



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

# Application for a Permit to Use Surface Water

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." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

### A. Applicants

Applicant: BEVERLY G MARSHALL  
First Last

Mailing Address: 89817 TERRITORIAL ROAD  
ELMIRA OREGON 97437  
City State Zip

Phone: 541-935-2919 n/a cell 541-868-7108  
Home Work Other

\*Fax: \_\_\_\_\_ \*Email Address: MRSHELLBUS@AOL.COM

### B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: \_\_\_\_\_

Name and Title of Person Applying: \_\_\_\_\_

Mailing Address or Organization: \_\_\_\_\_

Phone : \_\_\_\_\_  
Day Evening

\*Fax: \_\_\_\_\_ \*Email Address: \_\_\_\_\_

\*Optional

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For Department Use		
App. No. <u>S-8740</u>	Permit No. _____	Date _____

2. SOURCE AND PROPERTY OWNERSHIP

A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: FERN RIDGE RESERVOIR Tributary to: \_\_\_\_\_

Source 2: \_\_\_\_\_ Tributary to: \_\_\_\_\_

Source 3: \_\_\_\_\_ Tributary to: \_\_\_\_\_

Source 4: \_\_\_\_\_ Tributary to: \_\_\_\_\_

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

[Empty rectangular box for document information]

B. Applications to Use Stored Water

Complete this section if any source listed in item 2A above is stored water.

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Do you, or will you, own the reservoir(s) described in item 2A above?

Yes

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If all sources listed in item 2A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

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**C. 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 3 'Water Use')

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s) )

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).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

U S CORP OF ENGINEERS

**3. WATER USE**

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

**A. Type(s) of Use(s)**

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: \_\_\_\_\_
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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**B. Amount of Water**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

Source	Type of use	Amount
FERN RIDGE RESRV	IRRIGATION	10 <input type="radio"/> cfs <input type="radio"/> gpm <input checked="" type="radio"/> af
		<input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
		<input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
		<input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af

**C. Period of Use**

Indicate the time of year you propose to use the water: MARCH 1 thru SEPT 30th  
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 4<sup>2</sup>  
 (This number should be consistent with your application map.)

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**4. WATER MANAGEMENT**

**A. Diversion**

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): 2" HP inlet w/ 1 1/2" outlet
- Head-gate (give dimensions): \_\_\_\_\_
- other means (describe): \_\_\_\_\_

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**B. Monitoring**

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- Weir
- Meter
- Periodic Sampling

other means (describe): \_\_\_\_\_

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**C. Transport**

How will you transport water to your place of use?

Ditch or canal (give average width and depth):

Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined?  Yes  No

Pipe (give diameter and total length):

Diameter 2" Length 102' of 2" to pump

P  other, describe: 1600' of 1 1/2" from pump

**D. Application/Distribution Method**

What equipment will you use to apply water to your place of use?

Irrigation or land application method (check all that apply):

- Flood
- High pressure sprinkler
- Low pressure sprinkler
- Drip
- Water Cannons
- Center pivot system
- Hand Lines
- Wheel Lines
- Siphon tubes or gated pipe with furrows
- other, describe: \_\_\_\_\_

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open Canal

**E. Conservation**

What methods will you use to conserve water? Why did you choose this distribution or application method?

Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

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5. RESOURCE PROTECTION

A. Protection Practices

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

Diversion will be screened to prevent uptake of fish and other aquatic life. Describe planned actions:

Have screened bucket at source of intake

[Empty box for description of actions]

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions:

do not have to clear as pipe is laying on top of ground as per Corp of Engineers direction

[Empty box for description of actions]

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe:

no equipment except bucket at end of pipe is in the water

[Empty box for description of actions]

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:

no chemicals are used or are present. land has seeded pasture grass only have 1-4 calves per season

[Empty box for description of actions]

Other:

[Empty box for description of actions]

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6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: n/a

Proposed date construction will be completed: n/a

Proposed date beneficial water use will begin: Between March and april depending on rainfall each year.

7. REMARKS

*If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.*

[Empty rectangular box for remarks]

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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Surface Water/7

9. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- 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 swear that all information provided in this application is true and correct to the best of my knowledge:

*Beverly B. Marshall*

Signature of Applicant (If more than one applicant, all must sign.)

