

Name R-87806
 By STANLEY RANCH LLC
 Address ATTN RICK STANLEY
PO BOX 486
FOSSIL OR 97830

C/2017

Priority May 7, 2017

County WHEELER WM# 4

RELATED FILES

DEVELOPMENT

Date

Completion 8/9/2017

Extended to _____

Final Proof received _____

Proposed Cert. Mailed 11-2-2018

Application No. R 87806 ALT

Permit No. R 14973

Certificate No. 94099

Date

DENIED _____

MISFILED _____

WITHDRAWN _____

CANCELLED _____

Volume Page

FEES PAID

Date	Amount	Receipt No.
<u>9-7-12</u>	<u>750.00</u>	<u>105651</u>
<u>6-27-18</u>	<u>200.00</u>	<u>127127</u>

Cert. Fee

FEES REFUNDED

Date	Amount	Receipt No.

ASSIGNMENTS

Date	To Whom	Address

REMARKS _____

MAP LOCATION _____

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: R-87806

Permit: R-14973

Certificate: 94099

Certificate Holder:

~~STANLEY RANCH LLC~~
PO BOX 486
FOSSIL OR 97830

Copies Mailed	
by:	<u>KLK</u> (STAFF)
on:	<u>NOV 02 2018</u>
(DATE)	

Copies of Final Certificate to be sent to:

- ~~1.~~ Watermaster District 21
- ~~2.~~ Water Availability
- ~~3.~~ Vault
- ~~4.~~ File

Other persons to receive copies: (include map):

- ~~1.~~ Steve Bruce, CWRE
Skookum Water Associates Inc.
PO Box 80174
Portland OR 97280

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STANLEY RANCH LLC
PO BOX 486
FOSSIL OR 97830

confirms the right to store water perfected under the terms of Permit R-14973. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87806

SOURCE OF WATER: BUTTE CREEK, TRIBUTARY TO JOHN DAY RIVER

STORAGE FACILITY: STANLEY POND

MAXIMUM VOLUME: 1.8 ACRE-FEET

DATE OF PRIORITY: MAY 7, 2012

WATER MAY BE APPROPRIATED AS FOLLOWS: NOVEMBER 1 THROUGH MARCH 1

USE: MULTIPLE PURPOSE

Dam Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	20 E	WM	7	NE SW	920 FEET SOUTH AND 220 FEET WEST FROM C1/4 CORNER, SECTION 7

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
6 S	20 E	WM	7	NE SW

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.
- C. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when determined necessary.

The water user shall pass all live flow outside the storage season described above.

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Diversion of water under this right is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at John Day River at McDonald Ferry, Oregon, gage 14048000, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

John Day River Scenic Waterway	
<i>Month</i>	<i>Minimum Flow (cfs)</i>
November	500
December	500
January	500
February	1000
March	2000

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

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

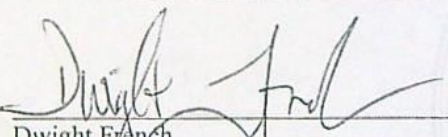
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

The use may be restricted if the quality of the downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

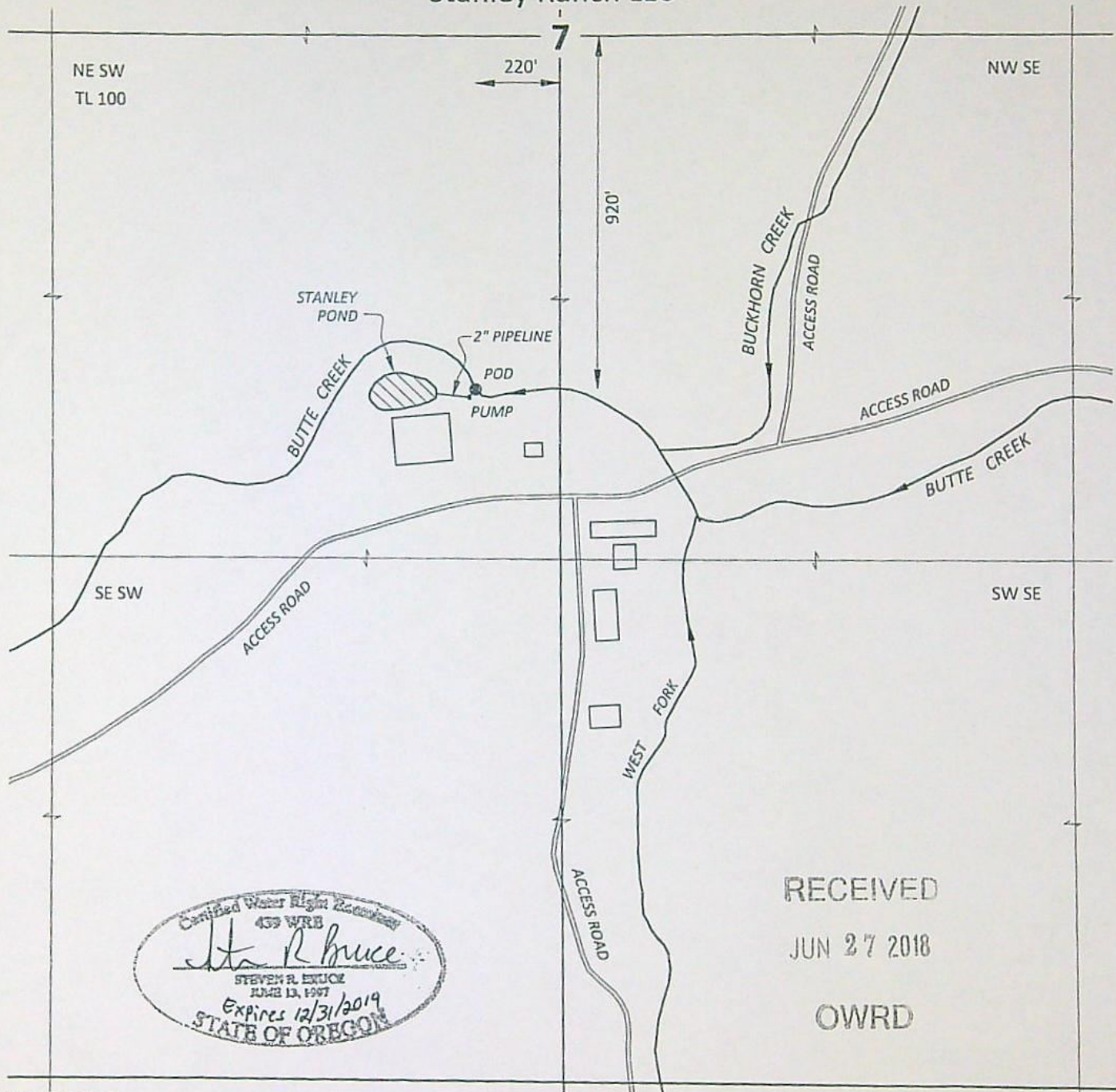
The right to store water for the above purpose is restricted to beneficial use at the place of use described.

Issued NOV 02 2018



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Section 7, T6S, R20E, W.M., Wheeler County, Oregon
 Application R-87806, Permit R-14973
 CLAIM OF BENEFICIAL USE MAP
 Stanley Ranch LLC



EXPLANATION



PLACE OF USE
 VOLUME = 1.8 ACRE-FEET / SURFACE AREA = 0.3 ACRE
 PRIORITY: May 2, 2012
 POINT OF DIVERSION

SKOOKUM

WATER ASSOCIATES INC

P.O. BOX 80174

PORTLAND, OR 97280

(503) 319-8926

N

SCALE



1 INCH = 400 FEET

Site inspection conducted
 June 6, 2018

June 7, 2018

This map is not intended to provide
 legal dimensions or locations of
 property ownership lines

Figure 1



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

DATE MAILED: NOVEMBER 2, 2018

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Kerry Kavanagh at 503-986-0927.

Oregon

Water Resources Department
Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED



U.S. POSTAGE PITNEY BOWES



ZIP 97301 \$ 001.00⁰
02 4W
0000361889 NOV 02 2018

RETURN TO SENDER

Please update your records

PO Box 80174

is for PACNOR Trading

Steve Bruce, CWRE

Skookum Water Associates Inc.

PO Box 80174

Portland OR 97280

RECEIVED

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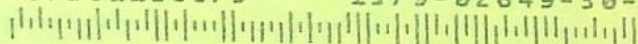
RETURN TO SENDER
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COUNTY OF WHEELER
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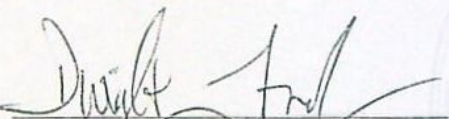
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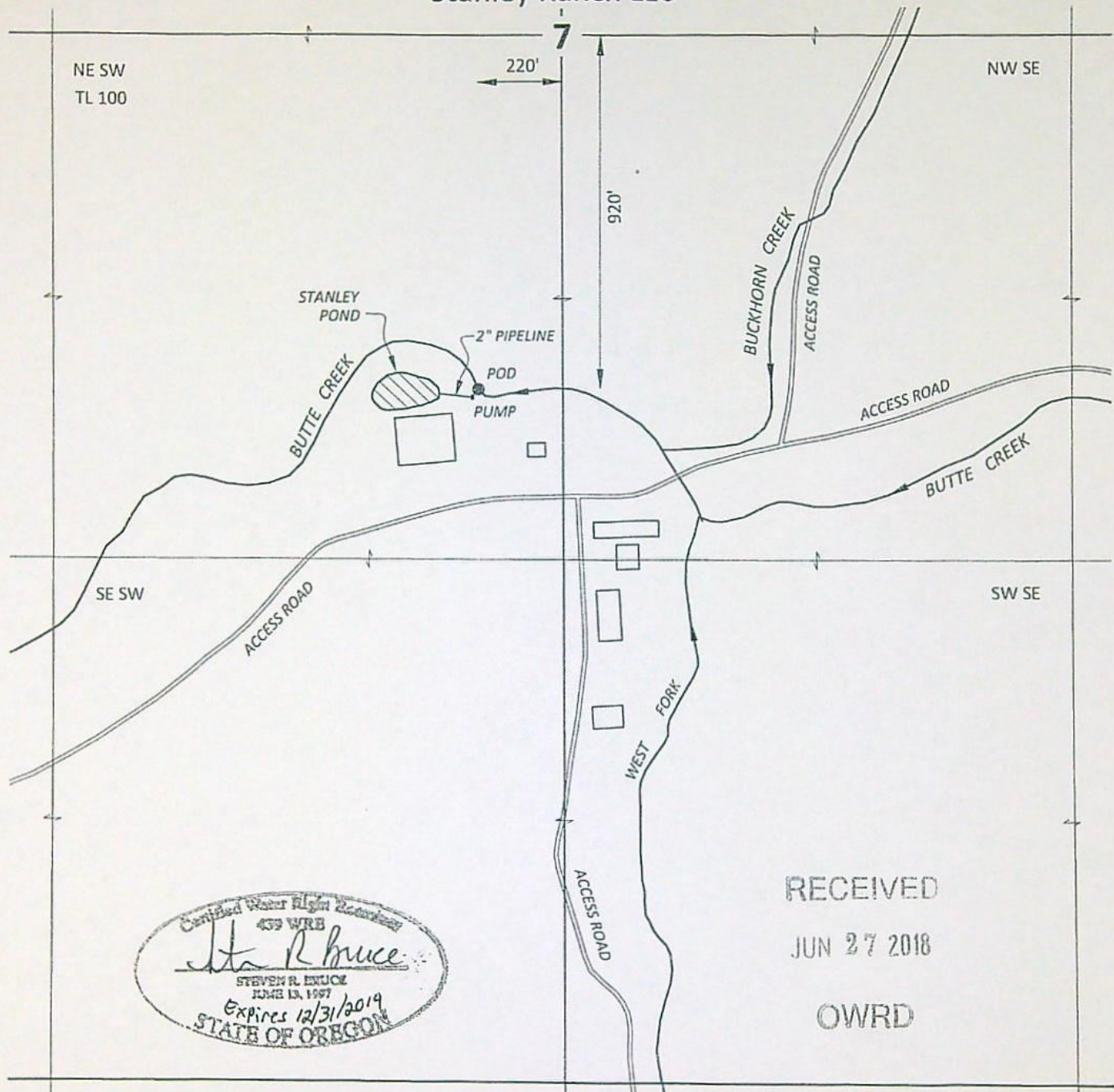
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Issued NOV 02 2018

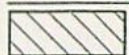


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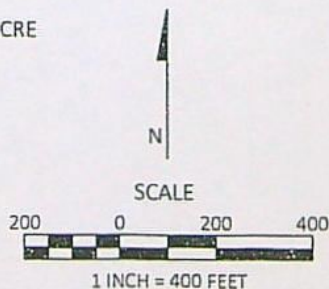
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SKOOKUM

WATER ASSOCIATES INC
 P.O. BOX 80174
 PORTLAND, OR 97280
 (503) 319-8926



Site inspection conducted
 June 6, 2018
 June 7, 2018

This map is not intended to provide
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Figure 1



