

Application for a Permit to
Store Water in a Reservoir
Alternate Review (ORS 537.409)



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

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME <i>Ross Mitchell</i>		PHONE (HM) <i>541-730-1326</i>	
PHONE (WK) <i>541-730-1326</i>	CELL <i>541-730-1326</i>	FAX <i>—</i>	
MAILING ADDRESS <i>3351 NW Silknessel Dr</i>			
CITY <i>Corvallis</i>	STATE <i>OR</i>	ZIP <i>97330</i>	E-MAIL * <i>romitch47@yahoo.com</i>

Organization

NAME <i>NA</i>		PHONE		FAX	
MAILING ADDRESS				CELL	
CITY	STATE	ZIP	E-MAIL *		

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

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

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

[Signature]
Applicant Signature

Ross Mitchell
Print Name and Title if applicable

6/4/24
Date

Applicant Signature

Print Name and Title if applicable

Date

Alternate Reservoir Application — Page 1

Rev. 06/2023

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	Mitchell Pond				
Source*:	Un-named (Seasonal)	Tributary:	Vicent Creek		
County:	Benton				
Quantity:	7.5 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	11S	6W	~~11~~ 5	NESE	116050000400
Maximum Height of Dam:	9.9 feet. If excavated write "zero feet."				

* 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, an unnamed stream, or spring.

SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Multipurpose

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, which may include stock water, fish and wildlife, domestic, irrigation, agriculture, fire protection and pollution abatement.

SECTION 4: 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.

☐ 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:

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SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: ☐ in-stream or ☒ off channel?

Wetland: Is the project in a wetland? ☐ YES ☒ NO ☐ unknown

Existing: Is this an existing reservoir? ☐ YES ☒ NO

If YES, how long has it been in place? _____ years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? ☐ YES ☒ NO ☐ unknown

If YES, how much? _____ miles.

Existing: 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. ODFW, NRCS - no cost share

USFW

SECTION 6: 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		ADDRESS	
CITY	STATE	ZIP	

SECTION 7: DESCRIPTION

Provide a short 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.

Diversion will occur from an unnamed seasonal creek that originates 250yds north of pond location and is fed by run-off of a 9 acre area. We will excavate a small area to the creek and place a culvert to divert flow into pond which will have shut off if needed. Creek is non-fish bearing per ODFW

If the diversion involves a dam, use this space below (or attached pages) 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).

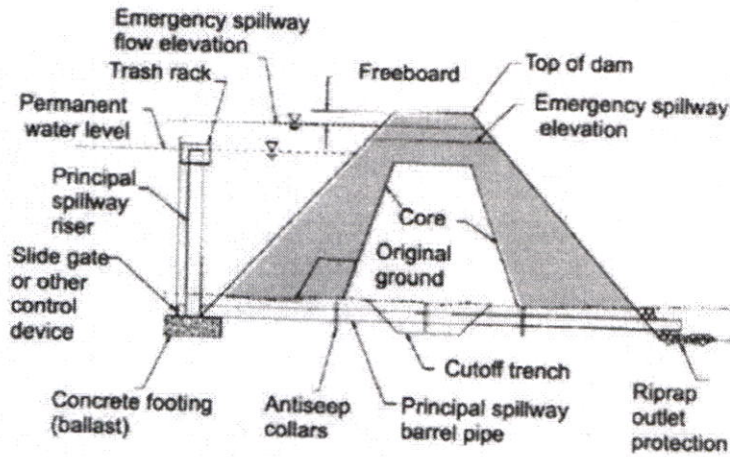
Diversion from creek will not require a dam but a dam will be used to create pond water elevation. I have attached a diagram of dam to be used. Live Flow can be shut off at intake pipe/culvert but creek is non-fish bearing and seasonal. No screening needed per ODFW see attached diagram!

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Dam Diagram



1. Toe slope 3:1 ft
2. Heal slope 4:1 ft
3. Height (Max) 9.9ft
4. Cutoff Trench: 12-24 inches
5. Emergency Spillway: 12 inches below max height

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Watermaster Alternate Reservoir Application Review Sheet

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

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

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

Applicant's Name: Ross Mitchell 11S6WSec5 TL 400		
1. Does the proposed reservoir have the potential to injure existing water rights? ☐ YES ☒ NO Explain:		
2. Can conditions be applied to mitigate the potential injury to existing water rights? ☐ YES ☐ NO Explain: NA		
3. Is water available for the proposed reservoir? ☒ YES ☐ NO		
4. If yes, during what period? Beginning: October 1 End: July 31 Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))		
5. Did you meet with staff from another agency to discuss this application? ☐ YES ☒ NO		
Name:	Agency:	Date:
Name:	Agency:	Date:

