOENGINEERS

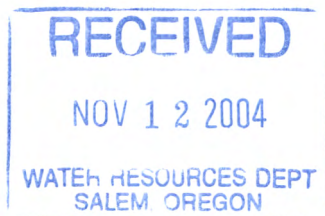
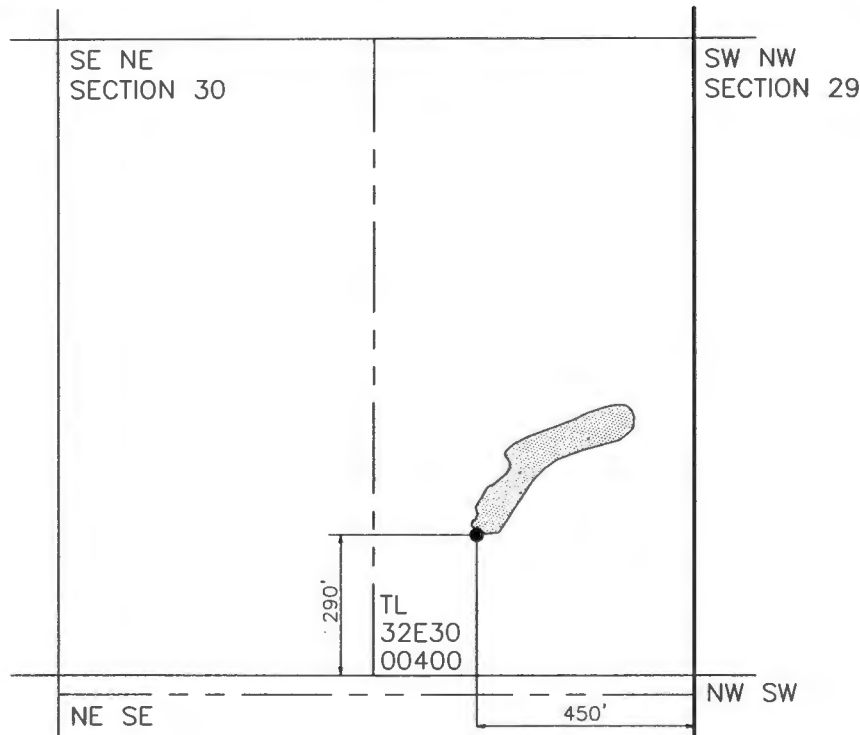
**CLAIM OF BENEFICIAL USE MAP
WILLIAM BLACKLAW**

FIGURE 1

Portland\p:\9568001\00\CAD\Fig_1A.dwg SRB:MWJ 11/08/04



**T3S, R2E SECTION 30
CLACKAMAS COUNTY
APPLICATION R-85067, PERMIT R-13488**



EXPLANATION:



RESERVOIR



POINT OF DIVERSION



APPROXIMATE PROPERTY LINE

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE PROPOSED WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

GEOENGINEERS 

**CLAIM OF BENEFICIAL USE MAP
WILLIAM BLACKLAW**

FIGURE 1

Certificate Checklist for Qualifying Reservoirs
Under ORS 537.409 (10) (11)(COBU by Permittee)
(Must be less than 9.2 acre feet)

File No.: R-85067

Date: 5/9/2013

Reviewer: Denny Clark

Secondary Permit?: ☐ YES ☒ NO, (If Yes, Self Certification Cannot Be Allowed, COBU For Both Reservoir and Secondary Must Be Performed By a CWRE)

Signed by permittee? ☒ YES ☐ NO (Must be Signed by Permittee. If no, Assignment may be needed)

Reservoir Dimensions Included ☒ YES ☐ NO

The Maximum Capacity of the Reservoir in Acre Feet *: 5.1 Permit = 8.5
(If less than permit, issue PROPOSED)

Check Area of Interest ☐ YES ☒ NO
Identified Party _____

Check Current Ownership ☒ YES ☐ NO (If new owners, indicate name and mailing address below)

Blackman's
Same address

Map Included (Must Identify Location of the Reservoir)* ☒ YES ☐ NO

Issue: ☒ PROPOSED

☐ CERTIFICATE # _____

Peer Review _____

File Marked _____

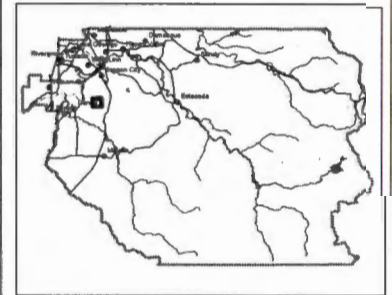
Claim Logged _____

SECTION 30 T.3S. R.2E. W.M.
Clackamas County
1" = 400'

Cancelled Taxlots

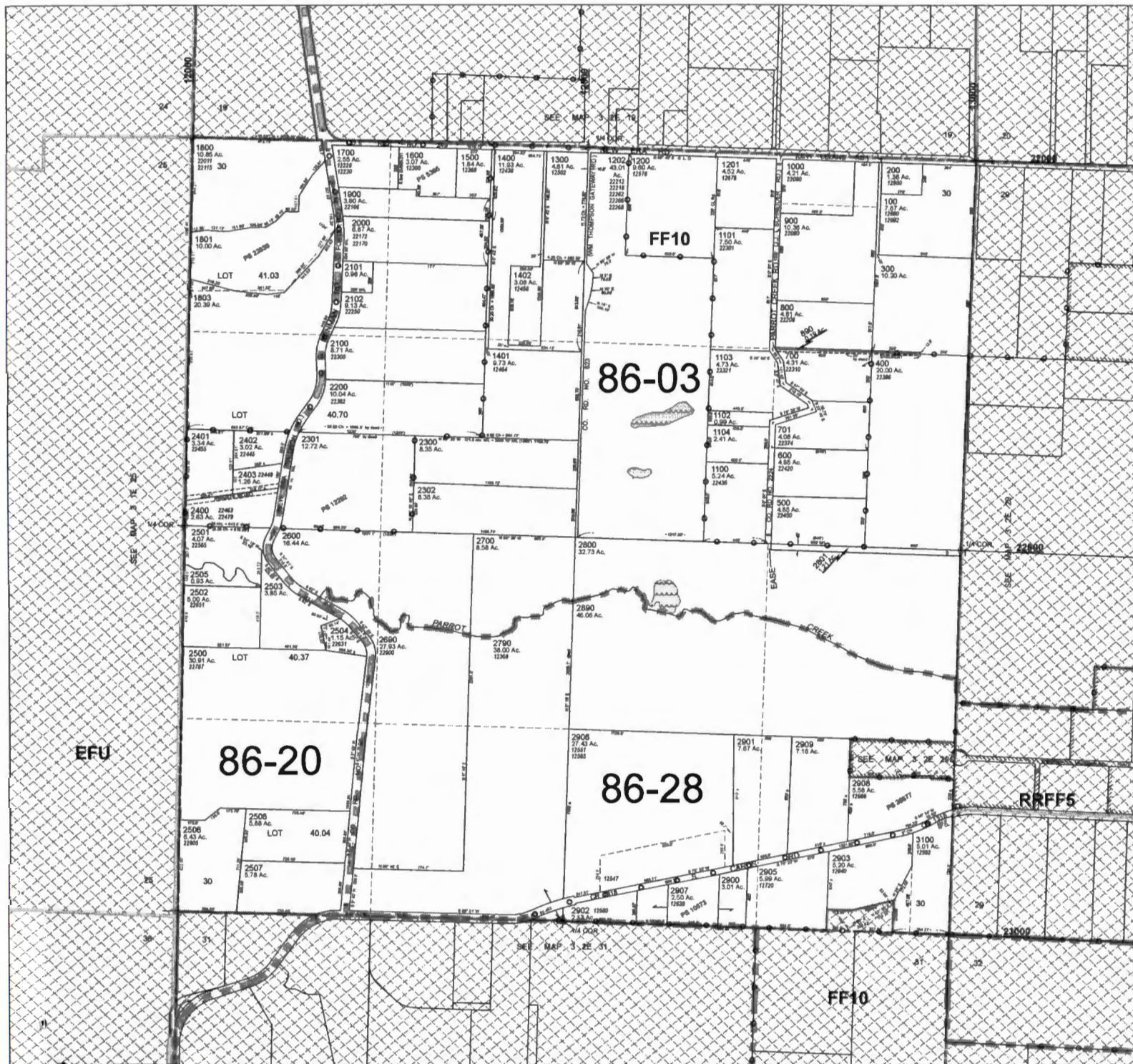
20091
1802
1800
2509
2004
3000

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'

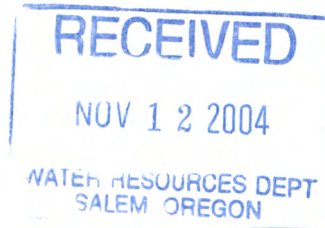


THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

12/16/2010



Application No. R-85067
Permit No. R-13488
Applicant Name William Blacklaw



**CLAIM OF BENEFICIAL USE FOR:
RESERVOIRS STORING LESS THAN 9.2 ACRE FEET
AND WITH NO SECONDARY SURFACE WATER STORAGE PERMIT
(permitted through ORS 537.409 Alternate Reservoir Permit Process)**

Note: To receive a certificate of water right, this form should be completed within one year from the date that construction of the reservoir is complete, or within one year from the date that complete application of water for beneficial use is made.