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

DATE MAILED: NOVEMBER 2, 2018

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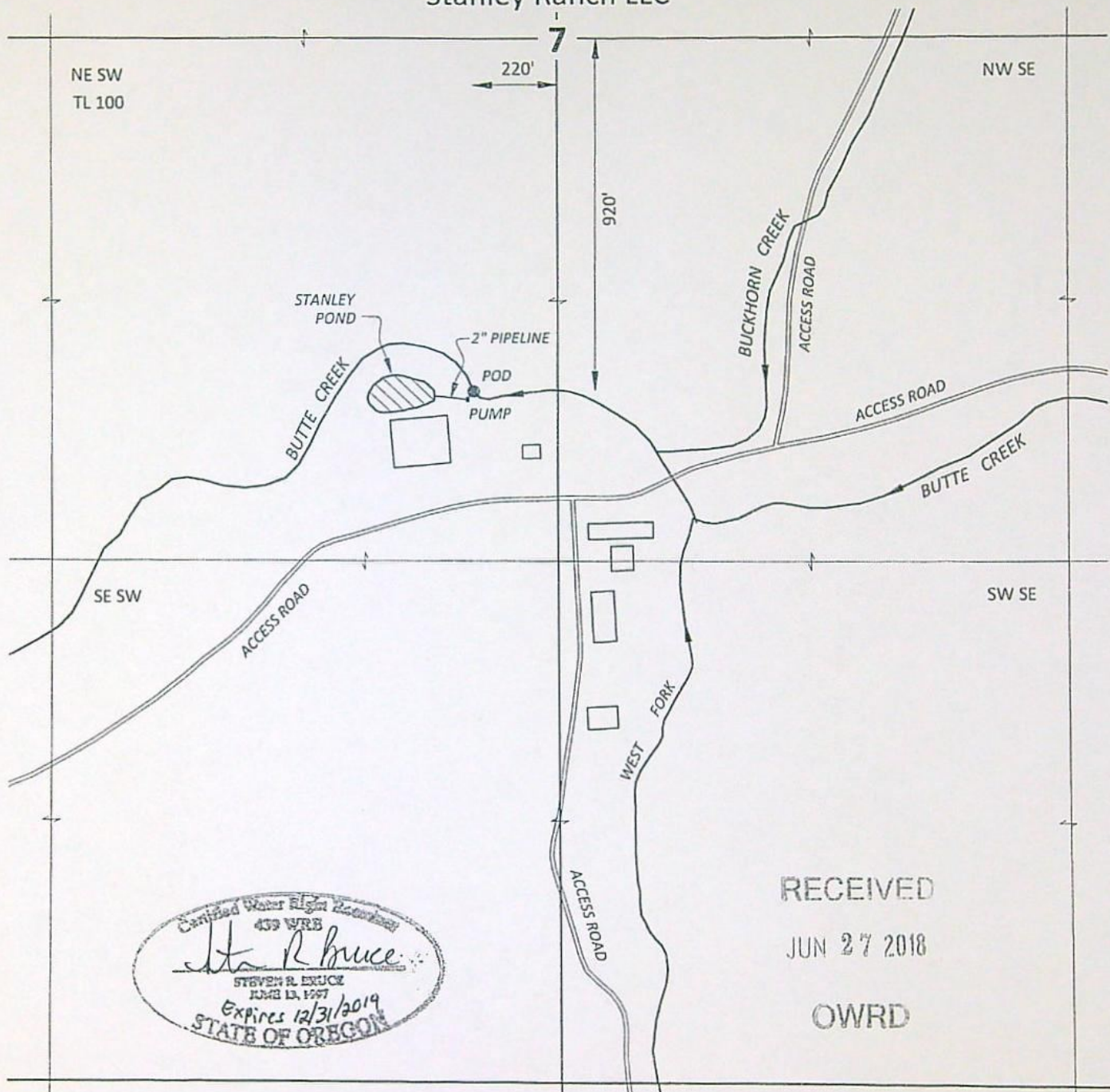
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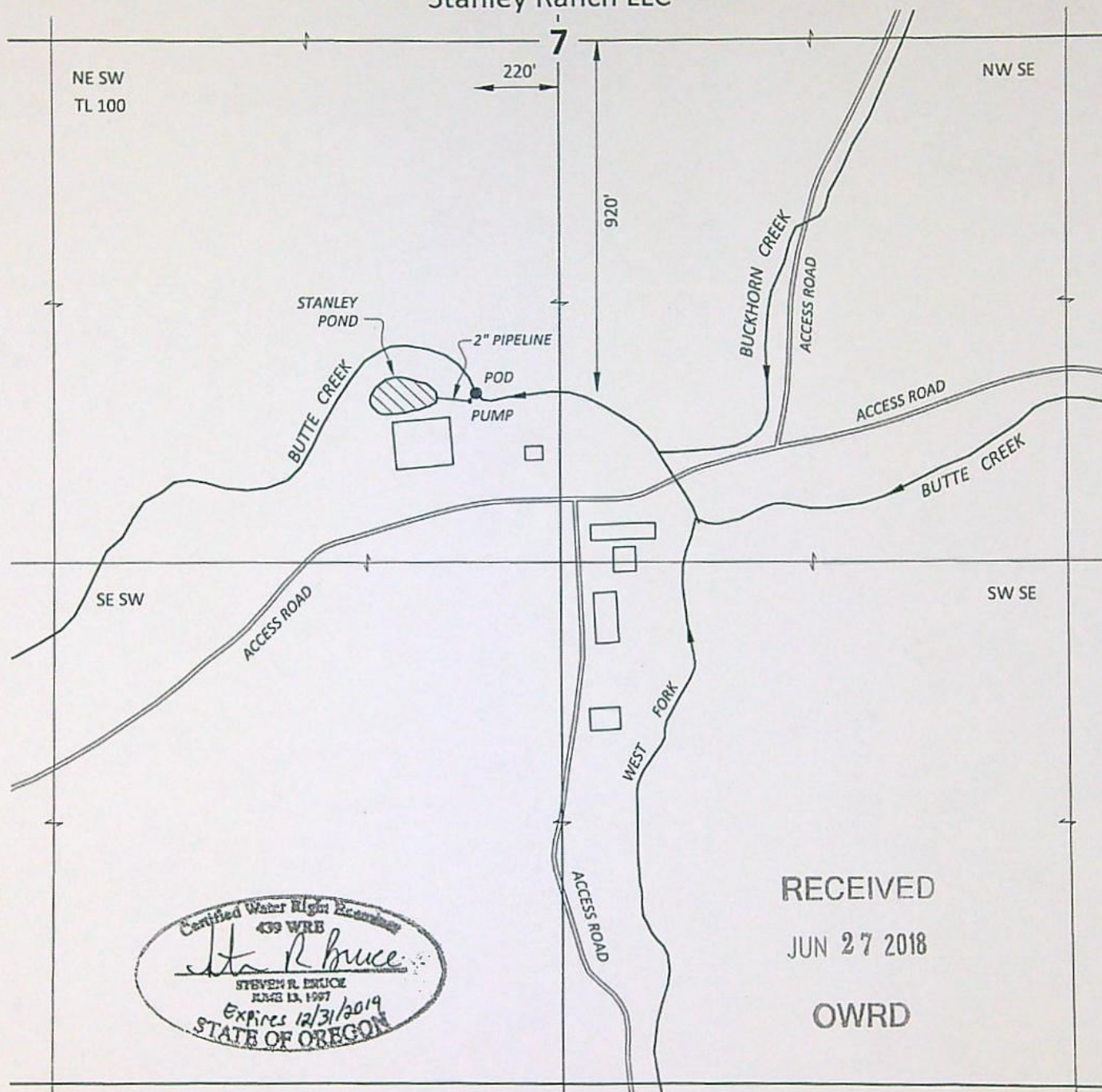
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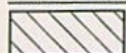
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Figure 1

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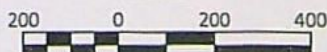
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 June 6, 2018

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Figure 1

KAVANAGH Kerry L * WRD

From: steve skookumwater.com <steve@skookumwater.com>
Sent: Thursday, July 05, 2018 11:20 AM
To: KAVANAGH Kerry L * WRD
Cc: Marlene.Q.Stanley@gmail.com
Subject: Permit R-14973 (App R-87806) ODFW Fish Screen Approval
Attachments: Permit R14973 ODFW Approval Page 1.jpg; Permit R14973 ODFW Approval Page 2.jpg

Hi Kerry,

As we discussed this morning, I am sending you the ODFW fish screen approval letter for Permit R-14973 (Application R-87806).

Please call or email me if you have additional questions.

Thank you,

Steve

SKOOKUM
WATER ASSOCIATES INC

Steven R. Bruce, RG, LHg, CWRE
1626 Victorian Way
Eugene, OR 97401
(503) 319-8926
www.skookumwater.com

RECEIVED

JUL 05 2018

OWRD



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

November 30, 2016



Marlene Stanley
PO Box 486
Fossil, OR 97830

Dear Ms. Stanley,

Your fish screen was inspected on 11/29/2016. In reference to water right application file number R-87806 (permit R-14973) this letter confirms that a National Marine Fisheries Service criteria fish screen as approved by ODFW is located on the property near GPS coordinates 45.058016, -120.371447.

In regards to the inspection of this fish screen located on Butte Creek, the following has been determined:

1. The screen is a Pump-Rite M-L 65 5" passive suction screen.
2. This screen is approved for water use up to 65 GPM or 0.14 CFS.
3. According to Oregon Water Resources Department application number R-87806 (permit R-14973) Stanley Pond is allowed a maximum storage volume of 1.8 acre feet.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie
Fish Screening and Passage Coordinator

Enclosure

CC: Oregon Water Resources Department

RECEIVED

JUL 05 2018

OWRD



OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

Applicant

Name: Stanley Ranch LLC, Marlene Stanley

Address: PO Box 486, Fossil, OR 97830 Phone 541-763-2234

Application Number: R-87806 Water Right Permit Number: R-14973

Water Right Amount (cfs) Maximum storage amount: 1.8 acre feet Water Right Transfer Number:

Diversion

Stream: Butte Creek Tributary to: Columbia River

Address (if different than applicants):

Diversion Type (gravity or pump): Pump Location: 6S, 20E, Sec. 7

GPS Coordinates: 45.058016, -120.371447

Pump Information

Brand: Franklin Electric

Horsepower: 3 Intake Size: 2"

Screen Information

Type/Brand: Pump-Rite

Installed by: DL Johnson Irrigation Services

Date Installed: November 4, 2016

Date of Inspection: November 4, 2016

Manufacturer: Pump-Rite

Model #: M-L65 5"

Inspected by: Tracy Wyllic

Agency: Oregon Department of Fish & Wildlife

Comments:

- ☒ Screen meets current state criteria for fish protection.
- ☐ Screen does not meet current state criteria for fish protection.
- ☐ Another screen inspection should be done before water use begins.
- ☐ Fish passage meets current criteria
- ☐ Fish passage does not meet current criteria
- ☐ Fish passage not required
- ☐ Bypass structure meets current state criteria
- ☐ Bypass does not meet current state criteria
- ☒ Bypass Structure not required

pah

Rev 8/22/2011

Fish Screen Inspection Form (ODFW-WRD).doc

RECEIVED

JUL 05 2018

OWRD

**CLAIM OF
BENEFICIAL USE**
for Reservoirs storing less than
9.2 acre-feet permitted under
ORS 537.409



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

A fee of \$200 must accompany this form.
The Claim will be returned if the fee is not included.
Claims received without the correct fee of \$200 will be returned.

This form may be completed by the permit holder of record if:

- 1) The permit was issued under the authority of ORS 537.409.**
- 2) No secondary permit exists for the use of water stored in the reservoir.**
- 3) The developed capacity of the reservoir is less than 9.2 acre-feet.**
- 4) The water was stored by the date required in the permit.**

A separate form shall be completed for each permit.

This form must be submitted to the Water Resources Department within one year of storage of water in the reservoir.

Please type or print in dark ink. If the data provided is found to contain errors or omissions, it may be returned. The Department may require the submittal of additional information.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

SECTION 1
GENERAL INFORMATION

File Information

APPLICATION # R-87806	PERMIT # R-14973
--	-----------------------------------

RECEIVED

JUN 27 2018

OWRD

Applicant Information

APPLICANT NAME Stanley Ranch LLC Attn: Marlene Stanley		PHONE NO. (541) 763-2234	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 486			
CITY Fossil	STATE OR	ZIP 97830	E-MAIL Marlene.Q.Stanley@gmail.com

SECTION 2

RESERVOIR INFORMATION

Reservoir Dimensions and Capacity

AVERAGE LENGTH	AVERAGE WIDTH	AVERAGE DEPTH	MAXIMUM CAPACITY IN ACRE-FEET
160 feet	80 feet	6 feet	1.8

To determine capacity in acre-feet use for the above table, use the following calculation:

$$\text{Acre-feet} = \frac{(\text{Average Length})(\text{Average Width})(\text{Average Depth})}{43,560}$$

SECTION 3

MAP

Attach a map identifying the reservoir location. If the water right application map accurately reflects the location of the reservoir, you may attach a copy it. Otherwise, you must submit a map meeting the standards of OAR 690-310-0050, which are attached.

Preparation of the map by a Certified Water Rights Examiner is **not** required for this type of permit, but may be submitted.

SECTION 4

SIGNATURE

This Claim of Beneficial Use must be signed by each permit holder of record.

By my signature, I certify that the information contained herein is true and correct to the best of my knowledge.

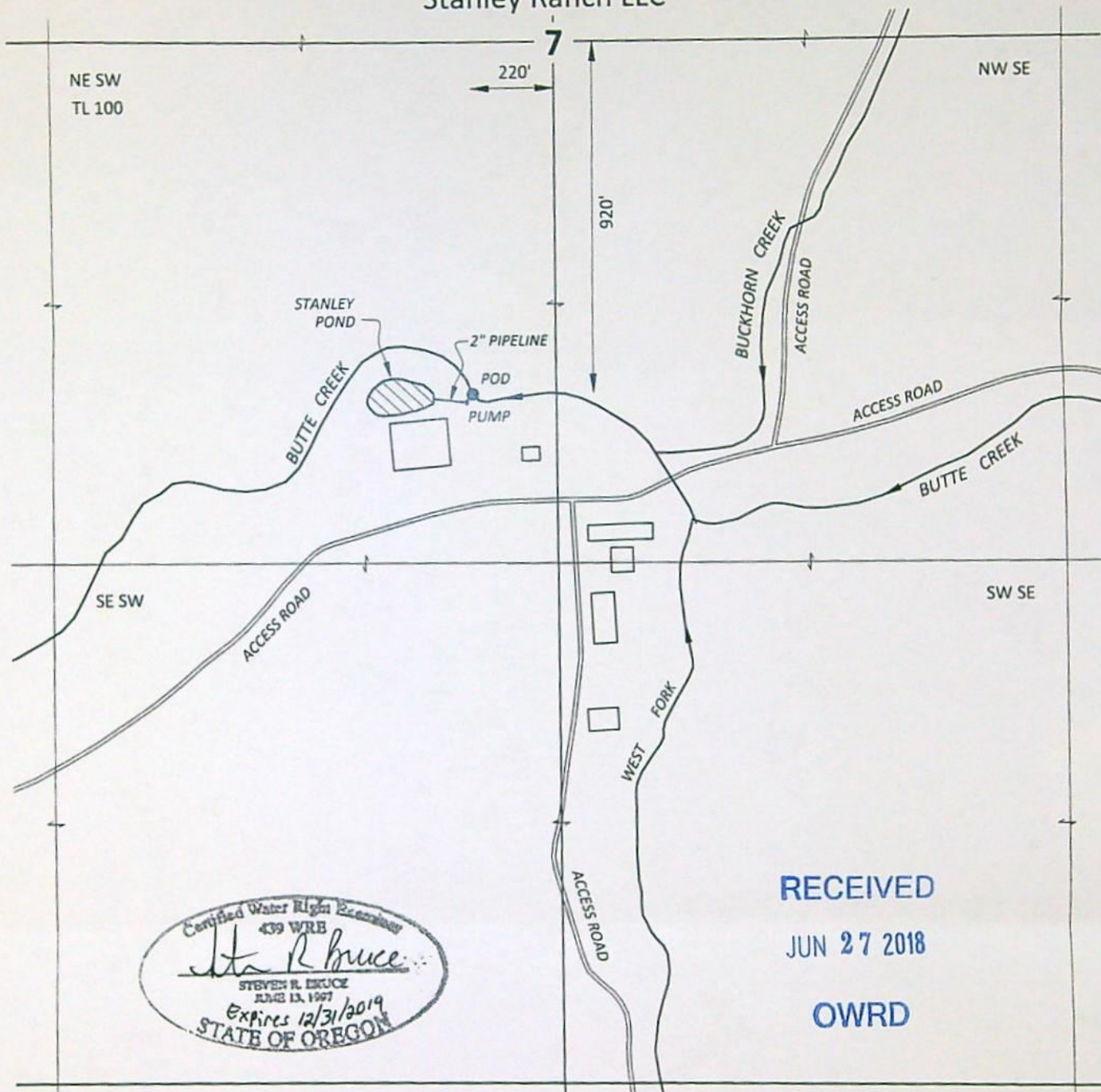
SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Marlene Stanley	Managing Member of the LLC	6/23/18

RECEIVED

JUN 27 2018

OWRD

Section 7, T6S, R20E, W.M., Wheeler County, Oregon
 Application R-87806, Permit R-14973
 CLAIM OF BENEFICIAL USE MAP
 Stanley Ranch LLC



EXPLANATION



PLACE OF USE
 VOLUME = 1.8 ACRE-FEET / SURFACE AREA = 0.3 ACRE
 PRIORITY: May 2, 2012



POINT OF DIVERSION

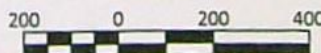
SKOOKUM

WATER ASSOCIATES INC

P.O. BOX 80174
 PORTLAND, OR 97280
 (503) 319-8926



SCALE



1 INCH = 400 FEET

Site inspection conducted
 June 6, 2018
 June 7, 2018

This map is not intended to provide
 legal dimensions or locations of
 property ownership lines

Figure 1

**REIMBURSEMENT AUTHORITY PERMIT
APPLICATION R-87806 PERMIT R-14973**

CERTIFICATE 94099 issued 11-02-2018

Certificate Checklist for Qualifying Reservoirs

Under ORS 537.409(10)(11) (COBU by Permittee for "Alternative Reservoirs")

(Must be less than 9.2 acre feet)

File No. R- <u>87806</u> / <u>Permit R-14973</u>	File Marked _____
Date Rec'd. <u>6-27-2018</u>	Claim Logged <u>7-5-18 KSC</u>
Reviewer <u>Kerry Kavanaugh</u>	Peer Review <u>JS 10/29/18</u>

Intake Checklist

Does a secondary permit exist for use of water under this permit at the time of this submittal?
☐ YES ☒ NO (If "Yes", this self certification cannot be accepted. The Claim must be prepared by a CWRE for both the reservoir and the secondary use permit.)

Are reservoir dimensions included? ☒ YES ☐ NO

Signed by all permittees? ☒ YES ☐ NO (Must be signed by all permittees. If not, Assignment may be needed).

Was a map included? ☒ YES ☐ NO (Must Identify Location of the Reservoir)

Processing Notes and Conclusions

The Claimed maximum capacity of the reservoir in acre feet is: 1.8

The Permitted capacity of the reservoir in acre feet is: 1.8

Is this reservoir located within an "Area of Interest"? ☐ YES ☒ NO

Identified Party MA

Current Ownership Check:
Does the County Assessor indicate that there is a new landowner? ☐ YES ☒ NO
(If new owners, indicate name and mailing address below)
7-5-18 email sent to Wheeler County Assessor.
7-19-18 Archea Woods at Assessor confirmed owner
is Marlene Stanley.

ODFW letter dated November 30, 2016, fish screen meets ODFW standards. By-pass structure is NOT required.

Issue: ☐ PROPOSED (If fewer acre feet were developed than were permitted) CLAIMED = 1.8 AF = Amt by Permit R-14973

☒ CERTIFICATE # _____

$AF = (Ave\ length)(width)(depth)$
 43560
from coral:
 $AF = (160ft)(80ft)(6ft)$
 43560
 $AF = 1.8 AF$
(rounded 1.76)

Peer reviewed by
Jonnine Skans

LOOKS
Good! ☺

STATE OF OREGON

COUNTY OF WHEELER ✓

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STANLEY RANCH LLC
PO BOX 486
FOSSIL OR 97830 ✓

confirms the right to store water perfected under the terms of Permit R-14973. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87806

SOURCE OF WATER:

STORAGE FACILITY:

MAXIMUM VOLUME:

DATE OF PRIORITY: M

WATER MAY BE APPRO

USE: MULTIPLE PURPOSE

Dam Location/Authorized P

Twp	Rng	Mer	Sec
6 S	20 E	WM	7

The area submerged by this re

Twp	Rng	Mer	Sec
6 S	20 E	WM	7

R12576-19
Stanley Ranch LLC
App R-87806

10-18-18

Jonnine

Please peer review
draft certificate.

