

Application No. R 74169 HB 2153

Permit No. _____

Certificate No. ~~69162~~ 73672

Stream Index, Page No. _____

CHRIS J BARTELS
BARTELS, KATHRYN
81462 TERRITORIAL
EUGENE, OR

FILE#: R 74169

97405

Date filed _____

Priority _____

Action suspended until _____

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning _____

Date for completion _____

Extended to _____

Date for application of water _____

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued JAN 6 1997

FEES PAID

Date _____

Amount

Receipt No.

6-8-94

40.00

112954

Cert. Fee

FEES REFUNDED

Date _____

Amount

Click No.

ASSIGNMENTS

Date _____

To Whom

Address

Volume

Page

REMARKS

STATE OF OREGON
COUNTY OF Lane

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

CHRIS J BARTELS
BARTELS, KATHRYN
81462 TERRITORIAL
EUGENE, OR 97405

confirms the right to store the waters of
RUNOFF, A TRIBUTARY OF NORTH FORK SIUSLAH RIVER IN AN UNNAMED
RESERVOIR
for LIVESTOCK.

The right to store and use these waters was perfected under Reservoir Application R-74169.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 20.0 ACRE-FEET

Located as follows:

SW 1/4 SW 1/4 SECTION 36, TOWNSHIP 19 SOUTH, RANGE 5 WEST WM.

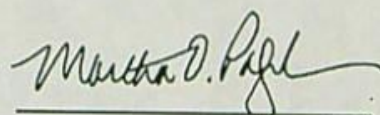
ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife (ODFW). If the subject pond is in-channel and fish are present, the certificate holder is directed to contact the ODFW Fish Passage Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

If water is to be diverted from an in-channel pond where fish are present, the certificate holder shall install, maintain and operate fish screening and by-pass devices as required by ORS 498.306 through ORS 498.346 and approved by ODFW. Contact the ODFW Fish Screening Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

WITNESS the signature of the Water Resources Director, affixed JANUARY 6, 1997.



Martha O. Pagel

This Certificate is issued to correctly describe the above reservoir(s) and supercedes Certificate 69162

