

Application for a Permit to
Store Water in a Reservoir
 (Standard Review)



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

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You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Brittan Jones			PHONE (HM) 541-948-5893
PHONE (WK) Same	CELL Same	FAX None	
ADDRESS 12518 Meadows Road			
CITY White City	STATE OR	ZIP 97503	E-MAIL * bjonesritt@gmail.com

Organization

NAME NA			PHONE	FAX
ADDRESS			CELL	RECEIVED
CITY	STATE	ZIP	E-MAIL *	FEB 05 2024

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

AGENT / BUSINESS NAME Evan Malepsy / Rogue Civil LLC			PHONE 541-621-2868	FAX None
ADDRESS 52 Pineridge Lane			CELL 541-621-2868	
CITY Eagle Point	STATE OR	ZIP 97524	E-MAIL * emalepsy@roguecivil.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:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally store water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.



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

Applicant Signature

Brittan Jones
 Print Name and Title if applicable

2/1/24
 Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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 irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all the owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

NA

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

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SECTION 3: SOURCE OF WATER

A. Reservoir Name: Britt's Pond

B. Source: 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, or an unnamed stream or spring.

Source 1: Unnamed Stream	Tributary to: Snider Creek
TRSQQ of POD: 35S-2W-15 NW/NE	
Source 2: NA	Tributary to: NA
TRSQQ of POD: NA	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? Yes No
- Is the proposed reservoir in-channel of a stream or off-channel: In-channel Off-Channel
- If the reservoir is proposed to be in-channel, is the stream: Perennial Intermittent Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present?
 Yes No Don't know
- Is the reservoir in the 100-year floodplain? Yes No Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: NA

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, refer to the map shown on Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

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Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

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If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements prior to diversion or use of water under any permit issued pursuant to this application.

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Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

 Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:
NA

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

 Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T&E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

- a) The use of the impounded water will be: Irrigation
- b) The amount of water to be stored is: 3.6 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 0.61 acres.

SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 9 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height, 2) width, 3) crest width, 4) surface area and 5) preliminary fish passage design.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department' Dam Safety Section prior to storage of water.

The dam will be (check one): Earthfill Concrete Flash board Other

If "other," provide the description: NA

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SECTION 7: PRIMARY OUTLET WORKS

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a) Describe the location and the dimensions of the outlet conduit through the dam:

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

An outlet pipe, or headgate, of at least 8" diameter will be installed near the bottom of the reservoir level to allow draining. A bypass channel will be installed to reroute flows around the reservoir when diversion for storage is not permitted.

b) How and when will the outlet be operated?

The outlet will be hand operated by turning a valve handle. It will only be used to drain the pond if ever needed. A bypass channel will have a headgate that will be hand operated when diverting flows is necessary.

c) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?

ODFW has not determined if fish are present in the stream.

SECTION 8: EMERGENCY SPILLWAY

a) Describe the location and the dimensions of the spillway channel.

The dam is not proposed to have a spillway channel constructed on the dam. A bypass channel around the reservoir will provide an alternate path for high flows and prevent overfilling of the reservoir.

b) How will the emergency spillway be designed to prevent erosion?

No spillway is proposed but the bypass channel will be lined with crushed rock to prevent erosion.

c) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?)

The 50-year storm event is calculated to be 4.5 cfs. See attached calculation.

SECTION 9: WATER QUALITY

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream. To maintain water quality in the reservoir, excess nutrients and bacteria will be prevented from entering. Aeration or other commercially available products will be used if necessary to maintain water quality. Water quality downstream will not be impacted by the reservoir as water is not planned to be released from the reservoir.
- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination. A channel will be constructed on the uphill side of the reservoir to pass live flow. This channel will catch runoff that contains nutrients and bacteria and prevent it from entering the pond.
- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream. Maintenance of the pond, including removing sediment and vegetation, can be accomplished by placing removed material on the banks of the reservoir and left to evaporate all water. There is no defined channel downstream.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

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- a) Proposed date construction work will begin: Upon permit issuance (Fish passage approval is necessary prior to construction.)
- b) Proposed date construction work will be completed: Within 5 years after permit issuance
- c) Proposed date water use will be completed: Within 5 years after permit issuance

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SECTION 11: WITHIN A DISTRICT

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

Irrigation District Name NA	Address	
City	State	Zip

SECTION 12: REMARKS

Use this space to clarify any information you have provided in the application. Based on discussion with the local Watermaster's office, it is unclear if the reservoir should be considered "in-channel" as no channel is apparent downstream of the reservoir. See attached email from Moll Schmelzle, Southwest Region Assistant Watermaster.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following sections are completed. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Dam Height and Composition
- SECTION 7: Primary Outlet Works
- SECTION 8: Emergency Spillway
- SECTION 9: Water Quality
- SECTION 10: Project Schedule
- SECTION 11: Within a District
- SECTION 12: Remarks

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$1,864
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Map must be prepared by a Certified Water Rights Examiner
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North directional symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference public-land survey corner on map
 - Location of each dam by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Please note that a secondary application is required if there are out-of-reservoir uses associated with this application.