Watermaster Name: Joel Plahn

Watermaster Signature: _____

**Joel
Plahn**

Digitally signed by Joel Plahn
DN: OU=NW Region, O=Oregon
Water Resources, CN=Joel Plahn,
E=joel.m.plahn@water.oregon.gov
Reason: I am the author of this
document
Location: your signing location here
Date: 2024.06.05 14:25:17-07'00'
Foxit PDF Editor Version: 11.2.9

Date: 6/5/2024

NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet**This portion to be completed by the applicant.**Applicant Name: Ross MitchellAddress: 3351 NW Silktassel Dr, Corvallis, OR 97330Phone/Email: (541)730-1326, romitch47@yahoo.comReservoir Name: Mitchell PondVolume (AF): 7.5Source: Unnamed tributary to Vincent CreekBasin Name: Willamette☒ in-channelTwp Rng Sec QQ: 11S-6W-5NESE☐ 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) staff.

- 1) Is the proposed project and AO¹ off channel?.....☐ YES* ☒ NO
(if yes then proceed to #4; if no then proceed to #2)

**Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon's fish passage laws.*

- 2) Is the proposed project or AO located where NMF² are or were historically present?.....☒ YES ☐ NO
(if yes then proceed to #3; if no then proceed to #4)

**Based on available information the reservoir is off channel and does not trigger fish passage, but the intake pipe that is in the creek will require screening.*

- 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

*N/A See above

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 project pose any other significant detrimental impact to an existing fishery resource locally or downstream?.....☒ YES ☐ NO

¹ 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)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

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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 April through November 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.

ESA-listed fish (winter steelhead, spring Chinook), sensitive species (Coastal Cutthroat, Pacific Lamprey), and other game fish (Coho) are present in Vincent Creek and/or the Luckiamute River during the period of impact. ODFW has identified biologically necessary flows not captured in an instream water right (e.g., flows in a Basin Investigation Report, Persistence Flow Determination, Seasonally Varying Flow prescription, or other flow analysis) that would benefit fishery resources at the Point of Diversion or downstream. In addition to existing instream water rights and pending instream water right applications, ODFW recommends the following biologically necessary flows be available at the mouth of the Luckiamute River to protect public uses:

JAN	200 cfs	APR	200 cfs	JUL	40 cfs	OCT	40 cfs
FEB	200 cfs	MAY	200 cfs	AUG	25 cfs	NOV	200 cfs
MAR	200 cfs	JUN	70 cfs	SEP	25 cfs	DEC	200 cfs

Based on parameters assessed by ODFW, instream flows are currently below those essential to support the biological needs of an existing fishery resource during July through November. ODFW also reviewed available information (Willamette Basin TMDL: Temperature) regarding water quality impairment and determined that the diversion of water for storage, would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion during April.1 – October.31, the Willamette River Temperature TMDL critical period for water temperature. This also includes any releases of stored water throughout the year from the reservoir to waters of the state (See water quality condition below). High stream temperatures can be directly lethal to aquatic life but may also have sublethal effects on growth and development during different life stages, as well as the swimming, feeding and reproductive ability of juveniles and adults.

Because of these reasons, the proposed use will diminish water quality, physical habitat, and/or alter the flow regime to which fish are naturally adapted. These changes will negatively affect their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed water use would result in a significant detrimental impact to an existing fishery resource without appropriate conditions and/or mitigation.

Impairment to Fishery Resource	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Water Quantity												
Water Quality												

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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)

☒ See applicable conditions selected from "Menu of Conditions" on next page

Water is only available to support the quality and quantity of biologically necessary flows at the POD and/or downstream December through March. ODFW recommends the season of use be restricted to coincide with this period or the proposed use be mitigated prior to issuance of a Proposed Final Order for any use outside of this period. Without appropriate mitigation and/or conditions, a further reduction in flow or alteration of habitat from the proposed water use will result in a significant detrimental impact to an existing fishery resource.

Janna
Guzman

Digitally signed by
Janna Guzman
Date: 2024.07.11
12:52:04 -07'00'

ODFW Signature: _____

Print Name: Janna Stevens

ODFW Title: Water Planning Coordinator

Date: 7/11/2024

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

Revised 10/4/12; reformatted 5/12/20

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MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020, March 25, 2021

Use this menu to identify appropriate conditions to be included in the permit:

- ☒ **Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- ☐ **b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- ☐ **b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- ☒ **b51a** The period of use has been limited to December through March.
- ☐ **b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- ☐ **b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.
- ☐ **blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.
- ☐ **Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
 - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.
- Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.
- The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.
- ☐ **fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- ☐ **fishapprove:** 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, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- ☐ **fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- ☐ **fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.
- ☒ **fishself:** 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. Permittee

Applicant Name: Ross Mitchell

ODFW Review

Review Date: 7/11/2024

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.

