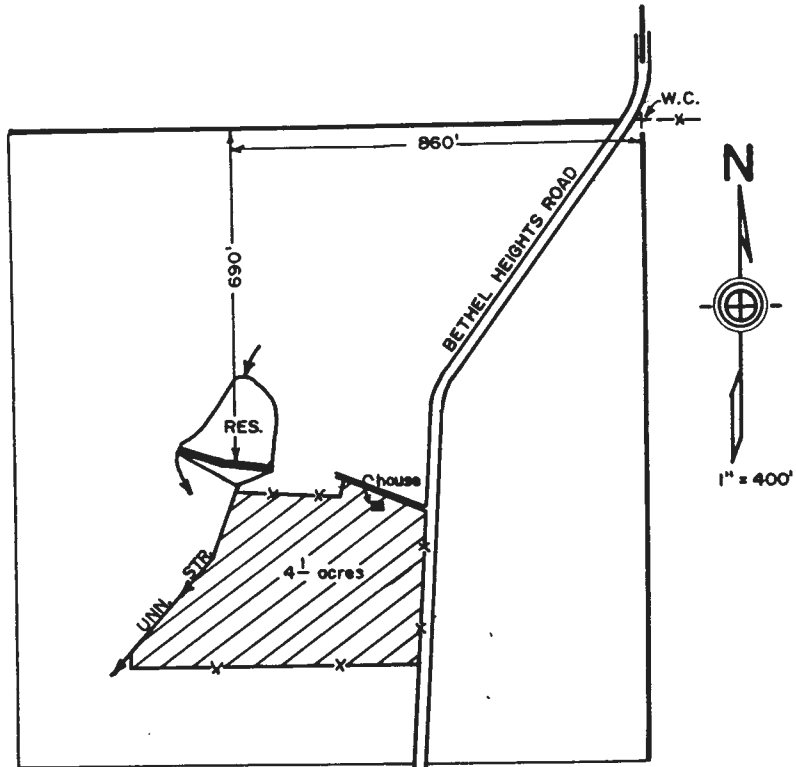


Township 6 South, Range 4 West, W.M.

NE 1/4 NE 1/4, Section 22

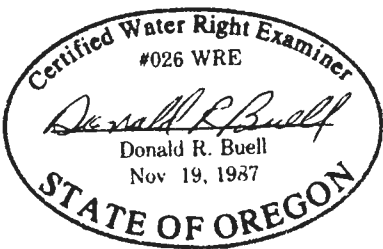


R-71811

Appl. No. 71812

Per. No. 51461 & R-11458

Application Map  
for  
VEDAN STOLK

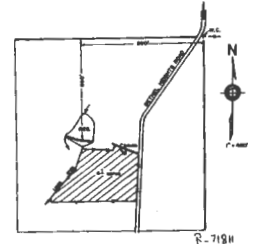


RECORDED  
INDEXED  
WATER RESOURCES DIVISION  
SALEM, OREGON

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

Copy

Township 6 South, Range 4 West, W.M.  
NE 1/4 NE 1/4, Section 22



R-719H  
Appl. No. 71812  
Per. No. 51441 & R-#458

Application Map  
for  
VEDAN STOLK



NE 1/4 NE 1/4  
SECTION 22

This map has been prepared with the assistance of  
surveyors and engineers of various firms  
connected with the Department of Agriculture  
and the State of Oregon.

STATE OF OREGON

COUNTY OF POLK

PERMIT TO CONSTRUCT A RESERVOIR AND TO  
STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

VEDAN STOLK  
6011 BETHEL HEIGHTS ROAD NW  
SALEM, OREGON 97304

503-362-5113

to construct STOLK RESERVOIR and to store the waters of AN UNNAMED STREAM, a tributary of ASH SWALE, to be appropriated under Application 71811, Permit 51461, for IRRIGATION.

This permit is issued approving Reservoir Application R-71811. The date of priority is AUGUST 27, 1991. The amount of water entitled to be stored each year is not more than 1.6 ACRE-FEET. Water may be appropriated for storage from November 1 through April 30 of each year

The dam will be located as follows:

NE 1/4 NE 1/4, SECTION 22, T 6 S, R 4 W, W.M.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

The area submerged by the reservoir, when full, will be 0.5 acre and the maximum depth of water will be 8.0 feet.

The area to be submerged by the reservoir is located within:

NE 1/4 NE 1/4  
SECTION 22  
TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

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

Actual construction work shall begin on or before June 1, 1993, and shall be completed on or before October 1, 1994. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1995.

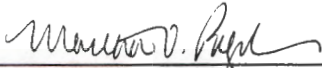
Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

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

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Issued this date, JUNE 1, 1992.



---

Water Resources Department  
Martha O. Pagel  
Director

March 22, 1996

Vedan Stolk  
6011 Bethel Heights Road NW  
Salem, OR 97304

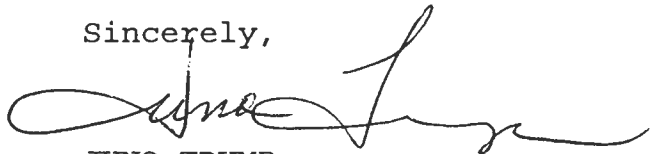
Your claim of beneficial use and map for Permits R-11458 and 51461 were received on March 6, 1996. A provision of the permits requires the intake be screened or fish passage facilities be designed, installed and operated to Oregon Department of Fish & Wildlife (ODFW) specifications.

Self-certification may be possible if you divert less than 225 gallons per minute (0.5 cfs). If your diversion satisfies the requirements outlined on the form, please return it as soon as possible. Your water right may be in jeopardy of cancellation if this condition is not met.

You have 90 days from the date of this letter to respond to the fish screening/passage requirement.

If you have any questions, please do not hesitate to contact me.

Sincerely,



JUNO TRUMP  
Water Rights Specialist

Enclosure

cc: Don Buell

m:\screen



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

K-718 11

## MAP REVIEW

- source and trib
- diversion point location
- conveyances (pipes, ditch, etc.)
- place of use
- scale
- township, range, section
- north arrow
- CWRE stamp
- disclaimer
- date survey was performed
- P.O.B. of survey
- dimensions and capacity of diversion system
- "beneficial use" type title
- "permanent-quality" paper

## REPORT

- permit conditions
- type of use
- extent of use
- rate and-duty
- time limits  
(A,B,C and transfers)
- crop type
- system capacity  
(with computations)

fish screening

71811  
71812

RECEIVED

MAR - 7 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON

CLAIM OF BENEFICIAL USE AND SITE REPORT  
UNDER PERMIT R-11458 AND 51461 IN THE NAME OF  
VEDAN STOLK

INFORMATION:

Vedan Stolk  
6011 Bethel Heights Road NW  
Salem, Oregon 97304

Telephone: (503) 362-5113

Construction was complete at time application was filed. Mrs. Stolk stated that the entire area was irrigated during the 1994 and 1995 irrigation seasons.

RESERVOIR:

Surface area 0.5 acres  
Maximum depth 8.0 feet (partially excavated)  
Capacity =  $8 \times 0.5 \times 0.4 = 1.6$  A.F.