Thx!

Larry

NOTICE OF RIGHT

This is an order in other than a court. Any petition for judicial review must be filed with the court within 60 days following the date of this order. A petition for reconsideration of this order. A petition for review of this order must be filed with the court within 60 days following the date of this order. A petition for review of this order must be filed with the court within 60 days following the date of this order.

VIEW

and ORS 536.075. Pursuant to ORS 536.075, no action is

denied. In addition, under ORS 537.260 any person with an application for a water right subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Peer reviewed by
Jonnine Slean

Looks
Good! ☺

STATE OF OREGON

COUNTY OF WHEELER ✓

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STANLEY RANCH LLC
PO BOX 486
FOSSIL OR 97830 ✓

confirms the right to store water perfected under the terms of Permit R-14973. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87806 ✓

SOURCE OF WATER: BUTTE CREEK, TRIBUTARY TO JOHN DAY RIVER ✓

STORAGE FACILITY: STANLEY POND ✓

MAXIMUM VOLUME: 1.8 ACRE-FEET ✓

DATE OF PRIORITY: MAY 7, 2012 ✓

WATER MAY BE APPROPRIATED AS FOLLOWS: NOVEMBER 1 THROUGH MARCH 1 ✓

USE: MULTIPLE PURPOSE ✓

Dam Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	20 E	WM	7	NE SW	610 FEET SOUTH AND 330 FEET WEST FROM C1/4 CORNER, SECTION 7

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
6 S	20 E	WM	7	NE SW

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. ✓ The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. ✓ The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.
- C. ✓ The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

✓ The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when determined necessary.

✓ The water user shall pass all live flow outside the storage season described above.

✓ The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

✓ The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

✓ The water user shall maintain and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the diversion.

✓ This right allows an annual appropriation (not to exceed the specified volume). This right does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

Diversion of water under this right is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at John Day River at McDonald Ferry, Oregon, gage 14048000, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

John Day River Scenic Waterway	
<i>Month</i>	<i>Minimum Flow (cfs)</i>
November	500
December	500
January	500
February	1000
March	2000

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

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

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

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

The use may be restricted if the quality of the downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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

Issued _____

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: R-87806

Permit: R-14973

Certificate: **PROPOSED**

Certificate Holder:

STANLEY RANCH LLC
PO BOX 486
FOSSIL OR 97830

Copies Mailed

by: _____
(STAFF)

on: _____
(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 21
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

1. Steve Bruce, CWRE
Skookum Water Associates Inc.
PO Box 80174
Portland OR 97280

STATE OF OREGON

COUNTY OF WHEELER

PERMIT TO STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

STANLEY RANCH LLC
PO BOX 486
FOSSIL OR 97830

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87806

SOURCE OF WATER: BUTTE CREEK, TRIBUTARY TO JOHN DAY RIVER

STORAGE FACILITY: STANLEY POND

MAXIMUM VOLUME: 1.8 ACRE FEET

DATE OF PRIORITY: MAY 7, 2012

WATER MAY BE APPROPRIATED AS FOLLOWS: NOVEMBER 1 THROUGH MARCH 1

USE: MULTIPLE PURPOSE

Dam Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	20 E	WM	7	NE SW	610 FEET SOUTH AND 330 FEET WEST FROM C1/4 CORNER, SECTION 7

The Area To Be Submerged:

Twp	Rng	Mer	Sec	Q-Q
6 S	20 E	WM	7	NE SW

Measurement, recording and reporting conditions:

- A. The Director **may** require the permittee to install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order, and shall allow the watermaster access to the device(s). The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director **may** require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use, and the place and nature of use of water under the permit.
- C. The Director **may** provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.

The permittee shall pass all live flow outside the storage season described above.

The Director **may** require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. The permittee shall obtain written approval from QDFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

Diversion of water under this permit is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at John Day River at McDonald Ferry, Oregon, gage 14048000, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

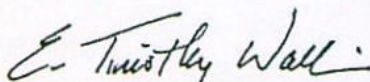
John Day Scenic Waterway	
Month	Minimum Flow (cfs)
November	500
December	500
January	500
February	1000
March	2000

STANDARD CONDITIONS

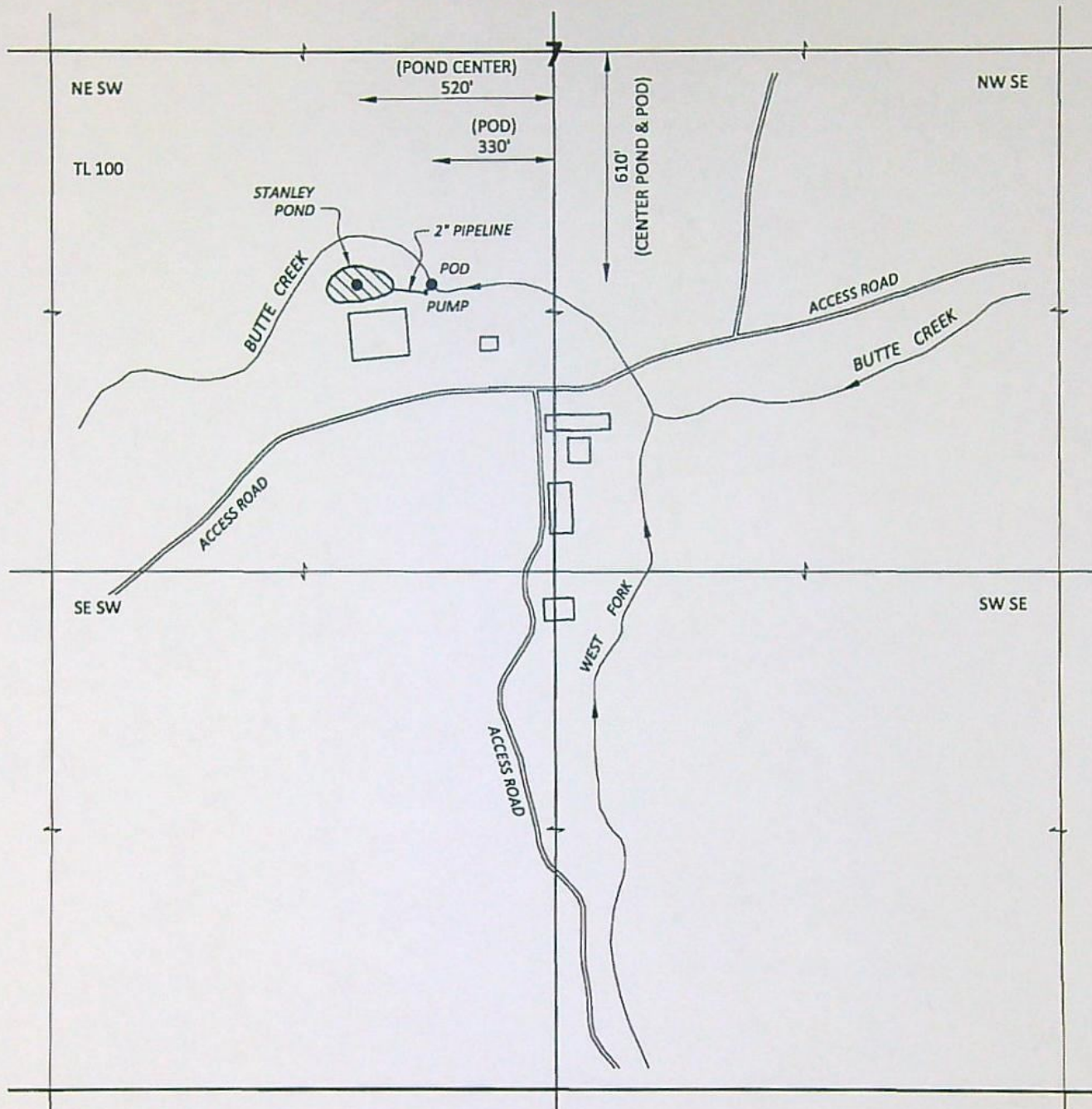
1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

2. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
3. 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.
4. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
5. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, shall be followed.
6. The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
7. If the volume of the completed reservoir is 9.2 acre feet or more and a dam is used to impound the water, the height of the dam shall be less than 10.0 feet.
8. Construction shall be completed and up to the permitted annual volume of water shall be stored within five years of the date of permit issuance.
9. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.
10. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.
11. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
 - a. the dimensions of the reservoir;
 - b. the maximum capacity of the reservoir in acre-feet; and
 - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued August 9 2012.


E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director
Water Resources Department

SECTION 7, T6S, R20E, W.M.
WHEELER COUNTY



EXPLANATION



PROPOSED RESERVOIR
(1.8 ACRE-FEET)



PROPOSED POINT OF DIVERSION &
CENTER OF POND

SKOOKUM

WATER ASSOCIATES INC

P.O. BOX 80174
PORTLAND, OR 97280
(503) 319-8926



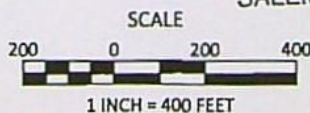
RECEIVED

MAY 07 2012

WATER RESOURCES DEPT
SALEM, OREGON

APRIL 13, 2012

THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR
LOCATIONS OF PROPERTY
OWNERSHIP LINES

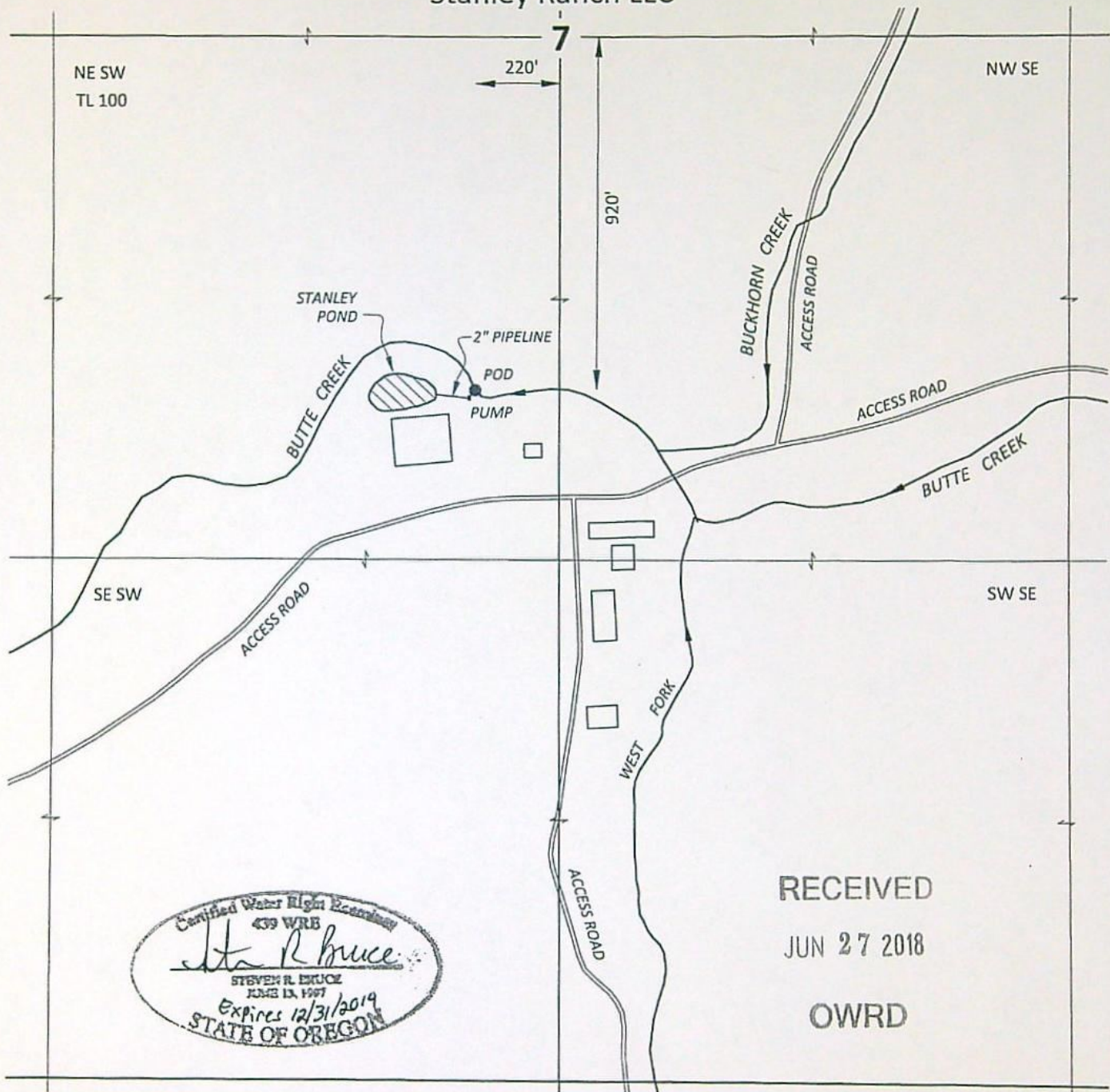


Stanley Pond
Application Map
Stanley Ranch LLC

R 87806

Section 7, T6S, R20E, W.M., Wheeler County, Oregon
 Application R-87806, Permit R-14973
 CLAIM OF BENEFICIAL USE MAP
 Stanley Ranch LLC

work copy



Sanitized Water Right Easement
 439 WRE
Steven R. Bruce
 STEVEN R. BRUCE
 JUNE 13, 1997
 Expires 12/31/2019
 STATE OF OREGON

RECEIVED
 JUN 27 2018
 OWRD

EXPLANATION



PLACE OF USE
 VOLUME = 1.8 ACRE-Feet / SURFACE AREA = 0.3 ACRE
 PRIORITY: May 2, 2012



POINT OF DIVERSION

SKOOKUM

WATER ASSOCIATES INC
 P.O. BOX 80174
 PORTLAND, OR 97280
 (503) 319-8926



SCALE



1 INCH = 400 FEET

Site inspection conducted
 June 6, 2018

June 7, 2018

This map is not intended to provide
 legal dimensions or locations of
 property ownership lines

Figure 1

12576-19
KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Thursday, July 05, 2018 10:24 AM
To: COSSITT Donald
Subject: property in Wheeler County

Hello,

I am preparing a certificate of water right. I need to confirm the current ownership of lands involved in the water right.

Please provide the name and mailing address for the following parcel:

06S20E TL 00100

Thanks in advance for your assistance!

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

7/9-18

Received information via telephone from
Airelean Woods with Wheeler County Assessor.

owner: Marlene Stanley
PO Box 486
Fossil OR 97830

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Wednesday, July 18, 2018 11:31 AM
To: COSSITT Donald
Cc: KAVANAGH Kerry L * WRD
Subject: FW: property in Wheeler County

Hello,

I really need the following information before I can issue the water right certificate.

Thank you for your assistance,
Kerry

From: KAVANAGH Kerry L * WRD
Sent: Thursday, July 05, 2018 10:24 AM
To: COSSITT Donald
Subject: property in Wheeler County

Hello,

I am preparing a certificate of water right. I need to confirm the current ownership of lands involved in the water right.

Please provide the name and mailing address for the following parcel:

06S20E TL 00100

Thanks in advance for your assistance!