Recorded in State Record of Water Right Certificates numbered 73672

$r = 400'$

ALLER: 0-2-27, 239

Approx Pond location

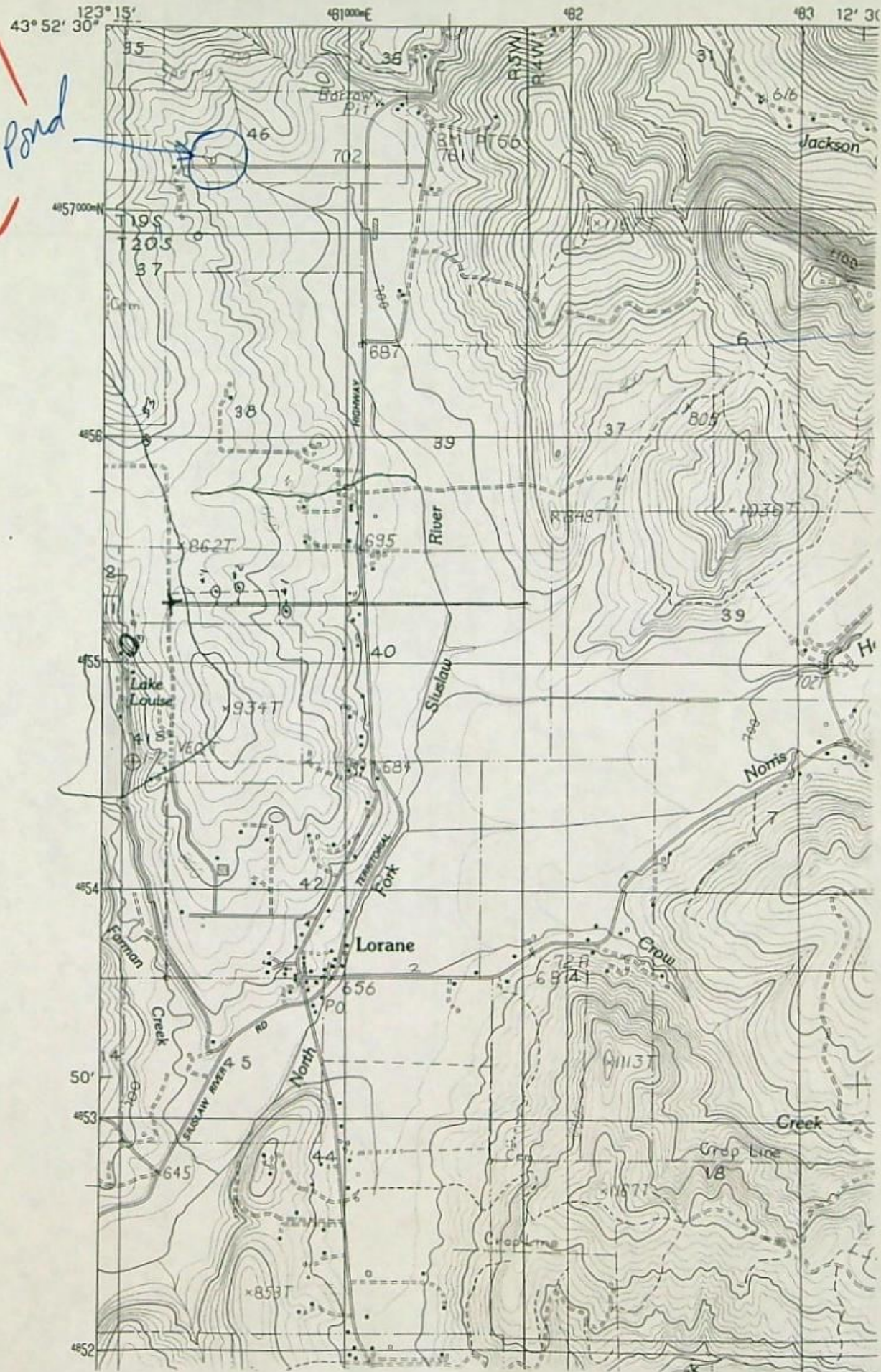
066-00

~~SW~~ SW SW

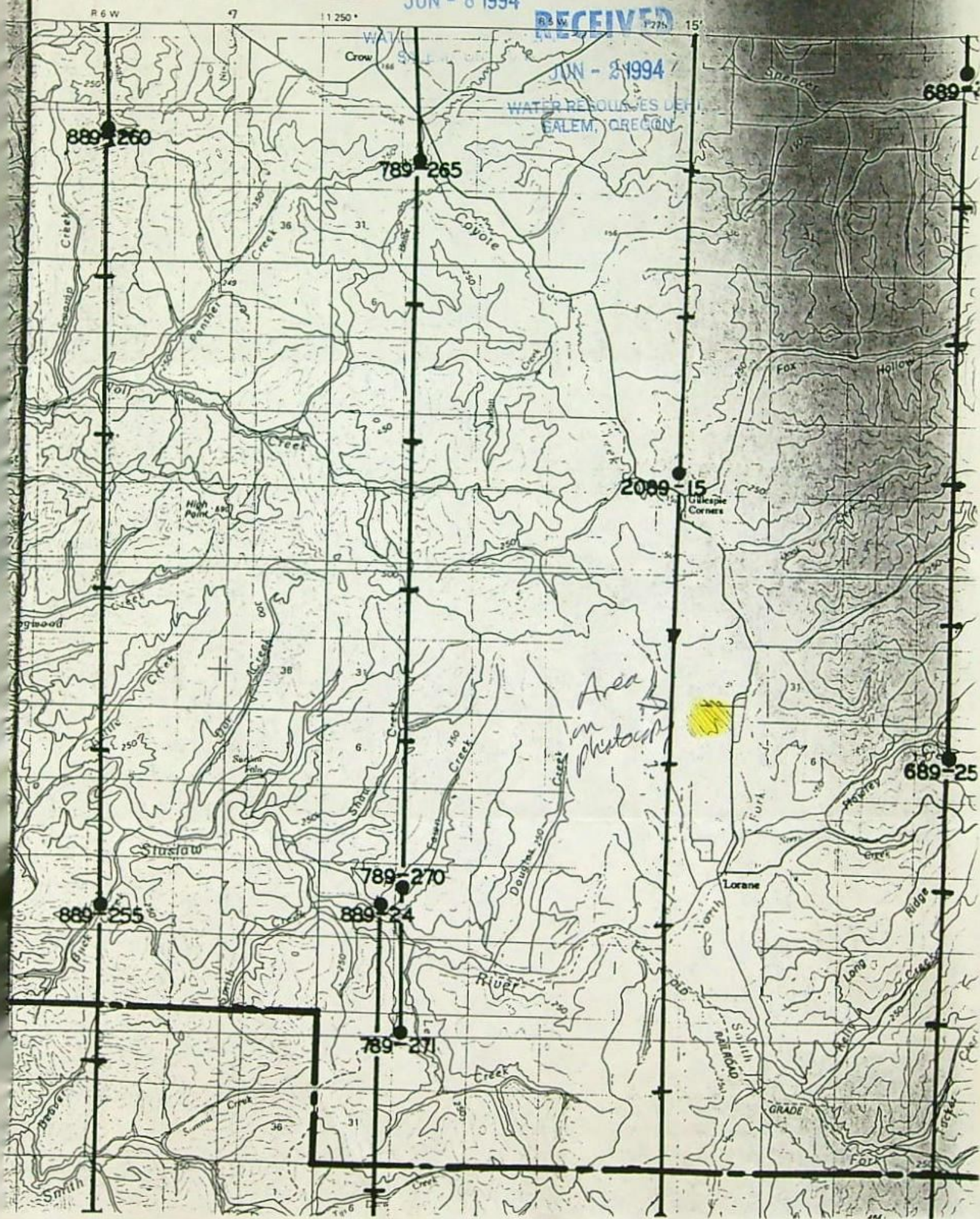
SEE MAP EO 06 01

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

12-16-16
Work Copy
