

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

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**SECTION 1: APPLICANT INFORMATION AND SIGNATURE**

**Applicant**

NAME LYNNIA K. WOODS OR LYNNIA K. PELFREY			PHONE (HM)		
PHONE (WK) (503) 661-5093		CELL		FAX	
ADDRESS 20315 NE SANDY BLVD.					
CITY FAIRVIEW		STATE OR	ZIP 97024	E-MAIL * LKWOODS@5STAR-GROUP.COM	

**Organization**

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

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

AGENT / BUSINESS NAME DOANN HAMILTON/PACIFIC HYDRO-GEOLOGY, INC			PHONE (503) 632-5016		FAX (503) 632-5983
ADDRESS 18487 S. VALLEY VISTA ROAD				CELL (503) 349-6946	
CITY MULINO		STATE OR	ZIP 97042	E-MAIL * PHGDMH@GMAIL.COM	

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.)

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

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally 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.

	Lynnica K. Woods, Owner	3-9-2023
Applicant Signature	Print Name and Title if applicable	Date
	Lynnica Kanae Pelfrey, Daughter	3-9-2023
Applicant Signature	Print Name and Title if applicable	Date

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

Reservoir name:	Pelfrey Pond				
Source*:	Well 2 (MULT 102469, 102713)	Tributary:	Columbia Slough		
County:	Multnomah				
Quantity:	0.55 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	1N	3E	28BA	NENW	4108
Maximum Height of Dam:	0 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: Multipurpose

**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:

NA

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**SECTION 5: ENVIRONMENTAL IMPACT**

**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? 13 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.

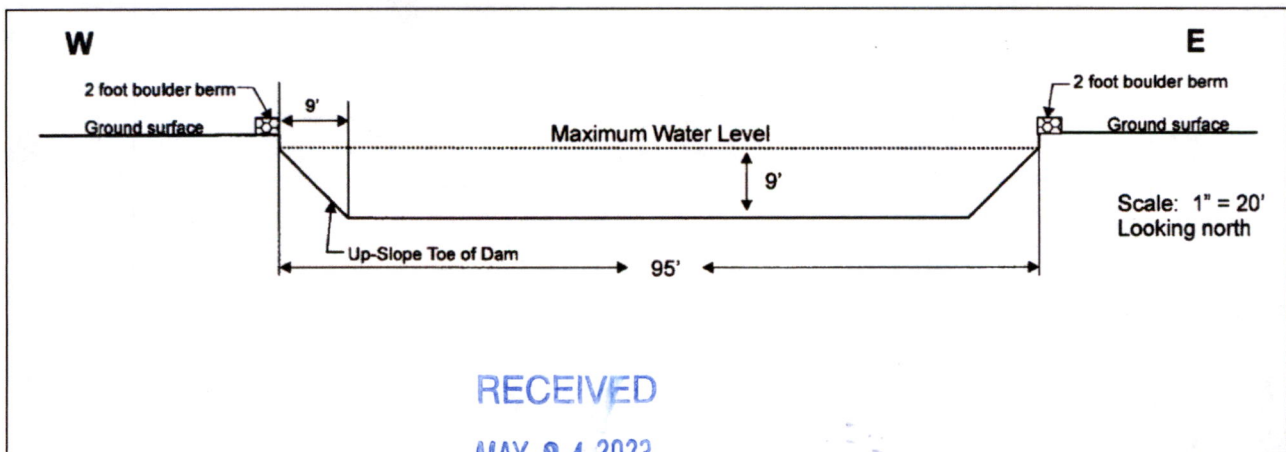
Irrigation District Name: <b>NA</b>		Address:	
City:	State:	Zip:	

**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.

Water is pumped from Well 2 (MULT 102469, 102713) using 3 Hp submersible pump to convey water through 2-inch buried PVC pipe to the east to fill the pond as needed. The edge if the pond is lined with boulders extending approximately 2 feet above maximum water level to minimize runoff into the pond.

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).



