

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

Received
 JUL 15 2024

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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.

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Mark Spitsbergen		PHONE (HM)	
PHONE (WK)	CELL (619) 254-4452	FAX	
MAILING ADDRESS 73910 Highway 140E P.O. Box 196			
CITY Bly	STATE OR	ZIP 97622	E-MAIL * awakesd@me.com

Organization

NAME		PHONE	FAX
MAILING ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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

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

Note: Attach multiple copies as needed

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

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.



<u>Mark Spitsbergen</u>	<u>Mark Spitsbergen</u>	<u>04/26/24</u>
Applicant Signature	Print Name and Title if applicable	Date
_____	_____	_____
Applicant Signature	Print Name and Title if applicable	Date

For Department Use: App. Number: _____

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.

- 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.

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JUL 15 2024

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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).*

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.

SECTION 3: SOURCE OF WATER

A. Reservoir Name: North Res. R 87130 Alias "Beio #1"

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: <u>Ish Tish CREEK</u>	Tributary to: <u>South Fork of Sprague</u>
TRSQQ of POD:	
Source 2:	Tributary to:
TRSQQ of POD:	

- 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:

For Department Use: App. Number: _____

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) 986-0900.

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

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

Yes No

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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JUL 15 2024

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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:

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: CATTLE water and IRRIGATION
- b) The amount of water to be stored is: 28 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 4 acres.

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SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 8 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:

SECTION 7: PRIMARY OUTLET WORKS

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.

The outlet conduit is currently 2 feet in diameter.

b) How and when will the outlet be operated?

Currently, the outlet is a manually operate.

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)?

Currently there is a Fish screen on the outlet

SECTION 8: EMERGENCY SPILLWAY

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

The spillway channel is located on the North side of the reservoir. It is about 6 feet wide and 100 feet long

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

The spillway is all granite Rock base. It was put in using dynamite

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?)

SECTION 9: WATER QUALITY

a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.

We do sustainable farming and do not use fertilizers. Therefore, we would not be causing downstream eutrophication

b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.

We are working on a plan to fence the cattle out of the Ish Tish Creek and also away from the Reservoir. We would provide only one or two access points for the cattle,

c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

Our first line of defense would be to keep pollutants out of our Reservoir.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

a) Proposed date construction work will begin: Summer 2025 July 1, 2025
(Fish passage approval is necessary prior to construction.)

b) Proposed date construction work will be completed: Summer / Fall 2026 July 1, 2026

c) Proposed date water use will be completed: Jan 1, 2025

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	Address	
City	State	Zip

SECTION 12: REMARKS

Use this space to clarify any information you have provided in the application.

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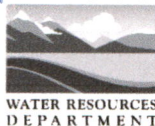
JUL 15 2024

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This application is for a Reservoir that has been in existence since the early 1900's. The previous application that expired is R87130. We encountered several issues that made our progress with ODFW impossible to resolve. I hired Anderson Engineering out of Lakeview OR, Anderson Engineering failed to complete the initial task of a preliminary design for the fish passage. Anderson Engineering claimed that they needed more information from ODFW in order to supply the initial design. As a result there was an impasse between the two groups. This problem has now been removed. We have hired Atkins Engineering and have developed a working relationship with Greg Apke of ODFW.

Land Use Information Form

OWRD



NAME <u>Mark Spitsbergen</u>			PHONE <u>619 254-4452</u>	
MAILING ADDRESS <u>P.O. Box 196</u>				
CITY <u>Bly</u>	STATE <u>OR</u>	ZIP <u>97622</u>	EMAIL <u>awakesd@me.com</u>	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>37S</u>	<u>15E</u>	<u>14</u>	<u>SESW</u>	<u>7303</u>	<u>Aq</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation cattle</u>
						<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	

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

Klamath County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) Ish Tish CREEK

Estimated quantity of water needed: 28 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 CATTLE

Briefly describe:

Our Reservoir has been in existence for many years. It was constructed in the early 1900's. It is vitally important to our cattle operation.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

For Local Government Use Only

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The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Article 55

Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

Name: Erik Nobes Title: Planning Director

Signature: [Signature] Date: 5-7-2024

Governmental Entity: Klamath County Phone: 541-851-3648

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:
Please complete this form and return it to the applicant. **For new water right applications only**, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

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JUL 15 2024

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LAKE COUNTY, OREGON 2016-000916
D-PRDEED
Cnt=1 Pgs=4 06/22/2016 11:35:35 AM
\$20.00 \$11.00 \$20.00 \$10.00 Total: \$61.00

TH



00013872201600009160040048

I, Stacie Geaney, County Clerk for Lake County, Oregon
certify that the instrument identified herein was
recorded in the Clerk records.