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

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JACKSON COUNTY PLANNING

Applicant

NAME Brittan Jones		PHONE (HM) 541-948-5893	
PHONE (WK) Same	CELL Same	FAX None	
ADDRESS 12518 Meadows Road			
CITY White City	STATE OR	ZIP 97503	E-MAIL * bjonesritt@gmail.com

A. Land and Location

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

Township	Range	Section	Quarter	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be			Proposed Land Use
35S	2W	15	NW NE	400	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Jackson County

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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 Groundwater Registration Modification
 Limited Water Use License Allocation of Conserved Water Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) Unnamed Stream Tributary to Snider Creek

Estimated quantity of water needed: 3.6 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 Storage Only

Briefly describe:

The Applicant is applying for a water right to collect and store water from an unnamed stream that is a tributary to Snider Creek. The application is for storage only, no use of the water is proposed at this time.

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.

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.

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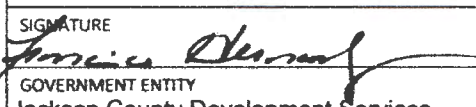
Please check the appropriate box below and provide the requested information

- 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:	
439-18-00672-ZON	Land Development Ordinance 4.2-1	<input checked="" 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.

LUCS for water resources use only. Does not authorize land use. FH

NAME Francisco Hernandez		TITLE: Planner III
SIGNATURE 	PHONE: 541-774-6903	DATE: 11/22/2023
GOVERNMENT ENTITY Jackson County Development Services		

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

After recording return to Grantee:
Brittan H. Jones
12518 Meadows Rd.
White City, OR 97503

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

Brittan H. Jones
12518 Meadows Rd.
White City, OR 97503

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QUITCLAIM DEED

Gavin Jones, Grantor, releases and quitclaims to Brittan H. Jones, Grantee, all right, title and interest in and to the following real property described as 352W15-400 and further described in EXHIBIT "A", which is attached hereto and incorporated here by reference.

The true and actual consideration for the conveyance is \$210,000. (Hereby comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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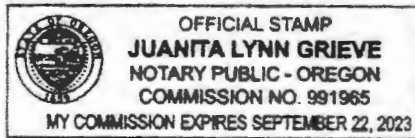
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Dated this 9TH day of February, 2023.

Gavin Jones
Gavin Jones

STATE OF Oregon)
)ss.
County of Douglas)

This instrument was acknowledged before me on this 9TH day of February, 2023
by **Gavin Jones**.



Juanita Grieve

Notary Public for Oregon
My commission expires: 9-22-23

EXHIBIT "A"

Real property in the County of Jackson, State of Oregon, described as follows:

Commencing at the Northeast corner of Section 15, Township 35 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon; thence South 0 04' West, 337.4 feet; thence South 89 51' 30" West, 1379.6 feet to the center of Snider Creek, being the true point of beginning; thence South 89 51'30" West, 1238.9 feet to the East line of Meadows Road; thence South 0 13' West along said road line, 330 feet; thence North 89 51'30" East, 1460.2 feet to the center of Snider Creek; thence North 33 50' West, 397.25 feet to the true point of beginning. ALSO commencing at the Northeast corner of Section 15, Township 35 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon; thence South 0 04' West, 667.4 feet; thence South 89 51'30" West, 1159.2 feet to the center of Snider Creek, being the true point of beginning; thence South 89 51' 30" West, 1460.2 feet to the East line of Meadows Road; thence South 0 13' West, along said road line, 330 feet thence North 89 51'30" East, 1553.3 feet to the center of Snider Creek; thence North 15 45' West 348.89 feet to the true point of beginning.

NOTE: This legal description was created prior to January 1, 2008.

