Application for a Permit to Store Water in a Reservoir

Alternate Review (ORS 537.409)



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

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

Use a separate form for each reservoir

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant								
NAME Steven Patty								
PHONE (WK) n/a		CELL 503-329-4	816		FAX	RECEIVED		
ADDRESS 69 Nansen Smt						AUG 07 202		
נוזץ Lake Oswego	STATE OR	E ZIP 9703		E-MAIL * srpatty@msn.com	m	OWRD		
Organization						OWRD		
NAME n/a				PHONE	FAX	RECEIVED		
ADDRESS					CELL	JUN 16 2023		
CITY	STAT	E ZIP		E-MAIL *		OWRD		

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

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

Note: Attach multiple copies as needed

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

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 on . 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.

Steve Patty	Digitally signed by Steve Patty Date: 2023.01.03 16:04:03 -08'00'	Steve Patty	1/3/2023
Applicant Signature		Print Name and Title if applicable	Date
Steve Patty	Digitally signed by Steve Patty Pate: 2023.06.11 09:12:34 -07'00'	Steve Patty	6/11/2023
Applidant Signature	11 11	Print Name and Title if applicable	Date
Applitant Signature	6/1	(/2023 Alternate R	eservoir Application — Page 1

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SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

William's Pond							
Tributary: n/a							
Yamhill							
Acre-Feet [length x width x depth / 43,560]							
Township (N or S)	Range (E or W)	Section	Quarter- Quarter	Tax Lot #			
6S	4w	04	SENE	201			
	Yamhill Acre-Feet [le Township (N or S)	Tributary: Yamhill Acre-Feet [length x width x of the colspan="2">Acre-Feet [length x width x of the colspan="2">Township (N or S) Township (N or S) Range (E or W)	Tributary: n/a Yamhill Acre-Feet [length x width x depth / 43,50] Township (N or S) Range (E or W)	Tributary: n/a Yamhill Acre-Feet [length x width x depth / 43,560] Township (N or S) Range (E or W) Section Quarter-Quarter_			

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:

n/a RECEIVED JUN 16 2023 OWRE OWRE OWRE RECEIVED AUG 07 2023 OWRE OVRE OV

Alternate Reservoir Application — Page 2

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? Dere years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure?
YES NO unknown If YES, how much? Dem miles.

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

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project. Department of State Lands, Michael Deblasi, michael.deblasi@state.a

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: Yamhifi County Soil and Watter Cou	servation District as the Water Distric	Address: 2200 SW 2nd St # C			
City: McMinnville	State: OR	Zip: 97*	128		

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.

Patty Pond will be an excavated .75 acre multipurpose pond fed by diffuse surface water runoff from upland areas, and rainwater. The pond will be located in a natural drainage area upland of an intermittent stream fed by groundwater and rainfall. Excess runoff will escape through normal drainage pathways. Construction will ensure that impervious soils to avoid excess seepage losses.

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).



Alternate Reservoir Application — Page 3

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))

	Does the proposed reservoir have the potential to injure existing water rights? □ YES ⊠ NO Explain:							
2.	Can condition Explain: NA	s be applied to mitigate the potential injury	to existing water right	ts? 🗆 YES 🗆 NO				
3. 4.		ble for the proposed reservoir? 🛛 YES 🗆 November 1 thro what period? Beginning: End:	NO ugh June 30 of each	ı year				
a si	torage season base licy found under O	out at 50% exceedance. If WARS does not cover the ed upon regulation history and your knowledge of th AR 690-410-0070(2)(c)) with staff from another agency to discuss th	ne location. (Water Availab	oility for Reservoir				
Wh	0:	Agency:	Date:	Date:				
Wh	0:	Agency:	Date:					
Vate	ermaster Name: ermaster ature: E: This complete	Joel Plahn Joel Plahn Joel Plahn 2023.01.06 11:33:59-08'00' d form must be returned to the applicant RECEIVED	1/6/2023 RECEIVED	RECEIVED JUN 1 6 2023 OWRD				
		JUL 21 2023	AUG 07 2023					