1) Reservoir dimensions:

Approximately 450 ft. long by 70 ft. wide. Maximum depth of
approximately 11-1/2 ft. and an average depth of 7 ft.

2) Maximum capacity of reservoir in acre-feet:

450 ft. x 70 ft. x 7 ft. = 5.1 acre ft.

3) Attach a map identifying the reservoir location. You may attach a copy of the application map, or submit a map prepared to the standard described on the reverse side of this form (OAR 690-310-0050). Preparation of the map by a Certified Water Rights Examiner is **not** required for this type of permit.

By my signature, I certify that the information contained herein is true and correct to the best of my knowledge.

Signature *William Blacklaw* Date 11-10-04
Address 22396 So Parrot CK Rd - Oregon City

If you have questions regarding this form, please contact Water Rights Information at Oregon Water Resources Department 503-986-0801.

Upon completion of this form and map, please mail it to:
Oregon Water Resources Department
725 Summer Street, Suite A
Salem OR 97301-1271

Oregon Water Resources Department

Water Rights Application
Number R-85067

Final Order

Appeal Rights

This is a final order in other than contested case. Pursuant to ORS 537.409(9), ORS 183.484, OAR 137-004-080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Application History

On MARCH 1, 2002, MS. MARTHA PAGEL, FOR WILLIAM BLACKLAW submitted an application to the Department for a water use permit. Pursuant to ORS 537.409, the Department provided public notice of the application in the Department's weekly public notice. A 60 day comment period followed.

The Department **has not** received adverse comments related to the possible issuance of the attached permit.

The Department **has** received comments from Oregon Department of Fish and Wildlife related to the possible issuance of the attached permit. Permit Number R-13488 is conditioned to address the issues raised in those comments.

Water is available for the proposed use as described in the attached permit.

The Department has received an application to use water for hydroelectric power under application HE 552. Therefore, the use of water for power development will not be considered under this application R-85068, or permit R-13488.

On December 4, 2002, Ms. Pagel clarified that the proposed use should be permitted as MULTI-PURPOSE USE.

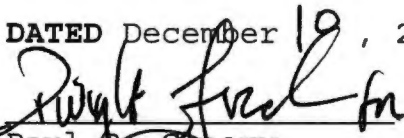
The use, as described on the attached permit, will not injure any existing water rights and does not pose potential detrimental impacts to existing fishery resources.

Therefore, the proposed use would not impair or be detrimental to the public interest.

Order

Application R-85067 therefore is approved pursuant to ORS 537.409, and Permit Number R-13488 is issued as limited by the conditions contained therein.

DATED December 19, 2002


Paul P. Cleary
Director

This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455, extension 229.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at extension 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th Street NE, Salem, OR 97301-4172, Fax: (503)378-6203.

STATE OF OREGON
COUNTY OF CLACKAMAS

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM BLACKLAW
22396 S PARROTT CREEK RD
OREGON CITY, OREGON 97045

(503) 655-3606

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-85067

SOURCE OF WATER: RUNOFF, AN UNNAMED STREAM AND A SUMP, TRIBUTARIES OF PARROTT CREEK

STORAGE FACILITY: SINGING HILLS RESERVOIR

PURPOSE OR USE OF THE STORED WATER: MULTI-PURPOSE USE

MAXIMUM STORAGE VOLUME: 8.5 ACRE-~~FEET~~ EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: DECEMBER 4, 2002

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 12.0 FEET.

DAM LOCATION: SE 1/4 NE 1/4, SECTION 30, T 3S, R2E, W.M.; 290 FEET NORTH & 450 FEET WEST FROM E1/4 CORNER, SECTION 30

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SE 1/4 NE 1/4
SECTION 30
TOWNSHIP 3 SOUTH, RANGE 2 EAST, W.M.

Measurement, recording and reporting conditions:

A. The Director may require the permittee to install a meter or

other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee shall install, maintain and operate fish screening to prevent fish from escaping into Parrott Creek.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

The permittee shall pass all live flow outside the storage season described above.

This permit does not provide for the appropriation of water for any out of reservoir uses, the maintenance of the water level or maintaining a suitable fresh water condition. If any water is used for out of reservoir uses, or any live flow is appropriated to maintain either the water level or a suitable freshwater condition, a secondary water right is required.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

This permit does not authorize the permit holder to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the permit holder.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2007.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.

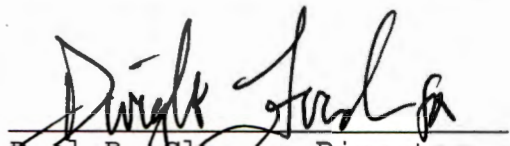
The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir stores 9.2 or more acre-feet of water.

If no secondary permit exists and the reservoir stores less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:

- (a) the dimensions of the reservoir;
- (b) the maximum capacity of the reservoir in acre-feet; and
- (c) a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

SEE NEXT PAGE

Issued December 10, 2002


Paul R. Cleary, Director
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Mailing List for FO Copies

Application #R-85067

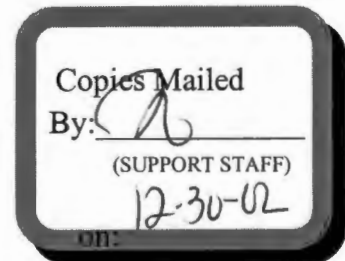
Print Date : December 9, 2002

12/27/02
Original mailed to Applicant WITH CLAIM OF BENEFICIAL USE FORM:
WILLIAM BLACKLAW, 22396 S PARROTT CREEK RD, OREGON CITY, OREGON 97045

NOTE TO SUPPORT: Please include a Claim of Beneficial Use form with the permit to the applicant.

Copies sent to:

1. WRD - File # R-85067
2. WRD - Water Availability: Ken Stahr
(WAB= PARROTT CREEK PER WM DIST 20)
3. WRD - NWR
4. WRD - MIKE REYNOLDS



(DATE)

Permit
FO, Map, and ~~Fact Sheet~~ Copies sent to:

5. WRD - Data Center
6. WRD - MIKE MC CORD, Watermaster; DISTRICT 20
7. ODFW District Biologist: (CLACKAMAS County)DICK CALDWELL

Copies sent to Other Interested Persons (*CWRE, Agent, Commenter, etc.*)

3. MARTHA PAGEL, SCHWABE, WILLIAMSON & WYATT, PC.; ~~1011 LIBERTY SE,~~
SALEM, OR 97301

4. _____
5. _____
6. _____
7. _____
8. _____
9. _____

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

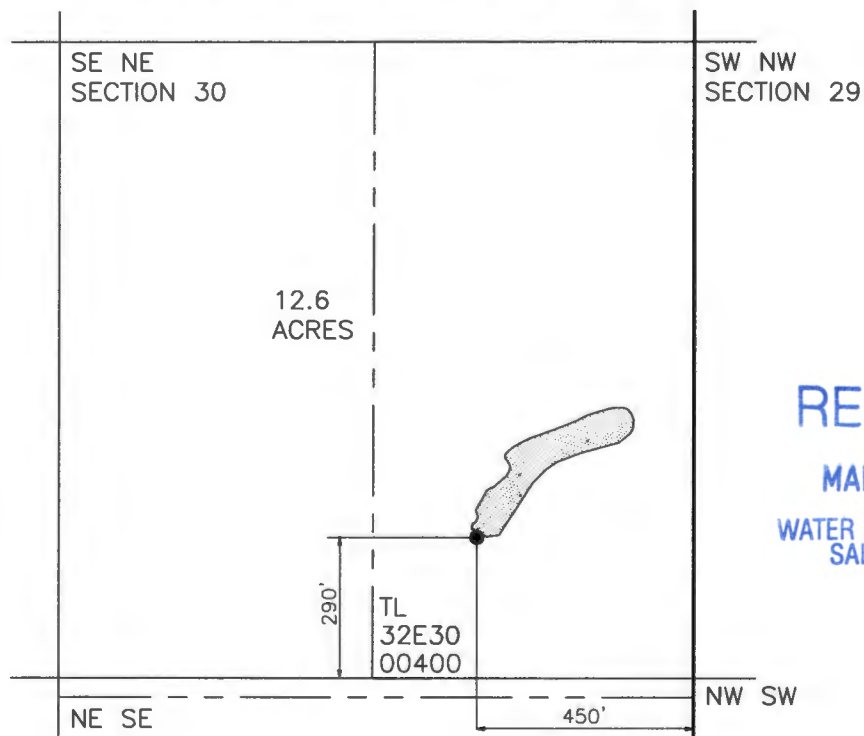
1. _____
2. _____
3. _____

CASEWORKER : AMH

Application No. R-85067
Permit No. R13488



T3S, R2E SECTION 30 CLACKAMAS COUNTY



RECEIVED
MAR 01 2002
WATER RESOURCES DEPT.
SALEM, OREGON

EXPLANATION:

-  EXISTING RESERVOIR
-  PROPOSED POINT OF DIVERSION
-  APPROXIMATE PROPERTY LINE

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE PROPOSED WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Geo  Engineers

RESERVOIR APPLICATION MAP
WILLIAM BLACKLAW

FIGURE 1

Subject: Application Amendment - R-85067

Date: Wed, 4 Dec 2002 16:03:58 -0800

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

Thread-Topic: Application Amendment - R-85067

Thread-Index: AcKb8f3MyLfneOP6SfuN+FtwKBtDYA==

From: "Pagel, Martha" <MPagel@SCHWABE.com>

To: <Dwight.W.French@wrд.state.or.us>

Cc: <Anita.M.Huffman@wrд.state.or.us>

X-MIME-Autoconverted: from quoted-printable to 8bit by funnel.wrд.state.or.us id gB4Npk025922

Pursuant to our conversation earlier today, I hereby request that you amend the above-referenced application, filed in the name of my client, William Blacklaw, as follows:

- 1) Change the type of use to "multi-purpose"
- 2) Change the priority date to today's date.

As we discussed, these changes do not represent any enlargement or significant change in the character of the reservoir proposed under the application. The original application listed numerous individual uses, including irrigation, power, recreation, wildlife, and livestock. We would like to make this change in order to have the flexibility to also use the reservoir for possible mitigation purposes, if otherwise approved by WRD. The priority date change is requested in an abundance of caution, to ensure against any possible questions or concerns arising out of the change to the application.

Please let me know if you have questions or need further information from me.

Martha O. Pagel

Schwabe Williamson & Wyatt

503-399-7712

wr / to done / 02-12 / R85067. Permit.

To: Anita M Huffman <Anita.M.HUFFMAN@wrd.state.or.us>
Subject: Fwd: Blacklaw applications

Anita,

Based on this email, please bring me a FO (sometime next week) on the alt res for multipurpose storage (pride 12/4/02).

Prepare a letter for me putting the other applications on hold for one year to let the hydro license process run its course. Let MOP know that she can ask for additional time after one year if that is necessary.

Thanks,
Dwight

Subject: Blacklaw applications

Date: Fri, 6 Dec 2002 13:11:37 -0800

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

Thread-Topic: Blacklaw applications

Thread-Index: AcKdbD9yRWKxzLhRe+oG0s8WUM3XA==

From: "Pagel, Martha" <MPagel@SCHWABE.com>

To: <Dwight.W.French@wrd.state.or.us>

Cc: <Anita.M.Huffman@wrd.state.or.us>,
<Mike.J.Reynolds@wrd.state.or.us>

X-MIME-Autoconverted: from quoted-printable to 8bit by funnel.wrd.state.or.us
id gB6Kxun23146

Hi Dwight: I have spoken with Bill Blacklaw regarding the options we discussed earlier this week for dealing with his proposed use of ground water for irrigation, and the related mitigation that would trigger.

Bill has decided to put the irrigation applications (ground water use and secondary use of storage) on administrative hold, in order to proceed with the hydro application first. He may eventually withdraw the irrigation requests, but is not yet ready to make that decision.

He would like proceed with issuance of the alternative reservoir permit, and with

processing of the hydro application as soon as possible. This decision reflects the priorities I described to you during our meeting: his first objective is to make sure the existing pond is authorized; his second priority is to obtain approval for the hydro project. The irrigation is desirable, but a lesser priority. Given the additional complications the irrigation use presents, he would like additional time to consider whether and how to proceed. Bill would also like to have a better idea of what may be required in connection with the hydro application, before committing to specific mitigation measures in connection with the irrigation use.

We would like to request the following:

- 1) Please proceed with Application R-85067 for multi-purpose storage with a priority date of 12/4/02, per my e-mail to you of that date.
- 2) Thereafter, please proceed with processing of the hydro application.
- 3) Please place applications G-15718 and S-85068 on administrative hold until completion of the hydro application process, so that we can then evaluate whether to proceed with the irrigation use.

We appreciate the department's assistance with these requests. Please let me know if you need a letter or other form of request from me in order to proceed.

Thank you.

Martha O. Pagel
Schwabe Williamson & Wyatt
1011 Liberty St. SE
Salem, OR 97302
503-399-7712

Dwight French
Water Rights Section Manager, Water Rights Division
Oregon Water Resources Department
158 12th ST NE, Salem Oregon 97301-4172
Phone: 503 378-8455 x268
Fax: 503 378-6203

Oregon Water Resources web page: <http://www.wrd.state.or.us/>

ORS 537.409 ALTERNATE RESERVOIR WORKSHEET

FILE # R- 85067

COMPLETENESS:

☒ Application form is complete? location should be
SENE WM DIST 20

☒ Land Use form has been signed by planning. REGION NW

☒ Fees (\$10 per acre-foot with maximum fee of \$100) Public Notice Date March 12, 2002
8.5 AF = \$85

☒ Appropriate map has been received? Map meets OAR 690-310-050 requirements?
☒ In ink, reproduceable
☒ Good quality paper; if >11" x 17" must be on mylar, vellum or linen & 4 copies
☒ Standard even scale
☒ North arrow
☒ POD/dam location referenced to section corner
☒ POU identified by tax lot, township, range, section and 1/4 1/4, or by latitude/longitude
☒ DLC and GLO lots identified

☒ Secondary application filed if appropriate? File number for secondary S 95068

Completed by Garry Clark Date 3/21/02 HE 552
G- 15719

PRE-FINAL ORDER PROCESSING (to be done by caseworker):

☒ Water Availability completed at 50% exceedence. If no WID number, fax copy of application and map to Watermaster for Watermaster Water Availability analysis.
WID # 2-181

☒ Is stream withdrawn? No

☒ Mail forms to appropriate Interagency Review Team members. Date mailed: 3/21/02
ODFW Contact: Dick Caldwell
DEQ Contact: NW (Schaedal)
Watermaster: 20

NA Notify applicant via Certified Mail of any deficiencies (map corrections, land use approval, fees, etc.) Allow up to 60 days for corrections.

Completed by Garry Clark Date 3/21/02

☒ Water Availability table or Watermaster Water Availability Form in file?

☒ Worksheets **completed** by Interagency Team members (ODFW, DEQ, Watermaster) in the file? (Can process without DEQ or Watermaster)

Yes Is the land use *approved* by the local planning department? If not, cannot issue permit.

☒ Comments received from anyone other than Interagency Team members? If so, list name and mailing address to receive \$10 letter.

☒ Scenic waterway restrictions? Check map and add appropriate conditions.
 In (may not be allowed)
 ☒ Out or Above

☒ Measurement conditions
Small (≤ 9.2 ac-ft) ☒ | Medium (> 9.2 , but < 100 ac-ft) _____ | Large (≥ 100 ac-ft) _____

JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

Allowed season (JAN FEB MAR APR MAY JUN) ~~JUL~~ ~~AUG~~ ~~SEP~~ ~~OCT~~ (NOV DEC)

The permittee shall install, maintain & operate fish screening to prevent fish from escaping into Pariat Creek.

- ✓ Assign permit number. R- 13488.
- ✓ Save draft FO and Permit in S:\GROUPS\WR\FO\WEEK ³⁵⁹342. Delete duplicates.
- ✓ Print final draft and submit for peer review.

Save final FO and Permit in S:\GROUPS\WR\FO\DONE\ . Delete duplicates

Route file to support services for copying and mailing.