(Map 352W15 Tax Lot 400, Account Number 10154059)

Project

Britt Jones Reservoir

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RUNOFF by the RATIONAL METHOD

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50-Yr Runoff to Britt Jones Reservoir

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2-year, 24-hour rainfall = 2.00"

<i>flow type</i>	<i>description</i>	<i>coeff.</i>	<i>distance</i>	<i>fall</i>	<i>slope</i>	<i>T/C</i>
1 overland sheet	natural.range	n=0.13	300.0	4.0'	1.33%	31.3'
2 shallow concentrated	light cultivation	K=8	200.0	3.0'	1.50%	3.4'
3 intermittent channel	earth.channel	K=20	1000.0	13.0'	1.30%	7.3'

total Time of Concentration = 42.0'

data source: private i-d-f curves

return period = 50 yr.

land surface: unimproved runoff coefficient = 0.15%

storm intensity = 1.5 in.

basin area = 20 Acres

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peak runoff = 4.50 cfs

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I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

After recording return to Grantee:
Brittan H. Jones
12518 Meadows Rd.
White City, OR 97503

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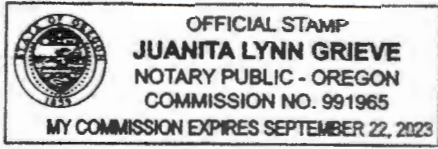
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Dated this 9th day of February, 2023

[Signature]
Gavin Jones

STATE OF Oregon)
)ss.
County of Douglas)

This instrument was acknowledged before me on this 9th day of February, 2023
by Gavin Jones.



[Signature]

Notary Public for Oregon
My commission expires: 9-22-23

EXHIBIT "A"

Real property in the County of Jackson, State of Oregon, described as follows:

Commencing at the Northeast corner of Section 15, Township 35 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon; thence South 0 04' West, 337.4 feet; thence South 89 51' 30" West, 1379.6 feet to the center of Snider Creek, being the true point of beginning; thence South 89 51'30" West, 1238.9 feet to the East line of Meadows Road; thence South 0 13' West along said road line, 330 feet; thence North 89 51'30" East, 1460.2 feet to the center of Snider Creek; thence North 33 50' West, 397.25 feet to the true point of beginning. ALSO commencing at the Northeast corner of Section 15, Township 35 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon; thence South 0 04' West, 667.4 feet; thence South 89 51'30" West, 1159.2 feet to the center of Snider Creek, being the true point of beginning; thence South 89 51' 30" West, 1460.2 feet to the East line of Meadows Road; thence South 0 13' West, along said road line, 330 feet thence North 89 51'30" East, 1553.3 feet to the center of Snider Creek; thence North 15 45' West 348.89 feet to the true point of beginning.

NOTE: This legal description was created prior to January 1, 2008

(Map 352W15 Tax Lot 400, Account Number 10154059)

Evan Malepsy

From: SCHMELZLE Molly C * WRD <Molly.C.SCHMELZLE@water.oregon.gov>
Sent: Monday, October 23, 2023 9:41 AM
To: Evan Malepsy
Subject: Re: Storage water right 12518 Meadows
Attachments: 12518 Meadows Road.png

RECEIVED

FEB 16 2024

OWRD

Hi Evan,

I hope you had a nice fall weekend.

After a long discussion with the Watermaster in Grants Pass, Scott Ceciliani and reviewing several recent Watermaster Reservoir Reviews, the instream right wouldn't prevent you from approval. You will need to show that you can pass live flow and that you are fully aware of your two months to fill. There may be other requirements such as a staff plate and the ability to stop / deflect / pass flow if the instream isn't being met. (same comment as above).

Scott and I did think rerouting the drainage towards the back of the property and towards Snider Creek may be the best. However, a discussion with DSL and ODFW may be warranted because of fill removal for either choice you and Britt make. If you go with the 8" drain it would be a headgate and placed near the bottom of the reservoir. A major part of my discussion with Scott and the analysis of the maps and imagery is that we lack a solid understanding of how this hydrology functions at this location. We definitely view it as an instream channel, but based on experience with other agencies they may see it is off channel. I digress, I don't think you can go wrong with OWRD when you pass the flow away from filling the pond. The hydraulic connection to Snider Creek will be important during the months when the pond can't fill.

<https://gis.dogami.oregon.gov/maps/lidarviewer/>

This link is helpful to examine the topography and to view the damned area of the pond. The bare earth setting is the best. This is telling because you can see that the reservoir was definitely built to catch water in that drainage area. The attachment shows the topographic map wherein the water would continue to flow almost parallel to Snider Creek.

I hope some of this was helpful from the Watermaster perspective. The other agencies will have different concerns. Scott and I think this is possible, you just have to be mindful of passing appropriately and more than likely having the ability to monitor storage capacity.

I think there is a new DSL employee for Jackson County, but let me know if you need their contact information. Their analysis along with ODFW would be advantageous.