ODFW Alternate Reservoir Application Review Sheet

Applicant Name: <u>Steven Patty</u> Address: <u>69 Nansen Smt, Lake Oswego OR. 97035</u> Phone/Email: <u>503-329-4816 / srpatty@msn.com</u> Reservoir Name: <u>Patty Pond</u> Source: <u>Run off</u> Basin Name: <u>Ash Swale> Salt Cr >S Yamhill R</u> Twp Rng Sec QQ: <u>6S 4W 04 SENE</u> Note: It is unlikely that ODFW will be able to complete this form while you wait, new appointment to submit the form so as to provide any necessary clarifications. See pg. This portion to be completed by Oregon Department of Fish and W 1) Is the proposed project and AO ¹ off channel?	6 of Instructions for contact in /ildlife (ODFW) staff.	RECEIVE JUN 1 6 20 OWRE RECEIVED AUG 0 7 202 ing an OWRD format ion.
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) Is the proposed project and AO ¹ off channel?		
	X VES	
Based on available information, the proposed use does not appear to is create or maintain an artificial obstruction. However, if the applicant cobstruction to fish passage for the proposed use, the applicant will need	creates or maintains an ar	rtificial
 2) Is the proposed project or AO located where NMF² are or were historic (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? 		
b. Is there an ODFW-approved fish-passage waiver or exemption?		
f fish passage is required under ORS 509.580 through .910, then either 30 forward with the application. If responses to 3(a) and 3(b) are "No", then he requirements of Oregon Fish Passage Law and <u>shall not</u> be constructed	the proposed reservoir do	
b) Would the proposed project pose any other significant detrimental impocally or downstream? Explain below (for example, list STE species or other existing fishery renegatively.)		S 🗆 NO
Any diversion or appropriation of water for storage during the period	cample, if diversion of water	_

 $^{^{1}}$ 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)

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

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 and spring Chinook Salmon), sensitive species (Coastal Cutthroat Trout and Pacific Lamprey), and other game fish (Coho Salmon) may be present in Ash Swale, Salt Creek and/or South Yamhill River during the period of impact. Instream flows to fulfill C59461 and C59484 for aquatic life are not being met partially or wholly during the period of impact. Based on parameters assessed by ODFW, instream flows are currently below those essential to support the biological needs of an existing fishery resource during June 1-October 31. In addition, ODFW reviewed available information regarding water quality impairment and determined that a TMDL exists for the Yamhill Watershed for phosphorus and an instream water right for pollution abatement is established. Consequently, ODFW recommends that because the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion that the water use be restricted to the period of November.1st – April.30th.

Because of these reasons, the proposed use will diminish water quality, physical habitat, and/or alter the flow regime to which fish are naturally adapted, negatively affecting their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed use would result in a significant detrimental impact to an existing fishery resource without appropriate conditions and/or mitigation.

Impairment to Fishery Resource	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Water Quantity						11 12		100 20	11201	in a start		
Water Quality					3							

See applicable conditions selected from "Menu of Conditions" on next page

Without appropriate conditions and/or mitigation, a further reduction in flow or alteration of habitat from the proposed water use will impair or be detrimental to an existing fishery resource. Water is only available to support biologically necessary flows at the POD and/or downstream during November.1 - April.30. ODFW recommends the season of use be restricted to coincide with this period or the proposed use be mitigated prior to issuance of a Proposed Final Order for any use outside of this period. ODFW recommends the applicant submit to the application caseworker at WRD, a Mitigation Proposal that fulfills the Mitigation Obligation consistent with the goals and standards of OAR 635-415-0025 (ODFW Habitat Mitigation Recommendations), as outlined below, to compensate for any potential impact from the RECEIVED proposed use. Digitally signed by Janna L Janna L Stevens Date: 2023.03.03 JUL 21 2023 Stevens 15:19:38 -08'00' **ODFW** Signature: Print Name: Janna Stevens OWRD SALEM, OREGON **ODFW** Title: Water Planning Coordinator Date: 3/3/2023 RECEIVED NOTE: This completed form must be returned to the applicant. JUN 1 6 2023 RECEIVED Revised 10/4/12; reformatted 5/12/20 OWRD AUG 07 2023 ·

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

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.
- **552** 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. RECEIVED
- **b51a** The period of use has been limited to November. 1st through April. 30th.
- **557** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- **558** 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.
- **bly:** 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
 - When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow 2) 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 by pass flows for the life of the permit and sub sequent 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: Not withstanding 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: Steven Patty

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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 <u>type here</u> 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 <u>type here</u> 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.