Completed by _____ Date _____

Analysis for Application: R85067

Location: 3.00 S-2.00 E-30-sene

Uses: FP 0.000 (P) , AS 0.000 (P) , LW 0.000 (P) , ST 0.000 (P) , PW 0.000 (P) , RC 0.000 (P)

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
20	NW

Records Found: 1

WAB

BASIN	WID	LINK_1
2	181	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Clackamas	41005

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Water Availability for WID 181

WATER AVAILABILITY TABLE

Water Availability as of 1/ 1/**** for
WILLAMETTE R > COLUMBIA R - AT MOUTH

Watershed ID #: 181 Basin: WILLAMETTE Exceedance Level: 50
Time: 15:26 Date: 03/20/2002

Select an Item Number for More Details

[illegible]

Main Stem Willamette River Subbasin

690-502-050 The Main Stem Willamette River Subbasin includes the Willamette River from Willamette Falls near river mile 27 in Oregon City to the confluence of the Middle Fork and Coast Fork Willamette south of Springfield. Stream systems which are tributary to the Willamette River main stem above Willamette Falls are included in the subbasin, except for the major tributary subbasins specified in OAR 690-502-060 through 690-502-150:

(1) Surface water classification:

(a) The following streams and tributaries are withdrawn from further appropriation except storage:

(A) Second Periwinkle Creek (also known as Cox Creek and Ash Creek) and tributaries near Willamette River mile 118 at Albany are withdrawn from further appropriation by order of the State Engineer dated November 20, 1950;

(B) Croisan Creek and tributaries near Willamette River mile 84 at Salem are withdrawn from further appropriation by order of the State Engineer dated August 4, 1950;

(C) Pringle Creek and tributaries near Willamette River mile 84 at Salem are withdrawn from further appropriation by order of the State Engineer dated August 4, 1950;

(D) Mill Creek and tributaries near Willamette River mile 84 at Salem are withdrawn from further appropriation by order of the State Engineer dated September 22, 1950;

(E) An unnamed stream and tributaries flowing through Section 24, Township 6 South, Range 4 West, Willamette Meridian, a tributary to Spring Valley Creek in Section 19, Township 6 South, Range 3 West, Willamette Meridian, are withdrawn from further appropriation by order of the State Engineer dated August 18, 1950;

(F) Corral Creek and tributaries near Willamette River mile 40 are withdrawn from further appropriation by order of the State Engineer dated August 7, 1951;

(G) Hatlin Creek and tributaries tributary to Potter Creek near Oregon City are withdrawn from further appropriation by order of the State Engineer dated September 22, 1950.

(b) The Willamette River main stem down-stream from the west line of Donation Land Claim 55 in T11S, R4W, upstream from the mouth of the Calapooia River near Albany, except as otherwise specified in subsection (a) of this section, is classified for domestic, livestock, municipal, industrial, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses;

(c) The Willamette River main stem upstream from the west line of Donation Land Claim 55 in T11S, R4W, upstream from the mouth of the Calapooia River near Albany, to the confluence of the McKenzie and Willamette Rivers, except as otherwise specified in subsection (a) of this section, is classified for domestic, livestock, municipal, industrial, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from September 1 through June 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from July 1 through August 31;

(d) The Willamette River main stem above the confluence with the McKenzie River to the confluence of the Middle and Coast Forks of the Willamette River, except as otherwise specified in subsection (a) of this section, is classified for domestic, livestock, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and public instream uses from November 1 through June 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from July 1 through October 31;

(e) Except as specified in subsection (1)(a) of this rule, tributaries of the Main Stem Willamette River Subbasin are classified for domestic, livestock, municipal, industrial, irrigation, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from September 1 through June 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from July 1 through August 31.

(2) For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life and to minimize pollution and of attaining the highest and best use of waters released from storage, no appropriations of water except for domestic or livestock uses or waters to be legally stored or legally released from storage shall be made or granted by any state agency or public corporation of the state for the following waters and as shown in Table 1:

(a) The Willamette River or its tributaries above USGS Gage 14174000 (SW 1/4 Section 6, Township 11 South, Range 3 West) at Albany, Oregon, for natural flows of the Willamette River below 1,750 cubic feet per second plus waters released from storage of up to 3,140 cubic feet per second measured at the aforementioned gage;

(b) The Willamette River or its tributaries above USGS Gage 14191000 (SW 1/4 Section 22, Township 7 South, Range 3 West) at Salem, Oregon, for natural flows of the Willamette River below 1,300 cubic feet per second plus waters released from storage of up to 4,700 cubic feet per second measured at the aforementioned gage;

(c) The Willamette River or its tributaries above USGS Gage 14198000 (SE 1/4 Section 23, Township 3 South, Range 1 West) at Wilsonville, Oregon, for natural flows of the Willamette River below 1,250 cubic feet per second plus waters released from storage of up to 4,700 cubic feet per second measured at the aforementioned gage;

(d) The Willamette River or its tributaries above Willamette Falls at Oregon City for natural flows of the Willamette River below 1,500 cubic feet per second plus waters released from storage of up to 4,700 cubic feet per second measured at or near said Willamette Falls and maintained to the mouth.

[ED. NOTE: Table 1 referenced in this rule is not printed in the OAR Compilation. Copies may be obtained from the Water Resources Department.]

Stat. Auth.: ORS 536.300 & 536.340
Hist.: WRD 4-1992, f. & cert. ef. 3-13-92

Middle Fork Willamette River Subbasin

690-502-060 The Middle Fork Willamette River Subbasin includes the Middle Fork Willamette River and tributaries upstream from its confluence with the Coast Fork Willamette River south of Springfield:

(1) Surface water classification:

(a) The North Fork of the Middle Fork Willamette River, from a point one mile upstream from the railroad bridge near Westfir to its headwaters, and Waldo Lake, are designated state scenic waterways. These waters and tributaries are classified only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses;

(b) Except as otherwise specified in subsection (c) of this section, the Middle Fork of the Willamette River and tributaries below Dexter Dam are classified for domestic, livestock, municipal, irrigation, industrial, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from September 1 through January 31, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from February 1 through August 31;

To: "Anita HUFFMAN \ (E-mail\)" <Anita.M.HUFFMAN@wrd.state.or.us>,
"Kristen Richert \ (E-mail\)" <Kristen.T.RICHERT@wrd.state.or.us>,
"Kristen Richert \ (E-mail 2\)" <ktrichert@hotmail.com>
Subject: FW: R-85067

FYI regarding William Blacklaw project:

-----Original Message-----

From: Mike McCord [mailto:Mike.L.MCCORD@wrd.state.or.us]
Sent: Thursday, August 01, 2002 3:35 PM
To: Gerald.E.CLARK@wrd.state.or.us
Cc: Mike.J.REYNOLDS@wrd.state.or.us
Subject: R-85067

Please consider this email when reviewing all of the applications for William Blacklaw. I measured Parrott Creek on July 17, 2002 directly below the Blacklaw property. The flow was 0.33 on the mainstem of the creek. That is below where the trib he has filed on enters Parrott Creek. There are 9.28 cfs of water rights from Parrott Creek and tributaries. There are also 158.3 ac/ft of storage rights from Parrott Creek and tibutaries. I have also been observing Parrott Creek at two other locations. There appears to be little or no flow in the creek. The USGS report I faxed to you earlier also made this observation. Based on the water rights of record and the lack of flow in Parrott Creek, I do not believe there is water available for future applications outside of what is allowed in the Basin Program. No storage or consumptive use (other than those spelled out in 690-502-050 1 (E) after June 30.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

FACSIMILE TRANSMITTAL SHEET

TO: Gerry Clark

- Blacklaw. Appl.

DATE: 7-16-02

FROM: Mike Mc Cord, Watermaster District 20
1678 South Beaver Creek Road, Suite L
Oregon City, OR 97045
Phone (503) 722-1410
Fax (503) 722-5926

This transmission contains 3 pages. (including the cover) Please let me know if you did not receive all pages or if any pages are unreadable.

Message: I looked at Ponst Cr. - The flow is less than 5 cfs

There are water rights for 9.28 cfs from Surface water in
the drainage. I would say that there is no water avail.

I will measure it in the morning

See att pages



Juno Pandian

OPEN-FILE REPORT ... 1976

LAND OF OREGON

VOLUME 4

Clackamas County

By

M. V. Shulters

Prepared by
UNITED STATES DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

in cooperation with the
OREGON STATE WATER RESOURCES DEPARTMENT

CLACKAMAS COUNTY

1441 SEVICK POND

SURVEY DATE: July 30, 1975

LOCATION: Sec. 23, T. 3 S., R. 1 E., about 4 mi (6.5 km) south of West Linn and 3 mi (5 km) northeast of Canby. Surface-water outlet at lat 45°18'00", long 122°39'19". Canby 7½-minute quadrangle map.