Stacie Geaney - County Clerk

After recording return to:
Family Ranch LLC, an Oregon Limited Liability
Company
73910 Highway 140 E
Bly, OR 97622

Until a change is requested all tax statements
shall be sent to the following address:
Family Ranch LLC, an Oregon Limited Liability
Company
73910 Highway 140 E
Bly, OR 97622
File No. 86055AM

2016-006611
Klamath County, Oregon
06/22/2016 01:52:58 PM
Fee: \$57.00

STATUTORY WARRANTY DEED

Stuart Graham and Mark Spitsbergen, as Tenants in Common,
Grantor(s), hereby convey and warrant to

Family Ranch LLC, an Oregon Limited Liability Company,

Grantee(s), the following described real property in the County of Klamath and State of Oregon free of encumbrances except
as specifically set forth herein:

See Attached Exhibit 'A'

The true and actual consideration for this conveyance is \$1,230,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and
those shown below, if any:

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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Page 2 Statutory Warranty Deed
Escrow No. 86055AM

Dated this 7th day of June, 2016

Stuart Graham
Stuart Graham

Signed in counterpart
Mark Spitsbergen

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California) ss
County of San Diego

On this 7 day of June, 2016, before me, D Peacock a Notary Public in and for said state, personally appeared Stuart Graham, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed same.

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

D Peacock
Notary Public for the State of California
Residing at: San Diego
Commission Expires: 5-26-17



State of _____) ss
County of _____

On this _____ day of _____, 2016, before me, _____ a Notary Public in and for said state, personally appeared Mark Spitsbergen, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed same.

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

Notary Public for the State of _____
Residing at: _____
Commission Expires: _____

LAKE COUNTY RECORDING NO.

2016000916

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JUL 15 2024
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Page 2 Statutory Warranty Deed
Escrow No. 86055AM

Dated this 08 day of June 2016

Signed in counterpart

Stuart Graham

Mark Spitsbergen
Mark Spitsbergen

State of California) ss
County of San Diego }

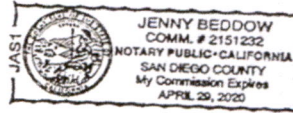
On this 8 day of June, 2016, before me, Jenny Beddow a Notary Public in and for said state, personally appeared ~~Stuart Graham~~, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

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

Mark Spitsbergen

Notary Public for the State of California
Residing at: San Diego
Commission Expires: 4/29/2020

Jenny Beddow



State of _____) ss
County of _____ }

On this _____ day of _____, 2016, before me, _____ a Notary Public in and for said state, personally appeared Mark Spitsbergen, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

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

Notary Public for the State of _____
Residing at: _____
Commission Expires: _____

LAKE COUNTY RECORDING NO.

2016000916

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JUL 15 2024

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EXHIBIT "A"

Klamath County:

Parcels 2 of Final Partition Map #24-92, said Partition being located in Sections 13, 14, 15, 23, 24, 25 and 26 of Township 37 South, Range 15 East, Willamette Meridian, Klamath County, Oregon, and in Section 30, Township 37 South, Range 16 East, Lake County, Willamette Meridian. EXCEPT that certain strip of land 100 feet wide conveyed to Bly Logging Company by Deed recorded July 31, 1929 in Volume 87, page 513, Deed Records of Klamath County, Oregon, and as delineated on the face of said Final Partition Map; AND EXCEPT those portions conveyed to the State of Oregon, by and through its Department of Transportation by Warranty Deed recorded August 8, 1995 in Volume M95, page 20941, Microfilm Records of Klamath County, Oregon;

Parcels 1 and 3 of Land Partition 18-13, a replat of Parcel 1 of Land Partition #12-12, located in the Southwest 1/4 of Section 13, the South 1/2 of Section 14, The South 1/2 of Section 15, the North 1/2 and Southeast 1/4 of Section 23, the North 1/2 of Section 24, and the Northeast 1/4 of Section 26, Township 37 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon as recorded on January 17, 2014 in instrument 2014-000434, records of Klamath County, Oregon.