JUL 21 2023 SALEM, OREGON

ONSITE WETLAND DETERMINATION REPORT OREGON DEPARTMENT OF STATE LANDS – SALEM OFFICE

775 Summer Street NE, Suite 100, Salem OR 97301-1279 (503) 986-5200

An onsite wetland determination has been conducted on the property described below.

Co	unty: Yamhill			City: <u>Amity</u>		
Ow	vner: Name & Addres	ss: Steve Patty, 408	8 NW 12 th Ave #506	, Portland, OR	97209	
To	wnship: <u>6S</u>	Range: <u>4W</u>	Section: 04	Q/Q:		Tax Lot(s): 201
Pro	ject Name: Patty Por	nd			Date of	Site Visit 10/02/2020
Sit	e Address/Location:	Nearest Cross stree	ts are Patty Lane an	d Old Bethel Rd		
	There are no jurisdie Notes:	ctional wetlands or	waterways on the p	roperty. Theref	ore, no sta	ate removal-fill permit is required.
\boxtimes	There may be wetla	inds or waterways	on the property that	are subject to th	e state Re	moval-Fill Law.
	A state permit is	s required for ≥ 50	cubic yards of fill, r	emoval, or grou	nd alterati	ion in the wetlands or waterways.
		hay be required for rologically associa		removal, or grou	und altera	tion in the Essential Salmonid
	A state permit n wetland mitigat	• •	any amount of fill,	removal, or othe	er ground	alteration in a compensatory
	A wetland determin submitted to the Dep			evelopment is p	lanned, th	e delineation report should be
	A state permit will r footprint	not be required for	the pond location b	ecause <u>uplands</u>	were coni	firmed in the proposed pond
	A permit may be red	quired by the Army	Corps of Engineers	s: (503) 808-437	3	
Not	te: This report is for t	he state Removal-F	fill Law only. City of	County permits	may be r	equired for the proposed activity.
	mments: If developm recommended, as we					ached map, a wetland delineation is pond location.
De	termination by: Dani	el Evans, PWS D	aniel Evono_	1	PR	_ Date 10/05/20
Cir fou	cumstances under whic	h the Department ma 45 (available on our	ay change a determina web site or upon requ	tion and procedure est). The applicat	es for rene nt, landown	mation necessitates a revision. wal of an expired determination are ner, or agent may submit a request for
	This is a preliminary	jurisdictional deter	mination and is advi	sory only		RECEIVED
	py To: 🛛 Owner Er		com 🛛 Enclosures	Location Map		
	Yamhill County Plan Mike DeBlasi (DSL)	v .				JUN 16 2023
	Daniel Evans (DSL)					· OWRD
			FOR OFFICE	USE ONLY		
Ent	ire Lot(s) Cinecked?	Yes 🛛 No	Waters Present? Ye			Request Received10/01/2020

Adjacent Waterbody: Unnamed Creek

AUG 07 2023

ESH? DY N

Latitude: 45.081843 Longitude: -123.177714 Related DSL File #:N/A

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OWHD SALEM, OREGON

Wild & Scenic? TY N

WD20200504 AgencyDecision.doc

LWI Area: N/A LWI Code:

Has Wetlands? UY N WUnk

http://www.oregonstatelands.us/

For ENF.

State Scenic? Y N Coast Zone? Y N Unk

WD#: 2020-0504

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OWRD

Land Use Information Form



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

NAME Steven Patty				PHONE (HM)		
PHONE (WK)	CELL	503-3	29-4816	FAX		
ADDRESS 69 Nansen Smt				X III IIIIII		
^{city} Lake Oswego	STATE	^{ZIP} 97035	E-MAIL* srpatty@msn.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	ip Range Section		nge Section ¼¼ Tax Lot #		Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		
6S	4W	04	SENE	201	rural	Diverted	Conveyed	Used	pond
						Diverted	Conveyed	Used Used	
						Diverted	Conveyed	Used Used	
						Diverted	Conveyed	Used Used	

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

...