DRAINAGE BASIN: Willamette River.

DRAINAGE AREA: 31.7 mi² (82 km²).

SURFACE ELEVATION: 75 ft (23 m) above mean sea level, from topographic map.

SURFACE AREA: 10 acres (40,000 m²).

VOLUME: Not determined.

INFLOW: No measurable flow from Beaver Creek or Parrot Creek.

OUTFLOW: Estimated 3 ft³/s (0.08 m³/s) through control. No flow through spillway.

USE: No public recreation.

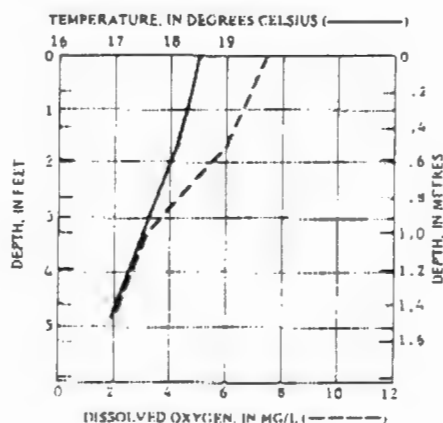
REMARKS: Considerable floating and submerged aquatic growth was observed. Large algal mats indicated recent bloom. Bottom material is mostly soft mud and detritus. Heavy accumulation of silt has reduced the depth of the pond considerably, so it is now quite shallow.

WATER-QUALITY DATA

SAMPLING TIME 1130 hours
CLOUD COVER 100 percent

	pH (units)	CONDUCTIVITY (micromhos at 25°C)
SURFACE	7.2	165
BOTTOM	7.2	171

ALKALINITY (mg/l as CaCO₃) 67
TOTAL HARDNESS (mg/l as CaCO₃) 70
DISSOLVED SOLIDS (mg/l) 108
TRANSPARENCY (metres) .8
COLOR (Pt-Co units) 49
FECAL COLIFORM (colonies/100 ml) 24
(Chemical analysis in table 2, p. 4)



Photograph taken September 12, 1975.



M E M O R A N D U M

To: Dick Caldwell, ODFW

From: Gerry Clark

Subject: William Blacklaw Applications (R-85067, S-85068, G-15718, and HE 552)

Date: July 11, 2002

Here are the Blacklaw files we recently discussed. Attached is the Alternative Reservoir review you submitted along with the memo prepared by WRD's Dam Safety Engineer concerning his site visit.

Based on previous our discussion, we were considering the removal of the screening at the diversion site to prevent fish from entering the reservoir, and using instead "The permittee shall install, maintain and operate fish screening to prevent fish from escaping into Parrot Creek."

In an effort to ensure that the permit conditions for these applications are consistent, please review these applications together.

Thanks for your help.

Based on information received, the use of live flow for filling (one time) the alternate reservoir:

STW-1 Feb. 24 1999

water availability: year-round
other restrictions: _____
Will be limited to: year-round

Application for a Permit to Store Water

Alternate Review Process (ORS 537.409)

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.

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a."

RECEIVED

MAR 01 2002

WATER RESOURCES DEPT.
SALEM, OREGON

1. APPLICANT INFORMATION

Landowner: William Blacklaw
First Last

Contact: Ms: Martha Pagel @ Schwabe, Williamson & Wyatt PacWest Center Ste. 1600-1900
Authorizing Agent: 1211 SW 5th Ave. Portland, OR 97204-3795 Ph#503/796-2872 Fax#503/796-2900
First Last

Mailing address: 22396 South Parrott Creek Road

Oregon City OR 97045
City State Zip

Phone: (503) 655-3606 (503) 234-9202 (503) 702-4410 (Cell)
Home Work Other

*Fax: (503) 238-7201 *E-Mail address: bill@premier-mfg.com

*Optional information

2. LOCATION AND SOURCE

A. Reservoir name: Singing Hill Reservoir

B. Source

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 the source is run-off, seepage, or an unnamed spring or stream.

Source: Surface run off, Spring-Tributary to: Parrott Creek
fed unnamed stream and groundwater

C. Reservoir Location

township	range	section	quarter/quarter	tax lot no.
3 South	2 East	30	NE/SE	32E 30 00400

D. Dam

Maximum height of the dam: 5 feet.

For Department Use	
App. No. <u>R85067</u>	Permit No. _____ Date <u>3/1/02</u>

Application No. R-85067
Permit No.

RECEIVED

MAR 01 2002

WATER RESOURCES DEPT.
SALEM, OREGON

3. WATER USE

How do you plan to use the stored water?

- Irrigation
- Stockwater
- Aquatic Life
- Nursery Operations
- Cranberry
- Temperature Control
- Forest and Range Management
- Industrial
- Commercial
- Fire Protection
- Mining
- Power Development
- Domestic
- Human Consumption
- Domestic Expanded
- Municipal
- Stormwater
- Quasi-municipal
- Group Domestic
- Recreation
- Wildlife
- Pollution Abatement
- Wetland Enhancement
- Multipurpose

What is an acre foot?

One acre-foot is the volume of water that would cover one acre of land to the depth of one foot. To find out how much water your pond stores, multiply the surface area (in feet) by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. To be eligible for the alternate process your reservoir must store less than 400,752 cubic feet (43,560 X 9.2).

Application fee

Your application fee is based on the number of acre-feet of your proposed reservoir.

\$10 per acre-foot.

Example:

6.5 acre-feet X \$10=\$65 total.

A. Quantity: Amount of water to be stored in the reservoir at maximum capacity: 8.5 acre - feet

B. Use: Indicate the proposed use(s) of the stored water (see list to the left). Aesthetics, recreation, wildlife, fire protection, stockwater, irrigation, power development

Note: If you intend to use this stored water outside of the reservoir you must also file an application to use surface water.

C. Water Rights: What water rights, if any, have been issued for this reservoir? (Indicate permit or certificate number.)

None

4. ENVIRONMENTAL IMPACT

A. Channel: Is the reservoir in stream or off channel? ☒ Yes ☐ No (Unnamed drainage)

B. Wetland: Is the project in a wetland? ☐ Yes ☒ No ☐ Don't Know

C. Existing: Is this an existing reservoir? ☒ Yes ☐ No

If yes, how long has it been in place? >30 years

D. Fish Habitat: Is there fish habitat upstream of the proposed structure? ☐ Yes ☒ No ☐ Don't Know

If yes, how much? _____ miles

E. Partnerships: Have you been working with other agencies?

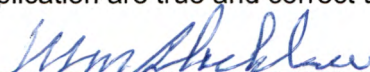
☒ Yes ☐ No

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

Keith Smith / Capt. Jim Syring Beaver Creek/Holcomb
(503)722-6132 (503)632-3232 Fire District

5. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.


Landowner

2-7-02
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

WRD on the web:

www.wrd.state.or.us

Storage—Alternate Review Process/ 2

Application No. R-85067
Permit No.



Oregon

John A. Kitzhaber, M.D., Governor

MEMORANDUM

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

DATE: MAY 17, 2002

TO: WATER RIGHTS SECTION

FROM: JOHN FALK, P.E.
DAM SAFETY x222 

SUBJECT: SITE VISIT - T3S/R2E/SEC 30
WILLIAM BLACKLAW APPLICATION

Traveled to the referenced site with Mike Reynolds to perform measurements of existing dam and reservoir complex. Per prior arrangement we met Kammy Kern-Korot (ODFW) at the project site, and also Martha Pagel and Jeannie Gianella representing the applicant.

The dam is constructed across a small unnamed tributary of Parrot Creek. Construction appears to consist of earthen fill downstream, with upstream vertical sheet-piling facing the reservoir. A road crosses the dam and is constructed directly on top of a concrete box that serves as the emergency spillway. The maximum height of the dam adjacent to the vertical sheet pile wall is 12 feet, measured from the bottom of the pond to the top of the concrete box (roadway). The concrete spillway box under the road passes from the reservoir, over the center portion of the dam, and discharges into an open, concrete lined channel. The channel, in turn, flows downstream about a hundred lineal feet and drops into two (2) 36" diameter corrugated metal culverts. The twin culverts appear to be founded on fill material. Both culverts themselves are covered with fill (buried) for an additional distance of about 150 feet, before daylighting into a portion of the original stream channel.