- ☒ **Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting live fish in Oregon shall have a Fish Transport Permit (FTP) issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without an FTP approved by ODFW. As part of the FTP permitting process, the permittee may be required to screen the inlet and outlet of the reservoir to ensure that fish cannot escape into public waters and/or to keep wild fish from entering the reservoir.
- ☐ **futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- ☐ **In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- ☒ **Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- ☐ **Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- ☒ **On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- ☒ **riparian:** 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 635-415, shall be followed.
- ☒ **Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- ☐ **wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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Land Use Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

This form is **NOT** required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b. The application involves a change in place of use only;
 - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d. The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

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Land Use Information Form



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

NAME <u>Ross Mitchell</u>		PHONE <u>541-730-1326</u>	
MAILING ADDRESS <u>3351 NW Sinkenset Dr</u>			
CITY <u>Corvallis</u>	STATE <u>OR</u>	ZIP <u>97330</u>	EMAIL <u>rmitch47@yahoo.com</u>

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
11S	6W	5	NESE	400	Rural	☒ Diverted ☐ Conveyed ☐ Used	Pond
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

Benton

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

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Un-named (Seasonal) creek

Estimated quantity of water needed: 7.5 ☐ 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 Fire mitigation / Wildlife

Briefly describe:

Create pond for fire mitigation, wildlife, recreation.

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

See Page 4 →

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ 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 Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

Recreational use of the pond shall be limited to personal use only.

Received

MAR 24 2025

Name: Inga Williams Title: Associate Planner **OWRD**

Signature: Inga R Williams Date: 6/10/2024

Governmental Entity: Benton County Phone: 541-766-6027

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

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

Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____



SAFECO INSURANCE COMPANY OF ILLINOIS

Administrative office: 175 Berkeley St., Boston, MA 02116 (A stock insurance company.)

HOMEOWNERS POLICY DECLARATIONS

POLICY NUMBER:
OP6268948

POLICY PERIOD: FROM: APR. 15, 2024 12:01 A.M.
TO: APR. 15, 2025 12:01 A.M.

NAMED INSURED AND MAILING ADDRESS:

ROSS MITCHELL
3351 NW SILKTASSEL DR
CORVALLIS OR 97330-3361

AGENT:

MARSH & MCLENNAN AGENCY LLC
2763 SHADOW VIEW DR
EUGENE OR 97408-4610

Valued Homeowners Customer Since: MAR. 28, 2011

INSURED LOCATION:

37060 KINGS VALLEY HWY
PHILOMATH OR 97370-9781

POLICY SERVICE INFORMATION:

TELEPHONE: 1-866-472-3326
E-MAIL:
WEBSITE: www.safeco.com

IMPORTANT MESSAGES

- Your policy has renewed effective April 15, 2024.
- THIS POLICY DOES NOT PROVIDE EARTHQUAKE COVERAGE.

LIMITS OF LIABILITY

(Policy Section I - Property Coverages and Section II - Liability Coverages)

Coverage A — Dwelling	Coverage B — Other Structures	Coverage C — Personal Property	Coverage D — Additional Living Expense	Coverage E — Personal Liability	Coverage F — Medical Payments
\$539,900	\$88,160	\$308,550	\$107,980	\$500,000	\$5,000

DEDUCTIBLES.

The following deductibles apply unless otherwise stated within the policy.

Section I - Property Coverages AMOUNT
\$ 1,000

BASIC COVERAGES

OTHER COVERAGES, LIMITS AND OPTIONAL COVERAGES

DISCOUNTS AND SURCHARGES

You Saved \$1,245.00

PREMIUM
\$ 2,782.00
\$ 59.00
Included

TOTAL POLICY PREMIUM:

\$ 2,841.00

Premium Payer: Servicing Mortgagee

You may pay your premium in full or in installments. There is no installment fee for the following billing plans: Full Pay. Installment fees for all other billing plans are listed below. If more than one policy is billed on the installment bill, only the highest fee is charged. The fee is:

- \$2.00 per installment for recurring automatic deduction (EFT)
- \$5.00 per installment for recurring credit card or debit card
- \$6.00 per installment for all other payment methods

Received
MAR 24 2025
OWRD

SAFECO INSURANCE COMPANY OF ILLINOIS **HOMEOWNERS POLICY DECLARATIONS**

CONTINUED

POLICY NUMBER: OP6268948

Servicing Mortgagee
 RURAL LIVING SOLUTIONS
 ITS SUCCESSORS AND/OR ASSIGNS
 PO BOX 961292
 FORT WORTH TX 76161-0292
 LOAN NUMBER: 1462762293

POLICY LIMITS AND OTHER ADDITIONAL COVERAGES

(Unless otherwise stated, all limits and coverages are included in basic coverages)