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

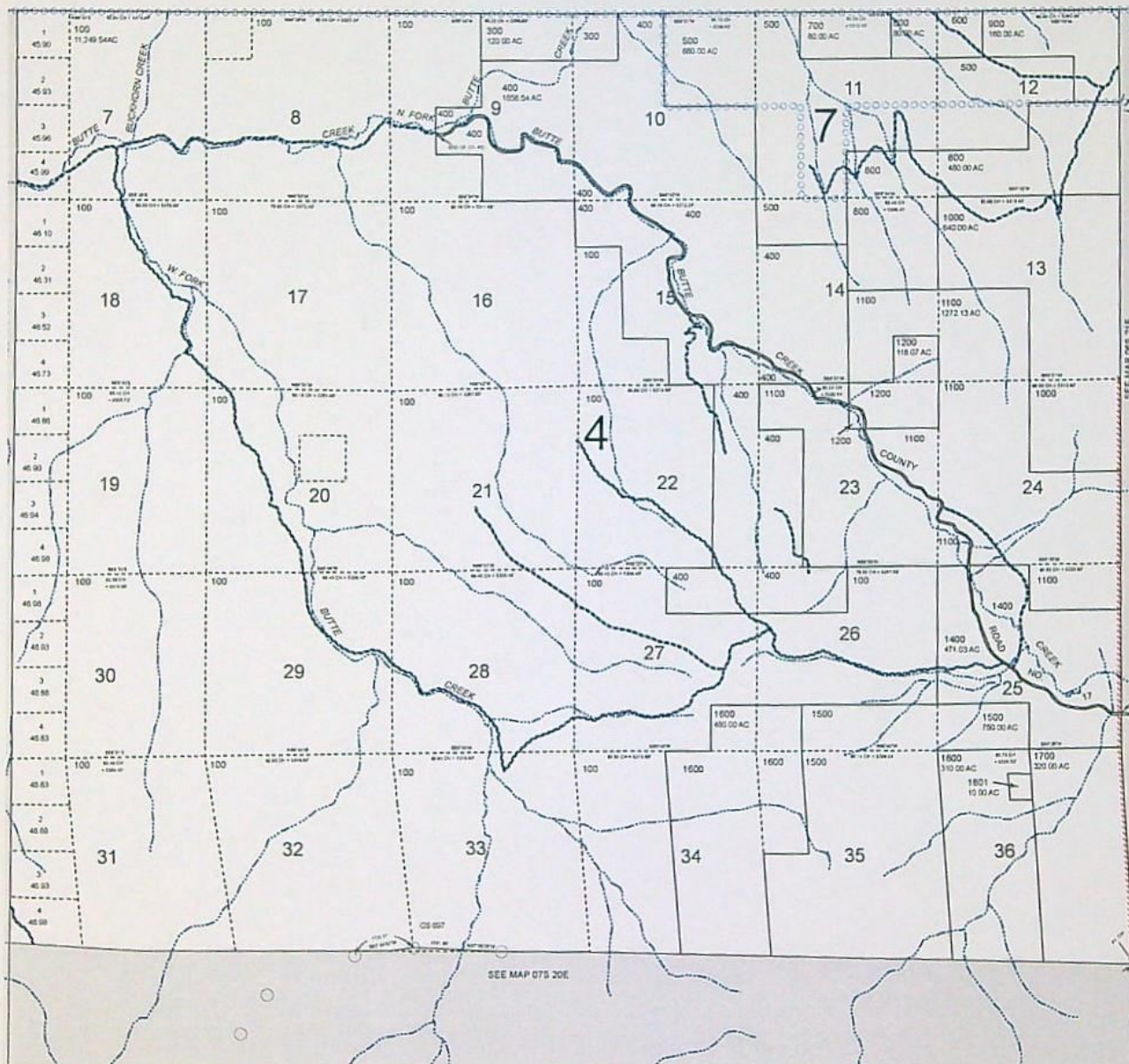
0 400 800 1,200 Feet

06S20E

1/29/2018

GILLIAM

COUNTY



CANCELLED
200
1,300

NET 11.99 PER 500

06S20E



Oregon Water Resources Department
Water Rights Platcard Report

NCR

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Search Criteria

Meridian: Willamette

Township: 6

South

Range: 20

East

Section: 7

Records per Page: 100

Platcards Maps!
[Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov Lot	Q140	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Inchoate: T 11670 CF (REG) *		12/31/1880	DOMESTIC													(*)	(*)	(*)						
Additional Info: MARLENE STANLEY Decree: JOHN DAY RIVER (F)																								
Select Inchoate: T 11670 CF (REG) *		12/31/1886	DOMESTIC													(*)		(*)		(*)	(*)			
Additional Info: MARLENE STANLEY Decree: JOHN DAY RIVER (F)																								
Select Inchoate: T 11670 CF (REG) *		12/31/1885	DOMESTIC																(*)	(*)		(*)		
Additional Info: MARLENE STANLEY Decree: JOHN DAY RIVER (F)																								
Select Inchoate: T 11670 CF (REG) *		12/31/1880	IRRIGATION												(2.8)		(1.8)	(4)						
Additional Info: MARLENE STANLEY Decree: JOHN DAY RIVER (F)																								
Select Inchoate: T 11670 CF (REG) *		12/31/1886	IRRIGATION												(6.8)		(0.3)		(2.4)	(0.3)				
Additional Info: MARLENE STANLEY Decree: JOHN DAY RIVER (F)																								
Select Inchoate: T 11670 CF (REG) *		12/31/1885	IRRIGATION																(0.2)	(1.2)		(0.7)		
Additional Info: MARLENE STANLEY Decree: JOHN DAY RIVER (F)																								
Select Cert: 24959 OR CN	T11670	12/31/1880	IRRIGATION CN AND DOMESTIC												-5.5	-1	-1.1	-1						
Additional Info: BUTTE CREEK LAND LIVESTOCK AND LUMBER CO. Decree: JOHN DAY RIVER (F) Cert: 24959																								
Select Cert: 24963 OR CN	T11670	12/31/1895	IRRIGATION, CN LIVESTOCK AND DOMESTIC																-0.8	-1.2				
Additional Info: BUTTE CREEK LAND LIVESTOCK AND LUMBER CO. Decree: JOHN DAY RIVER (F) Cert: 24963																								
Select Inchoate: T 11670 CF (REG) *		12/31/1886	LIVESTOCK													(*)		(*)		(*)	(*)			
Additional Info: MARLENE STANLEY Decree: JOHN DAY RIVER (F)																								
Select Inchoate: T 11670 CF (REG) *		12/31/1885	LIVESTOCK																(*)	(*)		(*)		
Additional Info: MARLENE STANLEY Decree: JOHN DAY RIVER (F)																								
Select Permit: R 14973 *		5/7/2012	MULTIPLE PURPOSE													.								
Additional Info: STANLEY RANCH LLC App: R87806 Permit: R14973																								

Acreage Legend: 12.25 Regular
acres

-12.25- Acreage is on a canceled
right

(12.25) Acreage is part of a transfer and has not been proven up on yet
(inchoate)

[12.25] Acreage has been
suspended

* Acreage is not
specified

Oregon Water Resources Department
Water Rights Information Query

Permit: R 14973 *

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Contact Information (Click to Collapse...)

▼ Current contact information

OWNER:
 ▶ STANLEY RANCH LLC
 PO BOX 486
 FOSSIL, OR 97830

▼ Prior contact information

AGENT:
 SKOOKUM WATER ASSOCIATES INC.
 ▶ STEVEN BRUCE
 1626 VICTORIAN WAY
 EUGENE, OR 97401
 ATTENTION:
 ▶ RICK STANLEY
 PO BOX 486
 FOSSIL, OR 97830

Workflow (Click to Collapse...)

▼ Application: R 87806

▶ Received: 5/7/2012

Application Workflow

Action	Date	Result	Completed By
Application Filed	5/7/2012		
▶ Alt-Reservoir Comment Period	7/14/2012		CODY HOLMES
Final Order	8/9/2012	Issued	KERRY KAVANAGH
Permit Issued	8/9/2012	Issued	KERRY KAVANAGH

▼ Permit: R 14973 [document](#), [paper map](#)

▶ Signature: 8/9/2012

Permit Workflow

Action	Date	Result	Completed By
Completion Date [C Date]	8/9/2017		
▶ View right with Web Mapping			
▶ View Places of Use from Water Rights in the Same Area			

Water Right Information (Click to Collapse...)

Status: Non-Cancelled
County: Wheeler
Authority: HB2376
File Folder Location: Salem
Watermaster District: 21

Scanned Documents (Click to Collapse...)

Records per page: 7

Document Type	Document Title	Date	Remarks
File Folder	FILE FOLDER	5/7/2012	
Application Checklist	APP CHECKLIST AND RECEIPT	5/7/2012	
Application	APPLICATION	5/7/2012	
Map - Application	APP MAP	5/7/2012	
Permit	Permit R14973 Map Image	8/9/2012	
Order - Final	FO	8/9/2012	
Permit	Permit R14973 Image	8/9/2012	

Point(s) of Diversion (Click to Collapse...)

▼ [POD 1 - BUTTE CREEK > JOHN DAY RIVER](#)

▼ Description

▶ **T-R-S-QQ:** 6.00S-20.00E-7-NE SW
 ▶ **Location Description:** 610 FEET SOUTH AND 330 FEET WEST FROM C1/4 CORNER, SECTION 7

▼ POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
		1.8	1.8

▼ MULTIPLE PURPOSE (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Elevation (ft)	Rate/Acre	Duty	Start Date	End Date	Remarks
5/7/2012			1.8	1.8				1/1	3/1	
5/7/2012			1.8	1.8				11/1	12/31	

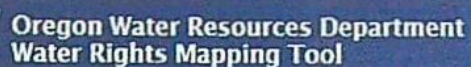
▼ Reservoir

▼ STANLEY POND

▼ Dam Location

▶ 610 FEET SOUTH AND 520 FEET WEST FROM C1/4 CORNER, SECTION 7

Volume (af)	Dam Height (ft)	Submerged Acres
		1.8



[Main](#)
[Help](#)
[Return](#)
[Contact Us](#)

Q 725 Summer St NE, Sal

Search: Water Right by File

Application: R

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Equal

Log. Distance:

   (Draw box on map.)

Points of Diversion: (Count: 2)

Places of Use: (Count: 1)

Identify Non-Water Right Features

Tax Lots

Layers

Tools

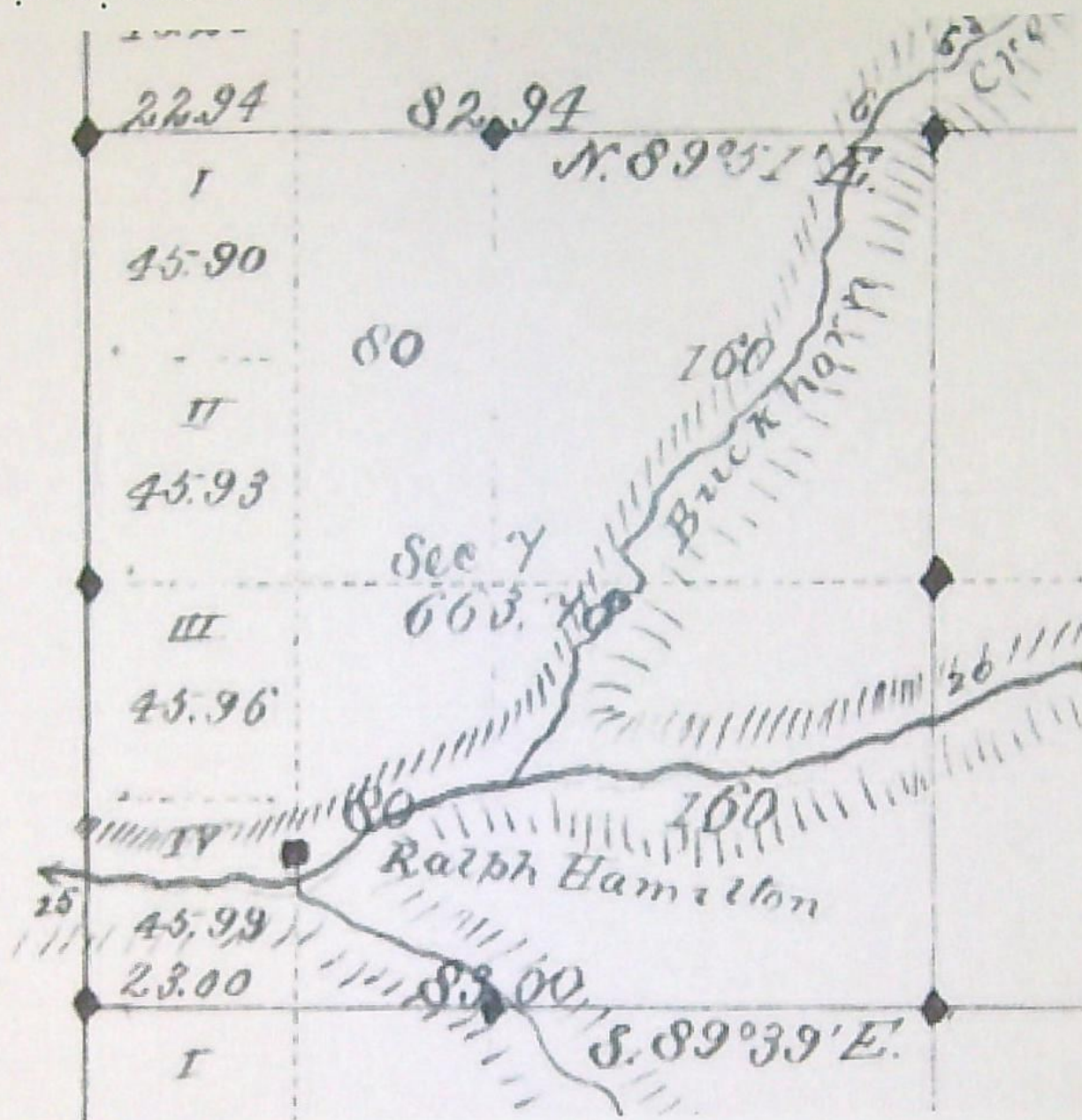
POD

POU

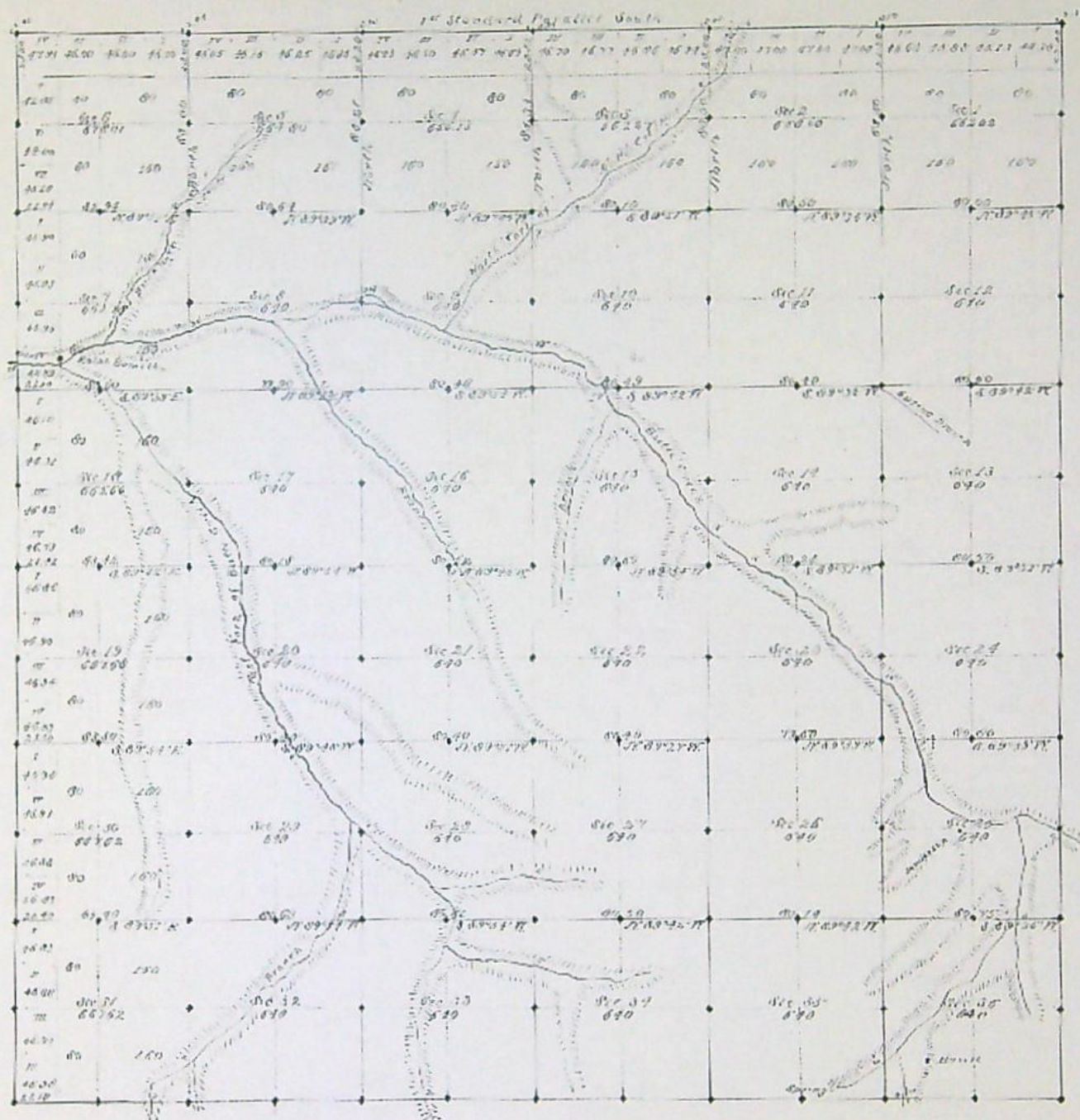
Irrigation Districts AOI



Portion Cadastral Survey T6S, R20E, W.M. - 1880-12-31:



Township No. 6 South Range No. 20 East Willamette Meridian, Oregon.