Yamhill

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 Limited Water Use License Allocation of Conserved Water
Source of water: 🔳 Reservoir/Pond 🛛 Ground Water 🔄 Surface Water (name)
Estimated quantity of water needed: 6.5
Intended use of water: Irrigation Commercial Industrial Domestic for household(s)
Briefly describe:
We would like to create a small, 1/2 to 3/4 acre pond

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.

Land Use Information Form Page 2 of 3

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For Local Government Use On	OWRD	

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): SECTION 402.02(A) of TM 4020

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:	
		Obtained Denied	Being Pursued Not Being Pursued
		Obtained Denied	Being Pursued Not Being Pursued
		Obtained Uenied	 Being Pursued Not Being Pursued
		Obtained Denied	Being Pursued Not Being Pursued
		Dotained	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.

Title: ASSOCIATE PLANNER Name: 1434-7516 Date: 5/1/2023 Phone: 507 Signature: OANTY P Government Entity:

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:	Land Use Information For				

150

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

(This space reserved for recording information)

Aner L. Patty 25005 SE Old Bethel Road Amity, OR 97101

After recording return to: Lake, Hart & Cooper 330 NE Evans Street McMinnville, OR 97128 RECEIVED

AUG 07 2023

OWRD



BARGAIN AND SALE DEED - STATUTORY FORM

Aner L. Patty, Individually, Aner L. Patty and Wayne R. Patty as Trustees of the Nancy E. Patty Testamentary Trust, and Richard D. Patty and Margaret R. Patty as Trustees of the Patty Family Trust dated March 23, 1991, Grantor, conveys to Aner L. Patty, Individually, and Aner L. Patty and Wayne R. Patty as Trustees of the Nancy E. Patty Testamentary Trust, Grantee, as to an undivided one-half interest each, as tenants in common, the following real property situated in Yamhill County, Oregon, to-wit:

Exhibit "A" attached hereto and by this reference made a part hereof.

The true consideration for this conveyance is \$0. However, the actual consideration consists of or includes other value or property given or promised which is the whole consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, 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, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 18 day of _____, 2013. atty, Individually, and as Trustee Aner L. CEIVED JUL 21 2023 Patty, Trustee OWRD SALEM, OREGON

PAGE 1 of 3 - BARGAIN AND SALE DEED - STATUTORY FORM

iching he Or Richard D. Patty, Trustee

Mangani R. Margarer, R. Patty, Trustee

JUN 1 6 2023

STATE OF OREGON, SS. County of Yamhill.

Personally appeared Aner L. Patty, Individually, and as Trustee of the Nancy E. Patty Testamentary Trust, on the 18 day of ______ and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: OFFICIAL SEA IUDY A BREWER OREGON PUB C MISSION NO. 443101 MY COMMISSION EXPIRES OCTOBER 4, 2013 Notary Public for Oregon 4,2013 My Commission Expires: STATE OF OREGON, SS. County of Yamhill. Personally appeared Wayne R. Patty as Trustee of the Nancy E. Patty Testamentary Trust, on the 18 day of OHOM LOA, 2013, and acknowledged the foregoing instrument to be his voluntary act and deed. Before me: OFFICIAL SEAL JUDY A BREWER NOTARY PUBLIC-OREGON COMMISSION NO. 443101 Notary MY COMMISSION EXPIRES OCTOBER 4, 2013 Public for Oregon RECEIVED 2014,2013My Commission Expires: AUG 07 2023 STATE OF SS. OWRD County of Grasak Personally appeared Richard D. Patty as Trustee of the Patty Family Trust dated March 23, 1991, on the 24 day of , 2013, and acknowledged the foregoing instrument to be his voluntary act and deed. seat. Before me: RECEIVED Maria Notary Public for C 1 My Commission Expires: 🥑 2016 JUL 21 2023 OWHD SALEM, OREGON STATE OF Lana 88 County of *G* Personally appeared Margaret R. Patty as Trustee of the Patty Family Trust dated March 23, 1991, on the 24 , 2013, and acknowledged the foregoing instrument to be her voluntary act and deed. day of seat. Before me: Notary Public for RECEIVED My Commission Expires: 1/2/ JUN 16 2023 OWRD PAGE 2 of 3 - BARGAIN AND SALE DEED - STATUTORY FORM