COVERAGE LEVEL: PREMIER

SECTION I - PROPERTY COVERAGES

COVERAGE C - PERSONAL PROPERTY - 3. SPECIAL LIMITS OF LIABILITY

a. Money, pre-paid cards...	\$ 2,000	h. Business Property	
b. Rare coins and currency...	\$ 10,000	On Premises...	\$ 3,000
c. Securities, debit cards...	\$ 10,000	Off Premises Sub-limit	\$ 1,000
d. Watercraft...	\$ 3,000	i. Tapes, records, discs...	\$ 500
e. Trailers...	\$ 3,000	j. Grave Markers...	\$ 10,000
f. Theft of jewelry, watches...	\$ 10,000	k. Marijuana...	\$ 250
g. Theft of silverware...	\$ 10,000		

OTHER INCLUDED COVERAGES/POLICY PROVISIONS

	Limit	Premium
Personal Property Replacement Cost		Included
Extended Dwelling Coverage	Up to 100%	Included
Loss Assessment Coverage	\$ 10,000	Included
Personal Offense Coverage	\$ 500,000	Included
Escape of Water from Sump (Building/Contents)	\$ 539,900	Included
Special Personal Property		Included
Building Ordinance or Law Coverage (100%)	\$ 539,900	Included
Refrigerated Spoilage Coverage		Included
Matching Undamaged Siding, Roofing, Windows	\$ 10,000	Included
Fungi, Wet or Dry Rot, or Bacteria	\$ 10,000	Included
Reasonable Repairs	\$ 5,000	Included
Fire Department Service Charge	\$ 10,000	Included
Land Stabilization	\$ 10,000	Included
Arson Reward	\$ 25,000	Included
Criminal Conviction Reward - Item a. Information	\$ 2,500	Included
Criminal Conviction Reward - Item b. Property Recovery	\$ 5,000	Included
Credit Card, Fund Transfer, Forgery & Counterfeit Money	\$ 10,000	Included
Volunteer America		Included
Section I (All Perils Coverage)		Included
Section II - Liability Coverage		Included
Section II - Property Damage	\$ 2,000	Included

OPTIONAL COVERAGES

	Limit	Premium
Identity Recovery Coverage	\$ 25,000	\$ 15.00
Equipment Breakdown Coverage	\$ 50,000	\$ 44.00

DISCOUNTS AND SURCHARGES

	Premium
Multi-Policy Auto Discount	Included
Claim Free Discount	Included
Paid In Full Discount	Included
Advance Quote Discount	Included

For information on other deductibles, coverages or discounts available in your state or to review your account online, log on to www.safeco.com

FORMS APPLICABLE TO THIS POLICY:

HOM-7306/OREP 4/09 - EQUIPMENT BREAKDOWN COVERAGE

CONTINUED

**SAFECO INSURANCE COMPANY OF ILLINOIS
HOMEOWNERS POLICY DECLARATIONS**

CONTINUED

POLICY NUMBER: OP6268948

HOM-7307/OREP 6/19 - IDENTITY RECOVERY COVERAGE
HOM-7232/EP 1/09 - EXECUTION CLAUSE
HOM-7150/OREP 8/22 - SPECIAL PROVISIONS - OREGON
HOM-7050/OREP 2/21 - PREMIER HOME POLICY - OR

Received

MAR 24 2025

OWRD

FOR ASSESSMENT AND TAX PURPOSES ONLY

Account Information

Account #: 124168
Map Taxlot: 116050000400
Acreage: 80
Property Class: 550
Tax Code Area: 1702

Situs Address: UNASSIGNED 37060 Kings Valley Hwy
PHILOMATH, OR 97370

LAST CERTIFIED VALUES

Market Land: \$398,780.00
Market Structure: \$0.00
Total Real Market: \$398,780.00
Special Assessed Taxable Land: \$35,040.00
Assessed: \$35,040.00
Exemption: \$0.00
Net Taxable: \$35,040.00

Property Valuation History ↗**Owner Information****Mortgage Co**

DOVENMUEHLE MORTGAGE INC
1501 WOODFIELD RD STE 400 EAST
SCHAUMBURG, IL 60173

Owner

MITCHELL AMY L
3351 NW SILKTASSEL DR
CORVALLIS, OR 97330

Owner

MITCHELL ROSS P
3351 NW SILKTASSEL DR
CORVALLIS, OR 97330

Taxpayer

MITCHELL ROSS P & AMY L
3351 NW SILKTASSEL DR
CORVALLIS, OR 97330

Received
MAR 24 2025
OWRD

Taxes

Tax Code 1702
Area:
2023 \$612.07
Property Tax

WARNING

**This account may have
potential tax liabilities,
taxes due, or other special
development conditions.**

Tax Statements

2013 • 2014 • 2015 • 2016 • 2017 • 2018 • 2019 • 2020 •
2021 • 2022 • 2023

Received

MAR 24 2025

OWRD

RECORDING COVER SHEET
ORS 205.234

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any error in this cover sheet DOES NOT affect the transaction(s) contained in the instrument itself.