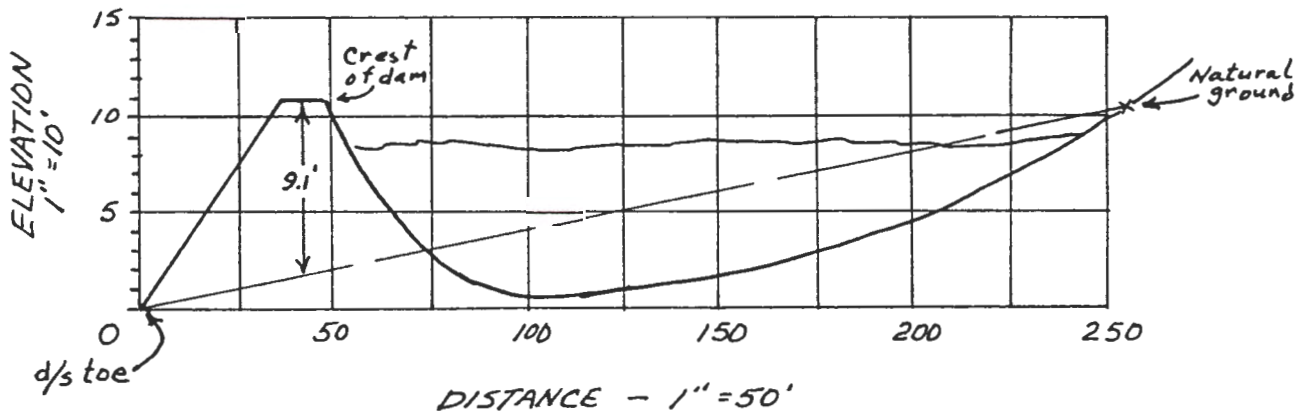
DAM:

4" conduit through dam with valves at both upstream and downstream ends. Downstream end reduced to 2" prior to the valve.

Emergency spillway around right end of dam. Flowing at time of inspection. ✓

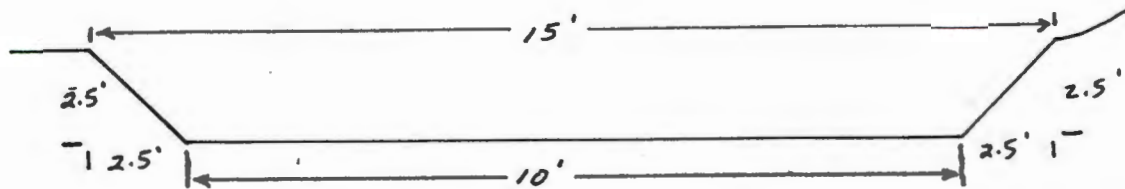
DAM PROFILE:

Assume downstream toe of dam is 0.0 feet.



**SPILLWAY:**

Around right end of dam.



With only 0.021 square mile drainage area, spillway is more than adequate.

**SOURCE OF WATER:**

Springs just above and in the pond form the unnamed stream from which the pond is filled.

**IRRIGATION:**

Source of water: Unnamed stream and reservoir.

Diversion Point: Pump installed on conduit at toe of slope.

Pump and Motor:

A. O. Smith Electric Motor, 1 hp at 3,450 rpm single phase.

Sta-Rite direct drive centrifugal pump Model JHE3-63H, 1 1/2" x 1"

Equipment:

350 feet 3/4" plastic pipe with taps  
350 feet 1" plastic pipe with taps  
500 feet 5/8" garden hose  
3 Rainbird #14H sprinklers with 3/16" nozzles  
Other miscellaneous sprinklers

Mrs. Stolk stated a maximum of 3 Rainbird sprinklers were operated at one time.

**LIFT:**

Pump operated at 8 feet of head from reservoir w reservoir is full. Discharge lift is plus 15 feet yard and garden and 0 to -20 feet for pasture.

**RECEIVED**

MAR - 7 1996

WATER RESOURCES DEPT.  
SALEM, OREGON



QUANTITY OF WATER:

A 1 hp pump operating at 80 efficiency at 55 psi with 8 feet of pressure head from reservoir would yield:

$(1 \times 7.04) \text{ divided by } (-8 + 139.7) = 0.053 \text{ cfs}$

3 Rainbird sprinklers with 3/16" nozzles operating at 55 psi would yield:

$3 \times 7.6 \text{ gpm} = 22.8 \text{ gpm or } 0.051 \text{ cfs}$

0.051 was allowed under the permit. It would appear that this amount of water has been used.

USE:

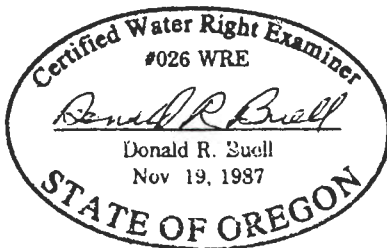
Irrigation of 4.1 acres of lawn, garden and pasture. Stock are fenced in the pasture.

SURVEY:

Transit and stadia survey tied to metal tag on steel fence post marked witness corner  $\frac{15}{22} | \frac{14}{23}$

Actual corner would be in borrow pit of County Road.

The final proof survey and inspection of the use as found to be completed under the terms and conditions of Permits R-11458 and 51461 was completed by me on February 23, 1996, and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



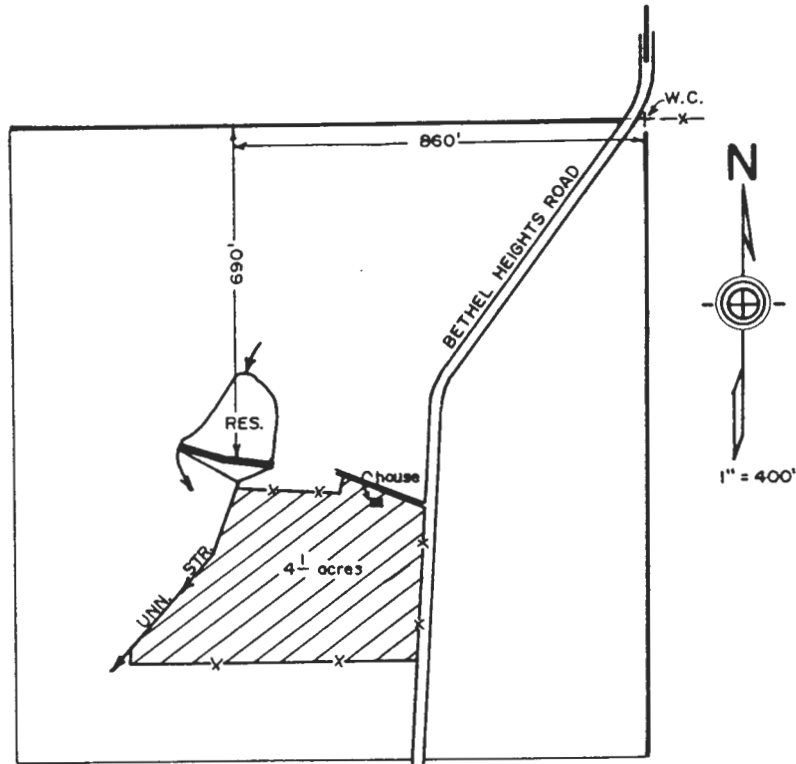
*Donald R. Suell*  
Certified Water Right Examiner  
RECEIVED  
MAR - 7 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON

I, Vedan Stolk, agree to the findings of the CWRE and do submit this site report and map as my Claim of Beneficial Use of the water as provided under the terms and conditions of my Permits R-11458 and 51461.

*Vedan Stolk*

Township 6 South, Range 4 West, W.M.