W.C. Clark



WATER RESOURCES DEPT
SALEM, OREGON





AGRICULTURAL STABILIZATION
& CONSERVATION SERVICE

R741269

RICHARD (RICK) BLOCK
COUNTY EXECUTIVE DIRECTOR

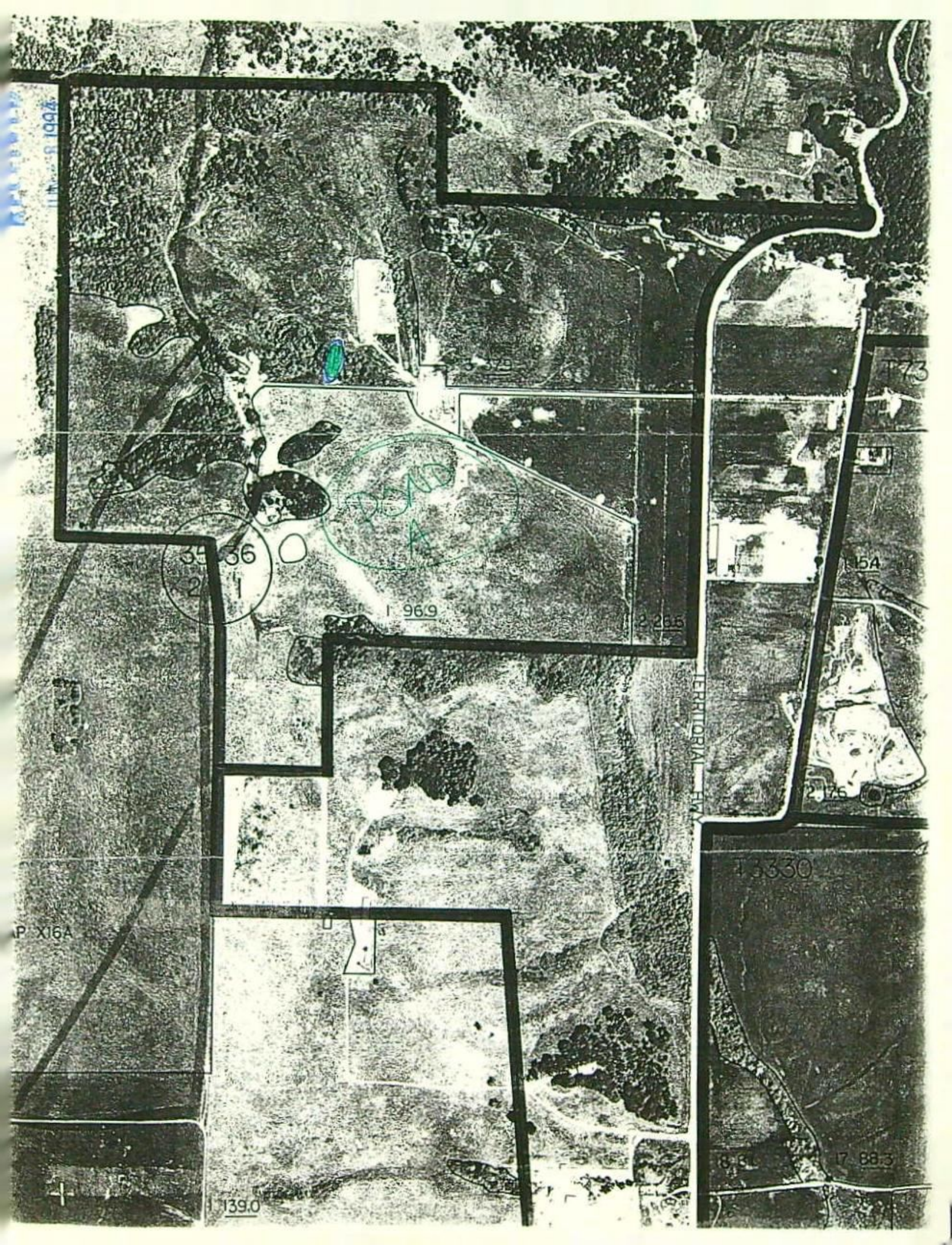
503.465.6442 OFFICE
503.688.7608 HOME

55 OAKWAY CENTER
EUGENE, OREGON 97401

This map was flown in 1990
by ASCS (see attached)