- A. AFTER RECORDING RETURN TO –**
required by ORS 205.180(4) &
205.238:
No Change

- B. TITLE(S) OF THE TRANSACTION(S) – required by ORS 205.234(1)(a)**
Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the instrument:

- C. DIRECT PARTY / GRANTOR – required by ORS 234(1)(b)**

Robert M Walker, Deborah Lynn Walker, James S Walker and Andrew C Walker, as tenants in common, each as to an undivided 1/8 interest and Todd Thomas and Anya Danielson of Cornerstone Services, Inc, as Successor Trustees of The Walker Loving Trust, dated November 12, 1990, and any amendments thereto, as to an undivided 1/2 interest

- D. INDIRECT PARTY / GRANTEE – required by ORS 234(1)(b)**

Ross P Mitchell and Amy L Mitchell, as tenants by the entirety

- E. For an instrument conveying or contracting to convey fee title, the information required by ORS 93.260:**

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING
ADDRESS:**

No change

- F. TRUE AND ACTUAL CONSIDERATION**
– required by ORS 93.030 for instrument conveying or contracting to convey fee title or any memorandum of such instrument: \$1,000,000.00

\$

- G. TAX ACCOUNT NUMBER OF THE PROPERTY, IF THE INSTRUMENT CREATES A LIEN OR OTHER INTEREST THAT COULD BE SUBJECT TO TAX FORELCOSURE –**
required by ORS 312.125(4)(b)(B):

- H. [Complete this section if applicable; otherwise leave blank.] If the instrument is being re-recorded under ORS 205.244, THIS INSTRUMENT IS RERECORDED AT THE REQUEST OF First American Title TO add Exhibit B PREVIOUSLY RECORDED IN INSTRUMENT NO. 2021-611343. Additional description of correction or other information, if applicable:**

BENTON COUNTY, OREGON		2021-611600
DE-WD	04/21/2021 03:10:14 PM	
Stn=6 TJ		
\$55.00 \$11.00 \$10.00 \$62.00 \$20.00	\$158.00	
I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.		
James V. Morales - County Clerk		



After recording return to:
Ross P. Mitchell and Amy L. Mitchell
37060 Kings Valley Highway
Philomath, OR 97370

Until a change is requested all tax
statements shall be sent to the
following address:
Ross P. Mitchell and Amy L. Mitchell
37060 Kings Valley Highway
Philomath, OR 97370

File No.: 7091-3606388 (TM)
Date: October 28, 2020

THIS SPACE RE

BENTON COUNTY, OREGON **2021-611343**
DE-WD
Stn=6 TJ **04/15/2021 03:15:46 PM**
\$30.00 \$11.00 \$10.00 \$62.00 \$20.00 **\$133.00**

I, James V. Morales, County Clerk for Benton County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

James V. Morales - County Clerk

STATUTORY WARRANTY DEED

Robert M. Walker, Deborah Lynn Walker, James S. Walker and Andrew C. Walker, as tenants in common, each as to an undivided 1/8 interest and Todd Thomas and Anya Danielson of Cornerstone Services, Inc., as Successor Trustees of The Walker Loving Trust, Dated Nov 12, 1990, and any amendments thereto, as to an undivided 1/2 interest, Grantor, conveys and warrants to Ross P. Mitchell and Amy L. Mitchell as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,000,000.00**. (Here comply with requirements of ORS 93.030)

Received
MAR 24 2025
OWRD

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

Dated this 7 day of April, 2021.

Robert M. Walker
Robert M. Walker

Deborah Lynn Walker
Deborah Lynn Walker

James S. Walker
James S. Walker

Andrew C. Walker
Andrew C. Walker

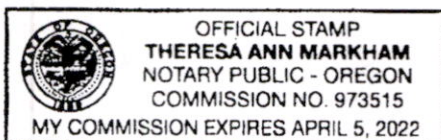
The Walker Loving Trust dated November 12,
1990

Todd Thomas, Successor Trustee

Anya Danielson, Successor Trustee

STATE OF Oregon)
County of Lane)ss.
)

This instrument was acknowledged before me on this 7 day of April, 2021
by **Robert M. Walker.**



Notary Public for Oregon

My commission expires: 4.5.22

Page 2 of 5

Received
MAR 24 2025
OWRD

APN: 124044

Statutory Warranty Deed
- continued

File No.: 7091-3606388 (TM)

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

Dated this 7 day of April, 2021.

Robert M. Walker

Deborah Lynn Walker

James S. Walker

Andrew C. Walker

The Walker Loving Trust dated November 12,
1990

x [Signature] Successor Trustee
Todd Thomas, Successor Trustee

x [Signature] Successor Trustee
Anya Danielson, Successor Trustee

STATE OF Oregon)
County of Lane) ss.