Parcels 1 and 2 of Land Partition 36-14, a replat of Parcel 2 of Land Partition #18-13 and Parcel 1 of Land Partition #24-92, located in the Southwest 1/4 of Section 13, the South 1/2 of Section 14, the North 1/2 of Section 23, Section 24, the North 1/2 of Section 25, Township 37 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon as recorded on March 22, 2016 in instrument 2016-002980, records of Klamath County, Oregon. EXCEPT that portion of said Parcel 1 lying in Lake County, Oregon;

Parcels 3 of Land Partition 36-14, a replat of Parcel 2 of Land Partition #18-13 and Parcel 1 of Land Partition #24-92, located in the Southwest 1/4 of Section 13, the South 1/2 of Section 14, the North 1/2 of Section 23, Section 24, the North 1/2 of Section 25, Township 37 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon as recorded on March 22, 2016 in instrument 2016-002980, records of Klamath County, Oregon

Lake County:

In the County of Lake, State of Oregon, as follows:

Township 37 South, Range 16 East of the Willamette Meridian,
Section 30: Government Lots 2 and 3;
The SE1/4 of the NW1/4;

The NE1/4 of the SW1/4; EXCEPTING THEREFROM,

That portion deeded to the State of Oregon, by and through its Department of Transportation, highway Division, recorded August 23, 1988 in Book 210 at Page 143 and recorded August 2, 1995, in Book 230 at page 128, Lake County Deed Records, Oregon

LAKE COUNTY RECORDING OFFICE

2016000916

North Res 887130
Mark Spitzberg

Watermaster Alternate Reservoir Application Review Sheet

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the Water Resources Department provides public notice, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

Applicant's Name		
1. Does the proposed reservoir have the potential to injure existing water rights? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <small>Per OWRD's Water Availability Analysis tool, at a 50% exceedance probability, water for storage is available March, April and May. Potential to injure existing water rights is low if water is stored in the aforementioned months.</small>		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <small>Explain: Only store water during March, April and May</small>		
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
4. If yes, during what period? Beginning: <u>March 1st</u> End: <u>May 15th</u>		
<small>Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))</small>		
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Name:	Agency:	Date:
Name:	Agency:	Date:

Watermaster Name: Tom Skiles

Watermaster Signature: Tom Skiles Digitally signed by Tom Skiles (DN: cn=Tom Skiles, o=OWRD, ou=OWRD, email=tskiles@owrd.com) Date: 6/17/24

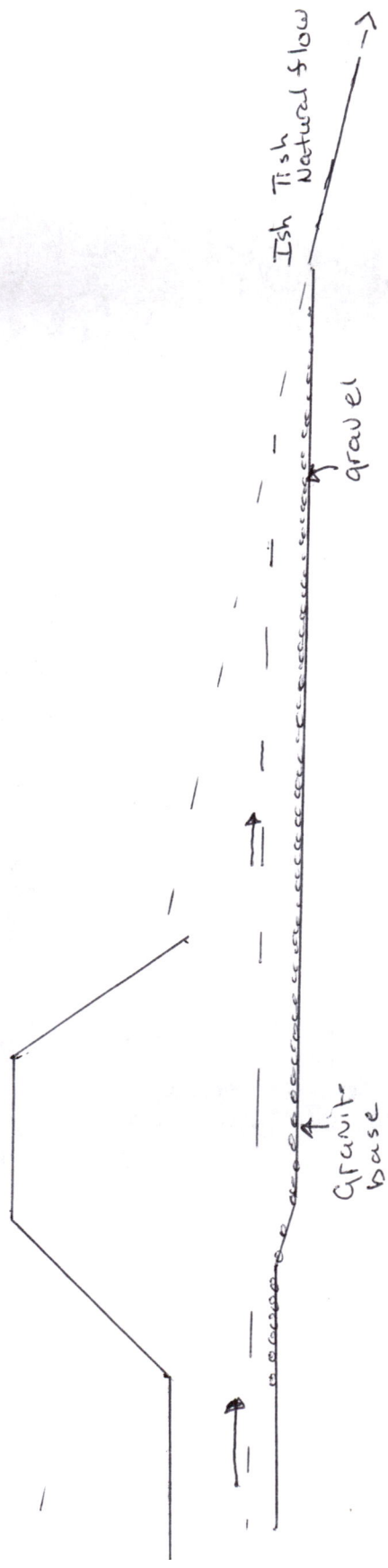
NOTE: This completed form must be returned to the applicant

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CURRENT Spillway and Fish Passage Design



CURRENT Dam

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37s 15E Sec 14
TL 7303

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