

att. Nick Reece

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

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

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

# 3541 \$ 1,418.00 10-13-2023

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

Form with fields for NAME (Ulrich Wingens, c/o Inken Robrahn), PHONE (WK: 408-307-7900), MAILING ADDRESS (P.O. Box 5038), CITY (San Jose), STATE (CA), ZIP (95150), and E-MAIL (irobrahn@hotmail.com).

Organization

Form with fields for NAME (N/A), MAILING ADDRESS, CITY, STATE, ZIP, and E-MAIL.

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

Form with fields for AGENT / BUSINESS NAME (Inken Robrahn), PHONE (408-307-7900), MAILING ADDRESS (P.O. Box 5038), CITY (San Jose), STATE (CA), ZIP (95150), and E-MAIL (irobrahn@hotmail.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.)

By my signature below I confirm that I understand:

- List of 7 terms and conditions regarding water use, permit issuance, and compliance with local land use plans.



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

Signature line with fields for Applicant Signature, Print Name and Title (Ulrich Wingens, Trustee), and Date (9-8-2023).

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

Reservoir name:	Mt. Ulka Reservoir				
Source*:	unnamed Spring	Tributary:	NONE		
County:	Wasco County				
Quantity:	.8 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	2N 13	E	20	SWNW	400
Maximum Height of Dam:	10 feet. If excavated write "zero feet."				

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

**SECTION 3: WATER USE**

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

**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, which may include stock water, fish and wildlife, 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:

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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? 30+ 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. RECEIVED

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**SECTION 6: WITHIN A DISTRICT**

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

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

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**SECTION 7: DESCRIPTION**

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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.

The pond is in existence for more than 30+(plus) years. The main use would be irrigation. We would pump the water to a dripping system what will irrigate the fields. At this moment, there is no in and outflow

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).

In addition to irrigation, the pond will be used for fire protection in an emergency and also the pond is used for aesthetic values.

The pond is spring fed with no visible inflow and that water does not flow out of the pond at any time of the year.

# 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))

Applicant's Name		
1. Does the proposed reservoir have the potential to injure existing water rights? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Explain: <i>Source is a spring that arises on the property (in the pond) and does not leave the pond or feed into nearby surface water</i>		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input type="checkbox"/> YES <input type="checkbox"/> NO Explain: <i>In my opinion, conditions not necessary. Pond is spring-fed with no visible inflow or outflow</i>		
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <i>existing spring-fed reservoir (30+ years)</i>		
4. If yes, during what period? Beginning: <i>Jan 1</i> End: <i>Dec 31</i>		
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		
Name:	Agency:	Date:
Name:	Agency:	Date:

Watermaster Name: Robert Wood

Watermaster Signature: *Robert Wood* Date: 8/29/2023

NOTE: This completed form must be returned to the applicant

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# ODFW Alternate Reservoir Application Review Sheet

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

Applicant Name: Inken Robrahn

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Address: P.O Box 5038, San Jose CA. 95150

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Phone/Email: 408-307-7900, irobrahn@hotmail.com

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Reservoir Name: Mt.Ulka Reservoir

Volume (AF): 8

Source: Unnamed Spring > Gooseberry Creek

Basin Name: Hood

in-channel

Twp Rng Sec QQ: 2N 13E 20 SWNW

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

<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: Inken Robrahn

ODFW Review

Review Date:

during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point

of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

- This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

Based on a conversation with the water master, OWRD has identified that there is no connection between the spring fed pond and Gooseberry Creek. There is a certificate for storage R-6891, and S42776 to fill Taylor Lake from Gooseberry creek for the purpose of public warm water fishing. However, ODFW has determined that the impact to native fish is inconsequential because native fish are not present in Gooseberry Creek and the proposed use will not impact the quality and quantity of physical habitat or alter the flow regime.

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

Even though there has been no significant detrimental impact found, ODFW recommends the conditions identified on the next page be applied.

Janna Stevens

Digitally signed by Janna Stevens  
Date: 2023.10.13 13:50:45 -07'00'

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

Print Name: Janna Stevens

ODFW Title: Water Planning Coordinator

Date: 10/13/2023

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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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- 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.
- 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.
- 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.
- 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

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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 live fish in Oregon shall have a Fish Transport Permit (FTP) issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without an FTP approved by ODFW. As part of the FTP permitting process, the permittee may be required to screen the inlet and outlet of the reservoir to ensure that fish cannot escape into public waters and/or to keep wild fish from entering the reservoir.
- 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 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.
- 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 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form *while you wait, or return the receipt stub to you*. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) *The application involves a change in place of use only;*
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0900.