Exhibit "A"

A tract of land in Section 4, Township 6 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, being a portion of Parcel Two of that tract of land described in deed from ANER L. PATTY, personal representative of the estate of NANCY EDITH PATTY to ANER L. PATTY and WAYNE R. PATTY, Trustees of the NANCY E. PATTY TESTAMENTRY TRUST and recorded in Instrument No. 199614413 and being more particularly described as follows:

Beginning at the northeast corner of the A.P. Caldwell Donation Land Claim; thence South 00°00'54" East 99.00 feet along the east line of said Caldwell DLC to the TRUE POINT OF BEGINNING; thence North 89°51'33" East 940.60 feet; thence South 00°00'58 East 722.94 feet to the southerly southwest corner of Parcel One of said PATTY tract; thence South 89°51'18" West 940.60 feet to the east line of said Caldwell DLC; thence North 00°00'54" West 723.01 feet to the TRUE POINT OF BEGINNING as shown by Exhibit 01.

Exhibit "E"

A tract of land in Section 4, Township 6 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, and being more particularly described as follows:

Beginning at the northeast corner of the A.P. Caldwell Donation Land Claim; thence North 89°51'33 East 3449.73 feet to the northeast corner of said Section 4; thence South 01°15'18 West 822.00 feet along the east line of said Section 4; thence South 89°51'18 West 3431.50 feet to the east line of said Caldwell DLC; thence North 00°00'54" West 822.01 feet along the east line of said Caldwell DLC to the point of beginning as shown by Exhibit 02.

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JUL 21 2023 SALEM, OREGON

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PAGE 3 of 3 - BARGAIN AND SALE DEED - STATUTORY FORM

7/1/2022 to 6/30/2023 REAL PROPERTY TAX STATEMENT

7.01

3.32

9.41

5.04

0.92

0.50

0.40

45.15

7.42

2.94

46.07

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YAMHILL COUNTY, OREGON 535 NE 5TH ST., ROOM 42, MCMINNVILLE, OR 97128 (503) 434-7521



JUL 21 2023 AUG 07 2023 JUN 1 6 2023 When a mortgage company requests your tax information this OWRD statement is vellow and for your records only. SALEM, OREGON OWRD OWRD Online or Telephone payment options available - for instructions TOTAL (after discount): 150.46 and conditions go to: www.co.yamhill.or.us/assessor Delinquent tax amount is included in payment options listed below. See back of statement for instructions) TAX PAYMENT OPTIONS **Date Due Discount Allowed Net Amount Due Payment Options FULL PAYMENT** Nov 15. 2022 4.65 3% Discount..... \$150.46 2/3 PAYMENT Nov 15, 2022 2.07 2% Discount..... \$101.34 Nov 15, 2022 No Discount..... \$51.71 1/3 PAYMENT NO STATEMENTS ARE SENT FOR THE FEBRUARY 15 OR MAY 15 INSTALLMENT DATES IF PAYING THE 2/3 OR 1/3 OPTION.

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7/1/2021 to 6/30/2022 REAL PROPERTY TAX STATEMENT