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# 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</b> Linnea Woods		
1. Does the proposed reservoir have the potential to injure existing water rights? <input type="checkbox"/> YES <input type="checkbox"/> NO Explain: N/A Source is groundwater, GW application review will determine injury and season		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Explain: Reservoir should be constructed to not allow surface water to enter reservoir, as source is groundwater.		
3. Is water available for the proposed reservoir? <input type="checkbox"/> YES <input type="checkbox"/> NO		
4. If yes, during what period? Beginning: See GW review End: See GW review		
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:	Agency:	Date:
Who:	Agency:	Date:

Watermaster Name: Amy Landvoigt

Watermaster Signature: Amy Landvoigt Digitally signed by Amy Landvoigt  
DN: ou=Watermaster, o=201, cn=OWRD, cn=Amy Landvoigt, email=amy.landvoigt@water.oregon.gov  
Reason: I am the author of this document  
Date: 2023.04.19 13:42:00-0700  
Full PDF Signature: 12.0.1 Date: 4/19/2023

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

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Applicant Name: LYNNIA K. WOODS

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### ODFW Alternate Reservoir Application Review Sheet

**This portion to be completed by the applicant.**

Applicant Name: LYNNIA K. WOODS

Address: 20315 NE SANDY BLVD.

Phone/Email: (503) 661-5093 / LKWOODS@5STAR-GROUP.COM

Reservoir Name: Pelfrey Pond

Source: Well 2 (MULT 102469, 102713)

Basin Name: North Willamette / Columbia Slough

Twp Rng Sec QQ: 1N 3E 28 NENW

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Volume (AF): 0.55

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) 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)

*\*Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon's fish passage laws.*

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 project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... 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 June through October 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

<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)

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Applicant Name: LYNNIA K. WOODS

ODFW Review

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.

ESA-listed fish (Winter Steelhead), sensitive species (Coastal Cutthroat Trout), and other game fish (Coho Salmon) are present in Fairview Lake and/or the Columbia Slough. However, the proposed water source for this reservoir is groundwater. ODFW will review the associated groundwater application when it is available for detrimental impacts to sensitive, threatened, or endangered fish species under OAR 690-033 if OWRD determines the use has the potential for substantial interference with surface water. Conditions and/or mitigation will be applied to the groundwater use, if applicable. If groundwater is not the reservoir fill source, contact ODFW for a revised review.

In addition, ODFW reviewed available information regarding water quality impairment and determined that the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion. The Columbia River has a temperature TMDL (Columbia Temperature TMDL) that identifies the critical time period as June – October. Any use or release of water that would affect this temperature regime would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion and subject to the Columbia Temperature TMDL, including any releases from the reservoir to waters of the state (see “Water Quality” condition below).

Impairment to Fishery Resource	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Water Quantity												
Water Quality												

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)

See applicable conditions selected from “Menu of Conditions” on next page

The proposed pond location is within the floodplain and there is concern that fish could become entrapped in the proposed pond during and after flooding events. Based on a site visit, ODFW has determined that an existing berm around the pond is sufficient to exclude fish. The applicant must maintain the berm around the pond as constructed.

**Site specific condition:**

Native migratory fish may become trapped or entrained in the reservoir during or after flooding events. The permittee has worked with ODFW on an approved method to keep fish out of the reservoir during flood events (i.e., a berm construction around the reservoir). The permittee shall maintain the berm to adequately exclude native migratory fish at all times (ORS 509.610). If ODFW determines native migratory fish are being entrained in the reservoir and is unsuccessful in working with the water user to meet ODFW fish passage standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that adequate fish egress is being provided.

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Janna L  
Stevens

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Janna L Stevens  
Date: 2023.06.01  
15:10:03 -07'00'

ODFW Signature: \_\_\_\_\_

Print Name: Janna Stevens

ODFW Title: Water Planning Coordinator

Date: 6/1/2023

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Revised 10/4/12; reformatted 5/12/20

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Applicant Name: LYNNIA K. WOODS

**MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA**

Revised May 12, 2020, March 25, 2021

Use this menu to identify appropriate conditions to be included in the permit:

- Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- 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 type here through type here.
- 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.
- 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.
- Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
  - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.
- Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.
- The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.
- Construction Activities:** For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.
- fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- 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.



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Applicant Name: LYNNIA K. WOODS

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- 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.
- Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without a fish transport permit approved by ODFW. As part of the permitting process, the permittee must also screen the inlet and outlet of their pond to insure that fish cannot escape into public waters and/or to keep wild fish from entering the pond.
- 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 type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- In-Water or Riparian Construction:** For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 401 certification program prior to construction. The applicant must contact these agencies to confirm requirements.
- In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- 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.
- Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- wetland:** The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.
- 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.