*12/30/08*

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached 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 the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

WRD on the web:  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

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# CONTRACT DATA SHEET



U.S. Bureau of Reclamation  
Attn: PN-3322  
1150 North Curtis Road  
Boise ID 83706-1234  
(208) 378-5223

## I. Applicant Information:

### A. Landowners

- 1) Name of landowner(s): Beverly G. Marshall
- 2) Address: 89817 TERRITORIAL Rd, Elmira, Ore 97437
- 3) Mailing Address (if different): \_\_\_\_\_
- 4) Taxpayer Identification Number(s): \_\_\_\_\_  
(Social Security Number or Employer Identification Number) <sup>1</sup>
- 5) Do you own all of the land where you propose to divert and make use of water? YES  
except for 102' of US Corp of Engineers TO POP

### B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: \_\_\_\_\_
- 2) Name & Title of Applicant: \_\_\_\_\_
- 3) Mailing Address of Organization: \_\_\_\_\_
- 4) Taxpayer Identification Number: \_\_\_\_\_  
(Social Security Number or Employer Identification Number)

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- 5) Please provide the following information:
  - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
  - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of Water (name of stream, river) Fern Ridge Reservoir

3. Proposed point of diversion: 845 feet South and 395 feet West  
of NE corner of Section 18, Township 17 S, Range 5 W  
Willamette Meridian.

4. A water right permit to divert storage water is required (Application) or file number with OWRD if you have applied for a permit to divert storage water: Applied for

5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].

6. Do you currently hold a right to natural flows for irrigating the property described herein? NO  
If yes, what is/are the priority date(s)? \_\_\_\_\_
7. Total quantity of water from storage requested: 10 acre-feet.
8. Location of land to be irrigated in each 40-acre tract:

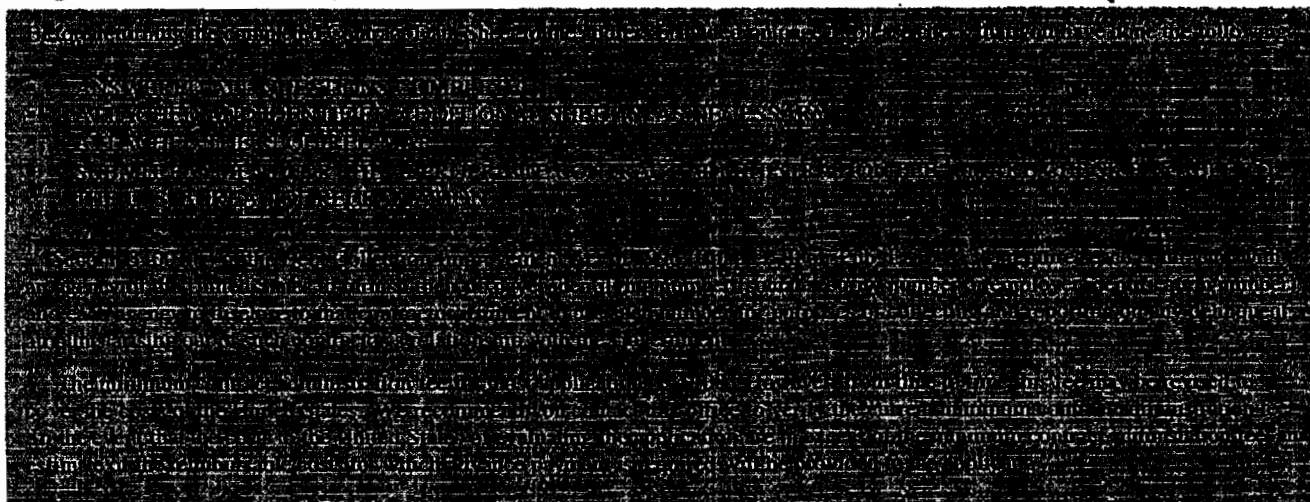
TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
17S	5W	188		4	PASTURE GRASS

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9. What is the present use of the land identified above? [*Farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)*].  
planted pasture, raising beef cattle, approx 3-4 year
10. Is the land identified above currently being irrigated? \_\_\_\_\_ If yes, what is the source? (*natural flows, wells, etc.*) \_\_\_\_\_
11. Diversion must be screened to prevent uptake of fish and other aquatic life.  
Describe plan(s) to comply with State/Federal fish screen standards:  
Have Screened bucket at end of pipe intake
12. Telephone Number where you can be reached during the day: 541-935-2919 <sup>688-7523</sup>





Oregon Water Resources Department

FORM I
FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

[X] Primary [ ] Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 4 Acres

Supplemental: Acres

List the permit or certificate number of the primary water right: No.