7/1/2021 to 6/30/2022 REAL PROPERTY TAX STATEMENT



7/1/2020 to 6/30/2021 REAL PROPERTY TAX STATEMENT

YAMHILL COUNTY, OREGON 535 NE 5TH ST., ROOM 42, MCMINNVILLE, OR 97128 (503) 434-7521

PROPERTY LOCATION ALT NO: R6404 0030		300	ACCOUNT NO: 2	37112		
	рот	Acres: 31.3500 ENTIAL ADDITIONAL T (FARM/FOREST AC	AX LIABILITY	Tax Code Area: 4.1		
PATTY FAMILY TRUST 4600 S LIPAN ST	RE	CEIVED	2020 - CURREN	T TAX BY DISTRICT:		
ENGLEWOOD, CO 80110-55	JU erless SAL	L 21 2023 OWRD EM, OREGON	AMITY SD 4J CHEMEKETA COMM COLLEGE WILLAMETTE REGIONAL ESD EDUCATION TOTAL:		112.68 14.76 6.99 <u>134.43</u>	
AUTHORIZ	Online.com ATOREF	THIS YEAR	AMITY FIRE AMITY FIRE LOCA CHEMEKETA LIBR	ARY	19.81 10.61 1.93 1.06	
REAL MARKET VALUES (R	MV): 272,035	288,170	YAMHILL CO EXT YAMHILL CO SOIL YAMHILL COUNTY GENERAL	& WATER	0.83 60.76 95.00	
RMV TOTAL M5 REAL MARKET TOTAL: ASSESSED VALUE: TOTAL TAXABLE	272,035 79,598 22,917 22,917	288,170 81,855 23,575 23,575	AMITY FIRE BOND AMITY SD 4J BON CHEMEKETA COM		16.62 35.68 6.13 58.43	RECEIVE
PROPERTY TAXES:	283.88	287.86	2020 - 2021 TAX	BEFORE DISCOUNT	287.86	AUG 0720 OWRD
			0.2	1. New 2020 1993	REC	EIVED
If a mortgage company red statement is yellow and for this statement is printed	your records only.	Who requested	hour	Mark	JUN	1 6 2023
Online or Telephone paymer and conditions go to: w	nt options available -	for instructions		after discount): It is included in payment options	279.22	WRD
See back of statement for instruct Payment Options FULL PAYMENT 2/3 PAYMENT	ions) TA <u>Date D</u> Nov 16, 2 Nov 16, 2	ue <u>Dis</u> 2020		Net / Discount Discount	Amount Due \$279.22 \$188.07	

Nov 16, 2020 1/3 PAYMENT No Discount..... NO STATEMENTS ARE SENT FOR THE FEBRUARY 15 OR MAY 15 INSTALLMENT DATES IF PAYING THE 2/3 OR 1/3 OPTION.

\$95.96

7/1/2020 to 6/30/2021 REAL PROPERTY TAX STATEMENT

PROPERTY LOCATION	ALT	NO: R6404 00	201		ACCOUNT NO): 483874	
	100 million (1997)	Acres: 33.7000 TENTIAL ADDITIONAL T (FARM/FOREST AC	AX LIABILITY		Tax Code Area:	4.1	
PATTY FAMILY TRUST 4600 S LIPAN ST			2020 - CUR	RENT TAX	BY DISTRICT		1
ENGLEWOOD, CO 80110-55	SAL	JUL 21 2023 OWRD SALEM, OREGON		COMM CO REGIONAL		50.56 6.62 3.14 L: <u>60.32</u>	
- PNotices	Online.com		AMITY FIRE	-		8.89	
	4TOREF		AMITY FIRE L		ION	4.76	
S. Constanting of the second second		THE VEAD	CHEMEKETA			0.87	
VALUES:	LAST YEAR	THIS YEAR	YAMHILL CO			0.47	
REAL MARKET VALUES (R	MV):		YAMHILL CO		TER	0.37	
LAND	222,096	179,968	YAMHILL CO			27.27	
RMV TOTAL	222,096	179,968	GENI	RAL GOVE	ERNMENT TOTA	L: <u>42.63</u>	
			AMITY FIRE	BOND		7.46	
M5 REAL MARKET TOTAL:	35,968	36,987	AMITY SD 4J	BOND		16.01	
ASSESSED VALUE:	10,287	10,579	CHEMEKETA	COMM CO	LLEGE BOND	2.75	
TOTAL TAXABLE	10,287	10,579		BONDS AN	D OTHER TOTA	L: <u>26.22</u>	
PROPERTY TAXES:	127.43	129.17	2020 - 2021	TAX BEFO	DRE DISCOUNT	129.17	
			0.0	l d	Jozu git	RECEIVED	RECEIVE
If a mortgage company req statement is yellow and for y this statement is printed u	our records only.	Who requested	Kan	1.pr	RIDI	AUG 07 2023	JUN 1620
Online or Telephone paymen and conditions go to: w			TOTA Delinquent tax		iscount): uded in payment op	OWRD 125.29 tions listed below.	OWRD
See back of statement for instructi	ons) TA	X PAYMEN	TOPTION	S			
Payment Options	Date D		scount Allowed		N	let Amount Due	
FULL PAYMENT	Nov 16.		3.88	3% Disco		\$125.29	
2/3 PAYMENT	Nov 16,		1.72			\$84.39	
1/3 PAYMENT	Nov 16,			No Disco		\$43.05	
NO STATEMENTS ARE SENT FOR	THE FEBRUARY 15 OF	MAY 15 INSTALLME	T DATES IF PAYING	THE 2/3 OP	13 OPTION		