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Applicant Name: LYNNIA K. WOODS

ODFW Review

### ODFW Alternate Reservoir Application Review Sheet

<b>This portion to be completed by the applicant.</b>		<b>RECEIVED</b>
Applicant Name: <u>LYNNIA K. WOODS</u>		APR 28 2023
Address: <u>20315 NE SANDY BLVD.</u>		RECEIVED MAR 23 2023
Phone/Email: <u>(503) 661-5093 / LKWOODS@5STAR-GROUP.COM</u>		OWRD
Reservoir Name: <u>Pelfrey Pond</u>	Volume (AF): <u>0.55</u>	OWRD
Source: <u>Well 2 (MULT 102469, 102713)</u>		
Basin Name: <u>North Willamette / Columbia Slough</u>	<input type="checkbox"/> in-channel	
Twp Rng Sec QQ: <u>1N 3E 28 NENW</u>	<input checked="" type="checkbox"/> 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) 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)

*\*Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon's fish passage laws.*

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 project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... 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 type here through type here 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

<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)

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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.

ESA-listed fish (Winter Steelhead), sensitive species (Coastal Cutthroat Trout), and other game fish (Coho Salmon) are present in Fairview Lake and/or the Columbia Sough. However, the proposed water source for this reservoir is groundwater. If groundwater is not the reservoir fill source, contact ODFW for a revised review. Conditions and/or mitigation will be applied to the groundwater use, if applicable, including any releases throughout the year from reservoir to waters of the state (See water quality condition below).

Please note that the Columbia River has a temperature TMDL (Columbia Temperature TMDL), and the critical time period is June – October. Any use or release of water that would affect this temperature regime would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion.

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)

- See applicable conditions selected from “Menu of Conditions” on next page

The proposed pond location is within the floodplain and there is concern that fish could become entrapped in the proposed pond during and after flooding events. Based on a site visit ODFW has determined that an existing berm around the pond is sufficient to exclude fish. The applicant must maintain the berm around the pond as constructed.

Janna L  
Stevens

Digitally signed by  
Janna L Stevens  
Date: 2022.11.16  
14:06:41 -08'00'

ODFW Signature: \_\_\_\_\_

Print Name: Janna Stevens

ODFW Title: Water Planning Coordinator

Date: 11/16/2022

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

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MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020, March 25, 2021

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Use this menu to identify appropriate conditions to be included in the permit:

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[X] Agricultural Water Quality Management Area Rules: The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

[ ] 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.

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[ ] b51a The period of use has been limited to type here through type here.

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

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[ ] 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.

[ ] 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.

[ ] Bypass Flows: Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:

- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.

Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.

The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.

[ ] Construction Activities: For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.

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

[ ] 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.

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Applicant Name: LYNNIA K. WOODS

ODFW Review

- 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.
- Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without a fish transport permit approved by ODFW. As part of the permitting process, the permittee must also screen the inlet and outlet of their pond to insure that fish cannot escape into public waters and/or to keep wild fish from entering the pond.
- 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 type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- In-Water or Riparian Construction:** For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 401 certification program prior to construction. The applicant must contact these agencies to confirm requirements.
- In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- 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.
- Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- wetland:** The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.
- 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.

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# Land Use Information Form



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

NAME LYNNIA K. WOODS AND LYNNIA K. PELFREY			PHONE (HM)		
PHONE (WK) (503) 661-5093		CELL		FAX	
ADDRESS 20315 NE SANDY BLVD.					
CITY FAIRVIEW		STATE OR	ZIP 97024	E-MAIL* LKWOODS@5STAR-GROUP.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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>1N</u>	<u>3E</u>	<u>28BA</u>	_____	<u>4108</u>	Residential Low Density	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Multipurpose</u>

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

City of Fairview

## 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) \_\_\_\_\_

Estimated quantity of water needed: 0.55     cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for \_\_\_\_\_ household(s)  
 Municipal     Quasi-Municipal     Instream     Other Multipurpose

Briefly describe:

A new reservoir permit to store water for multipurpose use.

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.

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### 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): Fairview Land Use Decision No. S99-001
- 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
		<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
		<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
		<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.