RE: CHRIS BARTELS PROPERTY

- Richard D Block 5/26/94
County Exec. Director
Lane Co. ASCS office



1994

35 36
2 1

DEAD
A

1 96.9

2 23.5

TERRITORIAL HWY

P. X16A

1 139.0

T 3330

17 88.3

T 73

T 154

T 175

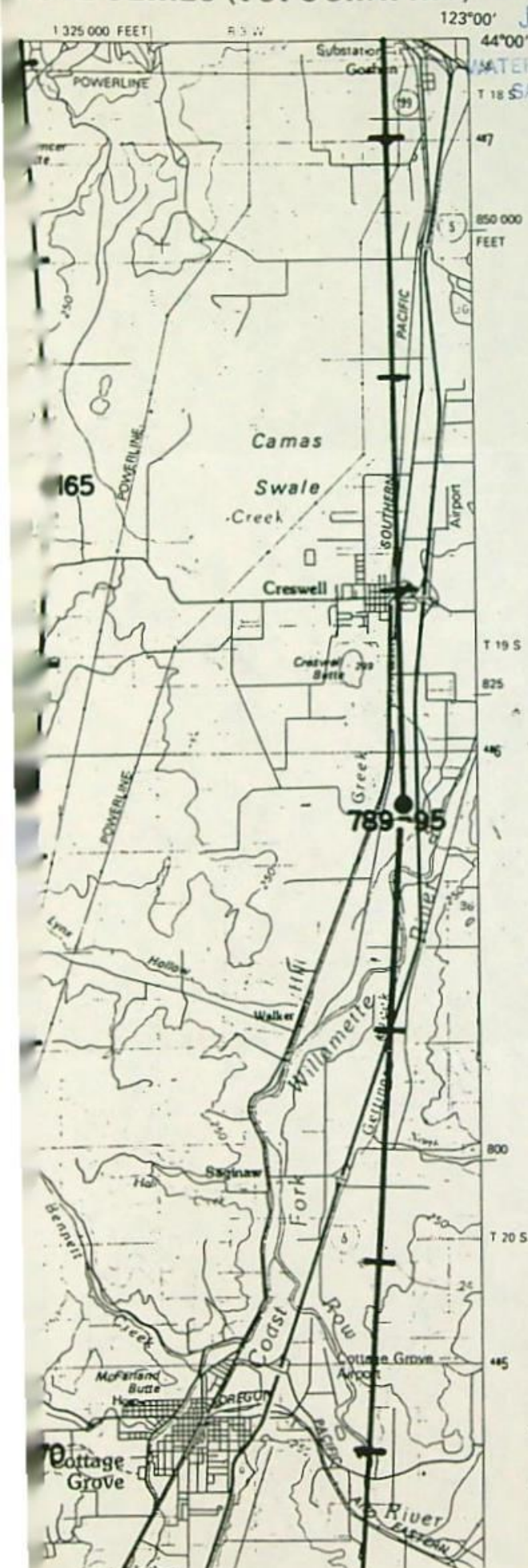
RECEIVED

JUN - 2 1994

WATER RESOURCES
SALEM, OREGON

Application No. R-74169
Permit No.

NOTE SERIES (TOPOGRAPHIC)



RECEIVED

JUN - 8 1994

INDEX TO AERIAL PHOTOGRAPHY

UNITED STATES DEPARTMENT
OF AGRICULTURE

Secured For Use By
AGRICULTURAL STABILIZATION
AND CONSERVATION SERVICE

Project I.D.: WESTERN OREGON

Code: 41000

Date of Photography: 1990

Film Scale: 1:40000

Film Type: 2405 B-W NEGATIVE

Calibrated Focal length: 153.48 mm.

Direction of Flight: NORTH - SOUTH

Solicitation No.: ASCS 19-89 SLC

Contractor: HARRIS AERIAL SURVEYS, INC.

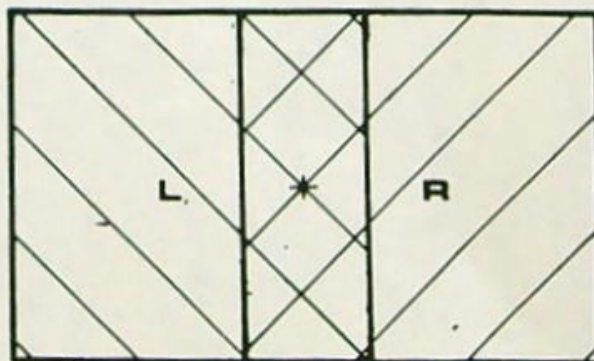
Roll Numbers: 589,689,789,889,999,1089,1289
2089

LINE INDEX TO AERIAL PHOTOGRAPHY
Photographs and line indexes may be
purchased from: AERIAL PHOTOGRAPHY
FIELD OFFICE, P.O. BOX 30010,
SALT LAKE CITY, UTAH 84130-0010

ORDER FOR REPRODUCTIONS SHOULD
INCLUDE PROJECT CODE, ROLL, AND
EXPOSURE NUMBER.

APPROXIMATE AREA COVERED BY ONE NEGATIVE

To find area covered by one photo, place
cross over photo center on flight line.



HASH LINES REPRESENT AREAS COVERED BY LEFT
AND RIGHT SECTIONAL ENLARGEMENTS AT THE
SCALE OF 660'/' ON 24 x 24 PAPER.

STATE OF OREGON
COUNTY OF Lane

Superseded by
Cert. No. 73672

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

CHRIS J BARTELS
BARTELS, KATHRYN
81462 TERRITORIAL
EUGENE, OR 97405

confirms the right to store the waters of
RUNOFF, A TRIBUTARY OF COAST FORK WILLAMETTE RIVER IN AN UNNAMED
RESERVOIR
for LIVESTOCK.

The right to store and use these waters was perfected under Reservoir Application R-74169.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 20.0 ACRE-FEET

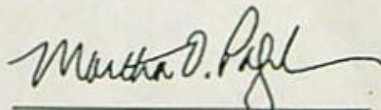
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for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of
use listed above.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 27, 1996.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 69162

October 11, 1996

WATER
RESOURCES
DEPARTMENT

CHRIS & KATHRYN BARTELS
81462 TERRITORIAL
EUGENE OR 97405

RE: Application # R-74169

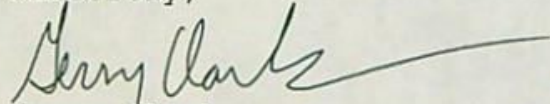
Dear Applicant,

The Department's records indicate that the \$10 recording fee requested on January 2, 1996 and on September 17, 1996, has not been received.

Please submit these fees by October 25, 1996. If the Department does not receive these fees, your certificate may be cancelled.

If you have any questions or need any assistance please feel free to call me at 1-800-624-3199 extension 261.

Sincerely,



Gerry Clark
Water Rights Specialist

general correspondence



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

September 17, 1996

WATER
RESOURCES
DEPARTMENT

CHRIS & KATHRYN BARTELS
81462 TERRITORIAL
EUGENE OR 97405

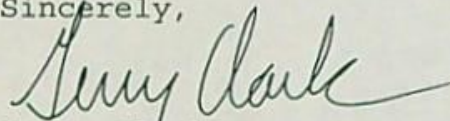
RE: Application # R-74169

Dear Applicant,

The Department's records indicate that the \$10 recording fee requested on January 2, 1996 have not been received. Please submit these fees by September 30, 1996.