A 15-inch steel pipeline passes through the dam and is exposed in a concrete vault on the downstream slope, on the *right side* of the spillway channel. Because the reservoir was full, the upstream side of the dam could not be observed. The pipe appears to be valved on the upstream side of the dam; another smaller wheel operator was observed, but its purpose is unknown. The vault is 8 feet deep, as measured from the top of the dam. After exiting the vault, the buried pipeline reappears in a pre-fab concrete building several hundred feet downhill on the *left side* of the spillway, apparently crossing above (?) the 36" culverts. A valved, 3-stage manifold was attached to the end of the pipe.

The long and narrow reservoir was estimated to cover approximately one surface acre. Because the depth of the pool decreased at its upstream end, the total storage capacity is probably 7 or 8 acre-feet, less than the statutory limit of 9.2 acre-feet. At the time of our visit, the reservoir surface was approximately 26 inches below the top of the concrete spillway box (top-of-dam). There was not any surface water flowing into the reservoir, however bucket/watch measuring techniques indicated ± 105 g.p.m. outflow through the spillway. The origin of the flow is somewhere within the limits of the reservoir. The drainage area above the dam is estimated @ 150-200 acres (USGS 7.5' Quad Map).

Based on my site observations and measurements, the maximum height of the dam is approximately 12 feet, and the reservoir storage capacity is estimated to be less than 9.2 acre-feet. Therefore, this structure appears to be exempt from dam safety engineering design requirements (ORS 540.400). Several photographs (attached) were taken of the dam and reservoir and spillway.





Photo #1 (above)

May 17, 2002

Dam on tributary to Parrot Creek. View from left abutment showing two wheel operators (larger is beneath bench, smaller is visible). Overshot spillway entrance is under the semi-circle cantilever ledge.



Photo #2 (above)

May 17, 2002

View from the upstream end of the reservoir looking downstream, toward the dam.



Photo #3 (left)

5/17/2002

Vault on downstream side of dam showing its depth relative to range rod. The 15" diameter steel line is in the bottom of the vault. The concrete channel for the emergency spillway is shown in the background.

Photo #4 (below)

5/17/2002

View looking upstream toward the crest of the dam. Note the position of the vault (open lid) next to the concrete spillway channel. The spillway passes into two, 36" diameter buried culverts. All visible features appear to be founded on fill materials.





Photo #5 (left)

5/17/2002

View of concrete spillway taken from above the entrance to the twin, 36" diameter culverts looking upstream toward the crest of the dam.

Photo #6 (below)

5/17/2002

Ends of 36" culverts showing relative depth of burial. Photo taken from near the bottom of original stream channel looking upstream. Note: Water was observed leaking *from the fill materials between the pipes*.



Mailing List for Alternate Reservoirs

Note to Support: Complete top portion of Alternate Reservoir Review Forms
Date Sent, Due Date (30 days after date sent), application number and name
and staple form to front of copy packet for the following:
1) Watermaster
2) ODFW
3) DEQ (if indicated below)

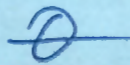
Caseworker: Gerry Clark

Review Forms completed and Copies Mailed By: <u>Gerry Clark</u> (SUPPORT STAFF) on: <u>3/21/02</u> (DATE)
--

Mail copies of Application, Map, Water Availability, to the following:

- | | |
|--|--------------------|
| 1. WRD - Watermaster # <u>20</u> | + Watermaster Form |
| 2. ODFW Biologist District: <u>Dick Caldwell</u> | + ODFW Form |
| 3. DEQ: Region <u>NW (Schaefer)</u> | + DEQ Form |

After mailing copies, route to caseworker for database tracking

Enter in Alternate Reservoir tracking database 

STATE OF OREGON
WATER RESOURCES DEPARTMENT

FACSIMILE TRANSMITTAL SHEET

TO: Derry Clark

DATE: 5-23-02

FROM: Mike Mc Cord, Watermaster District 20
1678 South Beaver Creek Road, Suite L
Oregon City, OR 97045
Phone (503) 722-1410
Fax (503) 722-5926

This transmission contains 2 pages. (including the cover) Please let me know if you did not receive all pages or if any pages are unreadable.

Message: Derry, let me know if you have any questions.



#20

WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

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 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))

The review of alternate reservoirs is limited to these criteria only.

FILE#: R 85067

WILLIAM BLACKLAW
PAGEI, MS MARTHA
22396 S PARROTT CREEK RD
OREGON CITY, OR 97045

Date: 3/21/02 30 day Deadline Date: 4/22/02

Application:

Applicant's Name: _____

1) Would the proposed reservoir result in injury to an existing water right?

NO / YES

Do not know

Explain: _____

2) Can conditions be applied to mitigate an injury to an existing water right?

NO / YES

If YES, which conditions are recommended:

I dispute the water availability finding. There are numerous water rights from Parrott Cr. below this one. The flow in Parrott Cr. is very low in the summer. Since no WAA has been done for Parrott Cr., I suggest that the storage season be consistent with the Basin Plan. Flow in the Willamette R. has nothing to do with flow in this small tributary.

3) Did you meet with staff from another agency to discuss this application?

NO / YES

Who: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

WATERMASTER RECOMMENDATION:

- ☒ Approval with conditions
☐ Approval without conditions

☐ Denial. (Based on significant detrimental impact to existing fishery resource or injury to existing water right.)

x This application needs to be amended to more accurately describe the res. (height). Also, there are fish present in this res. because I have seen them.

Watermaster Name: Michael L. McCool Date: 5-22-02

WRD Contact: Caseworker: Gerry Clark, Water Rights Division

503-378-8455 ext: 295 / Fax: 503-378-6203 / e-mail: Gerald.E.CLARK@wrdiv.state.or.us

S:\groups\wrdiv 33 & hc review\altres\wmformaltres.wpd

Note: See 2B - This res. is filled by surface water, not G.W. G.W. should not be listed as a source.

REC'D MAR 23 2002

X-Sender: mccordml@mailhub.wrd.state.or.us
X-Mailer: QUALCOMM Windows Eudora Version 5.1
Date: Thu, 02 May 2002 13:57:35 -0700
To: Gerald.E.CLARK@wrd.state.or.us
From: Mike McCord <Mike.L.MCCORD@wrd.state.or.us>
Subject: Appl. R-85067
Cc: Dave.E.JARRETT@wrd.state.or.us

Gerry, I know you are waiting on my review of this application. I want to give you an update. Based on a site visit and interview of the downstream neighbor, I dispute that the dam is under 10' in height and that the reservoir stores less than 9.2 acre feet of water. My reasons for my opinion are as follows: I scaled off the pond and came up with dimensions 100' by 410'. At 10' in depth, this equals 9.4 acre feet. In reality, the reservoir is more than 410' in length. They also claim that the dam is only 5' in height. However, in the hydro application, they describe the dam and the "proposed" hydro (information I have received indicates that the hydro is already in place and has operated). The pipe for the hydro is 980' long. The fall is 150'. It comes from the upper part of the dam and is buried alongside the natural stream channel and then discharges back into the channel. That being the case, how can the dam only be 5' in height?

To formalize my initial observations, I plan revisiting the site and measuring the size and depth of the reservoir. I have also asked John Falk to come with me to confirm the dam height. I will get to this as soon as I can.

FAX Cover Sheet

Clackamas

(503) 657-2000 OFFICE

(503) 657-6808 FAX



DATE: 4/16/02

PAGES TO FOLLOW: one plus cover sheet

TO: Gerry Clark

PHONE: 503 378 6203 fax

FROM: Diane Calhoun

PHONE: 503 657 2000 ext. 235

SUBJECT: Singing Hill Res.

COMMENTS:

Cutthroat trout have been documented
in Parrott Cr. If the water diversion site
is Parrott Cr., the diversion should be
screened to prevent fish from entering
the res.

ODFW ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

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 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))

The review of alternate reservoirs is limited to these criteria only.

FILE#: R 85067

WILLIAM BLACKLAW
PAGEL, MS MARTHA
22396 S PARROTT CREEK RD
OREGON CITY, OR 97045

Date: 3/21/02 30 day Deadline Date: 4/22/02 Application #

Applicant's Name: _____

1) Would the proposed reservoir result in injury to an existing water right?

NO / YES **DON'T KNOW**

Explain: _____

2) Would the proposed reservoir pose a significant detrimental impact to an existing fishery resource? **NO** / YES

Explain: (For example, list STE species or other existing fishery resources that would be negatively impacted.)