ACCEPTED BY THE HON. COMMISSIONER G. L. O.

Application # R-87806

Permit #R-

14973

Transfer #

Stanley Ranch, LLC

RA#

R12576-19

**Reimbursement Authority Process
Itemized FINAL Sheet
for
Certificates**

	New Est. Time (hr)	Hourly Multiplier	Total Est Hours	Individual	New Hourly Rate	New Est. Cost	Date/Act. Time
1. Review Claim of Beneficial Use report & map	1.00	31%	1.31	Kerry	\$62.09	\$ 81.34	
2. Conflict Check	0.50	31%	0.66	Kerry	\$62.09	\$ 40.67	
3. Prep of def. letter - contingency time	0.00	31%	0.00	Kerry	\$62.09	\$ -	
4. Prep of 1 prop cert	1.00	31%	1.31	Kerry	\$62.09	\$ 81.34	
5a. Peer review	0.00		0.00	Gerry	\$59.03	\$ -	
5b. Peer review	0.20		0.20	Dwight	\$86.03	\$ 17.21	
5c. Peer review - municipal-N/A	0.00		0.00	Kerri/Chris	\$49.08	\$ -	
5d. Peer review	0.50	26%	0.63	Jonnine	\$53.03	\$ 33.41	
6. Project Management -	3.00	31%	3.93	Kerry	\$62.09	\$ 244.01	
7a. Water right data record update (cert support)	1.00		1.00	Kerry	\$62.09	\$ 62.09	
7b. Water right data record update (data tech)	1.00		1.00	Data Tech	\$31.56	\$ 31.56	
8. Pump test -N/A	0.00		0.00	GW Staff	\$47.39	\$ -	
Total	8.20		10.04		Sub Total	\$592	
					10% Overhead	\$59.16	
					TOTAL	\$651	

S3 over (\$651 LESS \$648) - no refund

Application # R-87806 Permit #R-14973 Transfer #

Stanley Ranch, LLC RA# R12576-19

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Certificates**

	New Est. Time (hr)	Hourly Multiplier	Total Est Hours	Individual	New Hourly Rate	New Est. Cost	Date/Act. Time
1. Review Claim of Beneficial Use report & map	1.00	31%	1.31	Kerry	\$61.18	\$ 80.15	10-18 1.0
2. Conflict Check	0.25	31%	0.33	Kerry	\$61.18	\$ 20.04	10-18 0.5
3. Prep of def. letter - contingency time	0.25	31%	0.33	Kerry	\$61.18	\$ 20.04	10-18 1.0
4. Prep of 1 prop cert	1.25	31%	1.64	Kerry	\$61.18	\$ 100.18	10-18 1.0
5a. Peer review	0.25		0.25	Gerry	\$58.11	\$ 14.53	11-1 0.2
5b. Peer review	0.20		0.20	Dwight	\$85.28	\$ 17.06	
5c. Peer review - municipal-N/A	0.00		0.00	Kerri/Chris	\$49.08	\$ -	
5d. Peer review	0.50	26%	0.63	Jennine Jessica	\$41.08	\$ 25.88	10-29 0.5 7-18 10-30 10-31 1-24
6. Project Management - for water right data record update (cost support)	3.00	31%	3.93	Kerry	\$61.18	\$ 240.44	0.5 1.0 0.75 0.75
	0.50		0.50	Kerry Kaytech	\$23.27	\$ 11.64	11-1 1
7b. Water right data record update (data tech)	1.75		1.75	Manisa Data Tech	\$33.95	\$ 59.41	10-29 1
8. Pump test -N/A	0.00		0.00	GW Staff	\$47.39	\$ -	
Total	8.95		10.86		Sub Total	\$589	
					10% Overhead	\$58.93	
					TOTAL	\$648	

Permit R-14973 issued 11-29-2007 - store 1.8 AF in Stanley Pond - from Butte Cr, trib to John Day River

--- for multiple purpose

-- water may be appropriated for storage during the period November 1 through March 1

-- "may" require permit holder to install/maintain meter or OSMD

--- "may" require permit holder to record and report

Certificate 94099 issued 11-2-2018

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Tuesday, October 30, 2018 9:49 AM
To: marleneqstanley@gmail.com; 'steve@skookumwater.com'
Subject: Certificate RA Project R12576-19 for Stanley Ranch LLC involving Application R-87806 -- please review draft certificate
Attachments: R-87806-or-prop_DRAFT-2018-10-30.pdf

Hello Marlene and Steve,

Please find attached to this email the draft certificate for Application R-87806.

Please review and compare the draft certificate to Permit R-14973 for accuracy and completeness.

For your convenience, here is a link to information regarding Application R-87806 in the Department's Water Rights Information System (WRIS) database:

https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=174557

Click on "document" to the right of "Permit R-14973 " to view the permit

Please provide me your comments or edits, should you have any. If you and the water users agree with the draft certificate and let me know this, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STANLEY RANCH LLC
PO BOX 486
FOSSIL OR 97830

confirms the right to store water perfected under the terms of Permit R-14973. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87806

SOURCE OF WATER: BUTTE CREEK, TRIBUTARY TO JOHN DAY RIVER

STORAGE FACILITY: STANLEY POND

MAXIMUM VOLUME: 1.8 ACRE-FEET

DATE OF PRIORITY: MAY 7, 2012

WATER MAY BE APPROPRIATED AS FOLLOWS: NOVEMBER 1 THROUGH MARCH 1

USE: MULTIPLE PURPOSE

Dam Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	20 E	WM	7	NE SW	920 FEET SOUTH AND 220 FEET WEST FROM C1/4 CORNER, SECTION 7

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
6 S	20 E	WM	7	NE SW

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.
- C. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when determined necessary.

The water user shall pass all live flow outside the storage season described above.

The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

The water user shall maintain and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the diversion.

This right allows an annual appropriation (not to exceed the specified volume). This right does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

Diversion of water under this right is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at John Day River at McDonald Ferry, Oregon, gage 14048000, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

John Day River Scenic Waterway	
<i>Month</i>	<i>Minimum Flow (cfs)</i>
November	500
December	500
January	500
February	1000
March	2000

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

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

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

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

The use may be restricted if the quality of the downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Thursday, July 05, 2018 10:24 AM
To: COSSITT Donald
Subject: property in Wheeler County

Hello,

I am preparing a certificate of water right. I need to confirm the current ownership of lands involved in the water right.

Please provide the name and mailing address for the following parcel:

06S20E TL 00100

Thanks in advance for your assistance!

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Wednesday, July 18, 2018 10:44 AM
To: 'marleneqstanley@gmail.com'; 'steve@skookumwater.com'
Subject: Certificate RA Agreement R12576-19 for Stanley Ranch LLC involving Application R-87806.
Attachments: RA contract executed_R-87806.pdf; RA contract receipt_R-87806.pdf

Hello Marlene and Steve,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

If you have any questions, please call me.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT

Contract Number: R12576-19



This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Stanley Ranch LLC, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Project Contact: Kerry Kavanagh
Reimbursement Authority
Oregon Water Resources Department

725 Summer Street NE
Salem, OR 97301-1271

Phone: 503-986-0927

Email: Kerry.L.Kavanagh@state.or.us

Applicant's Information

Company: Stanley Ranch LLC

Address: PO Box 486

Fossil, OR 97830

Phone: 541-763-2234

Email: marlene@stanley@gmail.com

Applicant's Representative

Name: Steve Bruce

Title: Representative

Company: Skookum Water
Associates Inc.

Address: 1626 Victorian Way
Eugene, OR 97401

Phone: 503-319-8926

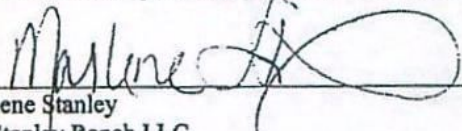
Email: steve@skookumwater.com

no dots

- Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Application Number: R-87806)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Stanley Ranch LLC and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Stanley Ranch LLC shall pay OWRD in advance for actual costs incurred by OWRD. Stanley Ranch LLC agrees to pay the full amount of \$648 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Stanley Ranch LLC agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: 

Name: Marlene Stanley

Company: Stanley Ranch LLC

Date: 7/9/18

For OWRD: 

Name: Kerry Kavanagh

Water Right Services Division

Date: 7-16-18

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT

Contract Number: **R12576-19**



This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Stanley Ranch LLC, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Project Contact: Kerry Kavanagh
Reimbursement Authority
Oregon Water Resources Department

725 Summer Street NE
Salem, OR 97301-1271
Phone: 503-986-0927

Email: Kerry.L.Kavanagh@state.or.us

Applicant's Information

Company: Stanley Ranch LLC

Address: PO Box 486
Fossil, OR 97830
Phone: 541-763-2234

Email: marlene@stanley@gmail.com

Applicant's Representative

Name: Steve Bruce
Title: Representative

Company: Skookum Water
Associates Inc.

Address: 1626 Victorian Way
Eugene, OR 97401
Phone: 503-319-8926

Email: steve@skookumwater.com

- no dots*
- Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Application Number: R-87806)
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 - Restrictions.** Stanley Ranch LLC and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
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 - Consideration.** Stanley Ranch LLC shall pay OWRD in advance for actual costs incurred by OWRD. Stanley Ranch LLC agrees to pay the full amount of \$648 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
 - Confidentiality.** Stanley Ranch LLC agrees that any information provided under this Agreement will be subject to the Oregon Public Records Law and records.
 - Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the OWRD and their officers, employees, and agents from and against all claims, suits, liabilities, costs and expenses of any nature resulting from or arising out of, the work of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

RECEIVED

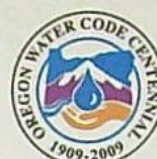
JUL 16 2018

OWRD

PCA 47126



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT



Contract Number: **R12576-19**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Stanley Ranch LLC**, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Project Contact: Kerry Kavanagh
Reimbursement Authority
Oregon Water Resources Department

725 Summer Street NE
Salem, OR 97301-1271
Phone: 503-986-0927

Email: Kerry.L.Kavanagh@state.or.us

Applicant's Information

Company: Stanley Ranch LLC

Address: PO Box 486
Fossil, OR 97830
Phone: 541-763-2234

Email: marlene@stanley@gmail.com

Applicant's Representative

Name: Steve Bruce
Title: Representative
Company: Skookum Water
Associates Inc.

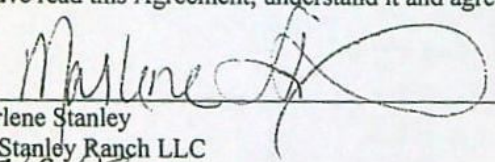
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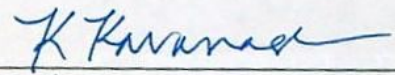
Email: steve@skookumwater.com

- no dots*
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 - Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
 - Restrictions.** Stanley Ranch LLC and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
 - Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
 - Consideration.** Stanley Ranch LLC shall pay OWRD in advance for actual costs incurred by OWRD. Stanley Ranch LLC agrees to pay the full amount of **\$648** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
 - Confidentiality.** Stanley Ranch LLC agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
 - Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: 
Name: Marlene Stanley
Company: Stanley Ranch LLC
Date: 7/9/18

For OWRD: 
Name: Kerry Kavanagh
Water Right Services Division
Date: 7-16-18

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **127313**

Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Stanley Ranch, LLC

APPLICATION R-87806

BY: _____

PERMIT
TRANSFER

CASH: ☐ CHECK: # 15428 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 648.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R.12576-19 \$ _____
0408 OTHER: (IDENTIFY) Reimbursement for Activity \$ 648.00

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$ _____
0410	RESEARCH FEES	\$ _____
0408	MISC REVENUE: (IDENTIFY) _____	\$ _____
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$ _____
0240	EXTENSION OF TIME	\$ _____

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE \$ _____	0202	RECORD FEE \$ _____
0203	GROUND WATER	\$ _____	0204	\$ _____
0205	TRANSFER	\$ _____		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____	0219	LICENSE FEE \$ _____
	LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$ _____	CARD # _____
0210	MONITORING WELLS	\$ _____	CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$ _____
0231	HYDRO LICENSE FEE (FW/WRD)	\$ _____
	HYDRO APPLICATION	\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **127313**

DATED: 7/16/18 BY: C. Wheelwright

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **127313**

700 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Stanley Ranch, LLC

BY: _____

APPLICATION	<u>R-87806</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 15428 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 648.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R12576-19 \$ _____
0408 OTHER: (IDENTIFY) Reimbursement of Activities \$ 648.00

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$ _____
0410	RESEARCH FEES	\$ _____
0408	MISC REVENUE: (IDENTIFY) _____	\$ _____
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$ _____
0240	EXTENSION OF TIME	\$ _____

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE \$ _____	0202	RECORD FEE \$ _____
0203	GROUND WATER	EXAM FEE \$ _____	0204	RECORD FEE \$ _____
0205	TRANSFER	EXAM FEE \$ _____		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____	0219	LICENSE FEE \$ _____
	LANDOWNER'S PERMIT		0220	LICENSE FEE \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$ _____	CARD # _____
0210	MONITORING WELLS	\$ _____	CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)	\$ _____
0231	HYDRO LICENSE FEE (FWWRD)	\$ _____
	HYDRO APPLICATION	\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **127313**

DATED: 7/16/18 BY: CWuehtrich

STANLEY RANCH, LLC

15428

RECEIVED
JUL 16 2018
OWRD

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Thursday, July 05, 2018 2:43 PM
To: 'marlene.q.stanley@gmail.com'; 'steve@skookumwater.com'
Subject: RA Certificate Estimate R12576-19 for Stanley Ranch LLC involving Application R-87806
Attachments: RA contract_R-87806.pdf; RA estimate receipt_R-87806.pdf; RA estimate request_R-87806.pdf

Hello Marlene and Steve,

Please find the attached estimate and agreement to review the claim of beneficial use. If the proposed agreement is acceptable to you, please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please call me.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT

Contract Number: R12576-19



This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Stanley Ranch LLC, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Project Contact: Kerry Kavanagh
Reimbursement Authority
Oregon Water Resources Department

725 Summer Street NE
Salem, OR 97301-1271
Phone: 503-986-0927
Email: Kerry.L.Kavanagh@state.or.us

Applicant's Information

Company: Stanley Ranch LLC

Address: PO Box 486
Fossil, OR 97830
Phone: 541-763-2234
Email: marlene.q.stanley@gmail.com

Applicant's Representative

Name: Steve Bruce
Title: Representative
Company: Skookum Water
Associates Inc.
Address: 1626 Victorian Way
Eugene, OR 97401
Phone: 503-319-8926
Email: steve@skookumwater.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Application Number: R-87806)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Stanley Ranch LLC and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Stanley Ranch LLC shall pay OWRD in advance for actual costs incurred by OWRD. Stanley Ranch LLC agrees to pay the full amount of \$648 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Stanley Ranch LLC agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
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12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: _____
Name: Marlene Stanley
Company: Stanley Ranch LLC
Date: _____

For OWRD: _____
Name: Kerry Kavanagh
Water Right Services Division
Date: _____

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **127127**
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Stanley Ranch, LLC
BY: _____

APPLICATION R 87806
PERMIT _____
TRANSFER _____

CASH: ☐ CHECK: # 15418 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 325.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R 12576-19 \$
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) _____ \$
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$
0240 EXTENSION OF TIME \$
WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$
WELL CONSTRUCTION EXAM FEE LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$
LANDOWNER'S PERMIT 0220 \$
0200 OTHER (IDENTIFY) COBU \$ 200.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD # _____
0210 MONITORING WELLS \$ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: **127127**

DATED: 6-27-18 BY: Gilman

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

KAVANAGH Kerry L * WRD

From: HAGE Trisha * WRD
Sent: Thursday, July 05, 2018 11:00 AM
To: ZIELINSKI Vicki J * WRD; SNYDER Lisa J * WRD
Cc: SUMPTION Mishelle K * WRD; HALL Kimberly D * WRD; WUETHRICH Courtney A * WRD; KAVANAGH Kerry L * WRD
Subject: RE: Certificate Request

Hi Vicki,
Please use R12576-19 and PCA 47126.
Thanks,
Trisha

From: ZIELINSKI Vicki J * WRD
Sent: Thursday, July 05, 2018 10:57 AM
To: SNYDER Lisa J * WRD; HAGE Trisha * WRD
Cc: SUMPTION Mishelle K * WRD; HALL Kimberly D * WRD; WUETHRICH Courtney A * WRD; KAVANAGH Kerry L * WRD
Subject: Certificate Request

Hello,

Applicant: Stanley Ranch LLC, Attn: Marlene Stanley

Application: R-87806

Receipt: 127127

Thank you!