NE 1/4 NE 1/4, Section 22



FINAL PROOF SURVEY

under

Appl's. No R-71811, Per's.No. R-11458  
71812 51461

in name of

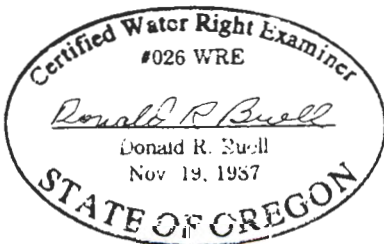
VEDAN STOLK

Feb. 23, 1996

**RECEIVED**

MAR - 7 1996

WATER RESOURCES DEPT.  
SALEM, OREGON



THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

December 20, 1995

VEDAN STOLK  
6011 BETHEL HGTS RD NW  
SALEM OR 97304

REFERENCE: Files 71812 & R-71811

We have received your notice that complete application of water has been made under Permits 51461 and R-11458.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before October 1, 1996. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER  
Water Rights Specialist

DM:jh



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

December 11, 1995

VEDAN STOLK  
6011 BETHEL HGTS RD NW  
SALEM OR 97304

REFERENCE: Files 71812 & R-71811

You stated the date for complete application of water described in your Permits 51461 and R-11458, as being December 4, 1995. The date for complete application of water as set out in the permit was October 1, 1995.

With the thought that the date was in error, I am enclosing another Form C for reporting the correct date.

If complete application of water was not made until the indicated date and you wish to maintain the permit, an application should be submitted requesting additional time. A form for that purpose will be supplied upon request.

Sincerely,

Dallas Miller  
Water Rights Specialist

DM:jh

enclosure



March 13, 1996

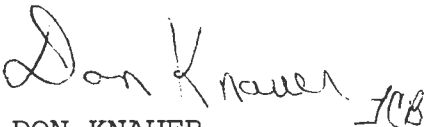
VEDAN STOLK  
6011 BETHEL HEIGHTS ROAD NW  
SALEM, OR 97304-9752

REFERENCE: Files R-71811 AND 71812

This will acknowledge that your claim of beneficial use and map in the name of VEDAN STOLK were received on MARCH 7, 1996. These will be reviewed in the future to insure they are complete and correct.

Please contact me if you have any questions.

Sincerely,

 *Don Knauer* *DKB*

DON KNAUER  
Program Representative

DEK:tcb

cc: DONALD R. BUELL, CWRE #26



Application No. R-71811

RECEIVED

AUG 27 1991

State of Oregon  
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT  
SALEM, OREGON

### Application for a Permit to Construct a Reservoir

Applicant(s) VEDAN STOLK  
(Please print or type - use dark ink)

Mailing Address: 6011 BETHEL HEIGHTS RD NW  
SALEM OR 97304 362-5113  
City State Zip Daytime Phone No.

I (We) make application for a permit to construct STOLK reservoir and store the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: UNNAMED STREAM,  
a tributary of ASH SWALE.  
If not in channel of a stream, state how it is to be filled: -

2. THE DAM: The maximum height of the structure will be 8.8 feet above stream bed or ground surface at the centerline.  
The dam will be (check one)  earthfill,  concrete,  flashboard,  other.  
If "other" give description: \_\_\_\_\_

Give the location, description, and dimensions of the outlet conduit: 4" conduit with 8" trickle tube. Reservoir is existing and was built at head of stream. It is filled from surface run-off and springs

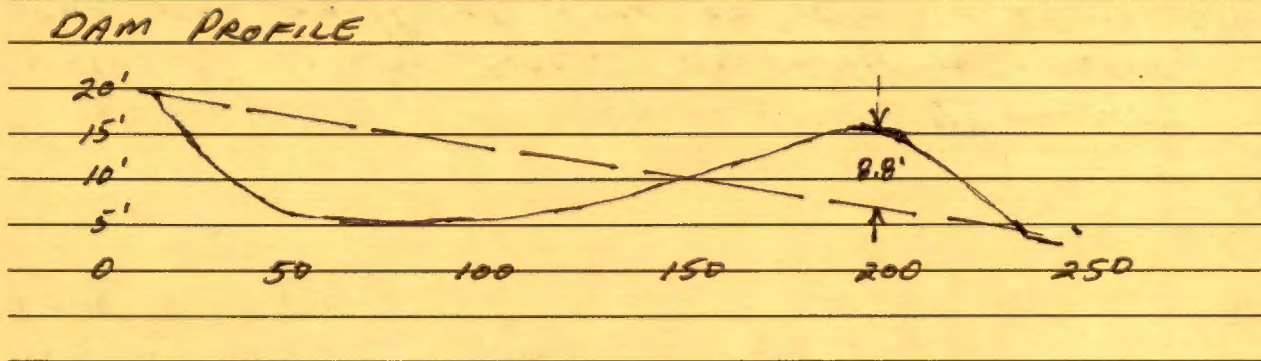
NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water will be: IRRIGATION

exam 40  
recording 10  
450

4. THE AMOUNT OF WATER to be stored is: 1.6 acre-feet.  
 The area submerged by the reservoir, when filled, will be 0.5 acres,  
 and the maximum depth of water will be 8.0 \* feet.

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam. SPILLWAY IS 2' DEEP, 10' WIDE AT BOTTOM AND 15' WIDE AT TOP AROUND RIGHT END OF DAM



6. PROJECT SCHEDULE: (List month and year)  
 Proposed date construction work will begin \_\_\_\_\_  
 Proposed date construction work will be completed COMPLETED  
 Proposed date water use will be completed 10-1-94

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):  
 \_\_\_\_\_ Applicant     CWRE    \_\_\_\_\_ Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):  
 \_\_\_\_\_ Applicant     CWRE    \_\_\_\_\_ Other (Identify in REMARKS section)

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? YES. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS: \* RESERVOIR PARTIALLY EXCAVATED

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

\* Vedon E. Stach  
Signature of Applicant

8-27-91  
Date

\_\_\_\_\_  
Signature of Co-Applicant, if any

\_\_\_\_\_  
Date



-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

-----  
-----  
In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at \_\_\_\_\_, Oregon, on the 27 day of August, 1991, at 10:30 o'clock, A M.

APPLICATION NO: R-71181

November 14, 1995

VEDAN STOLK  
6011 BETHEL HGTS RD NW  
SALEM OR 97304

---

WATER  
RESOURCES  
DEPARTMENT

---

REFERENCE: File R-71811 & 71812

The date for the complete application of water to a beneficial use for your water use Permit R-11458 and 51461 was October 1, 1995. To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits. Forms will be furnished upon request.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before October 1, 1996. A list of certified water right examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

If you have any questions, please contact the Water Rights Section at 378-3739.

Sincerely,

DALLAS S. MILLER  
Water Rights Specialist

DSM:jh

enclosure



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

RECEIVED

FEB 17 1994

WATER RESOURCES DEP  
SALEM, OREGON



71811  
Oregon

DEPARTMENT OF  
FISH AND  
WILDLIFE

February 17, 1994

Water Rights Section  
Water Resources Department  
3850 Portland Rd., NE  
Salem, OR 97310

RE: Instream Water Right Application #s 70249, 70288,  
70942 through 70944, 70946 through 70960, 71221  
through 71280, 71282 through 71890, and 71921 through  
72946; Reports of Technical Review

**General Comments**

According to OAR 690-77-026 (1), WRD "shall undertake a technical review...and prepare a report." This subsection further lists 8 [(a) - (h)] mandatory criteria which, as a minimum, must be assessed during the technical review. ODFW has concerns with the apparent level of assessment relative to subsection (c):

**OAR 690-77-026 (1) (c)--Assessing the proposed instream water right with respect to conditions previously imposed on other instream water rights granted for use of water from the same source.**

In the 115 subject reports of technical review, WRD is proposing to condition each application to exempt human and livestock consumption from regulation in favor of these instream rights as follows:

*This instream right shall not have priority over human or livestock consumption.*

Instream water right certificates in the North Coast basin based on conversion of minimum perennial streamflows generally contain similar conditioning language giving preference to the listed uses.