Name: Holly Smith Title: Associate Planner

Signature: *Holly Smith* Phone: 503-674-6232 Date: 11/3/22

Government Entity: City of Fairview

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



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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After Recording Return To:

Lynnia K. Woods  
20315 NE Sandy Blvd.  
Fairview, OR 97024

Multnomah County Official Records  
C Swlck, Deputy Clerk

2010-055899



\$46.00

00663450201000558990030031

05/05/2010 10:30:57 AM

1R-W DEED  
\$15.00 \$11.00 \$15.00 \$5.00

Cnt=1 Stn=25 ATLJH

Grantor:

Henry H. Pelfrey  
20315 NE Sandy Blvd.  
Fairview, OR 97024

Grantee:

Lynnia K. Woods  
20315 NE Sandy Blvd.  
Fairview, OR 97024

Until Requested Otherwise, Send All Tax Statements To:

Lynnia K. Woods  
20315 NE Sandy Blvd.  
Fairview, OR 97024

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STATUTORY WARRANTY DEED

I, Henry H. Pelfrey, Grantor, convey and warrant to Lynnia K. Woods, Grantee, an undivided one-half interest in and to the following described real property free of encumbrances except for those appearing of record as of the date of this conveyance, and as specifically set forth herein:

Consolidated Lot 10 (formerly Lots 10 and 11) of PELFREY SOUTH SHORE ESTATES 1 AND 2, as recorded on July 19, 2002 in Plat Book 1255, pages 9 through 12, Multnomah County, Oregon, which is more particularly described in Exhibit A, which is attached and incorporated by this reference.

Grantor and Granted are husband and wife and shall hold the property as tenants by the entirety with the right of survivorship.

**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 PAGE 1 - STATUTORY WARRANTY DEED**

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11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration for this conveyance is \$0.00 plus other good and valuable consideration.

DATED this 4 day of May, 2010.

Henry H. Pelfrey  
Henry H. Pelfrey, Grantor

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STATE OF OREGON            )  
  ) ss.  
County of Multnomah)

This instrument was acknowledge before me as the voluntary act and deed of Henry H. Pelfrey on May 4, 2010.

Deven C Morse  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/9/11



PAGE 2 - STATUTORY WARRANTY DEED

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**LEGAL DESCRIPTION - CONSOLIDATED  
LOTS 10 & 11 - "PELFREY SOUTH SHORE ESTATES"**