Vicki J. Zielinski, Receptionist, Administrative Services

Oregon Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301-1266

Desk: 503.986.0900

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **127127**
 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Stanley Ranch, LLC
 BY: _____

APPLICATION	R 87806
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 15418 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 325.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R 12576-19 \$
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00

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4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

0200 OTHER (IDENTIFY) COBU \$ 200.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY) _____		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **127127** DATED: 6-27-18 BY: Gilman

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **127127**

Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Stanky Ranch, LLC
BY: _____

APPLICATION	<u>R 87806</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 15418 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$325.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R 125 76 - 19 \$
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00
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4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

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0408 MISC REVENUE: (IDENTIFY) _____	\$	
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$	
0240 EXTENSION OF TIME	\$	

WATER RIGHTS:	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

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0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **127127**

DATED: 6-27-18 BY: Kilmer

STANLEY RANCH, LLC

15418

RECEIVED

JUN 27 2018

OWRD



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
☒	Certificate Request	Application Number R-87806 Permit Number R-14973 Transfer Number/Permit Amendment (if applicable) NA

	Applicant Information	Applicant's Representative/Contact
Name:	Stanley Ranch LLC Attn: Marlene Stanley	Steven R. Bruce Skookum Water Assoc. Inc.
Address:	P.O. Box 486 Fossil, OR 97830	1626 Victorian Way Eugene, OR 97401
Phone:	(541) 763-2234	(503) 319-8926
Fax:		
E-Mail Address:	Marlene.Q.Stanley@gmail.com	Steve@Skookumwater.com

I certify that I (check one):

- ☐ have previously filed a Claim of Beneficial Use
☒ am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:
Oregon Water Resources Department
Certificate Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

I certify that I am the (check one):

- ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Name: Marlene Stanley, Managing Member of the Stanley Ranch LLC

Signature:

RECEIVED

JUN 27 2018

OWRD

OWRD USE ONLY: Reimbursement Authority Number: R125 76 19

Mailing List for FO

Scheduled Mailing Date:

Application: R-87806

Permit: R-14973

Original mailed to Applicant with CBU form:

STANLEY RANCH LLC
PO BOX 486
FOSSIL OR 97830 ✓

Copies of FO and map sent to:

1. File R-87806 ✓
2. WRD - Water Availability (Ken Stahr) ✓
3. WRD - Watermaster District 21, Kenneth C. Thiemann ✓
4. WRD - Region Manager: NC REGION ✓

Copies of FO sent to other interested persons (CWRE, Agent, Commenter, etc.):

1. Steven R. Bruce, CWRE, ✓
Skookum Water Associates Inc., PO Box 80174, Portland, OR 97280

Copies Mailed

by: Connie Jones

(STAFF)

on: 8/9/2012

(DATE)

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON**

In the Matter of Water Rights Application)
R-87806, Wheeler County)

**FINAL ORDER
APPROVING THE STORAGE OF
SURFACE WATER**

Authority

Oregon Revised Statutes (ORS) 537.409 establishes the process by which an application to store waters of the public may be submitted.

Findings of Fact

1. On MAY 7, 2012, STANLEY RANCH LLC submitted an application for a permit to store water pursuant to ORS 537.409.
Storage Volume: 1.8 ACRE FEET
Dam Height: ZERO FEET
Source: BUTTE CREEK, TRIBUTARY TO JOHN DAY RIVER
Location: WHEELER COUNTY IN SECTION 7, TOWNSHIP 6 SOUTH, RANGE 20 EAST, W.M.
2. The required examination fees were paid and minimum application requirements were met.
3. The Department provided public notice of the application in the Department's weekly public notice on May 15, 2012. A 60-day comment period followed.
4. The Department has not received public comment related to the possible issuance of the attached permit.
5. The Department has determined that the proposed source has not been withdrawn from further appropriation.

APPEAL RIGHTS

Appeal to a circuit court: This is a final order in other than a contested case. Any party affected by a final order in other than a contested case issued by the Water Resources Commission or Water Resources Department may appeal the order to the appropriate circuit court (ORS 536.075). A petition for judicial review must be filed within the 60-day time period specified by ORS 183.484 (2).

Petition to the Department for Reconsideration of the Final Order: A person entitled to judicial review of this order may also file a petition for the Department's reconsideration of the order. The petition for reconsideration must be filed with the Department within 60 calendar days after the date of the order. A copy of the petition must also be delivered or mailed to all other persons and agencies requiring notification under statute or rule (OAR 137-004-0080). The petition must set forth the specific grounds for reconsideration, and may be supported by a written argument. The petition may include a request for a stay of the order if the petition complies with the requirements of OAR 137-003-0090 (2). The Department may grant or deny the petition by summary order. If the Department takes no action, the petition is deemed denied as provided by ORS 183.484 (2). A final order remains in effect during reconsideration until stayed or changed. Following reconsideration, the agency must enter a new order, which may be an order affirming the existing order (OAR 137-004-0080). Reconsideration cannot be granted after the filing of a petition for judicial review, unless permitted by the court (OAR 137-004-0080 (6)).

ORS 537.409 does not provide an opportunity to request a contested-case hearing. Appeal rights on this final order approving the application are limited to the above procedures.

6. The proposed reservoir is not prohibited under ORS 390.835.
7. Water is available for the proposed use according to the Department's water-availability model and the watermaster's assessment.
8. The Department finds that existing water rights would not be injured by the proposed use.
9. The Department relies on the Oregon Department of Fish and Wildlife's review and recommendations in determining whether a proposed use would pose a significant detrimental impact to existing fishery resources. The Department has determined that, as conditioned, the proposed use will not pose a significant detrimental impact to existing fishery resources.

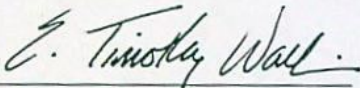
Conclusions of Law

1. Water is available for the proposed use.
2. The proposed use will not injure existing water rights.
3. The proposed use will not pose a significant detrimental impact to existing fishery resources.
4. Application R-87806 is consistent with the requirements of ORS 537.409.

Now Therefore, it is Ordered:

Application R-87806 is approved, and Permit R-14973 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on August 9 2012.



E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director

This order was produced by Kerry Kavanagh. If you have any questions about any of the statements contained in this document, I am probably the best person to answer your questions. You may reach me at 503-986-0816 or Kerry.L.Kavanagh@ wrd.state.or.us.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE, Suite A, Salem OR 97301-1266, Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF WHEELER

PERMIT TO STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

STANLEY RANCH LLC
PO BOX 486
FOSSIL OR 97830

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87806

SOURCE OF WATER: BUTTE CREEK, TRIBUTARY TO JOHN DAY RIVER

STORAGE FACILITY: STANLEY POND

MAXIMUM VOLUME: 1.8 ACRE FEET

DATE OF PRIORITY: MAY 7, 2012

WATER MAY BE APPROPRIATED AS FOLLOWS: NOVEMBER 1 THROUGH MARCH 1

USE: MULTIPLE PURPOSE

Dam Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	20 E	WM	7	NE SW	610 FEET SOUTH AND 330 FEET WEST FROM C1/4 CORNER, SECTION 7

The Area To Be Submerged:

Twp	Rng	Mer	Sec	Q-Q
6 S	20 E	WM	7	NE SW

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order, and shall allow the watermaster access to the device(s). The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use, and the place and nature of use of water under the permit.
- C. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.

The permittee shall pass all live flow outside the storage season described above.

The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. The permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

Diversion of water under this permit is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at John Day River at McDonald Ferry, Oregon, gage 14048000, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

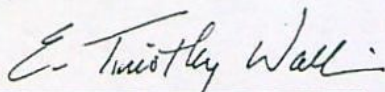
John Day Scenic Waterway	
Month	Minimum Flow (cfs)
November	500
December	500
January	500
February	1000
March	2000

STANDARD CONDITIONS

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

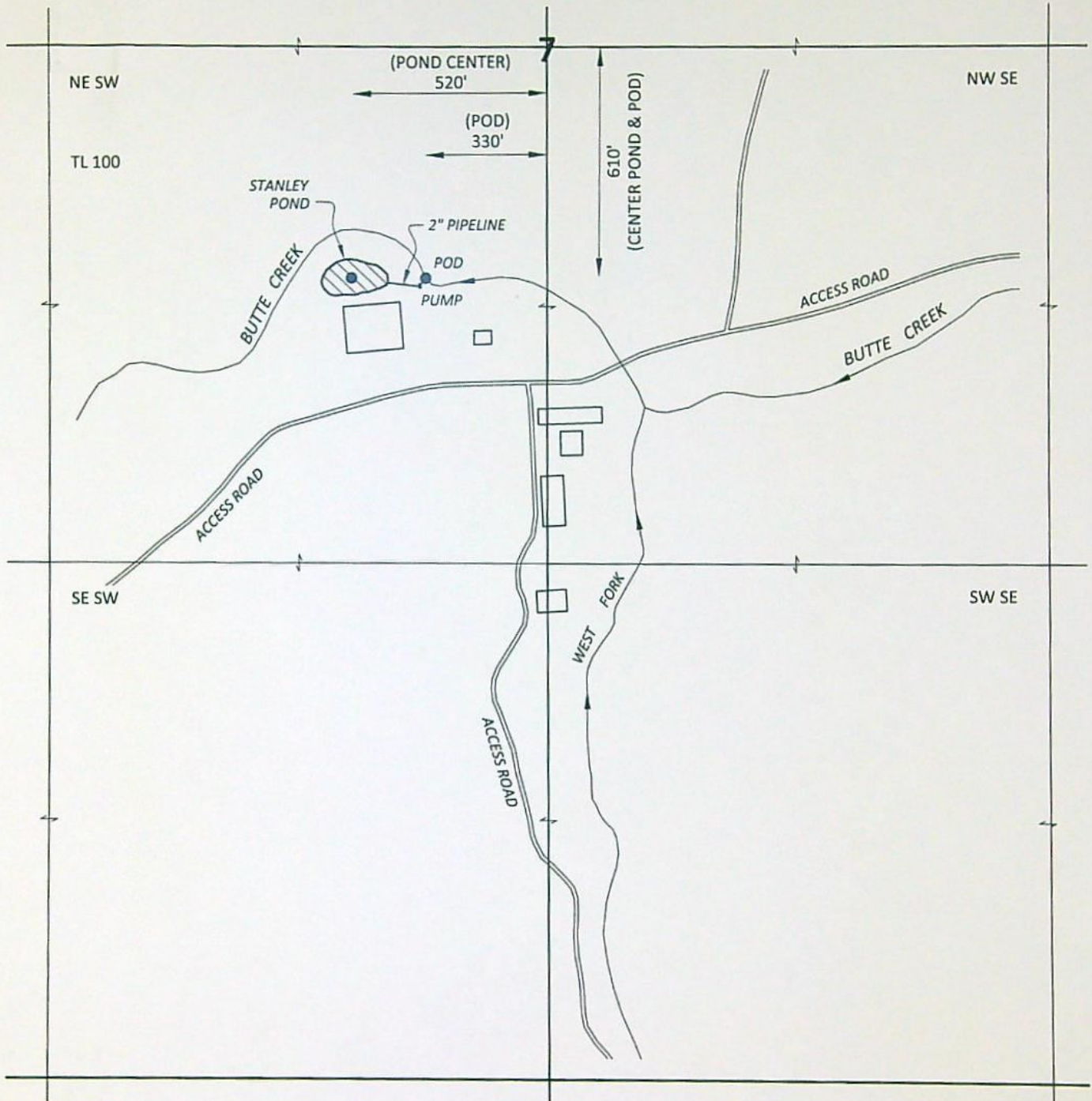
2. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
3. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
4. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
5. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, shall be followed.
6. The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
7. If the volume of the completed reservoir is 9.2 acre feet or more and a dam is used to impound the water, the height of the dam shall be less than 10.0 feet.
8. Construction shall be completed and up to the permitted annual volume of water shall be stored within five years of the date of permit issuance.
9. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.
10. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.
11. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
 - a. the dimensions of the reservoir;
 - b. the maximum capacity of the reservoir in acre-feet; and
 - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued August 9 2012.



E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director
Water Resources Department

SECTION 7, T6S, R20E, W.M.
WHEELER COUNTY



EXPLANATION



PROPOSED RESERVOIR
(1.8 ACRE-FEET)

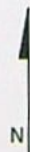


PROPOSED POINT OF DIVERSION &
CENTER OF POND

SKOOKUM

WATER ASSOCIATES INC

P.O. BOX 80174
PORTLAND, OR 97280
(503) 319-8926

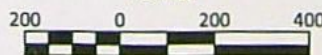


RECEIVED

MAY 07 2012

WATER RESOURCES DEPT
SALEM, OREGON

SCALE



1 INCH = 400 FEET

APRIL 13, 2012

THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR
LOCATIONS OF PROPERTY
OWNERSHIP LINES

Stanley Pond
Application Map
Stanley Ranch LLC

R-87006

ORS 537.409 ALTERNATE RESERVOIR WORKSHEET

FILE #: R-87806

WM DIST: 21

REGION: NCR

WID #: 6 - 30620409

PUBLIC NOTICE: 5/15/2012

☒ Land Use complete ☒ Yes ☐ No ☐ NA

☒ Appropriate Fees ☒ Yes ☐ No, need: Pd \$750

(\$80 base, \$20 per af) OR (\$300 base, \$25 per af, & \$400 recording)

\$300 + (\$25 x 2) = \$350 exam, \$400 record

☒ Secondary app necessary ☐ Yes, App S- ☒ No

☒ Stream withdrawn ☐ Yes ☒ No

☒ SWW ☐ In (may not be allowed) ☐ Out or Above

John Day SWW

Mail forms to appropriate Interagency Review Team members.

ODFW Contact: Jeff Neale

DEQ Contact: Don Butcher

Watermaster: #21 - Ken Theisman

If in Umatilla: Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, Pendleton, Oregon 97801

Water available: November 1 through June 30

Allowed season: JAN FEB ~~MAR~~ APR MAY JUN JUL AUG SEP OCT NOV DEC
March 1

Measurement Conditions: Small (≤ 9.2 af) | Medium (> 9.2 , but < 100 af) | Large (≥ 100 af or govt. entity, 537.099)
*use staff gage for runoff

Other Conditions: use fishmay if ODFW doesn't request screen/by-pass condition

WM - 4-30-12 limit storage season Nov 1 - March 1

ODFW - FISHSELF

Assign permit number R- 14973

Remarks: cc: Steve Bruce, Skookum Water Assoc. Inc.

Completed by Kerry Kavanagh on 5/15/2012. Peer review:

7-23-12 Jenna Eastman

App: R 87806 *

▶ Platcard

▶ Conflict Report

▶ POD Characteristics

▼ Water Availability

▶ BUTTE CR > JOHN DAY R - AT MOUTH

▶ POD: 1

▶ IR Checklist

▶ Digital Map (Applications are not mapped, use POD Locations instead)

Contact Information

▼ Current contact information

AGENT:
SKOOKUM WATER ASSOCIATES INC.
▶ STEVEN BRUCE
PO BOX 80174
PORTLAND, OR 97280

APPLICANT:
▶ STANLEY RANCH LLC
PO BOX 486
FOSSIL, OR 97830

ATTENTION:
▶ RICK STANLEY
PO BOX 486
FOSSIL, OR 97830

Water Right Information

Status: Non-Cancelled
County: Wheeler
Authority: HB2376
File Folder Location: Salem
Watermaster District: 21

Documents [View all scanned documents](#)

▼ Application: R 87806

▶ Received: 5/7/2012

Application Workflow

Action	Date	Result	Completed By
Application Filed	5/7/2012		
Alt-Reservoir Comment Period	7/14/2012		CODIHOLMES

▶ Unable to view right in new web mapping because this water right is not currently mapped

Point(s) of Diversion

▼ POD 1 - BUTTE CREEK > JOHN DAY RIVER

▼ Description

▶ T-R-S-QQ: 6.00S-20.00E-7-NE SW
▶ Location Description: 610 FEET SOUTH AND 330 FEET WEST FROM C1/4 CORNER, SECTION 7

▼ POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
		1.8	1.8

▼ MULTIPLE PURPOSE (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
5/7/2012			1.8	1.8			1/1	12/31	

▼ Reservoir

▼ STANLEY POND

▼ Dam Location

▶ 610 FEET SOUTH AND 520 FEET WEST FROM C1/4 CORNER, SECTION 7 7

Volume (af)	Dam Height (ft)	Submerged Acres
	0.0	1.8

Place(s) of Use [Add TRS grouping](#)

▼ Use - MULTIPLE PURPOSE (Primary); Priority Date: 5/7/2012

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Inchoate Info	Remarks
▶ 6.00S-20.00E-7	NE SW					NC		
Sum of Acres: 0.0								

Water Right Genealogy

--No genealogy records available for this water right, try the family link below instead.