By rule, WRD's technical review process includes assessing conditions previously imposed on other instream water rights from the same source. If found to be appropriate, WRD may propose that new instream water rights contain the same exemption. There is no requirement that this exemption be automatically included as part of a technical review.



2501 SW First Avenue  
PO Box 59  
Portland, OR 97207  
(503) 229-5400  
TDD (503) 229-5459

When ODFW reviewed WRD files on some of these applications for documentation of assessments of prior conditions, we found nothing to indicate that any such assessments had been done. ODFW, therefore, assumes that the required assessments were not done and, therefore, objects to the routine placement of the proposed exemption on any of these applications on the grounds that to do so would be contrary to the public's interest in maintaining fish populations in North Coast basin streams. OAR 690-11-195 (4d).

### **Specific Comments**

#### Application # 70948

Section 5, Proposed Conditions, is missing from this Report of Technical Review.

#### Application # 71241

For the month of December:

1. The minimum flow level recommended by ODFW in the North Coast basin Environmental Investigation Report is 88 cfs.
2. The reported estimated average natural flow for December here is 131 cfs.
3. WRD is proposing in the Report of Technical Review to allocate 80 cfs.

ODFW believes the proper amount to be protected during December is 88 cfs.

#### Application # 71258

Here, the estimated average natural flow is less than the minimum flow recommended by ODFW for the entire year. Because this is the only instance where this has happened to date, the occurrence is suspect. ODFW requests that the water availability analysis for this reach of Miami River be reexamined.

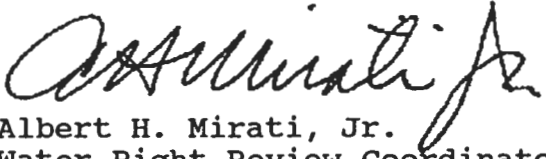
#### Application # 71280

The recommended flow numbers listed for September through April in the Application Information and Technical Review sections of the Report of Technical Review do not agree. Those listed in the Application Information section are correct.

North Coast Basin IWRs  
February 17, 1994  
Page 3

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Mirati, Jr.", written in dark ink.

Albert H. Mirati, Jr.  
Water Right Review Coordinator

c. WaterWatch of Oregon (public information request)  
Jill Zarnowitz/Stephanie Burchfield  
Penny Harrison, DOJ

FILE: NCOAST.IWR

July 10, 1992

Karen Russell  
WaterWatch of Oregon  
921 SW Morrison, Suite 438  
Portland, OR 97205

Reference: Files 70311, R-70282, 70283, R-71811, 71812, 70211 and  
70203

Dear Ms. Russell:

As stated in my letter of June 22, 1992, staff recommended the  
issuance of permits in approval of all the above referenced  
applications. Permits were issued in approval of all the  
applications except 70203.

Sincerely,

Steve Brown  
Senior Water Rights Specialist  
Field Operations Division

cc: Martha Pagel, Director

0807



# WaterWatch

O F O R E G O N

Steve Brown  
Water Resources Department  
3850 Portland Road NE  
Salem, OR 97310

July 1, 1992

RECEIVED

JUL 1 1992

WATER WATCH OF OREGON  
SHEILA HANCOCK

Re: Files 70311, R-70282, 70283, R-71811  
R-71812, 70211 and 70203

Dear Steve:

Thank you for your letter of June 22, 1992, responding to my letter of May 5, 1992. While I appreciate your responding to my letter, you seem to have missed the point with regard to measurement.

In my letter I stated,

"The issue of whether or not to require measurement of **all** permits issued should be referred to the Water Resources Commission for policy direction.<sup>1</sup>"

<sup>1</sup> In its most recent meeting, the Commission appeared to make the assumption that all permits being issued included a requirement for mandatory measurement of water use..."

Your letter stated that,

"The Commission did not direct staff to require measuring of water use as a standard permit condition on all permits issued by the Department."

Steve, I was also at the April 24, 1992 Commission meeting, and I agree that the Commission did not direct staff to require measurement. The point in my letter was that it **appeared that the Commission made the assumption** that measurement was a standard requirement. That is why WaterWatch believes that this issue of requiring measurement should be referred to the Commission for policy direction.

With regard to the balance of your letter, WaterWatch still opposes the issuance of these permits without those conditions set forth in my letter of May 5, 1992. If you have any questions or would like to discuss this further, please do not hesitate to contact me.

Sincerely,

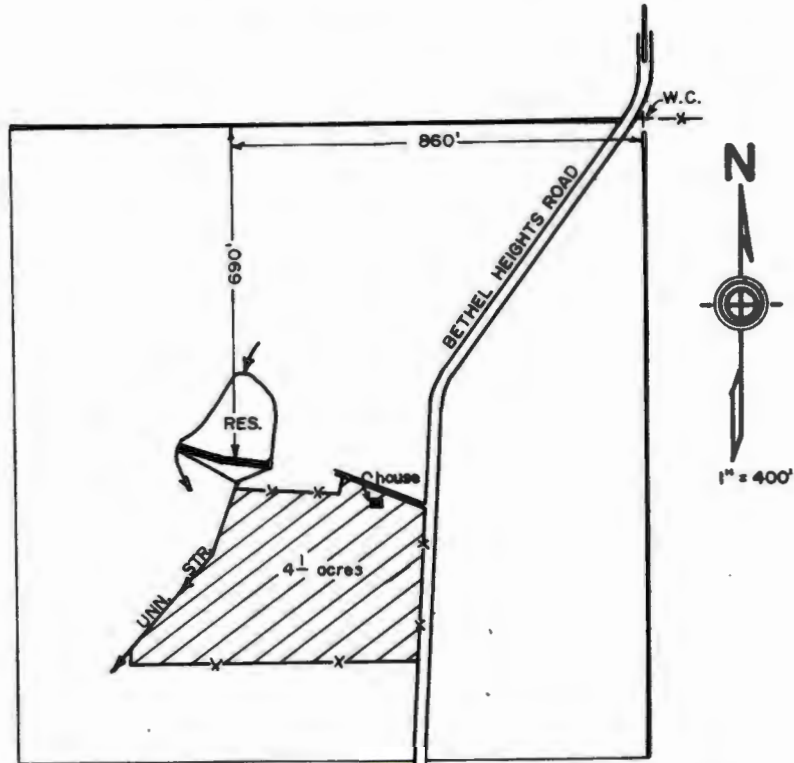


Karen A. Russell  
Legal Affairs Coordinator

cc: Martha Pagel

Township 6 South, Range 4 West, W.M.

NE 1/4 NE 1/4, Section 22



R-71811

Appl. No. 71812

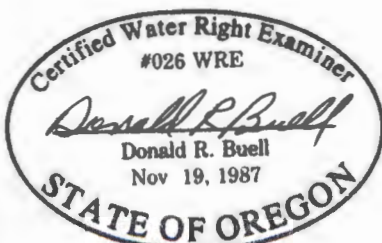
Per. No. 51461 & R-11458

Application Map  
for  
VEDAN STOLK

RECEIVED

AUG 27 199

WATER RESOURCES DEF  
SALEM, OREGON



THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



April 16, 1992

Karen Russell, Legal Affairs Coordinator  
Waterwatch of Oregon, Inc.  
921 SW Morrison, Suite 438  
Portland, OR 97205

Reference: File R-71811 and 71812 - Stolk

Dear Ms. Russell:

In our review of the application, your request for information was noted in the files.