Please check either of the boxes below if appropriate:

☐ Any diversion into storage during the period _____ through _____ poses a significant detrimental impact to existing fishery resources.

☐ 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 poses a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

3) Can conditions be applied to mitigate the detrimental impact to an existing fishery resource? NO **YES**
If YES, which conditions are recommended: (select from the Menu of Conditions listed on back)

(Parrott Cr.)

Screens should be in place at water diversion site to prevent fish from entering reservoir.

4) Did you meet with staff from another agency to discuss this application?

NO / YESWho: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

ODFW RECOMMENDATION:

- ☒ Approval with fishery conditions
☐ Approval without fishery conditions
☐ Denial. (Based on significant detrimental impact to existing fishery resource or injury to existing water right.)

ODFW Representative: Name: Dick Caldwell Date: 4/16/02WRD Contact: Caseworker: Gerry Clark, Water Rights Division503-378-8455 ext: 295 / Fax: 503-378-6203 / e-mail: Gerald.E.CLARK@wrdd.state.or.us



SCHWABE, WILLIAMSON & WYATT, P.C.

ATTORNEYS AT LAW

1011 LIBERTY STREET S.E. • SALEM, OREGON 97302-4140
 TELEPHONE: 503.399.7712 • FAX: 503.399.1645 • www.schwabe.com

FACSIMILE TRANSMISSION

Please notify the recipient immediately

DATE: May 8, 2002

TO:	FAX NO.	PHONE NO.
Anita Huffman Water Resources Department		

FROM:	PHONE NO.:	E-MAIL ADDRESS:
Martha O. Pagel	503-399-7712	mpagel@schwabe.com

MESSAGE:

Anita: You can view the attached as a "draft" -- I will deliver the original later, if this is what you had in mind. If not, I'll re-do it. I used the alternate reservoir form, because it is consistent with what we previously filed. If you think we need to use the regular form, please let me know. Also, I'm wondering whether this is really necessary, given that we already have a similar application on file. (I've misplaced the application number -- but it was filed at the same time as G-15718, and identifies the source of water as surface water run-off, springs and groundwater.) I will, of course, do whatever you recommend to move this along! I appreciate your help. Martha

FILE NUMBER:			
NO. OF PAGES, INCLUDING COVER:	3	TRANSMITTAL TIME:	a.m. / p.m.
VIA FAX ONLY:		ALSO VIA:	

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE AT OUR COST. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (503) 399-7712 AS SOON AS POSSIBLE.

FAX OPERATOR:		DIRECT DIAL PHONE:	(503) 399-7712
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Application for a Permit to Store Water

Alternate Review Process (ORS 537.409)

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

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a"

1. APPLICANT INFORMATION

Landowner: William Blackman
First Last

* Contact: Martha Pagel, Schwabe Williamson & Wyatt
Authorizing Agent: 1011 Liberty St SE, Salem OR 97301 503 399 7712

Mailing Address: 22396 South Parrott Creek

Oregon City OR 97045
City State Zip

Phone: 503 655 3606 503 234-9202 Home
Work Other

*Fax: 503 238 7201 *E-Mail Address: _____

*Optional Information - Please contact Ms. Pagel

2. LOCATION AND SOURCE

A. Reservoir Name: Singing Hills Reservoir

B. Source: 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, or an unnamed stream or spring.

Source: Groundwater Tributary to: _____

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
<u>3 S</u>	<u>2 E</u>	<u>30</u>	<u>NE/SE</u>	<u>32E 30</u> <u>00400</u>

D. County of use: Clackamas

E. Dam: Maximum height of dam: 5' feet. If excavated, write "excavated" or "0 feet".
w/ excavated pond

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List quantity in Acre-Feet: 8.5 acre feet - to be refilled, as needed

App. No. _____	For Department Use Permit No. _____	Date _____
3. WATER USE		

Indicate the proposed use(s) of the stored water. 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: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement. If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Irrigation, aesthetics, recreation, wildlife, fire protection,
Stockwater, power development

4. PROPERTY OWNERSHIP

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

- ☒ Yes (Skip to section 5)
☐ 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 an easement permitting access to lands not under my ownership.

List the names and mailing addresses of all affected landowners*:

* If more than 25 landowners are involved, a list is not required. Alternative notice may be made.

5. ENVIRONMENTAL IMPACT

- A. Channel: Is the reservoir in stream ☒ unarmed drainage or off channel ☐ ?
B. Wetland: Is the project in a wetland? • Yes ☒ No • Don't know
C. Existing: Is this an existing reservoir? ☒ Yes • No If yes, how long has it been in place? 30 years.
D. Fish Habitat: Is there fish habitat upstream of the proposed structure? • Yes ☒ No • Don't know. If yes, how much? _____ miles.
E. Partnerships: 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.

Keith Smith, Capt. Jim Syring Beaver Creek
503 722-6132 503 632-3232 Fire District

6. SIGNATURE

I attest that all statements made and information provided in this application are true and correct to the best of my knowledge.

Martina Page 5/8/02
Landowner/Authorized Agent Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map which includes Township, Range, Section, quarter-quarter and tax lot number. The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

FEE STRUCTURE: The fee is based on the number of acre-feet proposed to be stored. The fee is \$10 per Acre-Foot. Example: 0.3 AF-\$3.00; 1.5 AF-\$15.00; 20.0 AF-\$100. Maximum fee is \$100 for any reservoir storing more than 10 Acre-Feet



Application No. R-85067
Permit No.

RECEIVED

MAR 01 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon Water Resources Department
Land Use Information Form

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, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: William Blacklaw

Address: 22396 South Parrott Creek Road

City: Oregon City State: OR Zip: 97045 Day Phone: (503) 234-9202

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
32E 30 00400	EFU/Exclusive Farm Use	☒ Diverted	☒ Conveyed	☒ Used
32 E 30 02801	" " "	☐ Diverted	☒ Conveyed	☒ Used
		☐ Diverted	☐ Conveyed	☐ Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Clackamas Co.

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Aesthetics, recreation, wildlife, fire protection, stockwater, irrigation, agricultural uses and power development.

Briefly describe: The Singing Hills Reservoir will store water from runoff, groundwater and unnamed spring-fed stream. Water in the reservoir will be used for the above beneficial uses. Irrigation will occur on approx. 12.6 acres of the property. Up to 1 cfs of water will be used to generate power (a non-consumptive use).

D. Source

Indicate the source for the proposed water use:

☒ Reservoir/Pond ☒ Ground Water ☒ Surface Water Runoff and Unnamed spring-fed
(source) stream

E. Quantity

Indicate the estimated quantity of water the use will require: 1 cfs of total is for power generation (non-consumptive)

1.159 ☒ CFS ☐ GPM ☐ Acre-Feet
and 0.159 cfs for irrigation/nursery operations/stock watering.

For Local Government Use Only

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 or feel free to copy.

A. Allowed Use

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); _____. Go to section B "Approval" below

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
None		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Rick McIntire Date: 2/04/02

Title: Sr. Planner Phone: 503-353-4516

Signature: [Signature]

C. Additional Comments

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.

None

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Application No. R-85067
Permit No.

PARCEL I:

A parcel of land in the Southeast quarter of the Northeast quarter of Section 30, Township 3 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon; more particularly described as follows:

Beginning at the Northeast corner of the Southeast quarter of the Northeast quarter of said Section 30; thence South along the East line of said section, a distance of 1320 feet to the East one-quarter corner of said Section 30; thence West along the East-West quarter section line of said section, a distance of 660 feet to a point; thence North and parallel with the East line of said Section 30, a distance of 1320 feet to a point in the North line of the aforesaid Southeast quarter of the Northeast quarter; thence East along said North line 660 feet to the point of beginning.

TOGETHER WITH a non-exclusive easement for ingress and egress to be used in common with others over the following described tract of land, being 25 feet in width, 12.5 feet on either side of, when measured at right angles to, the following described center line:

Beginning at a point in the North line of the above described tract 330 feet West of the Northeast corner thereof; thence West along said North line and the Westerly extension thereof 990 feet, more or less, to a point in the East line of County Road No. 2224.

EXCEPTING THEREFROM the North 12.5 feet of the Westerly 660 feet thereof.

PARCEL II:

A strip of land 12.5 feet in width, the Southerly line of which is described as follows:

Beginning at the Southeast corner of the Northeast one-quarter of the Northeast one-quarter of Section 30, Township 3 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon; thence West along the South line of said subdivision 660.00 feet to the true place of beginning; thence continuing along the said South line 660 feet, more or less, to the East line of County Road No. 2224.