Thanks,

Molly

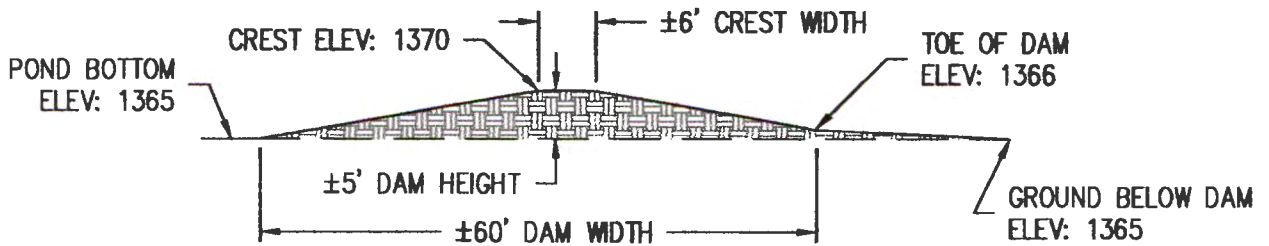
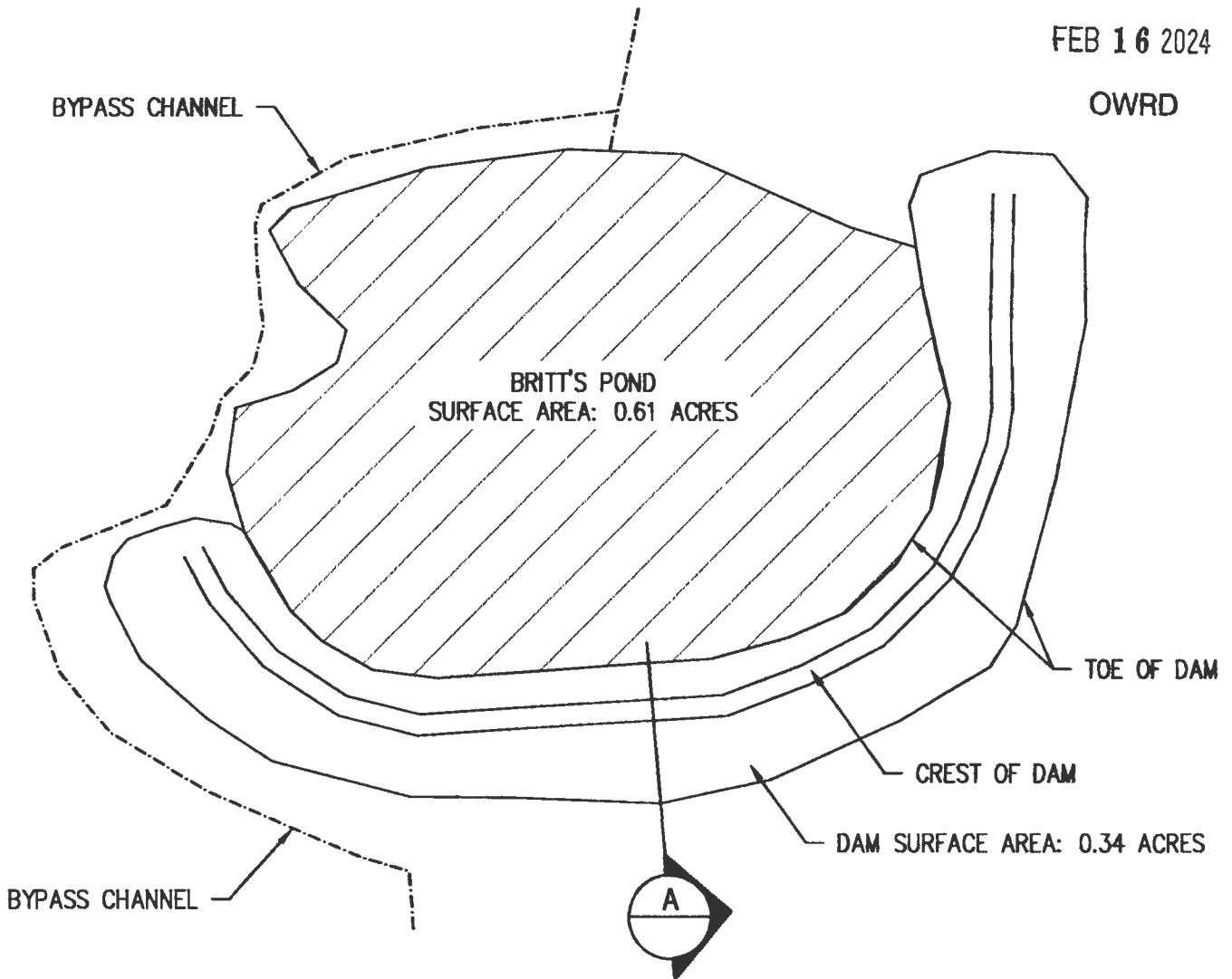
Southwest Region Assistant Watermaster

WATER RIGHT APPLICATION - DAM DIMENSIONS

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DAM CROSS SECTION - A

NTS