This instrument was acknowledged before me on this _____ day of _____, 20____
by **Robert M. Walker.**

Notary Public for Oregon
My commission expires:

Page 2 of 5

Received
MAR 24 2025
OWRD

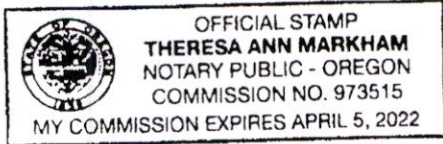
APN: 124044

Statutory Warranty Deed
- continued

File No.: 7091-3606388 (TM)

STATE OF Oregon)
County of Yamhill) ss.
)

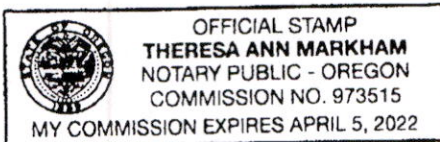
This instrument was acknowledged before me on this 7 day of April, 2021
by **Deborah Lynn Walker**.



Notary Public for Oregon
My commission expires: 4.5.22

STATE OF Oregon)
County of Linn) ss.
)

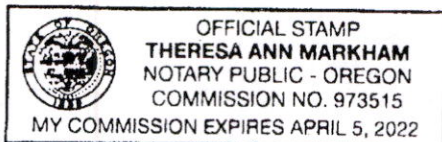
This instrument was acknowledged before me on this 7 day of April, 2021
by **James S. Walker**.



Notary Public for Oregon
My commission expires: 4.5.22

STATE OF Oregon)
County of Lane) ss.
)

This instrument was acknowledged before me on this 7 day of April, 2021
by **Andrew C. Walker**.



Notary Public for Oregon
My commission expires: 4.5.22

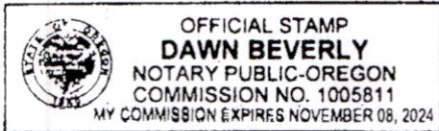
APN: 124044

Statutory Warranty Deed
- continued

File No.: 7091-3606388 (TM)

STATE OF Oregon)
County of Lane) ss.
)

This instrument was acknowledged before me on this 7th day of April, 2024
by Todd Thomas and Anya Danielson as Successor Trustees of Walker Loving Trust, on behalf of the
Trust.



Dawn Beverly

Notary Public for Oregon
My commission expires: 11-08-2024

Received
MAR 24 2025
OWRD

APN: 124044

Statutory Warranty Deed
- continued

File No.: 7091-3606388 (TM)

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Benton, State of Oregon, described as follows:

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY THAT LIES ON THE WESTERLY SIDE OF STATE HIGHWAY NO. 223, ALSO KNOWN AS KINGS VALLEY HIGHWAY AND ALSO KNOWN AS BENTON COUNTY ROAD NO. 51, AS SAID ROAD WAS DEEDED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 97, PAGE 547, DEED RECORDS OF BENTON COUNTY, OREGON, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF JOB HAWORTH DONATION LAND CLAIM NO. 38 IN TOWNSHIP 11 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, IN BENTON COUNTY, OREGON; THENCE SOUTH 89°10 1/2' WEST 58.913 CHAINS TO SOUTHWEST CORNER OF SAID CLAIM; THENCE NORTH 0°22' WEST ON WEST LINE OF SAID CLAIM 19.407 CHAINS; THENCE NORTH 0°02' WEST ON WEST LINE OF SAID CLAIM 12.882 CHAINS; THENCE NORTH 89°10 1/2' EAST 64.607 CHAINS TO EAST LINE OF SAID CLAIM; THENCE SOUTH 9°45' WEST 32.852 CHAINS TO THE PLACE OF BEGINNING.

NOTE: This legal description was created prior to January 01, 2008.

Received
MAR 24 2025
OWRD

B08

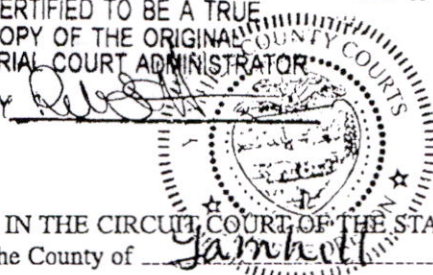
NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS



EXHIBIT B

CERTIFIED TO BE A TRUE
COPY OF THE ORIGINAL
TRIAL COURT ADMINISTRATOR

BY



FILED

MAY 01 2019

TRIAL COURT CLERK

IN THE CIRCUIT COURT OF THE STATE OF OREGON
For the County of Yamhill Probate Department

In the Matter of the Estate of:

Jonathan Jack WalkerEstate No. 19PB03419SMALL ESTATE AFFIDAVIT
INTESTATE ESTATE

Deceased.

STATE OF OREGON, County of Yamhill ss.

I, Deborah Lynn Walker, being first duly sworn, depose and say
that: I am a claiming successor of the above named decedent. My address is 681 NW 12th St.
McMinnville, OR 97128, and my telephone number
is 503-434-1443. This affidavit is made pursuant to ORS 114.505 to 114.560.