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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 <i>Ulrich Wemigens c/o Jmken Robrahn</i>			PHONE (HM)		
PHONE (WK) <i>408-307-7900</i>		CELL		FAX	
MAILING ADDRESS <i>P.O. Box 5038</i>					
CITY <i>San Jose</i>		STATE <i>CA</i>	ZIP <i>95150</i>	E-MAIL* <i>irobrahn@hotmail.com</i>	

## 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:
<i>2N</i>	<i>13</i>	<i>E</i>	<i>20</i>	<i>400</i>	<i>(EMA) A-1</i>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>irrigation</i>
				<i>500</i>	<i>(160) large scale agriculture</i>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>fire protection in emergency</i>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>aesthetic value</i>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

*Wasco County* **RECEIVED**

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

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Estimated quantity of water needed: *8*  cubic feet per second     gallons per minute     acre-feet

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

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Briefly describe:

*irrigated agricultural, no new structures are proposed. Planting and growing organic vegetables, the pond will be used for fire protection in an emergency and also the pond is used for aesthetic values*

**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.

*Wasco County Planning Department Director*

WCC PLANNING FILE # 921-23-000137-PENG

# Land Use Information Form



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

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NAME <i>Walter W. Wynn, c/o J. Michael Robinson</i>		PHONE (HM)	
PHONE (WK) <i>408 307 7900</i>	CELL	FAX	
MAILING ADDRESS <i>P.O. Box 5038</i>			
CITY <i>Sunrise</i>	STATE <i>CA</i>	ZIP <i>95158</i>	E-MAIL* <i>wally@jmr.com</i>

### 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:
<i>2N</i>	<i>43</i>	<i>1E</i>	<i>20</i>	<i>406</i>	<i>RR-5</i>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>irrigation</i>
---	---	---	---	<i>30</i>	<i>RR-5</i>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>irrigation</i>
---	---	---	---	---	---	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>irrigation</i>
---	---	---	---	---	---	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	---

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

*Wheeler County*

### B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond  Ground Water  Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: *8*  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 *irrigation*

Briefly describe:

*Water right application for the water right of J. Michael Robinson, who is the owner of the water right. The water right is for irrigation of 800 acres of land. The water right is for irrigation of 800 acres of land. The water right is for irrigation of 800 acres of land.*

**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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*Wheeler County Planning Department Director*

Hi Nick,

I've emailed you this document on Sept 13th from i.robrahn@hotmail.com to Nick.a.reece@water.oregon.gov

### 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):
- 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.

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Name: Chris McNEEL Title: ASSISTANT PLANNER  
 Signature: [Signature] Phone: (541) 406-2560 Date: 9/12/2023  
 Government Entity: WASCO COUNTY PLANNING

**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.

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**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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RECORDING REQUESTED BY:  
JAMES M. DRAEGER, ESQ.

WHEN RECORDED, MAIL TO:  
James M. Draeger  
Attorney at Law  
770 Menlo Avenue, Suite 101  
Menlo Park, CA 94025

MAIL TAX STATEMENTS TO:  
Eva Merg  
1525 Norland Avenue  
Sunnyvale, CA 94087

(2)  
Microfilm No. 985906  
FILED WASCO CTY  
THE DALLES OR.

Nov 16 1 57 PM '98

KAREN R. LEBRETON  
COUNTY CLERK

STATE OF OREGON, }  
County of Wasco, } SS  
I certify that this document was received  
and recorded in the  
**DEED**  
records.  
Karen LeBreton, County Clerk  
A-T 20 LC 10 Recording 25

TRUST TRANSFER DEED

FOR NO CONSIDERATION, receipt of which is acknowledged, ULRICH WINGENS,

hereby GRANT(S), BARGAINS, SELLS AND CONVEYS to ULRICH WINGENS, Trustee of "The Ulrich Wingens 1989 Revocable Trust", dated April 6, 1989,

hereinafter called Grantee, and Grantee's heirs, successors and assigns, that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wasco, State of Oregon, described as follows to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

TO HAVE AND TO HOLD the same unto said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantees and the heirs and of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT AS PROVIDED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The true and actual consideration for this conveyance is -0-.