Water availability for the proposed use was determined from comments from the watermaster, water right information in the area and from either positive responses or lack of responses from other agencies.

According to current information, water is available for the proposed use. Staff received positive reviews from the watermaster for this area. No adverse comments on the application was received from any other public agency.

Staff intends to recommend issuance of the permit on or after twenty days from the date of this letter, if no official protest is filed.

If you have any questions, please contact the Water Rights Section.

cc: Applicant  
Watermaster



# WaterWatch

O F O R E G O N

10T

October 17, 1991

Stephen Brown  
Applications & Permits Section  
Water Resources Department  
3850 Portland Road N.E.  
Salem, Oregon 97310

Re: Application R 71811, 71812, Vedan Stolk, Stolk Reservoir and  
Unnamed Stream, Tributary to Ash Swale, 1.6 acre-feet, .051  
cfs, Irrigation, Polk County.


Dear Mr. <sup>Stolk</sup> Brown,

We are concerned about the possible adverse effects of this proposed storage project and withdrawal on the flows in Ash Swale. Currently, withdrawals from Ash Swale are causing water quality problems. Storage may exacerbate water quality problems both upstream and downstream of the project. Upstream water quality problems could be exacerbated because of sedimentation, and slowing down of water in the reservoir area. Downstream water quality problems could be exacerbated by further reductions in the creek's flows as a result of low pass through flows, or reservoir filling. This project is not likely to be in the public interest if it further degrades Ash Swale's water quality.

Any reservoir permit contemplated must include requirements for pass through flows for fish and wildlife and pollution abatement. Given the water quality problems of this creek, such conditions are necessary in order to protect the public interest.

Thank you. Call if you have any questions.

Sincerely,

  
Karen Russell  
Legal Affairs Coordinator

June 22, 1992

Karen Russell  
WaterWatch of Oregon  
921 SW Morrison, Suite 438  
Portland, OR 97205

Reference: Files 70311, R-70282, 70283, R-71811, 71812, 70211 and 70203

Dear Ms. Russell:

Your letter of May 5, 1992, requested that we require measuring and/or recording of water use as permit conditions.

OAR 690-250-060 describes the Department's policy on diversion works and measuring device installation for water users. If you will refer to the rule, the watermaster has the authority at any time to require measuring devices prior to any diversion.

I attended the April 24, 1992, Commission meeting. The Commission did not direct staff to require measuring of water use as a standard permit condition on all permits issued by the Department. This condition is added only at the request of other agency staff, based upon the need for the information generated.

Staff has considered your additional comments in regards to the proposed permits. All reservoir permits require that the dams be constructed with outlet conduits. This is a requirement of OAR 690-20 and duplicated as permit conditions. In addition, the permits would only allow for the appropriation of water for storage during the period of when water is available consistent with our water availability determination. The period water may be appropriated for Application R-70282 is November through March and Application R-72045 is December through March.

There has not been a sudden rush to issue any permits in the Yamhill River Basin. To the contrary, staff has withheld action on the issuance of permits for over two years awaiting resolution of the issue concerning Total Maximum Daily Load (TMDL) streams.

Staff has considered the cumulative effects of the proposed withdrawals on the Yamhill River system. We believe the permits are appropriately conditioned to restrict the appropriation of water to the period when



June 22, 1992

Files: 70311, R-70282, 70283, R-71811, 71812, 70211 and  
70203

Page 2

water is available. The restricted period of use was determined from comments received from the Department of Environmental Quality in regards to TMDL streams.

The decision to issue permits with restricted seasons of use are, in fact, designed to reduce the need for regulation of these new rights.

Staff is recommending the issuance of permits in approval of all the above referenced applications.

Sincerely,

Steve Brown  
Senior Water Rights Specialist  
Field Operations Division

cc: Martha Pagel, Director

0771

# WaterWatch

O F O R E G O N

May 5, 1992

VIA FAX - 378-8130  
Original Mailed

Steve Brown  
Carol Lewis  
Senior Water Rights Specialists  
Water Resources Department  
3850 Portland Road NE  
Salem, OR 97310

Re: Letters of Intent to Issue Water Rights  
Yamhill County Application Nos.: 70311; R-70282 and  
70283; R-71811 and 71812; 70211; 70203  
Coos County Application Nos.: R-72045; 71757

Dear Mr. Brown and Ms. Lewis:

We recently received letters stating the Water Resources Department's ("Department") intent to issue seven permits — two in Coos County and five in Yamhill County. None of these permits require measurement of water use and/or recording. Why not? It is clear that the Department knows how to impose this management device. In a recent transfer of an existing right to instream use, the Department required that the water user install and maintain measuring devices and record the amount of water used prior to use. See Transfer 6681. If the Department can and will make this a requirement for instream use, why is it not a requirement for these out-of-stream uses?

Each and every one of the proposed permits limits water use and storage to certain times of the year. Given the Department's limited enforcement staff and budgetary considerations, failure to require water use measurement and/or recording will make it more difficult (if not impossible) for the Department to manage the water and will exacerbate the Department's already existing enforcement nightmare.

Staff's only reason for not requiring measurement appears in the form letter to WaterWatch for Application R-72045. The letter states that no measurement will be required because there are no fish occurring in the area of the reservoir. This response totally ignores the Department's mandate to manage and control water use in Oregon. The issue of whether or not to require measurement of all permits issued should be referred to the Water Resources Commission for policy direction.<sup>1</sup>

<sup>1</sup> In its most recent meeting, the Commission appeared to make the assumption that all permits being issued included a requirement for mandatory measurement of water use. From the

Steve Brown  
Carol Lewis  
May 5, 1992  
Page 2

---

We also offer the following comments on the above referenced, proposed water rights:

Reservoirs:

— The installation of a bypass device should be a requirement before water can be stored. The installation of a bypass device after water is stored is a little like locking the barn after the cow has been stolen and will create an even greater degree of difficulty for enforcement when the Department finally requires installation of the device.

— These permits should include a specific requirement that outflow must equal inflow during the times when storage is prohibited.

Yamhill:

— We are very concerned about the cumulative effects of these withdrawals on the Yamhill River System.

— Why the sudden glut of proposed permits? Is the Department putting special emphasis on processing rights in this basin? If so, why?

— Has any kind of analysis been done as to what effect granting of all these permits will have on the Yamhill River System?

Finally, of the eight form letters we received, six had no specific contact person or individual to whom questions might be referred. The letter instead refers questions to the "Water Rights Section." Given the limited time allowed for response to these applications and the value of the Department's staff time, it is important that the name of the staff person who is familiar with the proposed permit be included in these letters.

---

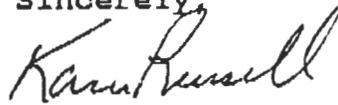
proposed issuance of these permits, it appears that this is obviously not the case.

Steve Brown  
Carol Lewis  
May 5, 1992  
Page 3

---

We would appreciate your response to the questions and issues raised in this letter. If you have any questions of us or wish to discuss these matters, please do not hesitate to contact me.

Sincerely,



Karen A. Russell  
Legal Affairs Coordinator

KAR:sld  
cc: Martha Pagel

**WATER AVAILABILITY REPORT-SURFACE WATER APPLICATION**

Name of Applicant Vedon Stolk Application Number R-71811

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?