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. pasture land [ ] Full season [X] Partial season (from April to Sept)
2. [ ] Full season [ ] Partial season (from: to)
3. [ ] Full season [ ] Partial season (from: to)
4. [ ] Full season [ ] Partial season (from: to)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

10 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

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4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- [ ] Daily during daytime hours [ ] Daily during nighttime hours
[ ] Two or three times weekly during daytime [ ] Two or three times weekly during nighttime
[ ] Weekly, during daytime hours [X] Weekly, during nighttime hours 6pm to 6am
[ ] Other, explain: 1 line per night w/ 6 sprinkler heads

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ION 18 T.17S. R.5W. W.M.

Lane County

1" = 400'

TL 201

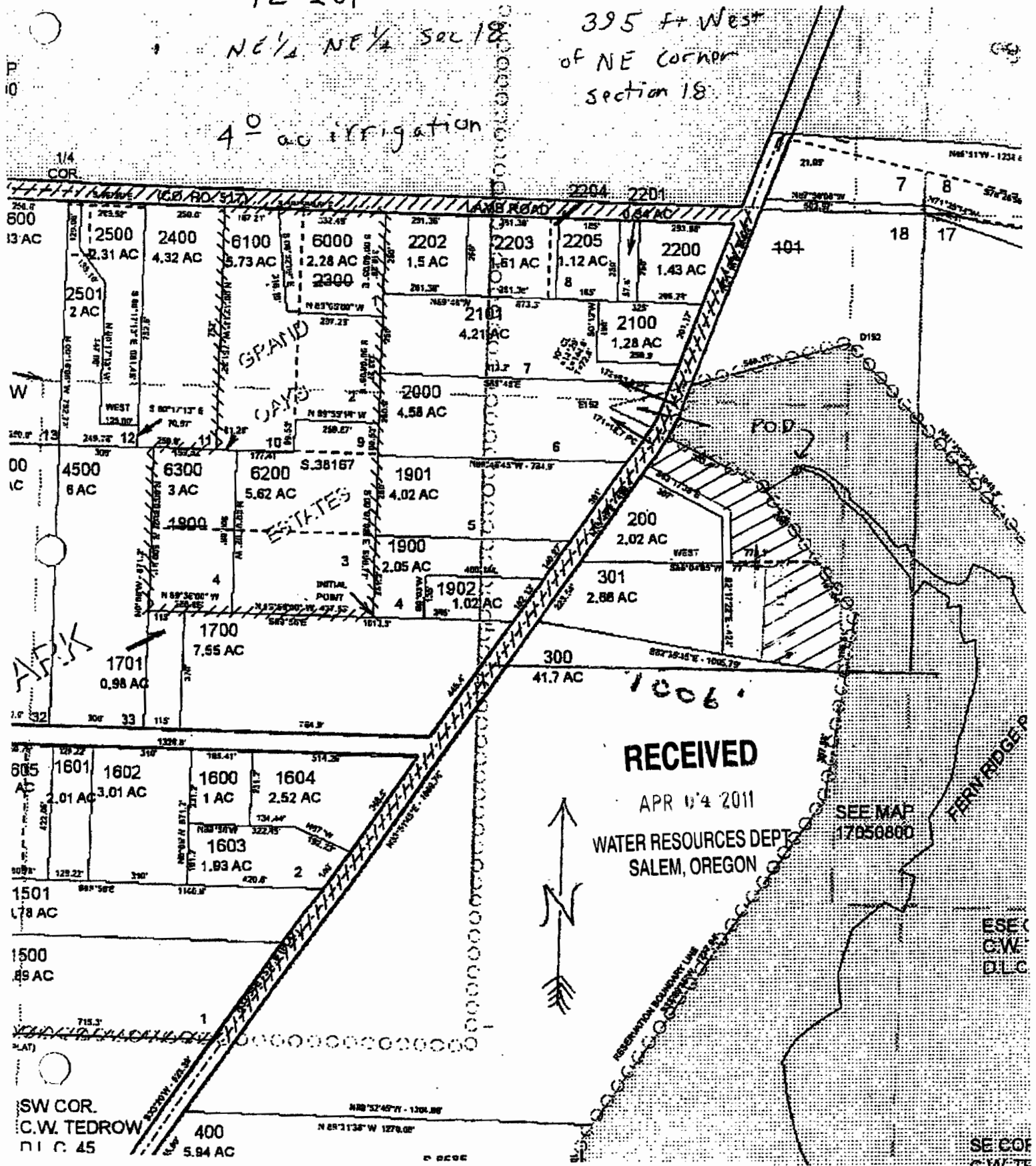
NE 1/4 NE 1/4 Sec 18

4<sup>0</sup> ac irrigation

POD

845 ft Southward

395 ft West  
of NE corner  
Section 18



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NA

11

QUITCLAIM DEED  
Thomas A. Marshall

KNOW ALL MEN BY THESE PRESENTS, That Thomas A. Marshall, hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto Beverly G. Marshall hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Lane, State of Oregon, described as follows, to-wit:

5-20-00

Beginning at a point in the center of Territorial Road, said point being South 89° 52' 45" East 359.73 feet and North 33° 51' 45" East 2125.56 feet from the monument marking the Southwest corner of the C. W. Tedrow Donation Land Claim No. 45, Township 17 South, Range 5 West of the Willamette Meridian, said point being referenced by a 5/8 inch iron rod South 82° 39' 45" East 33.53 feet; thence North 33° 51' 45" East 581.00 feet to the TRUE POINT OF BEGINNING; thence South 63° 17' 38" East 307.00 feet; thence South 2° 17' 22" East 424.00 feet; thence South 82° 39' 45" East 385.79 feet to a 5/8 inch iron rod set on the 377 foot contour line as monumented by the U.S. Corps of Engineers monument G-152; thence North 37° 28' 55" West 495.04 feet to U.S. Corps of Engineers monument F-152; thence Northwesterly along the 377 foot contour line to the center of said Territorial Road; thence Southwesterly along the center of said Road to the TRUE POINT OF BEGINNING, in Lane County, Oregon. Containing 4.82 acres, more or less, of which approximate 0.10 acres lie within the Territorial Road Right of Way.

350ENOV.15'96#D6REC 5.00  
350ENOV.15'96#D6PFUND 10.00  
350ENOV.15'96#D6A&T FUND 20.00

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1,100.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 19 day of November, 1996; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized thereto by order of its board of directors.

*Thomas A. Marshall*

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of Lane ss. This instrument was acknowledged before me on November 14, 1996,

by Thomas A. Marshall This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,

by \_\_\_\_\_ as \_\_\_\_\_

of \_\_\_\_\_



*Richard D. Murphy*  
Notary Public for Oregon  
My commission expires \_\_\_\_\_

Grantee's Name and Address  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Grantee's Name and Address  
After recording return to (Name, Address, Zip):  
Beverly G. Marshall  
5917 TERRITORIAL  
ELMIRA OREGON  
Until requested otherwise send all tax statements to (Name, Address, Zip):  
Same

SPACE RESERVED FOR RECORDER'S USE

State of Oregon  
County of Lane - ss.  
I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

10 NOV 96 2:55

Reel **2236R**

Lane County OFFICIAL Records  
Lane County Clerk

By: *David S. Lusk*  
County Clerk

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The public reporting burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Use: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME <b>BEVERLY G. MARSHALL</b>	8. AUTHORIZED AGENT'S NAME AND TITLE <i>(an agent is not required)</i>
6. APPLICANT'S ADDRESS <b>89817 TERRITORIAL ROAD ELMIRA, OR 97437</b>	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NUMBERS WITH AREA CODE a. Residence <b>541-868-7108</b> b. Business <b>PRIVATE RESIDENCE</b>	10. AGENT'S PHONE NUMBERS WITH AREA CODE a. Residence b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize \_\_\_\_\_ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE	DATE
NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY	

12. PROJECT NAME OR TITLE <i>(see instructions)</i> <b>RESIDENTIAL PASTURE IRRIGATING 2 ACRES 89817 TERRITORIAL ROAD ELMIRA, ORE</b>					
13. NAME OF WATERBODY, IF KNOWN <i>(if applicable)</i> <b>FERN RIDGE RESERVOIR</b>	14. PROJECT STREET ADDRESS <i>(if applicable)</i> <b>89817 TERRITORIAL ROAD ELMIRA, OREGON 97437</b>				
15. LOCATION OF PROJECT  <table border="1"> <tr> <td>LANE</td> <td>OREGON</td> </tr> <tr> <td>COUNTY</td> <td>STATE</td> </tr> </table>	LANE	OREGON	COUNTY	STATE	<p><b>RECEIVED</b> APR 04 2011 WATER RESOURCES DEPT SALEM, OREGON</p>
LANE	OREGON				
COUNTY	STATE				

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN *(see instructions)*  
**T17S R5W, Section 17, 18 Lane County**