If you have any questions or need any assistance please feel free to call me at 1-800-624-3199 extension 261.

Sincerely,



Gerry Clark
Water Rights Specialist

enclosures

general correspondence



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

January 2, 1996

Oregon

WATER
RESOURCES
DEPARTMENT

Dear Applicant,

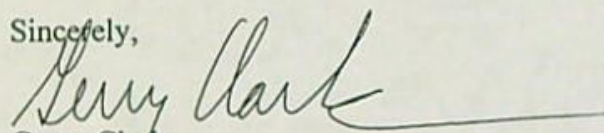
The 1995 Legislature passed House Bill 2376, a law which requires the Department to issue water right certificates on reservoirs applied for under House Bill 2153 (1993 Ponds Bill).

Our staff is preparing to issue your certificate(s). However, we need recording fees in the amount of \$10 before we can proceed.

In order to expedite the processing of your certificate(s), **we request that you submit the recording fees by January 26, 1996.** I have enclosed a stamped envelope for your use.

Should you have any questions please feel free to call the Water Rights Information Group at 1-800-624-3199, extension 499.

Sincerely,



Gerry Clark
Completeness Team



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

FILE#: R 74169

CHRIS J BARTELS
BARTELS, KATHRYN
81462 TERRITORIAL
EUGENE, OR 97405

FILE#: R 74169

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EUGENE, OR 97405

FILE#: R 74169

CHRIS J BARTELS
BARTELS, KATHRYN
81462 TERRITORIAL
EUGENE, OR 97405

January 9, 1995

Dwight French, Manager
Water Rights Division
Water Resources Department
158 12th Street, Northeast
Salem, Oregon 97310

RECEIVED

JAN 19 1995
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

DEPARTMENT OF
ENVIRONMENTAL
QUALITY

Re: Response to Technical Evaluation of Water Right Application

File: R74169 Exempt Reservoir
Source: runoff into unnamed reservoir
Tributary: Coast Fork Willamette River
Flow: 20.0 AF
Use: livestock

Dear Mr. French:

The Department has completed its review of the above referenced Technical Review of a water right application. The drainage basin in which this application is located has been identified as water quality limited by the Department. The estimated low flows normally occur during the summer period of May 1st to October 31st of each year. The Department's analysis of water quality indicates that during periods of low flow, water quality problems exists. On August 5, 1993, the Department submitted application for instream water rights to protect the public's interest to provide pollution abatement flows in the above referenced basin.

Application R74169 proposes additional out of stream use of water which could reduce available instream flows during the seasonal low flow period, thus, increasing the likelihood of exacerbating identified water quality problems in this drainage basin. The Department does not believe that it is in the public's best interest to further reduce the instream flows during the seasonal low flow period in this drainage basin. The Department requests that exempt ponds occurring in water quality limited basins be limited to high flow waters which should be verified with a meter on ponds of 2.0 acre feet or more.

The Department requests for pollution prevention an NRCS farm management or wetland plan be developed to address water quality issues such as: 1) possible herbicide and pesticide use in the vicinity of the pond or wetland; 2) an erosion (sediment) plan with buffer strips; 3) a nutrient plan to prevent nitrate runoff into surface and groundwater; 4) potential flooding of the pond or wetland if located in the 100 year floodplain with subsequent contaminant release; and 5) if the pond use is for stock watering, then a way to keep stock out of the stream needs to be developed and the riparian area restored.



811 SW Sixth Avenue
Portland, OR 97204-1390
(503) 229-5696
TDD (503) 229-6993
DEQ-1



Page 2

If you have questions or wish to further discuss this issue please feel free to contact either Bob Baumgartner (503-229-5877) or Barbara Priest (503-229-5945) of my staff.

Sincerely,

Michael Downs

Michael Downs
Administrator
Water Quality Division

MD:bjp:crw
SA\WC13\Ltr4
cc: Mary Beth Schmid, NRCS - Eugene

December 19, 1994

WaterWatch of Oregon, Inc.
921 S. W. Morrison #438
Portland, OR 97205

Water Resources Department
158 12th St. N. E.
Salem, OR 97310

RE: Application for Permit #R74169, Chris Bartels
Coast Fk. Willamette, Lane Co., Livestock

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions, and concerns:

Is there unappropriated water available for this proposed use? Does the Department have adequate data to accurately determine the 50% and 80% exceedence levels?

What effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation, and a healthy aquatic system?

This water source may suffer from water quality problems. Has the Department consulted with the Department of Environmental Quality to determine the effect this proposed withdrawal will have on water quality?

If this water source provides habitat to native fish during any phase of their life cycle, WaterWatch requests that the Department include conditions requiring the installation and maintenance of fish screening and bypass devices prior to any diversion of water.

Will this proposed diversion require a dredge & fill permit from the U. S. Army Corps. of Engineers, a fill and removal permit from the Division of State Lands, or a 401 certificate from the Department of Environmental Quality?

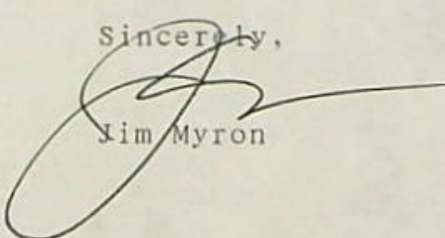
Will this proposed use be compatible with Goal 5 elements of the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

Please send WaterWatch a copy of the department's technical review of this application.