1. Name of Decedent Jonathan Jack Walker Age 29
Domicile/Post Office Address 401 W 19th St, McMinnville OR 97128
Soc. Sec. No. 542-72-6157

2. Decedent died on February 7, 1985 at 4:30 AM.
A certified copy of decedent's death record is attached hereto.

3. A description of all of decedent's property, including the fair market value of the real property and the fair market value of the personal property, is:

Real Property Legal Description (Including County)	Fair Market Value
<u>twelve and 1/2 percent (12.5%) of the property described and attached as exhibits</u>	<u>\$155,000.00</u>
<u>None</u>	
Personal Property Description	Fair Market Value

4. No application or petition for the appointment of a personal representative has been granted in Oregon.

5. The decedent died intestate.

6. Decedent's heirs, and the last address of each as known to affiant, are:

Name	Last Known Address
<u>Deborah L. Walker</u>	<u>681 NW 12th St</u> <u>McMinnville OR</u> <u>97128</u>

A copy of this affidavit showing the date of filing will be delivered to each heir or mailed to each heir at the heir's last known address stated above.

7. The interest in decedent's property to which each heir is entitled is:*

Name	Interest
<u>Deborah Lynn Walker</u>	<u>100%</u>

Received

MAR 24 2025

OWRD

*If any property of decedent's estate escheats (i.e., reverts to the state for want of an individual to inherit), use a portion of this paragraph to so state. Describe the property and interest therein which will escheat.

PUBLISHER'S NOTE: See UTCR 2.100 to determine if any of the information contained in this document constitutes Confidential Personal Information as defined in that rule and therefore may be segregated pursuant to the procedures set forth therein.



8. Reasonable efforts have been made to ascertain creditors of the estate. The expenses of and claims against the estate remaining unpaid or on account of which the affiant or any other person is entitled to reimbursement from the estate, including the known or estimated amounts thereof, and the names and addresses of the creditors, as known to the affiant, are (if none, so state):

Name of Creditor	Address	Nature of Expense/Claim	Known or Estimated Amount
None			

A copy of the affidavit showing the date of filing will be delivered to each creditor who has not been paid in full or mailed to such creditor at the creditors's last known address stated above.

9. The name and address of each person known to the affiant to assert a claim against the estate that the affiant disputes, and the last known or estimated amount thereof, are (if none, so state):

Name	Address	Known or Estimated Amount
None		

A copy of the affidavit showing the date of filing will be delivered or mailed to each such person at each such person's last known address.

10. A copy of the affidavit showing the date of filing will be mailed or delivered to the Department of Human Services and to the Oregon Health Authority, P.O. Box 14021, Salem, OR 97309-5024.*

11. Claims against the estate not listed herein or in amounts larger than those listed herein may be barred unless:

A. A claim is presented to the affiant within four months of the filing of this affidavit at the following address: 681 NW 12th McMinnville OR 97128; or

B. A personal representative of the estate is appointed within the time allowed under ORS 114.555.

12. The claim(s), if any, listed in Section (9) may be barred unless:

A. A petition for summary determination is filed within four months of the filing of this affidavit; or

B. A personal representative of the estate is appointed within the time allowed under ORS 114.555.

Abigail R. Walker

SIGNED AND SWORN TO before me on April 9th, 2019
by Deborah Walker



Notary Public for Oregon
My commission expires April 30, 2021

*At time of publication, a single copy delivered to this address provides sufficient notice to both agencies.

NOTE - A creditor of an estate of a decedent who dies intestate and without heirs must receive written authorization from the Director of the Division of State Lands before filing this affidavit pursuant to ORS 114.520. Creditors should become familiar with and comply with this statute before proceeding.

ORS 114.515 specifies maximum values for small estates. Before filing a small estate, review this statute to be sure the fair market value of the estate's property does not exceed these limits.

ORS 114.545(3) requires that an affiant's or claiming successor's deed executed in the manner required by ORS Chapter 93 be recorded in the deed records of any county in which real property belonging to the decedent is situated.

Received
MAR 24 2025

OWRD

EXHIBIT A

The following real property located in the County of Benton and state of Oregon.

That portion of the following described property that lies on the Westerly side of State Highway No. 223, also known as Kings Valley Highway and also known as Benton County Road No. 51, as said road was deeded to the State of Oregon by deed recorded in Book 97, Page 547, Deed Records of Benton County, Oregon, to-wit:

Beginning at the Southeast corner of Job Haworth Donation Land Claim No. 38 in Township 11 South, Range 6 West, Willamette Meridian, in Benton County, Oregon; thence South $89^{\circ}10'1/2''$ West 58.913 chains to Southwest corner of said Claim; thence North $0^{\circ}22'$ West on West line of said Claim 19.407 chains; thence North $0^{\circ}02'$ West on West line of said Claim 12.882 chains; thence North $89^{\circ}10'1/2''$ East 64.607 chains to East line of said Claim; thence South $9^{\circ}45'$ West 32.852 chains to the place of beginning.