Dated: October 1, 1998

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED 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 FEES

  
Ulrich Wingens

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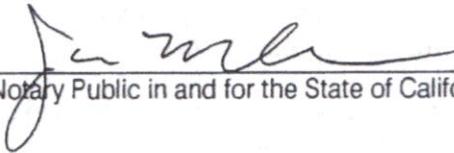
985906 (5)

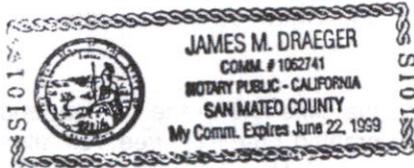
ACKNOWLEDGEMENT

STATE OF CALIFORNIA     )  
  ) SS  
COUNTY OF SAN MATEO    )

On October 1, 1998, before me, James M. Draeger, a Notary Public for the State of California, personally appeared ULRICH WINGENS personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year first above written.

  
\_\_\_\_\_  
Notary Public in and for the State of California



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EXHIBIT A

PARCEL 1:

The Northwest quarter of the Southeast quarter and Government Lot 6; Township 2 North, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon, EXCEPTING THEREFROM that portion conveyed to The Dalles Country Club by deed recorded in Book 71, page 81, Wasco County Deed Records.

PARCEL 2:

The North half of the Southwest quarter and Government Lots 4 and 5, Section 17, Township 2 North, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon.

PARCEL 3:

The East half and the East half of the Southwest quarter of Section 18, Township 2 North, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon.

PARCEL 4:

The Northeast quarter; the East half of the Northwest quarter; the Northeast quarter of the Southwest quarter; the Northwest quarter of the Southeast quarter; and Government Lot 1; all in Section 19, Township 2 North, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon;

EXCEPTING THEREFROM Beginning at the Southwest corner of the Northeast quarter of the Southwest quarter of said Section 19; thence North 528 feet; thence East 82.5 feet; thence South 528 feet; thence West 82.5 feet to the point of beginning.

\*Section 17,

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PARCEL 5:

Government Lots 5, 6 and 7, Section 20, Township 2 North, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon.

PARCEL 6:

That portion of the Edward Crate Donation Land Claim No. 38, Notification No. 8026, in Sections 17 and 20, Township 2 North, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon, which lies Westerly of the West Right of Way line of the Old Columbia River Highway, EXCEPTING THEREFROM that portion conveyed to The Dalles Country Club by deed recorded in Book 71, page 81, Wasco County Deed Records, ALSO EXCEPTING THEREFROM that portion described as: Commencing at the Northwest corner of the Justin Chenowith Donation Land Claim No. 37, said corner being located in Section 19, Township 2 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon; thence North 89 degrees 51' 18" East along the North line of said D.L.C. No. 37 a distance of 1895.27 feet to the Northeast corner of said D.L.C. No. 37; thence North 89 degrees 52' 23" East along the South line of the Edward Crate D.L.C. No. 38 a distance of 1419.08 feet to the true point of beginning of the herein described tract; thence North 17 degrees 37' 00" West 1235.10 feet; thence North 81 degrees 09' 16" East 117.08 feet; thence South 74 degrees 39' 00" East 115.86 feet; thence North 56 degrees 34' 50" East 116.22 feet; thence North 85 degrees 04' 24" East 122.32 feet; thence South 76 degrees 18' 21" East 197.70 feet; thence South 72 degrees 06' 04" East 177.57 feet; thence South 88 degrees 38' 05" East 189.69 feet; thence South 65 degrees 43' 52" East 262.18 feet; thence South 78 degrees 50' 42" East 135.15 feet; thence North 33 degrees 05' 44" East 286.24 feet; thence North 84 degrees 58' 59" East 1070.65 feet; thence South 61 degrees 48' 18" East 38.31 feet; thence North 87 degrees 07' 27" East 335 feet, more or less, to the Westerly right of way line of the Old Columbia River Highway; thence Southeasterly along said Westerly right of way line to its intersection with the South line of said Edward Crate D.L.C.; thence West along said South line to the true point of beginning.

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PARCEL 7:

A tract of land in Section 19 and 20, Township 2 North, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon, described as follows:

Beginning at the Northwest corner of the Justin Chenowith Donation Land Claim No. 37; thence South 89 degrees 42' East along the North line thereof, 28.56 chains to the Northeast corner of said D.L.C.; thence South along the East line of said Claim a distance of 21 chains; thence West 28.56 chains to the West line of said Claim; thence North 21.13 chains along said West line to the point of beginning.

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