Sincerely,



Jim Myron

December 6, 1994

CHRIS J BARTELS
BARTELS, KATHRYN
81462 TERRITORIAL
EUGENE, OR 97405

REFERENCE: File # R-74169;

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Your application will be considered under House Bill 2153 enacted by the 1993 Oregon Legislature. You may continue the storage of water while a decision is pending on your application.

After an application has been accepted for filing, public notification of the application is made, followed by a mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. In general, the Department works through Oregon's 18 river basins on a rotating schedule, processing applications in the order in which they have been received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo specialized analysis called a technical review and a public interest review. Until your application is reviewed, it is not possible to determine whether your particular proposed water use will be recommended for a permit.

Technical Reviews are processed in accordance with Oregon Administrative Rules. The Water Resources Commission is considering the adoption of rules to protect stream flows for fish species. This action is being contemplated in response to current and future Endangered Species Act fish listings, including many runs of salmon, steelhead and resident fish throughout the state.



REFERENCE: File(s) - R-74169

The proposed rules, if adopted, could limit the issuance of new water right permits in certain areas of the state. If and when the Commission adopts these rules, new criteria or restrictions may be imposed on water use applications received after:

July 17, 1992, for use of water in the Upper Columbia/Snake Basin (above Bonneville Dam), including the mainstem Columbia and Snake Rivers and the Hood, Deschutes, John Day, Umatilla, Grande Ronde, Powder, Malheur and Owyhee Basins;

April 8, 1994, for use of water in the North Coast, Mid Coast, South Coast, Rogue and Umpqua Basins and the Clackamas Subbasin of the Willamette Basin; and

June 3, 1994, for use of water in all Oregon basins.

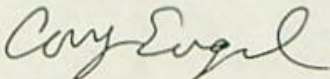
When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, the demands of prior right holders and other conditions to conform the water use to particular standards.

Please contact a Water Rights Research Assistant of the Water Resources Department if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,



Mr. Cory C. Engel
Water Rights Research Assistant
Water Rights/Adjudication Division

cc: CWRE

December 6, 1994

CHRIS J BARTELS
BARTELS, KATHRYN
81462 TERRITORIAL
EUGENE, OR 97405

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

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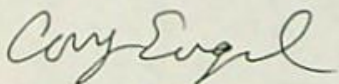
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Sincerely,



Mr. Cory C. Engel
Water Rights Research Assistant
Water Rights/Adjudication Division

cc: CWRE

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **112954**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

RECEIVED FROM: Kathryn A. Bartels
BY: _____

APPLICATION	<u>74169</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 24-201 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 40.-

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$ _____
VOUCHER # _____

COST CENTER AND OBJECT CLASS

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES	\$
850.200	RESEARCH FEEDS	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$
_____	LANDOWNER'S PERMIT	\$
_____	OTHER (IDENTIFY)	\$

EXAM FEE

\$ <u>40.-</u>
\$
\$
EXAM FEE
\$

RECORD FEE

842.002	\$
842.004	\$
842.006	\$
LICENSE FEE	
842.023	\$
842.024	\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011	POWER LICENSE FEE (FW/WRD)	\$
842.115	HYDRO LICENSE FEE (FW/WRD)	\$

HYDRO APPLICATION

\$

RECEIPT # **112954**

DATED: 6-8-74

BY: D. Breshnell

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **112954**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

RECEIVED FROM: Kathryn A Bartels
BY: _____

APPLICATION	<u>74169</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 24-201 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 40.-

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842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

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WATER RIGHTS:

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842.003	GROUND WATER	\$
842.005	TRANSFER	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$
_____	LANDOWNER'S PERMIT	\$
_____	OTHER (IDENTIFY)	\$

EXAM FEE

\$ 40.-

\$

\$

EXAM FEE

\$

RECORD FEE

\$

\$

\$

LICENSE FEE

\$

\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011	POWER LICENSE FEE (FW/WRD)	\$
842.115	HYDRO LICENSE FEE (FW/WRD)	\$

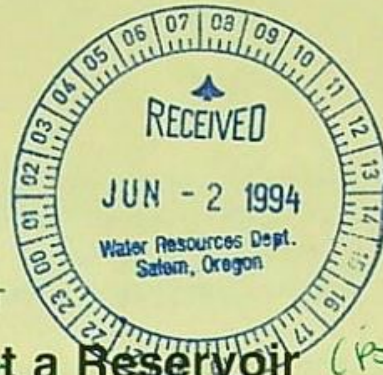
HYDRO APPLICATION

\$

RECEIPT # **112954**

DATED: 6-8-74 BY: D. Brunkell

HB-21-53

Application No. R-74169

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir (pond A)
for existing

Applicant(s) Chris J. Bartels + Kathryn A. Bartel

(Please print or type - use dark ink)

Mailing Address: 81462 TerritorialEugene
CityOR
State97405
Zip

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

1. **SOURCE OF WATER** for the proposed use: _____

a tributary of _____

If not in channel of a stream, state how it is to be filled: spring fed2. **THE DAM:** The maximum height of the structure ~~will be~~ *is* 10 feet 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: _____

6 feet above bottom of pond. Served 3 foot
corrugated pipe

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: watering livestock

4. **THE AMOUNT OF WATER** to be stored is: 20 acre-feet.
The area submerged by the reservoir, when filled, will be 2 acres,
and the maximum depth of water will be 10 feet feet.