STATE OF OREGON }
County of Benton } ss. 119724

I hereby certify that the within instrument was received for record

'90 NOV 29 AM 9 22

and assigned No 129786 1990

In the Microfilm records of said county

Witness My Hand and Seal of County Attest

DANIEL C. BUDK

DIRECTOR OF RECORDS & ELECTIONS

By *[Signature]*
Deputy

Received
MAR 24 2025

OWRD

STATE OF OREGON

CERTIFICATION OF VITAL RECORD

STATE OF OREGON
OREGON STATE HEALTH DIVISION
DEPARTMENT OF HUMAN RESOURCES
Vital Records Unit

CERTIFICATE OF DEATH

ORS - 146

85-002580

58

Local File Number

State File Number

DECEASED-NAME FIRST MIDDLE LAST Jonathan Jack WALKER			DATE OF DEATH (MONTH, DAY, YEAR) February 7, 1985		
RACE WHITE, BLACK, AMERICAN INDIAN, ETC. (SPECIFY) White		SEX Male	AGE--LAST BIRTHDAY (YEAR) 29	UNDER 1 YEAR MONTHS DAYS HOURS MIN.	DATE OF BIRTH (MONTH, DAY, YEAR) July 26, 1955
CITY, TOWN, OR LOCATION OF DEATH Philomath		HOSPITAL OR OTHER INSTITUTION - NAME (IF NOT IN EITHER GIVE STREET & NO) Rt. 1 Box 43		COUNTY OF DEATH Benton	
STATE OF BIRTH (IF NOT IN U.S.A., NAME COUNTRY) Hawaii		CITIZEN OF WHAT COUNTRY U.S.A.	MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY) Married	SPOUSE (IF MARRIED, WIDOWED) Deborah	WAS DECEDENT EVER IN U.S. ARMED FORCES? (SPECIFY YES OR NO) no
SOCIAL SECURITY NUMBER [REDACTED]		USUAL OCCUPATION (GIVE KIND OF WORK DONE DURING MOST OF WORKING LIFE, EVEN IF RETIRED) Installer		KIND OF BUSINESS OR INDUSTRY Heating & Air Conditioning	
RESIDENCE-STATE California	COUNTY Orange	CITY, TOWN, OR LOCATION Fullerton	STREET AND NUMBER OR R.F.D. 2520 W. Flower	ZIP 92631	INSIDE CITY LIMITS (SPECIFY YES OR NO) yes
FATHER-NAME FIRST MIDDLE LAST James T. Walker		MOTHER-NAME FIRST MIDDLE LAST (Maiden Name) Rhoda Ann (Harrison)		INFORMANT-NAME AND RELATIONSHIP TO DECEASED Deborah Walker-Wife	
BURIAL, CREMATION, REMOVAL, MAUS. (SPECIFY) Cremation		CEMETERY OR CREMATORY-NAME DeMoss-Durdan Crematory		LOCATION-CITY OR TOWN STATE Corvallis, Oregon	
FURNERAL SERVICE LICENSEE OR PERSON ACTING IN NAME AND ADDRESS OF FACILITY DeMoss-Durdan Garden Chapel 815 NW Buchanan, Corvallis, OR					
CERTIFICATION - MEDICAL EXAMINER					
I CERTIFY THAT I MADE INQUIRY INTO THE DEATH OF THE DECEASED PERSON DESCRIBED ABOVE, AND IN MY OPINION DEATH RESULTED ON OR ABOUT:					
DEATH OCCURRED (HOUR) MONTH DAY YEAR 4:30 A. M. 2 07 85		THE DECEDENT WAS PRONOUNCED DEAD FROM: NATURAL CAUSES ☒ ACCIDENT ☐ SUICIDE ☐ HOMICIDE ☐ UNDETERMINED ☐ PENDING ☐			
CERTIFIER - SIGNATURE James Newman, M.D.		NAME - (TYPE OR PRINT) Dr. James Newman MD P.C.		DEGREE OR TITLE	
MEDICAL EXAMINER FOR BENTON		DATE SIGNED (MONTH, DAY, YEAR) 2/08/85			
DATE RECEIVED BY REGISTRAR (MO., DAY, YR.) 2-11-85		REGISTRAR [SIGNATURE] Pat Ann Deane			

Received

MAR 24 2025

OWRD

I CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE OR THE VITAL RECORDS FACTS ON FILE IN THE OREGON CENTER FOR HEALTH STATISTICS

DATE ISSUED

AUG 17 2020

THIS COPY IS NOT VALID WITHOUT INTAGLIO STATE SEAL AND SIGNATURE

JENNIFER A. WOODWARD, PH.D.
STATE REGISTRAR