Yes \_\_\_\_\_ No X

If yes, please explain.

2. Has the stream or basin that is the source for this application ever been regulated for minimum streamflows?

Yes \_\_\_\_\_ No X

If yes, please explain.

3. Do you observe this stream system during regular field work?

Yes X No \_\_\_\_\_

If yes, what are your observations for the stream. Ash Swale ~~is~~ is a series of reservoirs during the summer with no live flow.

4. Based on your observations, would there be water available in the quantity and at time needed to supply the development proposed by this application.

Yes \_\_\_\_\_ No \_\_\_\_\_ Don't Know X

What would you recommend for conditions on a permit, that may be issued approving this application?

No

5. Any other recommendations you would like to make?

No

Signature David Garrett WM District # 16 Date 9/9/07



## Appendix F; Table 2. (Contd.)

## N. Yamhill River at Pike and at gage #14197000

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Nonreg. 80% Ex. Flow	282	326	274	181	83	33	12	5	6	19	118	298
Nonreg. 50% Ex. Flow	538	539	396	271	123	49	15	8	10	41	305	563
Reg. 80% Ex. Flow	338	342	291	153	73	34	15	9	9	17	114	330
Reg. 50% Ex. Flow	597	507	414	218	101	45	20	11	12	34	238	507
Instream Wat. Right (N	10	10	10	10	10	10	10	10	10	10	10	10
Instream Wat. R. (Stor.)	0	0	0	0	0	0	0	0	0	0	0	0
Nonreg. 80% Ex. Flow	272	316	264	171	73	23	2	-5	-4	9	108	288
Nonreg. 50% Ex. Flow	528	529	386	261	113	39	5	-2	-0	31	295	553

Note: "Reg." refers to regulated flow conditions from several dams and a transbasin diversion for a municipal water supply. "Nonreg." flows were determined by the water availability model. Regulated flows were determined using gaged records.

## S. Yamhill River near Whiteson at gage #14194000

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Gaged 80% Ex. Flow	2254	2518	1964	984	448	175	64	27	35	105	775	2442
Gaged 50% Ex. Flow	4592	4249	2903	1484	650	251	93	45	60	257	1779	4636
Instream Wat. Right	200	200	200	200	200	150	62	62	62	150	200	200
80% Ex. Flow W.A.	2054	2318	1764	784	248	25	2	-35	-27	-45	575	2242
50% Ex. Flow W.A.	4392	4049	2703	1284	450	101	31	-17	-2	107	1579	4436

## Willamette River at Salem and at gage #14191000

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Nonreg. 80% Ex. Flow	24112	29444	23794	21617	16272	7622	4370	3256	3320	4291	12845	22322
Nonreg. 50% Ex. Flow	38500	45475	33110	27976	22073	10633	5422	3768	3927	5878	21520	39742
Reg. 80% Ex. Flow	27879	22608	17520	14307	12303	8350	6203	6546	9136	12342	18242	31342
Reg. 50% Ex. Flow	45993	37942	25455	20397	17211	11676	7203	7395	10672	14200	27457	52475
Instream Wat. Right (N	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
Instream Wat. R. (Stor.)	4700	4700	4700	4700	4700	4700	4700	4700	4700	4700	4700	4700
Nonreg. 80% Ex. Flow	22812	28144	22494	20317	14972	6322	3070	1956	2020	2991	11545	21022
Nonreg. 50% Ex. Flow	37200	44175	31810	26676	20773	9333	4122	2468	2627	4578	20220	38442

The regulated and nonregulated flows were both calculated from gaged records.

## Little Luckiamute River at Falls City near gage #14190100

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Gaged 80% Ex. Flow	199	212	167	109	62	34	21	14	12	18	69	172
Gaged 50% Ex. Flow	344	314	235	150	85	45	26	18	18	36	138	338
Instream Wat. Right	80	80	80	80	80	50	25	15	15	20	80	80
80% Ex. Flow W.A.	119	132	87	29	-18	-16	-4	-1	-3	-2	-11	92
50% Ex. Flow W.A.	264	234	155	70	5	-5	1	3	3	16	58	258

YAMHILL RIVER BASIN

14194000 SOUTH YAMHILL RIVER NEAR WHITESON, OR

LOCATION.--Lat 45°10'08", long 123°12'25", in NE 1/4 NW 1/4 sec.5, T.5 S., R.4 W., Yamhill County, Hydrologic Unit 17090008, near left bank on downstream side of Whiteson Bridge on State Highway 99W, 1.3 mi northwest of Whiteson, 1.4 mi downstream from Salt Creek, and at mile 16.71.

DRAINAGE AREA.--502 mi<sup>2</sup>.

PERIOD OF RECORD.--July 1940 to 1987.

GAGE.--Water-stage recorder. Datum of gage is 82.30 ft above National Geodetic Vertical Datum of 1929. Prior to Sept. 20, 1940, nonrecording gage at present site and datum.

REMARKS.--Slight regulation during low-water periods by logpond upstream. Many small diversions for irrigation upstream from station.

AVERAGE DISCHARGE.--47 years, 1,754 ft<sup>3</sup>/s, 47.45 in/yr, 1,271,000 acre-ft/yr.

EXTREMES FOR PERIOD OF RECORD.--Maximum discharge, 47,200 ft<sup>3</sup>/s Dec. 23, 1964, gage height, 47.20 ft; minimum discharge, 3.2 ft<sup>3</sup>/s Aug. 24, 1967.

EXTREMES OUTSIDE PERIOD OF RECORD.--Flood of December 1937 reached a stage of 46.9 ft, from Oregon State Highway Department bridge plans.

STATISTICAL SUMMARIES FOR THE PERIOD 1940-1987

[n = number of values used to compute statistics; months are abbreviated; Ann = annual]

Monthly and annual statistics based on mean daily discharge, in cubic feet per second

Month	n	Minimum (year)	Maximum (year)	Mean	Standard deviation	Percent of annual runoff
Oct	47	22 1953	1820 1948	371	374	1.8
Nov	47	105 1953	8090 1974	2150	1650	10.1
Dec	47	188 1977	8490 1956	4250	2150	20.6
Jan	47	242 1977	8880 1971	4470	2400	21.7
Feb	47	423 1977	8890 1949	4060	1830	17.9
Mar	47	699 1941	6240 1961	2940	1390	14.3
Apr	47	545 1942	3620 1982	1650	838	7.7
May	47	269 1966	1740 1948	724	372	3.5
Jun	47	121 1966	910 1981	304	169	1.4
Jul	48	37 1967	309 1983	107	52	0.5
Aug	48	9.7 1967	153 1968	49	25	0.2
Sep	48	18 1967	451 1959	83	76	0.4
Ann		459 1977	3130 1974	1750	507	100.0

Flow duration statistics based on mean daily discharge

Discharge, in cubic feet per second, which was equaled or exceeded for indicated percent of time