5. **SPILLWAY DESCRIPTION** (location and dimensions). State whether over or around the dam. Not applicable

6. **PROJECT SCHEDULE:** (List month and year) N/A

Proposed date construction work will begin _____

Proposed date construction work will be completed _____

Proposed date water use will be completed _____

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: _____

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Signature

Kathryn C Bartel

Signature

Date

5/20/94

Date

5/20/94

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.

Signature of Applicant

Chr. J. Bartel

Date

5/20/94

Signature of Co-Applicant, if any

Kathryn C Bartel

Date

5/20/94

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 Salem, Oregon, on the 8th day of June, 1994, at 8:00 o'clock, A M.

Priority: 1/1/93

APPLICATION NO: R-74169

Description of Water Use

R74169

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Chris J + Kathryn A Barks
 Address: 87462 Territorial
Eugene OR 97405
 Phone: (503) 942-8912

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WAT

SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- ☐ Irrigation (crop type, golf course, nursery or greenhouse): _____
- ☒ Livestock (type of livestock, feedlot, slaughterhouse): cattle on pasture
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- ☐ Institutional (i.e., school, library, etc.): _____
- ☐ Mining (aggregate, metal, open pit, placer, etc.): _____
- ☐ Recreation (park, campsite, pond, etc.): _____
- ☐ Fish and Wildlife (pond, hatchery, etc.): _____
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- ☐ Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____	_____ Cubic feet per second.
☒ Reservoir or pond	<u>20</u> ^{Peak use} Gallons per minute.
☐ Ground Water	_____ Acre-Feet

cattle drink from pond (estimated peak use)

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WATER RESOURCES
SALEM, OREGON

Application No. R-74169
 Permit No.

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Chris J & Kathryn A Parks
 Address: 9146 Territorial
 City: Alsea State: OR Zip: 97405 Day Phone: (503) 942-8912

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
19-05-36 501	E901RCP	✓		✓

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. here

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): C.G. 16.212(2)(a). Go to section b) on reverse side.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: JERRY KENDALL

Title: PLANNER

Date: 5-31-94

Phone: 687-4057

Signature: Jerry Kendall

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

Additional Comments:

No objections.

WATER RESOURCES
SALEM, OREGON

JUN - 2 1994

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Oregon Water Resources Department
3850 Portland Rd. NE
Salem, OR 97310
378 - 3671

Version: 6/92

RECEIVED

R74169

JUN - 8 1994

WATER RESOURCES DIVISION
SALEM, OREGON

June 7, 1994

Dear Sir / madam

Enclosed is a copy of the letter I received from you along with the return of my application. I found the letter a little unclear so I called the number listed and spoke with Adam who also found it a bit unclear! He recommended I send the \$40^{us} fee as we both felt the odds were that the only problem was the lack of the examination fee. If this is not correct & you need additional information - please call me - I really hate to pay postage on all this repeatedly!

Thanks,

Kathryn Borkels
(503) 942-9337

R74169

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Oregon

June 2, 1994

JUN - 8 1994

WATER RESOURCES
SALEM, OREGON

WATER
RESOURCES
DEPARTMENT

CHRIS & KATHRYN BARTELLS
81462 TERRITORIAL
EUGENE OR 97405

We have received an application to use water and a notice of an exempt reservoir. The information provided with the Notice was sufficient, but we need additional information so we can accept, review and decide if the application may be approved.

Please provide the following:

✓ Examination fee in the amount of \$40.00.

✓ The application and supporting data are being returned.

We will complete our analysis when the application and information noted above is received.

Please feel free to contact the Application/Permits Section at 378-3739 if you have any questions.

Enclosures

CCE

CC: CWRE: NONE
General Correspondence



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

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870 338

R74169

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JUN - 8 1994

JUN - 2 1994

WAL

SALEM, OREGON

WARRANTY DEED

WATER RESOURCES DEPT.
SALEM, OREGON

GLORIA N. SMALL, Grantor, conveys and warrants to CHRISTOPHER BARTELS and KATHRYN BARTELS, husband and wife, the following described real property free of encumbrances except as specifically set forth herein:

"See Exhibit "A" Attached"

The true consideration for this conveyance is \$275,000.00.

THIS INSTRUMENT WILL 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 APPROVED USES.

Dated this 31 day of October, 1986.

Gloria N. Small
Gloria N. Small

STATE OF OREGON)
) ss.
County of Lane)

2100A001 01/30/87 REC 12.00
0003

Personally appeared before me the above-named GLORIA N. SMALL who acknowledged the foregoing deed to be her voluntary act.

[Signature]
Notary Public for Oregon
My Commission Expires: 5/22/87

If a change is requested, send tax statements to:

Christopher and Kathryn Bartels
81462 Territorial Road
Eugene, OR 97402

2100A001 01/30/87PFND 10.00
0003

WARRANTY DEED

RECEIVED

8705338

JUN - 2 1994

WATER RESOURCES DEPT.
SALEM, OREGON

PARCEL 1

Lots 116, 117, 92 and 93, PLAT OF LORANE ORCHARDS, platted and recorded in Book 4, Page 13, Lane County Oregon Plat Records, in Lane County, Oregon;