17. DIRECTIONS TO THE SITE  
**1.3 MILE SOUTH OF CLEAR LAKE ROAD INTERSECTION WITH TERRITORIAL ROAD**

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18. Nature of Activity (Description of project, include all features)

I HAVE BEEN AND WOULD LIKE TO CONTINUE TO IRRIGATE MY PASTURE (APPROXIMATELY 4 ACRES) FROM JUNE THROUGH SEPTEMBER OF EACH YEAR. I HAVE A 1 1/2" PIPE SUPPLY WITH 120' OF 1 1/2 INCH PVC PIPE ON TOP OF GROUND FROM MY PROPERTY LINE TO INLET OFF OF WEST SIDE OF LAKE RESERVOIR.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

TO IRRIGATE PASTURE SO I CAN RAISE 2-4 COWS EACH YEAR TO SUPPLEMENT MY SOCIAL SECURITY INCOME. I LIVE BY MYSELF.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

23. Is Any Portion of the Work Already Complete? Yes \_\_\_\_\_ No \_\_\_\_\_ IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

25. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
					<p><b>RECEIVED</b></p> <p>APR 04 2011</p> <p>WATER RESOURCES DEPT</p> <p>SALEM, OREGON</p>

\*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

*Bruce Marshall*  
SIGNATURE OF APPLICANT

12/30/08  
DATE

\_\_\_\_\_  
SIGNATURE OF AGENT

\_\_\_\_\_  
DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up any trick scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

S-87710



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, PORTLAND DISTRICT  
WILLAMETTE VALLEY PROJECT  
PO BOX 429  
LOWELL OR 97452-0429

320 N. 5TH S.

ADDENDUM TO SHORELINE USE PERMIT

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WATER RESOURCES DEPT  
SALEM, OREGON

Issued: 8/2008  
Expires: 8/2009

Permitted Vegetative Modification FR#002W:

Permission is hereby granted to Bev Marshall, 89817 Territorial Hwy, Elmira, OR. 97437 to maintain the following described government property at Fern Ridge Lake. This permit is being issued on a one year term. Once a copy of the water rights are delivered to the Fern Ridge Office at 26275 Clear Lake Rd, Junction City, OR 97448, we will re-evaluate the permit and at that time, if the conditions of the permit have been made, we will renew the permit for an additional 4 year period.

This permission shall apply only to the parcel of land situated in T 17S, R5W, Section 17, 18 in Lane County, Oregon, between USACE monuments F-152 and G-152.

This permit authorizes you to place, above ground, 135 feet of 2 inch water line pursuant to your deeded water rights. No other permanent structures, fixtures or facilities on public lands are authorized under this permit. The removal of vegetation (blackberries, Scotch broom and English ivy) within the buffer zone is not to exceed 4 feet along the fence line between monuments F-152 and G-152. The removal of blackberries shall be performed using hand tools or weed-eater. The primary reason for blackberry removal is to prevent shorting out the electrical fence. This permit does not authorize the use of herbicides or any chemicals to remove vegetation.

This permit authorizes the control in other areas on public property of exotic blackberries (*Rubus spp.*), Scotch broom, (*Cytisus scoparium*), English ivy (*Hedera helix*) and Poison oak (*Toxicodendron diversilobum*) to provide a noxious plant control. This control may be accomplished through the use of pruning, uprooting or other selective manual/mechanical methods only. Control or removal of these targeted pest species shall be accomplished such associated plant communities or adjacent plants of desirable indigenous species are not injured or destroyed.

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SALEM, OREGON

This permit does not authorize landscaping, brush clearing, planting, use of pesticides, herbicides, or any form of earthwork. This permit does not authorize removal, development, or maintenance activities in any area of wetland emergent vegetation, or in any areas that are submerged. This permit does not authorize any form of tree removal or pruning.

No permanent structures, equipment or supplies shall be operated or placed upon lands owned by the United States by the permit holder. No proprietary rights either in real estate or material are

S-07710



granted or implied. This permit may be summarily revoked if the activity is determined not in the best interest of the government, or when the permittee has failed to comply with the terms of the agreement.

This modification permit is not transferable. Upon sale or transfer of the private property associated with the dock and vegetation modification permit, the vegetation permit will be brought into compliance with the most recent Shoreline Management Plan.

All conditions on the reverse of ENG Form 4264-R Shoreline Use Permit (your original permit) authorized by ER 1130-2-406, along with all regulations of 36 CFR (III) 327, are applicable to this addendum. If you need copies of these documents, please contact our Shoreline Ranger, Sandra Cannon, at the Corps' Fern Ridge Lake office (541-688-8147).