7/1/2019 to 6/30/2020 REAL PROPERTY TAX STATEMENT



7/1/2019 to 6/30/2020 REAL PROPERTY TAX STATEMENT

PROPERTY LOCATION	ALT N	D: R6404 002	201	ACCOUNT NO: 4838	74
		Acres: 33.7000 NTIAL ADDITIONAL T (FARM/FOREST AC	AX LIABILITY RES)	Tax Code Area: 4.1	
PATTY FAMILY TRUST 4600 S LIPAN ST	RE	CEIVED	2019 - CURRENT TAX	BY DISTRICT.	
ENGLEWOOD, CO 80110-5510	JU	L 21 2023			40.47
	(JLAND-	AMITY SD 4J CHEMEKETA COMM COI	LEGE	49.17 6.44
	SALE	DWRD M, OREGON	WILLAMETTE REGIONAL		3.05
Go Paper	less	GILGON		UCATION TOTAL:	<u>58.66</u>
- Notices			20.	DOATION TOTAL.	30.00
VAM DAA			AMITY FIRE		8.64
YAM-PA4	-		AMITY FIRE LOCAL OPT	ION	4.63
VALUES:	LAST YEAR	THIS YEAR	CHEMEKETA LIBRARY		0.84
REAL MARKET VALUES (RM	V):		YAMHILL CO EXT SERVI		0.46
LAND	212,452	222,096	YAMHILL CO SOIL & WA	TER	0.36
RMV TOTAL	212,452	222,096	YAMHILL COUNTY		26.53
			GENERAL GOVE	RNMENT TOTAL:	<u>41.46</u>
M5 REAL MARKET TOTAL:	33,865	35,968	AMITY FIRE BOND		9.15
ASSESSED VALUE: TOTAL TAXABLE	9,996 9,996	10,287 10,287	AMITY SD 4J BOND		15.46
TOTAL TANABLE	9,990	10,207	CHEMEKETA COLLEGE	BOND	2.70
PROPERTY TAXES:	125.44	127.43		D OTHER TOTAL:	27.31
			2019 - 2020 TAX BEFC	RE DISCOUNT	127.43
				RECEIVED)
If a mortgage company requ statement is yellow and for yo					RECEIV
this statement is printed un				AUG 07 202	JUN 162
Online or Telephone payment and conditions go to: www			TOTAL (after d Delinguent tax amount is inclu	OWRD iscount): uded in payment options liste	123.61 OWRE
See back of statement for instruction	ns) TAX	PAYMEN	TOPTIONS		
Payment Options	Date Du		scount Allowed	Net Amo	unt Due
FULL PAYMENT	Nov 15, 20		3.82 3% Discou		123.61
2/3 PAYMENT	Nov 15, 20		1.70 2% Discou		\$83.25
1/3 PAYMENT	Nov 15, 20 HE FEBRUARY 15 OR M		No Disco	INT	\$42.47

7/1/2022 to 6/30/2023 REAL PROPERTY TAX STATEMENT



June 11, 2023

Steven Patty 69 Nansen Smt Lake Oswego, OR 97035 503-329-4816 SRPATTY@msn.com

Application for William's Pond 6S 4W 04 #201

Enclosed are the Following:

Application Fee

Application

Watermaster Review

ODFW Review

DSL Review

Land-Use Form

Legal Description

Map

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JUL 21 2023