ALSO: Beginning at the Northeast corner of the M.N. Crow Donation Land Claim No. 38, Notification No. 269, in Township 20 South, Range 5 West of the Willamette Meridian; running thence West along the North line of said Donation Land Claim No. 38, a distance of 43.71 chains to the Northerly Northwest corner thereof; thence North $8^{\circ} 11'$ West, 561.8 feet to the Northeast corner of Section 2, in said Township 20 South, Range 5 West; thence West 13.89 chains; thence North 936.8 feet; thence East 673.24 feet to the Southeast corner of Lot 117, PLAT OF LORANE ORCHARDS; thence North 660.0 feet; thence West 645.0 feet; thence North 1055.6 feet to the South line of the Northeast one-quarter of Section 35, Township 19 South, Range 5 West of the Willamette Meridian; thence East to the Southeast corner of the Northeast one-quarter of said Section 35; thence South 9.06 chains, more or less, to the North line of the H.B. Thompson Donation Land Claim No. 46, in Township 19 South, Range 5 West of the Willamette Meridian; thence East along the North line of said Donation Land Claim No. 46, to a point North of the point of beginning; thence South 39.60 chains, more or less, to the point of beginning, in Lane County, Oregon;

EXCEPTING THEREFROM any part lying within the boundaries of the Territorial Road, in Lane County, Oregon;

ALSO: All that part of the following described tract lying North and West of the relocated Territorial Road as now traveled: Beginning at a point on the East line of the H.B. Thompson Donation Land Claim No. 46, Notification No. 399, Township 19 South, Range 5 west of the Willamette Meridian, 12 rods North of the Southeast corner thereof; running thence East to the West line of the present County Road; thence in a Southwesterly direction along the West line of said County Road, to the South line of Lot 2, in Section 1, Township 20 South, Range 5 West, Willamette Meridian; thence West to the Southwest corner of said Lot 2; thence North to the North line of Donation Land Claim No. 46; thence East along the North line of said Claim, continuing on an extension thereof, to the West line of old county road at the North corner of lot 130, as shown upon the original recorded PLAT OF LORANE ORCHARDS, as platted and recorded in Book 4, Page 13, Lane County Oregon Plat Records; thence in a Southerly direction along the West line of said old county road (being the East line of Lots 130 and 129, PLAT OF LORANE ORCHARDS) to a point due East of the point of beginning; thence West to the place of beginning, being in Section 36, Township 19 South, Range 5 West, Willamette Meridian, and Section 1, Township 20 South, Range 5 West, Willamette Meridian, in Lane County, Oregon;

(continued)

RECEIVED

8705338

Property Description
Page -2-

JUN - 2 1994

WATER RESOURCES DEPT.
SALEM, OREGON

EXCEPT the certain tract in the deed from Theon P. Addison and Bessie Addison, husband and wife, to State of Oregon by and through its State Highway Commission, dated June 14, 1947, recorded July 24, 1947, in Book 352, Page 353, Lane County Oregon Deed Records, in Lane County, Oregon;
ALSO EXCEPT the deed from William T. Moore and Nettie Moore, his wife, to Lane County, a political subdivision of the County of Lane, State of Oregon, dated November 6, 1924, recorded November 6, 1924, in Book 142, Page 157, Lane County Oregon Deed Records, in Lane County, Oregon.

PARCEL 2

Government Lot 1, of Section 36, Township 19 South, Range 5 West of the Willamette Meridan, in Lane County, Oregon.

8705338

State of Oregon,
County of Lane--ss.

I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

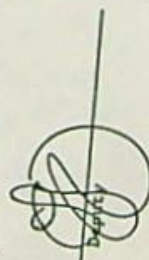
30 JAN 37 15: 04

Reel

1443R

Lane County OFFICIAL Records.
Lane County Clerk

By: _____



C 30-53

CT-171657

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JUN - 8 1994

WATER SALE
SALE M. OR 6001

REC

JUN - 2 1994

WATER SALE

R74169

6/3/94

Dear Sir/Madam:

Enclosed is everything I believe is necessary to accomplish two certifications

① Establish water rights on a livestock
POND A watering pond constructed prior to 1993 that is not exempt

② Establish possession of a pond
POND B constructed prior to 1993 that does meet the requirements for being exempt.

If you require additional information or I have overlooked some item that is required, please contact me.

Sincerely,

Kathryn Bartels
(503) 942-9337

(Ponds highlighted in green on aerial photos)

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # R-74169

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE
6/8/94

INITIAL
CE

Name and mailing address of applicant
Source of water
Quantity of water
Map showing location of POD & POU
Use of water
Names and addresses of legal owners
Signature of applicant
Oath
Application date stamped per money receipt date
Land use approved _____ pending _____

If reservoir < 5 AF \$_____, if > 5 AF \$_____

HB 2153/HB 2107 APPLICATION -- SEE REVERSE

Route to Data Center (Unless 2153/2107)

DATA CENTER

Stream Code _____
Entered into WRIS

SUPPORT SERVICES

3/15/95
12/28/94
12/28

DX
gh
gr

Stamp contents with application number
Mail ack letter (provided by Data Center) with
receipt to applicant, cc to CWRE and file
Place label on file and calender card

APPLICATION SECTION

Stream Indexed Basin # _____
Plat Carded and copy made YES NO
If dam is over 10 feet or storage exceeds 9.2
AC-FT, route file to Dam Safety Section

TR CASEWORKER

TR Checklist complete YES NO
Within Irrigation District _____
District Notified _____
District excerpt received _____

TR Mailed DATE _____

Public Interest Checklist complete _____

Management Codes _____

REMARKS:

Application No. **R-74169**

Permit No.

Name **CHRIS J BARTELS**
BARTELS, KATHRYN
81462 TERRITORIAL
EUGENE, OR

97405

Address:

Assigned

Address

Beginning construction

Completion of construction

Extended to

Complete application of water

Extended to