ALL OF LOTS 10 AND 11 "PELFREY SOUTH SHORE ESTATES" (BOOK 1255, PAGE 9 AND 10, MULTNOMAH COUNTY PLAT RECORDS), BEING A PART OF THE ZIMMERMAN D.L.C. # 39, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 21, AND THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, CITY OF FAIRVIEW, MULTNOMAH COUNTY, STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 10, SAID CORNER BEING A POINT ON A CURVE ON THE NORTHERLY RIGHT-OF-WAY LINE OF PELFREY AVENUE; THENCE FROM SAID SOUTHWEST CORNER RUNNING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) ALONG THE ARC OF A 75.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 42.34 FEET THROUGH A CENTRAL ANGLE OF 32°20'51" (THE CHORD BEARS NORTH 15°08'46" WEST A DISTANCE OF 41.78 FEET); 2) THENCE NORTH 1°01'41" EAST A DISTANCE OF 148.15 FEET; 3) THENCE ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 42.57 FEET THROUGH A CENTRAL ANGLE OF 19°30'47" (THE CHORD BEARS NORTH 8°43'43" WEST A DISTANCE OF 42.37 FEET); 4) THENCE NORTH 18°29'06" WEST A DISTANCE OF 153.58 FEET; 5) THENCE ALONG THE ARC OF A 105.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 38.79 FEET THROUGH A CENTRAL ANGLE OF 21°10'02" (THE CHORD BEARS NORTH 29°03'59" WEST A DISTANCE OF 38.57 FEET); THENCE LEAVING SAID RIGHT-OF-WAY LINE ALONG THE SOUTH AND EAST LINES OF LOT 9; NORTH 56°41'43" EAST A DISTANCE OF 19.05 FEET; THENCE NORTH 11°17'44" WEST A DISTANCE OF 65.25 FEET; THENCE SOUTH 49°58'33" EAST A DISTANCE OF 27.05 FEET; THENCE SOUTH 89°28'36" EAST A DISTANCE OF 8.27 FEET; THENCE ALONG THE BOUNDARY OF TRACT "B" THE FOLLOWING (14) COURSES AND DISTANCES: 1) THENCE SOUTH 11°17'44" EAST A DISTANCE OF 107.65 FEET; 2) THENCE SOUTH 18°28'58" EAST A DISTANCE OF 43.11 FEET; 3) THENCE SOUTH 32°49'10" EAST A DISTANCE OF 62.98 FEET; 4) THENCE SOUTH 71°40'02" EAST A DISTANCE OF 23.79 FEET; 5) THENCE NORTH 83°23'34" EAST A DISTANCE OF 114.44 FEET; 6) THENCE NORTH 86°20'18" EAST A DISTANCE OF 84.18 FEET; 7) THENCE SOUTH 43°56'17" EAST A DISTANCE OF 7.63 FEET; 8) THENCE SOUTH 5°46'51" WEST A DISTANCE OF 64-.55 FEET; 9) THENCE SOUTH 43°04'25" WEST A DISTANCE OF 12.12 FEET; 10) THENCE SOUTH 80°21'44" WEST A DISTANCE OF 75.13 FEET; 11) THENCE SOUTH 24°56'25" WEST A DISTANCE OF 8.23 FEET; 12) THENCE SOUTH 30°41'07" EAST A DISTANCE OF 62.41 FEET; 13) THENCE SOUTH 42°33'46" EAST A DISTANCE OF 29.71 FEET; 14) THENCE SOUTH 57°38'02" EAST A DISTANCE OF 45.76 FEET, TO THE SOUTHWESTERLY MOST CORNER OF SAID TRACT "B"; THENCE RUNNING ALONG THE WESTERLY BOUNDARY OF TRACT "A" OF SAID PLAT, THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) SOUTH 40°37'33" WEST A DISTANCE OF 28.31 FEET; 2) THENCE SOUTH 11°37'47" WEST A DISTANCE OF 44.17 FEET; 3) THENCE SOUTH 63°00'55" EAST A DISTANCE OF 21.19 FEET; 4) THENCE SOUTH 54°54'12" EAST A DISTANCE OF 35.84 FEET; THENCE LEAVING SAID TRACT "A" BOUNDARY, RUNNING ALONG THE SOUTHERLY BOUNDARY LINE OF LOT 11, SAID PLAT, SOUTH 63°15'06" WEST A DISTANCE OF 154.45 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PELFREY AVENUE; THENCE RUNNING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 60°17'38" WEST A DISTANCE OF 115.23 FEET; THENCE ALONG THE ARC OF A 75.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 37.93 FEET THROUGH A CENTRAL ANGLE OF 28°58'27" (THE CHORD BEARS NORTH 45°48'25" WEST A DISTANCE OF 37.52 FEET) TO THE POINT OF BEGINNING.

CONTAINING 79,083 SQUARE FEET MORE OR LESS.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
DEC. 16, 1907  
DAVID A. FOSTER  
#1934

RENEWED THRU 12/31/2007

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EXHIBIT A  
PAGE 1 OF 1

**Lynnia K. Woods**  
**20315 NE Sandy Blvd.**  
**Fairview, Oregon 97024**  
Telephone: 503-661-5093 (office)  
503-860-1428 (cell)

April 26, 2023

Via Cert. Mail R.R.R.

Ms. Corie Lovrien  
Water Rights Customer Service Representative  
Oregon Water Resources Department  
725 Summer St NE, Suite A  
Salem, OR 97301

Re: Application for a Permit to Store Water in a Reservoir (Alternate Review)

Dear Ms. Lovrien:

Enclosed is my application for a permit to store water in a reservoir and check in the amount of \$521.00.

The application was previously returned to me because the Watermaster, Amy Landvoigt's approval was more than 6 months old. She issued a new Alternate Reservoir Application Review Sheet and instructed me to insert it into the enclosed application. She said that if any one has questions, they can contact her. Her information is as follows:

Amy Landvoigt  
District 20 Watermaster  
Oregon Water Resources Department  
10722 SE Hwy 212  
Clackamas, OR 97015  
(503) 312-1743  
e-mail: [amy.j.landvoigt@water.oregon.gov](mailto:amy.j.landvoigt@water.oregon.gov)

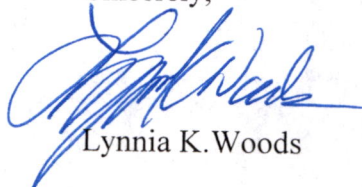
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If you have any comments or questions, please do not hesitate to call me.

Sincerely,



Lynnia K. Woods

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