Signature: Kurt Beal Date: 8/14/08  
Environmental Stewardship Supervisor

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SALEM, OREGON



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**CORPS OF ENGINEERS, PORTLAND DISTRICT**  
**WILLAMETTE VALLEY PROJECT**  
**PO BOX 429**  
**LOWELL OR 97452-0429**

**ADDENDUM TO SHORELINE USE PERMIT**

Issued: 5/2010  
Expires: 12/2010

**Permitted Vegetative Modification FR#002W:**

Permission is hereby granted to Bev Marshall, 89817 Territorial Hwy, Elmira, OR. 97437 to maintain the following described government property at Fern Ridge Lake. This permit will expire at the end of the calendar year, and then may be renewed on a yearly basis.

This permission shall apply only to the parcel of land situated in T 17S, R5W, Section 17, 18 in Lane County, Oregon, between USACE monuments F-152 and G-152.

This permit authorizes you to place, above ground, a 135 ft - 2 inch water line pursuant to your deeded water rights. No other permanent structures, fixtures or facilities on public lands are authorized under this permit.

This permit authorizes the removal of vegetation (exotic blackberries (*Rubus spp.*), Scotch broom, (*Cytisus scoparium*), English ivy (*Hedera helix*) and Poison oak (*Toxicodendron diversilobum*) within a 4ft buffer zone, along the fence line, between monuments F-152 and G-152. This control may be accomplished through the use of pruning, uprooting or other selective manual/mechanical methods only. Control or removal of these targeted pest species shall be accomplished such that associated plant communities or adjacent plants of desirable indigenous species are not injured or destroyed. The primary reason for blackberry removal is to prevent shorting out the electrical fence.

This permit does not authorize landscaping, brush clearing, planting, use of pesticides, herbicides, or any form of earthwork. This permit does not authorize removal, development, or maintenance activities in any area of wetland emergent vegetation, or in any areas that are submerged. This permit does not authorize any form of tree removal or pruning.

No permanent structures, equipment or supplies shall be operated or placed upon lands owned by the United States by the permit holder. No proprietary rights either in real estate or material are granted or implied. This permit may be summarily revoked if the activity is determined not in the best interest of the government, or when the permittee has failed to comply with the terms of the agreement.

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SALEM, OREGON

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This modification permit is not transferable. Upon sale or transfer of the private property associated with the waterline and vegetation modification permit, the permit will be reviewed for compliance with the most recent Shoreline Management Plan.

All conditions on the reverse of ENG Form 4264-R Shoreline Use Permit (your original permit) authorized by ER 1130-2-406, along with all regulations of 36 CFR (III) 327, are applicable to this addendum. If you need copies of these documents, please contact our Shoreline Ranger, Sandra Cannon, at the Corps' Fern Ridge Lake office (541-688-8147).

Signature: Kat Beale Date: 4/21/2010  
Environmental Stewardship Supervisor

S-8770



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SALEM, OREGON



Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Beverly G. Marshall
Mailing Address: 89817 TERRITORIAL Rd
City: Elmira State: OR Zip: 97437 Day Phone: 541-868-7108

This application is related to a Measure 37 claim. [ ] Yes [ ] No

A. Land and Location

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

Table with 8 columns: Township, Range, Section, 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use. Handwritten entry: 17S 5W 17R, 201, RR-5, PASTURE.

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

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, Exchange of Water, Allocation of Conserved Water, Limited Water Use License, Permit Amendment or Ground Water Registration Modification

Source of water: [X] Reservoir/Pond (FERN RIDGE RES) [ ] Ground Water [ ] Surface Water (name)

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

Intended use of water: [X] Irrigation [ ] Commercial [ ] Industrial [ ] Domestic for household(s) [ ] Municipal [ ] Quasi-municipal [ ] Instream [ ] Other

Briefly describe: Using water for irrigation of 3 acres approx for pasture

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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WATER RESOURCES DEPT
SALEM, OREGON

S-8770

## 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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LC 16.290(2)(4)(5)

Land uses to be served by 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.

WATER SOURCE IS FERN RIDGE RESERVOIR.  
~~SWAGE~~

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Name: J. KENDALL Title: ASSC. PLANNER  
 Signature: J. Kendall Phone: 541-687-4087 Date: 11-25-08  
 Government Entity: LANE COUNTY 3-28-11

*J. Kendall*

**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**

**RECEIVED**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_  
WATER RESOURCES DEPT  
SALEM, OREGON

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