PARCEL III:

The North 40 feet of the Northeast one-quarter of the Southeast one-quarter of Section 30, Township 3 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

EXCEPTING FROM the above described tract all that property lying Westerly of the Southerly extension of the Easterly line of County Road No. 224.

ALSO an easement for ingress and egress over the above described exception.

22396 S. PARROT CREEK RD.
Oregon City, Or. 97045

RECEIVED

MAR 01 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Clackamas County Fire District #1

WATER USAGE AGREEMENT



I, We the undersigned owner(s) of a lake or pond located at 22396 So

Perrot Ck Rd. do hereby grant Clackamas County fire

District No. 1 permission to erect and maintain, at its expense, a dry hydrant, underground piping system from a county or private roadway to said lake or pond to be utilized for emergency fire suppression purposes.

All other uses of said pond or lake shall be after notification and permission of the owners.

Clackamas county Fire District No. 1 shall be responsible for any and all damages to property resulting from fire department exercises.

In the event of a change in ownership or occupancy of the above property, we agree to notify Clackamas County Fire District # 1 of such change prior to its effective date.

This agreement can be cancelled at any time by written notice thirty days in advance to Clackamas county Fire District No. 1 located at 11300 SE Fuller Road, Milwaukie,

Oregon 97222

Jim Blacklow - 1-28-02
Owner (date)

Fire Chief (date)

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MAR 01 2002

WATER RESOURCES DEPT.
SALEM, OREGON

(Revised 01/00)

Application No. R-85067
Permit No.



SCHWABE, WILLIAMSON & WYATT, P.C.

ATTORNEYS AT LAW

PACWEST CENTER, SUITES 1600-1900 • 1211 SOUTHWEST FIFTH AVENUE • PORTLAND, OREGON 97204-3795
TELEPHONE: 503.222.9981 • FAX: 503.796.2900 • www.schwabe.com

MARTHA O. PAGEL

Direct Line: Portland 503.796.2872;

Salem 503.399.7712

E-Mail: mpagel@schwabe.com

February 27, 2002

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MAR 01 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Dwight French
Manager, Water Rights Section
Oregon Water Resources Department
Water Rights/Adjudication Div.
158 12th St. NE
Salem, OR 97310-4172

Re: Water Right and Hydroelectric Applications for William Blacklaw
Our File No. 108827-125784

Dear Dwight:

Enclosed for filing is a package of three water right applications submitted on behalf of Mr. William Blacklaw. The applications relate to an integrated project to be developed on Mr. Blacklaw's property. The package includes: (1) an application to store water under the alternate reservoir process; (2) an application to use surface water from the pond; and (3) an application to use ground water to maintain the pond, and provide additional water for irrigation and other uses. Under separate cover, directed to the attention of Ms. Kristen Richert, Hydroelectric Program Coordinator, we are also submitting an application for a hydroelectric license (minor project), which relates to a project at the same location, involving the same, existing pond.

The pond has been in place for many years, for aesthetic and recreational purposes. Mr. Blacklaw recently learned of the requirement to obtain a water right, and sought assistance in developing this application package. Historically, the pond has been filled by a combination of surface water run-off during the winter and spring months, small springs, and ground water. In the future, Mr. Blacklaw plans to use the pond as the centerpiece for a variety of purposes related to his home and small horse ranch. He hopes to provide irrigation for approximately 12.6 acres of pasture, and to generate power under a "minor" hydroelectric project license. The pond will also be used, as needed, for fire protection.

As indicated, the package includes an application for storage under the alternate reservoir process. (The pond stores less than 9.2 acre-feet of water, and has a dam less than 10 feet high.) An application for the use of surface water is included to allow use of the stored water for a variety of purposes. An application for the use of ground water is included to provide year-round maintenance of the pond, and to provide a source of water for irrigation and

Application No. R-85067
Permit No.

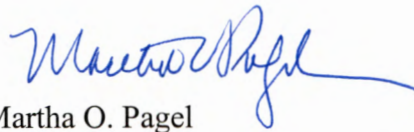
Mr. Dwight French
February 27, 2002
Page 2

other uses. Ground water would be obtained through the pond, as a sump, rather than through a well.

The hydroelectric license application seeks the non-consumptive use of up to 1 cubic foot per second (cfs), for production of up to 17.1 theoretical horsepower.

Mr. Blacklaw has asked that I serve as the contact person for these applications, in cooperation with Mr. Steve Bruce, of GeoEngineers, Inc., who has served as our technical consultant. Please let me know if you have questions or need any additional information from us. We look forward to working with you on this project.

Sincerely,



Martha O. Pagel

MOP:njm

cc: Mr. William Blacklaw
Mr. Steven Bruce
Ms. Kristin Richert

Application No. R-8506?
Permit No.

RECEIVED

MAR 01 2002

WATER RESOURCES DEPT.
SALEM, OREGON



**ALTERNATE REVIEW PROCESS
FOR RESERVOIRS STORING LESS THAN 9.2 ACRE-FEET*
OR WITH A DAM LESS THAN 10 FEET HIGH**

The Alternate Review Process was created so that a final order approving or denying a permit to store water is issued approximately 180 days after the application has been accepted by the Department. **This process applies only to the application to store water.**

To apply under the Alternative Review Process the following information must be completed:

1. Landowner name, mailing address and telephone number.
2. The source of water to be stored. If the source is to be a well, you cannot apply under the Alternate Review Process.
3. Reservoir location, by Township, Range Section, Quarter-quarter Section and Tax Lot. You must indicate if the Township is North or South and the Range East or West.
4. Dam height. If an excavated pond, indicate excavated.
5. Quantity of water to be stored in a single storage period. List the quantity in Acre-feet. **One acre foot is equal to an area one acre in size, one foot deep. One acre-foot is equal to 325,851 gallons or 43,560 cubic feet.**
6. The use of the water. Note: if any water is to be pumped or released from the reservoir, a secondary surface water application is required. File the secondary application concurrently with the application to store water.
7. Water rights section, if applicable.
8. The Environmental Impact section. Please circle in-stream or off-channel on Section 4A.
9. Sign the application, in ink.

Only one pond, reservoir or other storage method per application. Multiple ponds on a single property require multiple applications.

A legible map showing the Township, Range, Section, Quarter-quarter section and Tax Lot number with the location of the reservoir indicated must be submitted

Application No. R-85067
Permit No.

with the application.

The map must follow the criteria set forth under OAR 690-310-050. A copy of an assessors plat map is a very good map to use as it shows most all map requirements. The Department *will not accept* aerial photos, U.S.G.S. Quad maps or title insurance company maps. Hand drawn maps *are* acceptable.

Maps submitted for the Alternate Review Process must contain the following:

- ✓ The map must be drawn in ink. Do not use highlighter pens or multiple colors of ink. If the map is larger than 11"X 17", four copies must be submitted, or it must be drawn on tracing linen, tracing velum or Mylar.
- ✓ The scale of the map must be a standard, even scale of not less than 4 inches to a mile, and must be indicated on the map. (Examples of acceptable scale are: 1 inch = 200 feet, 1 inch = 400 feet, 1 inch = 1320 feet.)
- ✓ The North directional symbol must be indicated on the map.
- ✓ The location of each diversion point or dam must be referenced to a recognized public land survey corner; **do not measure from property lines unless they are part of the public land survey lines.** The locations may be shown by distance and bearing or by coordinates (EX: "400 feet south and 350 feet west of the Northeast corner of section 27").
- ✓ The location of the reservoir identified by **tax lot, township, range, section and nearest quarter-quarter section.** Please show tax lot boundaries.

A completed Land-use Information form or receipt *signed by the local planning department* must also be submitted with the application.

✓ The fee for the Alternate Review Process is based upon the quantity of water to be stored. Fees are \$10 per acre foot up to a maximum of \$100. For example, for a pond storing 4.5 acre-feet, the fee would be \$45. If the total storage for a single reservoir is greater than 10 acre-feet, the maximum fee is \$100.

For more information about the application process and water rights, please call the Water Rights Information Group at (503)378-8455 extension 201, or toll-free in Oregon at (800)624-3199 extension 201

* One acre-foot is equal to an area one acre in size, one foot deep

3-4-02 R.W.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **51234**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: William Blacklaw
BY: _____

APPLICATION	R 85067
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 24-680 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 85.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

(New) TC162 DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE
\$ 85.00

0202

RECORD FEE
\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE
\$

0219

LICENSE FEE
\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # **51234**

DATED: 3/1/02 BY: C. Vance

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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0417 WRD MISC CASH ACCT

ADJUDICATIONS

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PUBLICATIONS / MAPS

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OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

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