Month	95	90	85	80	75	70	60	50	40	30	25	20	15	10	5	(n)
Oct	37	43	51	59	66	86	119	177	292	386	521	682	990	1500	--	47
Nov	123	194	268	346	423	499	700	1010	1470	2280	2830	3440	4260	5430	7930	47
Dec	484	783	1010	1220	1440	1670	2130	2830	3760	5060	5810	6650	7680	9570	12800	47
Jan	655	922	1110	1310	1530	1750	2320	2990	3850	5020	5750	6740	8060	10100	14100	47
Feb	779	1070	1290	1480	1670	1860	2250	2750	3460	4520	5350	6220	7210	8710	12200	47
Mar	704	902	1050	1190	1330	1470	1780	2160	2640	3350	3810	4380	5100	6100	7650	47
Apr	518	613	680	753	823	889	1030	1200	1440	1750	1950	2230	2650	3280	4290	47
May	256	296	329	362	394	425	494	560	642	749	825	917	1090	1330	1770	47
Jun	108	131	149	162	175	187	214	240	271	315	345	379	423	509	706	47
Jul	36	42	48	54	60	66	77	90	105	124	137	152	170	194	238	48
Aug	15	20	23	25	28	31	37	43	50	56	61	66	72	82	101	48
Sep	19	23	26	28	31	34	40	46	55	73	85	100	127	175	273	48
Ann	30	42	57	77	111	161	327	622	1047	1647	2079	2701	3562	4938	7527	

TOWNSHIP <u>6S</u> RANGE <u>4W</u> W. M. <u>card #1</u>																SECTION <u>22</u>					
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																					
																	20	31399	24752	28135	2
																		37201	27786	30939	
Dom																		40115	29908	39284	
Dom																		41961	31414	39160	
Dom																		42784	31986	39299	
																		<del>47265</del>	<del>36338</del>		2
Cancelled - sp. of Rec. Vol. 27. P. 330																					
																		6-6717	6-6352	6002182	
																		7-3340	7-27-331		
																		R-60498	R-8174	60639	
																		60499	45039	60640	
																		<del>60480</del>	<del>45038</del>	CANCELLED	
																		G-11913	G-10986		141
																		G-11935	G-10987		142
																		G-11825	G-10908		

TOWNSHIP <u>6S</u> RANGE <u>4W</u> W. M. <u>card #2</u>																SECTION <u>22</u>				
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER		
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																				
																		R-71011		
																		71012		

Application No. R-71181  
 Permit No. R11458

*NCR*  
*10/17/91*  
*DM*

EXHIBIT "A"

TRACT 1:

Beginning at a point in the center of the County Road which point is South 38°15' West 615.12 feet and South 3°05' West 363.77 feet from the Northeast corner of Section 22 Township 6 South, Range 4 West of the Willamette Meridian, Polk County, Oregon; running thence West 353.29 feet; thence North 4°16' West 379.24 feet; thence North 38°07' East 69 feet; thence North 154.25 feet; thence West 1897.20 feet; thence South to the Northwest corner that certain tract of land conveyed to Harry B. Hampton, et ux, by deed recorded March 13 1963, in Volume 185, Page 135, Deed Records for Polk County, Oregon; thence East 1554 feet to the Northeast corner of said Hampton Tract; thence South 358 feet; thence Southeasterly to a point 1395 feet South of the North boundary line of the Northeast one-quarter (NE¼) Section 22 and 432 feet West of the center line of the County Road; thence East 432 feet to the center line of the said County Road; thence Northeasterly along the center line of said County Road to the place of beginning.

SAVE AND EXCEPT:

Beginning at a point which is South 38°15' West 615.12 feet and South 3°05' West 882.77 feet from the Northeast corner of Section 22 in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, said point being in the center of a County Road, said beginning point being the Southeast corner of a tract deeded to Ted F. Stolk; thence West along the South line of said tract 432.0 feet to an angle in the South line of said tract; thence North 24°08' West along the West line of said tract 349.59 feet; thence East 626.12 feet to a point in the center of a County Road; thence South 03°05' West along the center of said County Road 319.50 feet to the point of beginning.

TRACT 2:

The North half (N½) of the Southeast quarter (SE¼) and the Southwest quarter (SW¼) of the Southeast quarter (SE¼) of Section 15, in Township 6 South, Range 4 West of the Willamette Meridian, Polk County, Oregon. ALSO: Beginning at the Northeast corner of Section 22 in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, a point being in the center of a County Road; thence South 38°15' West along the center of said road 615.12 feet; thence South 3°05' West along the center of said road 363.77 feet; thence West 353.29 feet; thence North 4°16' West 379.24 feet; thence North 38°07' East 69 feet; thence North 154.25 feet; thence West 1897.20 feet to the West line of a tract of land conveyed to Fred Stolk and Lois Stolk, husband and wife, by deed recorded at Page 19 of Volume 133, Deed Records for Polk County, Oregon; thence North along the centerline of said Section 289.00 feet, more or less to the North line of said section; thence East 264 feet, more or less, to the place of beginning.

SAVE AND EXCEPT any portion of the above described tracts of land lying within the boundaries of public roads and highways.

ALSO an easement over and across the premises of the grantors, which are contiguous to the premises hereinabove described from a spring located approximately 2185 feet North and 900 feet West from the one-quarter corner on the line between Sections 22 and 23, Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, to the premises hereinabove described, said easement shall be 10 feet in width, being 5 feet on either side of the existing pipeline, which runs in a Southeasterly direction from said spring to the premises hereinabove described. Said easement shall be for the purpose of laying, maintaining, repairing and replacing said pipeline and the facilities at the site of said spring which capture and store the waters of said spring for transmission to the premises hereinabove described. Included in this conveyance is the right on the part of the grantee, to take water from said spring to the same extent and for the same purposes as are authorized to be taken by Ted Stolk under Permit No. 27786 of the State Engineer of the State of Oregon.

RECEIVED  
AUG 27 1991  
WATER RESOURCES DIV  
SALEM, OREGON

Application No. R-71181  
Permit No. R11458

August 30, 1991

VEDAN STOLK  
6011 BETHEL HGTS RD NW  
SALEM, OR 97304

REFERENCE: File(s) R-71811, S-71812

We received your application(s) proposing to use water, along with supporting data and fees. Your receipt is enclosed unless you received it earlier. The application has been assigned the above referenced file number and will be reviewed in detail as time allows. If you need to call or write to us, be sure to reference the file number(s) listed above so we may assist you promptly.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 60-day waiting period and after public interest matters are resolved.

Processing of applications which require additional information will be delayed further. If you feel that a delay in the processing of your application will cause a hardship, please advise in writing.

If the application is approved, the use allowed by the permit will be subject to the Water Resources Commission's Basin Program statements, instream flow requirements, and demands of prior rights.

If you have any questions, please contact the Water Right Section at the telephone number referenced below.

cc: CWRE

*Basin & ltr.  
sent*



3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

May 4, 1992

Vedan Stolk  
6011 Bethel Heights Road NW  
Salem, OR 97304

REFERENCE: File R-71811 and 71812

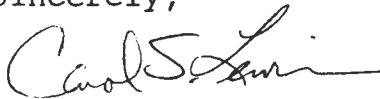
Dear Mr. Stolk,

Thank you for returning the signed draft permit for Application R-71811, received May 1, 1992. We had also sent the draft for Application 71812, not returned.

In my previous correspondence, I may have neglected to ask you for \$100 recording fee for Application 71812. All fees must be received prior to permit issuance.

I will look forward to completing your applications. Please contact me if you have questions.

Sincerely,



Carol S. Lewis  
Senior Water Rights Specialist

cc: files



April 16, 1992

Vedan Stolk  
6011 Bethel Heights Road NW  
Salem, OR 97304

REFERENCE: File R-71811 and 71812

Your application for a permit to use the public waters has been reviewed.

A "draft" permit is enclosed for your consideration. In the preparation of this draft permit, our staff has considered any public or agency comments received, as well as all pertinent Oregon laws, administrative rules and Commission policies.