1 of 2

5/15/2012 2:14 PM

[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

Point of Diversion Characteristics

Right:	App: R 87806 *
Name:	STANLEY RANCH LLC

TRSQQ: 06.00S-20.00E-07-NESW Digital Map of TRSQQ

County: Wheeler

Basin: John Day

WM District: 21

WM Region: NC

Withdrawn Area:

WAB: BUTTE CR > JOHN DAY R - AT MOUTH (30620409)

Priority WAB:

Rule 4D: Rules apply

Groundwater Restricted Area:

Scenic Water Way: ABOVE The John Day Scenic Waterway

Division 33: UPPER COLUMBIA

Water Quality Limited: Yes

Water Availability Analysis

BUTTE CR > JOHN DAY R - AT MOUTH

JOHN DAY BASIN

Water Availability as of 5/15/2012

Watershed ID #: 30620409

Date: 5/15/2012

Exceedance Level: 50%

Time: 2:17 PM

Water Availability

Select any Watershed for Details

Nesting Order	Watershed ID #	Stream Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	209	JOHN DAY R > COLUMBIA R - AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	Yes
2	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	Yes

Limiting Watersheds

Monthly Streamflows in Cubic Feet per Second

Storage at 50% Exceedance in Acre-Feet

Month	Limiting Watershed ID #	Stream Name	Water Available?	Net Water Available
JAN	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	8.18
FEB	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	21.60
MAR	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	34.30
APR	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	17.70
MAY	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	6.01
JUN	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	0.64
JUL	209	JOHN DAY R > COLUMBIA R - AT MOUTH	No	-54.40
AUG	209	JOHN DAY R > COLUMBIA R - AT MOUTH	No	-357.00
SEP	209	JOHN DAY R > COLUMBIA R - AT MOUTH	No	-362.00
OCT	209	JOHN DAY R > COLUMBIA R - AT MOUTH	No	-178.00
NOV	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	4.69
DEC	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	6.64
ANN	30620409	BUTTE CR > JOHN DAY R - AT MOUTH	Yes	5,970.00

Detailed Reports for Watershed ID #209

JOHN DAY R > COLUMBIA R - AT MOUTH

JOHN DAY BASIN

Water Availability as of 5/15/2012

Watershed ID #: 209

Date: 5/15/2012

Exceedance Level: 50%

Time: 2:17 PM

Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second
Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	1,250.00	21.50	1,230.00	57.20	500.00	671.00
FEB	2,440.00	30.00	2,410.00	117.00	1,000.00	1,290.00
MAR	3,250.00	55.10	3,190.00	163.00	2,000.00	1,030.00
APR	4,860.00	162.00	4,700.00	272.00	2,000.00	2,430.00
MAY	5,050.00	319.00	4,730.00	245.00	2,000.00	2,490.00
JUN	2,700.00	294.00	2,410.00	67.60	2,000.00	338.00
JUL	715.00	269.00	446.00	0.00	500.00	-54.40
AUG	340.00	197.00	143.00	0.00	500.00	-357.00
SEP	271.00	133.00	138.00	0.00	500.00	-362.00
OCT	380.00	57.80	322.00	0.00	500.00	-178.00
NOV	542.00	15.00	527.00	4.53	500.00	22.50
DEC	940.00	18.40	922.00	36.20	500.00	385.00
ANN	1,370,000.00	95,300.00	1,270,000.00	57,800.00	753,000.00	520,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	8.66	0.00	6.00	0.72	0.57	2.53	2.51	0.50	21.50
FEB	17.70	0.00	6.00	0.72	0.57	2.53	2.51	0.00	30.00
MAR	28.20	14.60	6.00	0.72	0.57	2.53	2.51	0.00	55.10
APR	34.80	115.00	6.00	0.72	0.57	2.53	2.51	0.00	162.00
MAY	31.50	276.00	6.00	0.72	0.57	2.53	2.51	0.00	319.00
JUN	16.60	260.00	11.30	0.72	0.57	2.53	2.51	0.00	294.00
JUL	4.19	248.00	11.30	0.72	0.57	2.53	1.76	0.00	269.00
AUG	1.99	178.00	11.30	0.72	0.57	2.53	1.76	0.00	197.00
SEP	1.59	115.00	11.30	0.72	0.57	2.53	1.76	0.00	133.00
OCT	2.22	44.00	6.00	0.72	0.57	2.53	1.76	0.00	57.80
NOV	3.39	0.00	6.00	0.72	0.57	2.53	1.76	0.00	15.00
DEC	6.06	0.00	6.00	0.72	0.57	2.53	2.51	0.00	18.40

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

Application #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
RN80601A	9.46	16.30	24.40	35.40	29.30	12.80	0.00	0.00	0.00	0.00	0.87	6.64
RN80602A	5.28	10.20	8.63	19.50	19.80	2.90	0.00	0.00	0.00	0.00	0.20	3.05
RN80603A	8.99	21.70	51.00	95.10	87.00	37.50	0.00	0.00	0.00	0.00	0.00	4.62
RN80604A	23.50	46.90	45.30	104.00	105.00	14.40	0.00	0.00	0.00	0.00	1.08	16.50
RN80605A	10.00	21.70	33.60	18.80	3.45	0.00	0.00	0.00	0.00	0.00	2.39	5.31
Total	57.23	116.80	162.93	272.80	244.55	67.60	0.00	0.00	0.00	0.00	4.53	36.12

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF209A	CERTIFICATE	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00
SY90605A	SWW	500.00	1,000.00	2,000.00	2,000.00	2,000.00	2,000.00	500.00	500.00	500.00	500.00	500.00	500.00
Maximum		500.00	1,000.00	2,000.00	2,000.00	2,000.00	2,000.00	500.00	500.00	500.00	500.00	500.00	500.00

Detailed Reports for Watershed ID #30620409

BUTTE CR > JOHN DAY R - AT MOUTH
JOHN DAY BASIN

Water Availability as of 5/15/2012

Watershed ID #: 30620409

Exceedance Level: 50%

Date: 5/15/2012

Time: 2:17 PM

Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second

Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	8.29	0.11	8.18	0.00	0.00	8.18
FEB	21.80	0.16	21.60	0.00	0.00	21.60
MAR	35.10	0.82	34.30	0.00	0.00	34.30
APR	20.80	3.07	17.70	0.00	0.00	17.70
MAY	13.60	7.59	6.01	0.00	0.00	6.01
JUN	6.84	6.20	0.64	0.00	0.00	0.64
JUL	3.83	2.17	1.66	0.00	0.00	1.66
AUG	2.31	0.95	1.36	0.00	0.00	1.36
SEP	2.29	0.56	1.73	0.00	0.00	1.73
OCT	2.70	0.28	2.42	0.00	0.00	2.42
NOV	4.79	0.10	4.69	0.00	0.00	4.69
DEC	6.74	0.10	6.64	0.00	0.00	6.64
ANN	7,750.00	1,340.00	6,410.00	0.00	0.00	6,410.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	0.03	0.00	0.06	0.00	0.00	0.01	0.01	0.00	0.11
FEB	0.08	0.00	0.06	0.00	0.00	0.01	0.01	0.00	0.16
MAR	0.13	0.61	0.06	0.00	0.00	0.01	0.01	0.00	0.82
APR	0.07	2.92	0.06	0.00	0.00	0.01	0.01	0.00	3.07
MAY	0.04	7.47	0.06	0.00	0.00	0.01	0.01	0.00	7.59
JUN	0.01	6.05	0.12	0.00	0.00	0.01	0.01	0.00	6.20
JUL	0.01	2.02	0.12	0.00	0.00	0.01	0.01	0.00	2.17
AUG	0.00	0.81	0.12	0.00	0.00	0.01	0.01	0.00	0.95
SEP	0.00	0.42	0.12	0.00	0.00	0.01	0.01	0.00	0.56
OCT	0.00	0.20	0.06	0.00	0.00	0.01	0.01	0.00	0.28
NOV	0.02	0.00	0.06	0.00	0.00	0.01	0.01	0.00	0.10
DEC	0.02	0.00	0.06	0.00	0.00	0.01	0.01	0.00	0.10

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

No instream flow requirements were found for this watershed.

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App: R 87806 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acre
<u>CERT 24959 OR *</u>	BUTTE CREEK LAND LIVESTOCK & LUMBER CO.	JOHN DAY RIVER (F)			24959	12/31/1880	NC	ID	06.00S-20.00E-07-NESW			5.5000

Alternate Reservoir Applications (ORS 537.409)

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, 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 as determined on the basis of information submitted by the State Department of Fish and Wildlife.

Such comments must be submitted on or before July 14, 2012.

R-87806
STANLEY RANCH LLC
STANLEY, RICK
PO BOX 486
FOSSIL, OR 97830
POD: 1 BUTTE CREEK > JOHN DAY RIVER
NE 1/4 SW 1/4 Section 7 T 6.00S R 20.00E WM
Wheeler County
1.8 A for MULTIPLE PURPOSE

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BUTTE CREEK LAND, LIVESTOCK AND LUMBER COMPANY,
A CORP., H. H. HENDRICKS, SECRETARY & TREASURER
of Fossil State of Oregon, has a right to the use of

the waters of Butte Creek, and West Fork Butte Creek

for the purpose of Irrigation and Domestic

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Grant County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 15 at page 461; that the priority of the right thereby
confirmed dates from 1880

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed $1/40$ cubic foot per
second per acre irrigated to June 1 and $1/80$ cubic foot per second per acre there-
after; further limited to one acre-foot per calendar month to June 1 and four acre-
feet per acre during season April 1 to Sept. 30, measured at point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

5.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.0 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$
1.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
1.0 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 7,
T. 6 S., R. 20 E., W. M.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 1st day of May, 19 92

LEWIS A. STANLEY
STATE ENGINEER

State Engineer

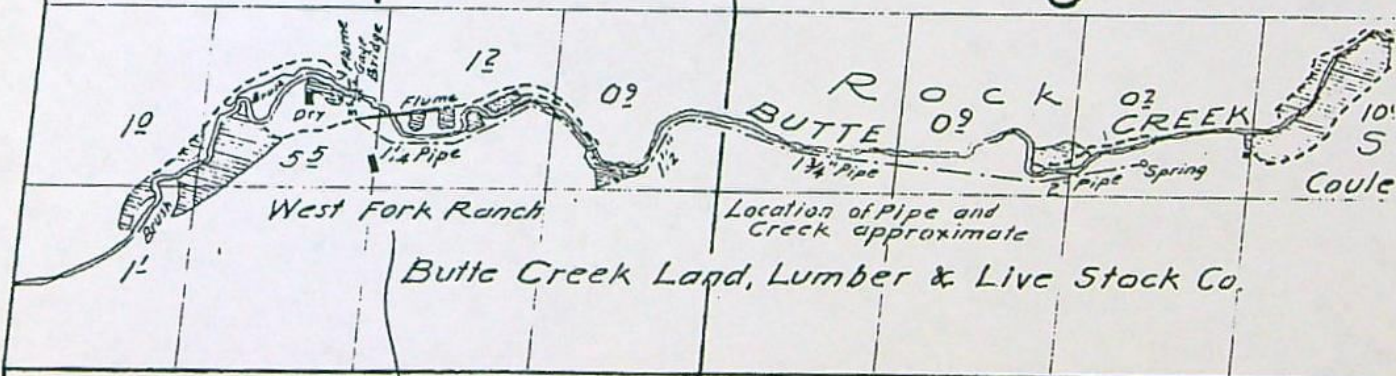
Recorded in State Record of Water Right Certificates, Volume 17, page 21959

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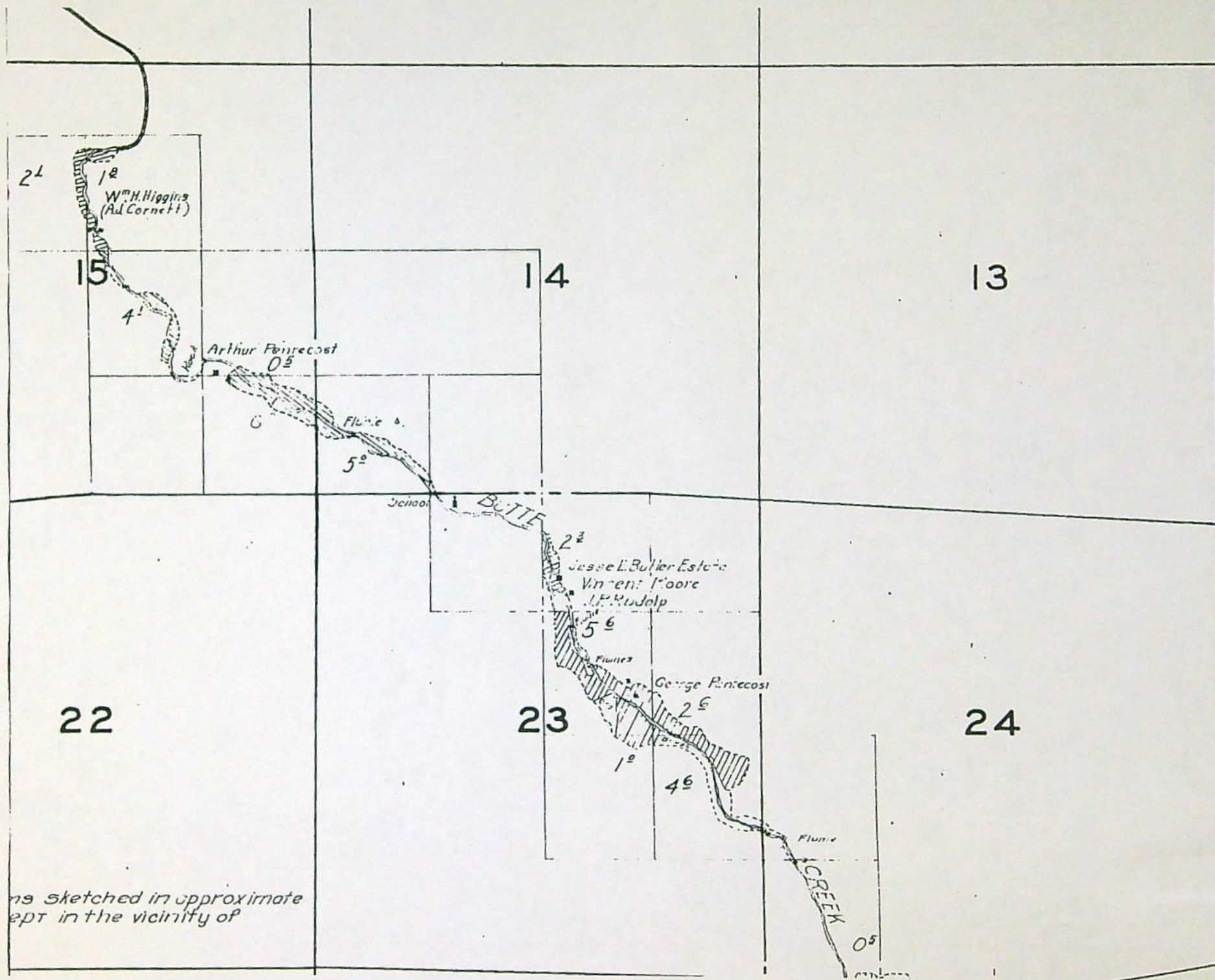
NOTE: Streams sketched in approximate location except in the vicinity of irrigated land.

28

27

33

34



27

26

3²

10²

Mrs Margaret E. Burners
Clt Brown

25

2³

3⁵

34

35

36

Stewer & Carpenter Bank

1²

Sage Brush
Pipe Spring

Blunt Stump Creek

Surveyed Nov. 14 to 18, 1925.