We are now ready to recommend the issuance of a permit approving your request to use water. The draft permit enclosed contains all of the conditions and limitations that would appear on your permit, if issued.

Please review the draft permit carefully. If you are satisfied that the draft adequately describes your proposed use of water, and the terms are acceptable to you, please sign the draft copy in the spaces(s) provided and return it to us within 30 days. When we receive your signed draft, we will issue your permit as quickly as possible.

If you do not agree with, or cannot accept one or more of the terms or conditions as stated in the enclosed draft, you should advise us immediately. In this event, we will then advise you of any options which may be available to you.

If you have any questions, please contact the Water Rights Section at 378-3739.

enclosure

CSL



3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

STATE OF OREGON

COUNTY OF POLK

PERMIT TO CONSTRUCT A RESERVOIR AND TO  
STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

VEDAN STOLK  
6011 BETHEL HEIGHTS ROAD NW  
SALEM, OREGON 97304

503-362-5113

to construct STOLK RESERVOIR and to store the waters of AN UNNAMED STREAM, a tributary of ASH SWALE, to be appropriated under Application 71811, Permit , for IRRIGATION.

This permit is issued approving Reservoir Application R-71811. The date of priority is AUGUST 27, 1991. The amount of water entitled to be stored each year is not more than 1.6 ACRE-FEET. **Water may be appropriated for storage from November 1 through April 30 of each year.**

The dam will be located as follows:

NE 1/4 NE 1/4, SECTION 22, T 6 S, R 4 W, W.M.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

The area submerged by the reservoir, when full, will be 0.5 acre and the maximum depth of water will be 8.0 feet.

The area to be submerged by the reservoir is located within:

NE 1/4 NE 1/4  
SECTION 22  
TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

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

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1994. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1995.

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

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

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.



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

Issued this date , .

\_\_\_\_\_  
Water Resources Department  
William H. Young  
Director

I, \_\_\_\_\_, hereby understand and agree that this draft permit describes the full extent of water use that will be allowed approving Application R-71811. By signature below, I agree to the proposed terms and conditions for this draft permit.

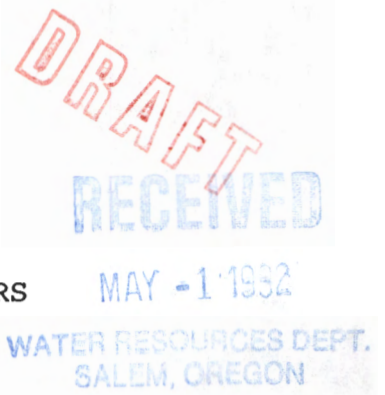
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF OREGON

COUNTY OF POLK

PERMIT TO CONSTRUCT A RESERVOIR AND TO  
STORE FOR BENEFICIAL USE THE PUBLIC WATERS



THIS PERMIT IS HEREBY ISSUED TO:

VEDAN STOLK  
6011 BETHEL HEIGHTS ROAD NW  
SALEM, OREGON 97304

503-362-5113

to construct STOLK RESERVOIR and to store the waters of AN UNNAMED STREAM, a tributary of ASH SWALE, to be appropriated under Application 71811, Permit , for IRRIGATION.

This permit is issued approving Reservoir Application R-71811. The date of priority is AUGUST 27, 1991. The amount of water entitled to be stored each year is not more than 1.6 ACRE-FEET. **Water may be appropriated for storage from November 1 through April 30 of each year.**

The dam will be located as follows:

NE 1/4 NE 1/4, SECTION 22, T 6 S, R 4 W, W.M.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

The area submerged by the reservoir, when full, will be 0.5 acre and the maximum depth of water will be 8.0 feet.

The area to be submerged by the reservoir is located within:

NE 1/4 NE 1/4  
SECTION 22  
TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

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

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1994. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1995.

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

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

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

RECEIVED

MAY -1 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

DRAFT

PAGE TWO

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

Issued this date , .

\_\_\_\_\_  
Water Resources Department  
William H. Young  
Director

I, Vedant E Stalch, hereby understand and agree that this draft permit describes the full extent of water use that will be allowed approving Application R-71811. By signature below, I agree to the proposed terms and conditions for this draft permit.

Vedant E Stalch 4-28-92  
Signature Date

*Willamette (middle)  
Yamhill sub-basin*

DATE	INITIALS	MINIMUM REQUIREMENTS TO FILE
<u>2-27</u>	<u>DM</u>	Name and mailing address Source of water Quantity of water Location of project Use of water Name and address of all owners Signature of applicant Allowable use by policy State Engineer withdrawal Legislative withdrawal Examination fee <u>840-PD</u> Land use approved _____ pending _____ Application date stamped, received date and time
_____	_____	
_____	_____	
_____	_____	
_____	_____	
_____	_____	
_____	_____	
_____	_____	
_____	_____	
_____	_____	
_____	_____	

FIELD OPERATIONS

_____	_____	Stream code _____
_____	_____	Scenic Waterway _____
_____	_____	Findings made
_____	_____	Prepare six copies of Draft Permit
_____	_____	NOTE: If Diack findings are complete write "SCENIC-REG ACK LETTER" or if Diack findings are not yet made write "SCENIC-ACK LETTER" on appropriate drafts in upper right corner
_____	_____	Send one copy to Data Center
_____	_____	Entered in Paradox
_____	_____	Plat Carded
_____	_____	Stream Indexed <span style="float:right">YES NO</span>
_____	_____	Conflicts <span style="float:right">_____ <del>_____</del></span>
_____	_____	Prior ISWR <span style="float:right">_____ <del>_____</del></span>

SUPPORT SERVICES

<u>9/3</u>	<u>C*</u>	Stamp contents with application number
_____	_____	Mail/Provide copies of draft permits to DEQ, ODFW, PARKS, AND WATERMASTER
_____	_____	Mail acknowledgement letter (provided by Data Center) with receipt to applicant, cc to CWRE
_____	_____	Place label on file and card
_____	_____	If reservoir with dam is over 10 feet or storage over 9.2 AC-FT, route file to Dam Safety Section.

FIELD OPERATIONS

Within Irrigation District		(name)	YES	NO
_____	_____	Notified	_____	_____
_____	_____	District excerpt received	_____	_____
_____	_____	Other landowners notified	_____	_____
_____	_____	Need Commission review	_____	_____
_____	_____	Requests greater than 5.0 cfs	_____	_____
_____	_____	Dam height greater than 20 feet	_____	_____
_____	_____	Storage greater than 100 acre-feet	_____	_____
_____	_____	Out of Basin diversion	_____	_____
_____	_____	Groundwater recharge project	_____	_____
_____	_____	Other substantial public interest	_____	_____
_____	_____	ODFW comments received	_____	_____
_____	_____	DEQ comments received	_____	_____
_____	_____	Water availability received <i>(see 71812 screening, no dams, high flows only)</i>	_____	_____
_____	_____	Objections received - ①	_____	_____
_____	_____	Objections resolved	_____	_____
_____	_____	Protested - Resolved	_____	_____
_____	_____	Permit Recording fees	_____	_____

*NCB prom*

REMARKS: *① Letters of object: WW, resp: 4/16*  
*Use New Willamette Rules*  
*② Yamhill Trib - TMDL restriction 7 May-Oct.*  
*Storage Dec - March*  
*NOV. 1 - MAR 31 - ok?*  
*APR. 30*

Vedan E. Stolk  
6011 Bethel Hts. Rd. NW  
Salem, OR 97304



**Water Resources Department**

3850 PORTLAND ROAD NE  
SALEM, OREGON 97310