18

17

16

19

20

21

WEST

FORK

CREEK

30

29

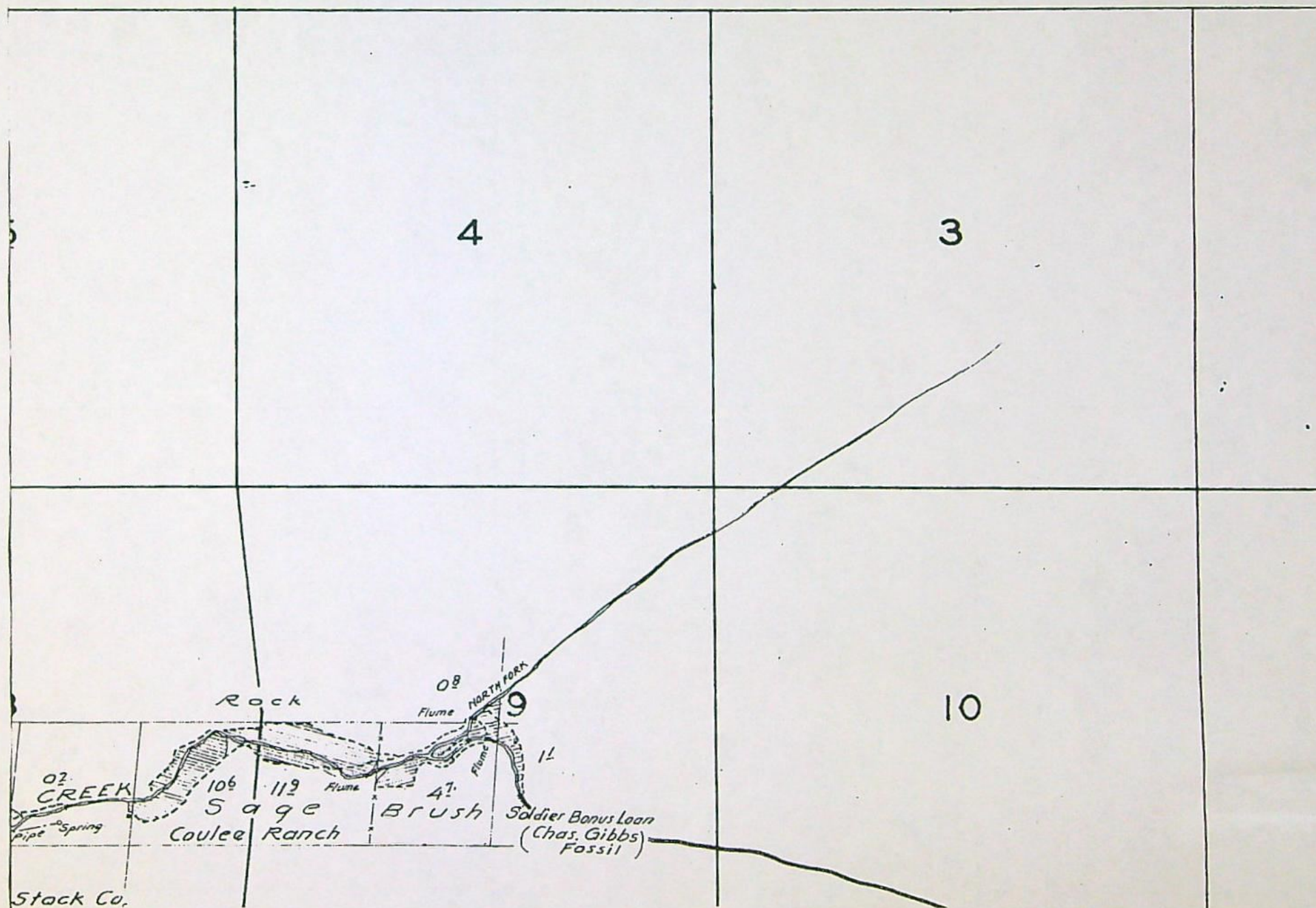
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31

32

33

TOWNSHIP 6 S., RANGE 20 E.



Stack Co.

Surveyed Nov. 14 to 18, 1925.

16

21

15

22

2¹

1²

Wm H. Higgins
(Ad. Cornett)

4¹

Arthur Penrecost
05

6

Flume 1

5²

Schoe

NOTE: Streams sketched in approximate location except in the vicinity of irrigated land.

Alternate Reservoir Application Completeness Checklist

This is the checklist used by WRD staff

Application R-87806 County Wheeler
Priority Date 5-7-12 Township 16S Range 20E Section 7 Taxlot 100
Use MP Caseworker Kerry
Amount (AF) 21.8 Watermaster Eric #4

Minimum Requirements (ORS 537.409)

- ☒ Completed Watermaster review sheet signed and dated by Watermaster.
Will the reservoir injure an existing water right? ☐ YES ☐ NO
If YES, can conditions be applied to mitigate the injury? ☐ YES ☐ NO If NO, return the application.
Did the watermaster determine when water is available for the proposed use? ☐ YES ☐ NO
The Watermaster review sheet must have been completed within the last 6 months.
If the watermaster determined that water is NOT available, return the application.
- ☒ Completed ODFW review sheet signed and dated by ODFW representative.
Will the reservoir pose a significant detrimental impact to an existing fishery resource? ☐ YES ☐ NO
If YES, can conditions be applied to mitigate the impact? ☐ YES ☐ NO If NO, return the application.
The ODFW review sheet must have been completed within the last 6 months.
- ☒ Completed Land-Use Form or receipt signed by the appropriate planning department official enclosed?
Does the use on land-use form match the proposed use on the application? Must be an original "wet" signature within the last 12 months.
- ☒ Landowner Name, Mailing Address and Telephone Number.
- ☒ Source and tributary listed. NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE !!
- ☒ Reservoir Location- Township, Range, Section, Quarter Quarter, Taxlot
- ☒ Dam height, if applicable
- ☒ Total Quantity of Storage Requested: _____
- ☒ Proposed Use of the water....Cannot accept application for use of this stored water at the same time (E2)
- ☒ Property ownership indicated? If applicant does not own all the land is the affected landowner's name and mailing address listed? (Including: lands not owned by applicant, upon which the source is locatedor..... that are crossed by the diversion works. This includes any roads or rights-of-way.)
- ☒ Environmental Impact section completed?
- ☒ Application signed by the landowner(s)? All parties noted as applicants must sign the application.
Must be an original "wet" signature.
- ☐ Acceptable map ** Indicates requirements of standards set forth by the Commission and causes fatal flaw if not provided by the applicant.

- ☒ Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)*
- ☒ Scale of the Map (not less than 1" = 1320') **
- ☒ Reference corner on map
- ☒ North Directional Symbol **
- ☒ 1/4's clearly identified
- ☒ Reservoir clearly identified **
- ☒ Dam or POD (If off channel) Location coordinates referenced to a government land survey corner* If no dam, use coordinates to center of reservoir.**
- ☐ Fees enclosed**? Examination: Base Fee\$ 350 Permit Recording Fee\$ 400

plus\$ _____
plus\$ _____

Total Paid \$ 750
Completeness Check by: SN

Total Fees \$ 750
Date: 5/7/12

Revised 2011-3-3

Kerry Kavanagh

From: Kerry Kavanagh
Sent: Tuesday, May 15, 2012 2:48 PM
To: butcher.don@deq.state.or.us
Cc: Kerry Kavanagh
Subject: Alternate Reservoir Application R-87806 Stanley Ranch LLC, Attn: Rick Stanley

Hi Don,

This will be our new notification to DEQ representatives for water right applications submitted under the alternate review process. This application was placed on WRD's public notice on May 15, 2012 --- the 60 day comment period will end on July 14, 2012.

DEQ notification of alternate reservoir storage water application R-87806

Oregon Water Resources Department is sending this email notification in lieu of an Alternate Reservoir Application Review Sheet. This notice begins a 60-day comment period. If you would like to submit public comment, please do so **by July 14, 2012.**

Please note that all permits issued will include "wq" and "riparian" as standard conditions.

Application Stakeholder(s): STANLEY RANCH LLC, RICK STANLEY

Diversion Location:
County: Wheeler
TRSQQ: 6S 20E 7 NESW
Source: BUTTE CREEK
Tributary to: JOHN DAY RIVER

To view the OWRD Web page for R-87806 please click the link below.
http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_folder_image.aspx?snp_id=173987

If you have questions about this review request please contact Caseworker: Kerry Kavanagh at 503-986-0816 or kerry.l.kavanagh@state.or.us

Kerry Kavanagh
Water Rights Caseworker
(503) 986-0816

Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266
front desk (503) 986-0900
fax (503) 986-0901

<http://oregon.gov/OWRD>

Messages to and from this e-mail address may be available to the public under Oregon law.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301
(503) 986-0900
www.wrd.state.or.us

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

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: Stanley Ranch LLC Attn: Rick Stanley
First Last
Mailing Address: P.O. Box 486
Fossil OR 97830
City State Zip
Phone: (541) 763-2234 (541) 490-3367
Home Work Other
Fax: _____ E-Mail Address*: Rick@RicksFencing.com
* 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.)

2. AGENT INFORMATION

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

Agent: Skookum Water Associates Inc. Attn: Steven R. Bruce, CWRE
First Last
Mailing Address: P.O. Box 80174
Portland OR 97280
City State Zip
Phone: _____ (503) 319-8926
Home Work Other
Fax: _____ E-Mail Address*: steve@skookumwater.com
* 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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Stanley 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: Butte Creek Tributary to: John Day River

C. County in which diversion occurs: Wheeler

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SALEM OREGON

App. No. 2-87806

For Department Use

Permit No. _____ Date _____

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
6 S	20 E	7	NE SW	100

E. Dam: Maximum height of dam: zero feet feet. If excavated, write "zero feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 1.8

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

4. WATER USE

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose, if available, otherwise for recreation, fish and wildlife.

5. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (please check appropriate box below then skip to section 5)

☒ There are no encumbrances

☐ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

☐ No (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

NA

6. ENVIRONMENTAL IMPACT

A. Channel: Is the reservoir: ☐ in-stream or ☒ off channel?

B. Wetland: Is the project in a wetland? ☐ Yes ☒ No ☐ Don't know

C. Existing: Is this an existing reservoir? ☒ Yes ☐ No

If yes, how long has it been in place? ~ 2 years.

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**WATER RESOURCES DEPT
SALEM, OREGON**

R-87806

D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? ☒ Yes ☐ No ☐ Don't know
If yes, how much? Unknown miles.

E. **Partnerships:** Have you been working with other agencies? ☐ Yes ☒ No

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

7. WITHIN A DISTRICT

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

Irrigation District Name NA	Address	
City	State	Zip

8. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

A pump intake with a fish screen will be seasonally placed in Butte Creek to divert water to the reservoir. The intake, which is connected to a 3 hp pump, will only block a small portion of the creek bed. The intake will be removed from the creek outside the authorized fill season.

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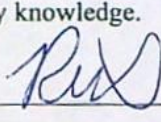
R-8 7806

If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

NA. The reservoir is excavated into native soils and does not have a dam.

9. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

 
Landowner Signature

4/26/12
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

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FEE STRUCTURE: The fee is based on the number of acre-feet proposed to be stored. The base fee is \$300. In addition, there is a fee of \$25 per acre-foot or fraction thereof. Example: 0.3 AF= \$325; 1.5 AF= \$350; 20.0 AF= \$800; 30.0 AF= \$1050. Plus a permit recording fee of \$400 (this fee is refunded if no permit is issued).

R-87806

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Stanley Ranch LLC Attn: Rick Stanley
First Last

Mailing Address: P.O. Box 486

Fossil OR 97830 Daytime Phone: (541) 490-3367
City State Zip

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:
6 S	20 E	7	NE SW	100		☒ Diverted	☒ Conveyed	☒ Used	No Change
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Wheeler County

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Butte Creek

Estimated quantity of water needed: 1.3 ☐ 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 See below

Briefly describe:

Using a centrifugal pump, water will be diverted from Butte Creek into a pond used for multipurposes, including recreation, fish and wildlife. The pond is off-channel and excavated into the subsurface.

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.

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

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

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
N/A		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Name: Robin Hunt-Palazzo Title: Wheeler County Planning Dir
 Signature: [Signature] Phone: 541-763-2126 Date: 4-27-12
 Government Entity: WHEELER COUNTY

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: _____

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WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

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 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))

The review of alternate reservoirs is limited to these criteria only.

Application #: R- Applicant's Name: Stanley Ranch, LLC Attn: Rick Stanley

1) Does the proposed reservoir have the potential to injure existing water rights? ☒ NO ☐ YES

Explain:

Capture period will not coincide with irrigation season.

2) Can conditions be applied to mitigate the potential injury to existing water rights? ☐ NO ☒ YES

If YES, which conditions are recommended:

A capture period of Nov. 1- Mar. 1 will limit interference with irrigation and fish needs.

3) Did you meet with staff from another agency to discuss this application? ☒ NO ☐ YES

Who: Agency: Date:

Who: Agency: Date:

Watermaster signature: *Kenneth C. Therman Jr.* Date: *4/30/2012*

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

NOTE: This completed form must be returned to the applicant

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**WATER RESOURCES DEPT.
SALEM, OREGON**

R-87806

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Stanley Ranch LLC Attn: Rick Stanley

P.O. Box 486 Fossil, OR 97830 (541) 763-2234 Rick@RicksFencing.com

Reservoir Name: Stanley Pond Source: Butte Creek Volume (AF): 1.8

Twp Rng Sec QQ: T6S, R20E, Section 7 NE SW Basin Name: John Day ☐ in-channel
☒ off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

1) Is the proposed project and AO² off channel? ☒ YES ☐ NO
(if yes then proceed to #4; if no then proceed to #2)

2) Is the proposed project or AO located where NMF³ are or were historically present? ☐ YES ☐ NO
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan? ☐ YES ☐ NO
b. Is there an ODFW-approved fish-passage waiver or exemption? ☐ YES ☐ NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed reservoir pose any other significant detrimental impact to an existing fishery resource? ☒ YES ☐ NO

Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

- ☐ Any diversion or appropriation of water for storage during the period _____ through _____ poses a significant detrimental impact to existing fishery resources.
(For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)
If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.
- ☐ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

fishself - pond intake must be fitted with an
ODFW approved pump screen

² AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

³ NMF = Native Migratory Fish Species in Oregon as defined by OAR 635-412-0005 (32)

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SALEM, OREGON**

R-87906

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?
☐ NO (explain) ☐ YES (select from Menu of Conditions on next page)

N/A

ODFW Signature:

Jeff A. Neal

Print Name:

Jeff A. Neal

ODFW Title:

District Fish Biologist

Date:

5/4/12

NOTE: This completed form must be returned to the applicant.

Revised 8/2/11

R-87806

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WATER RESOURCES DEPT
SALEM, OREGON



TRANSMITTAL LETTER

To: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Date: May 7, 2012

Job Number: 10049.001

Attention:

RE: Stanley Pond Reservoir Application

We are sending:

Number of Copies	Date	Description
1	Various	Application for a Permit to Store Water in a Reservoir (Alternate Review Process)

The above are transmitted as indicated below:

- | | | |
|---|--|--|
| ☐ For Signature | ☒ For Your Use | ☐ As Requested |
| ☐ For Review and Comment | ☐ Other (see comments) | ☐ Returned to You |

Delivery method:

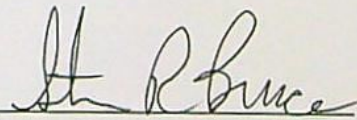
- | | | |
|------------------------------------|---|--|
| ☐ U.S. Mail | ☐ Overnight Mail | ☒ Hand Delivered |
|------------------------------------|---|--|

Comments:

The application documents include the application form, a supporting map, a signed Watermaster application review sheet, a signed ODFW application review sheet, a signed land-use information form and a \$750.00 check payable to the WRD for the application fee.

cc. Rick Stanley; Stanley Ranch LLC

Signed


Steven R. Bruce, RG, CWRE

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**WATER RESOURCES DEPT
SALEM, OREGON**

Skookum Water Associates Inc.

P.O. Box 80174 Portland, OR 97280

R-87806

RESERVOIR, ALTERNATE PROCESS ROUTE SLIP

RECEIPTING

☐

~~POST CARD SENT~~

☐

letter
WATER RIGHTS SUPPORT

☒

ATTN: WATER RIGHTS

SUPPORT...>>>> Mark contents of file with application number;

Update the WRIS Database

and enter Public Notice Date

5/15/12 *CD*

Route file to caseworker.

Caseworker:

Jeana Eastman 503-986-0859

☐

Kerry Kavanagh 503-986-0816

☒

Michele McAleer 503-986-0853

☐

Alt Res
FILES

R-87806

STANLEY RANCH LLC

ATTN RICK STANLEY

PO BOX 486

FOSSIL OR 97830

STANLEY RANCH LLC

14047

OREGON WATER RESOURCES DEPT.

5/1/2012

Irrigation expenses

FEES

750.00

US Bank Checking

750.00

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **105651**

INVOICE # _____

RECEIVED FROM: Stanley Ranch LLC
BY: _____

APPLICATION	R87806
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# 14047 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 750.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$ _____

OTHER: (IDENTIFY) _____

\$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$ _____

0410 RESEARCH FEES

\$ _____

0408 MISC REVENUE: (IDENTIFY) _____

\$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$ _____

0240 EXTENSION OF TIME

\$ _____

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE	
\$	<u>350.00</u>
\$	
\$	
EXAM FEE	
\$	

0202

RECORD FEE	
\$	<u>400.00</u>
\$	

0203 GROUND WATER

0204

\$ _____

0205 TRANSFER

\$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

0219

LICENSE FEE	
\$	
\$	

LANDOWNER'S PERMIT

0220

\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$	
\$	

CARD # _____

0210 MONITORING WELLS

CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

	\$ _____
	\$ _____

0231 HYDRO LICENSE FEE (FW/WRD)

HYDRO APPLICATION

\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **105651**

DATED: 5/7/12 BY: 22