

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 Mark Allen		PHONE (HM) 503 708-3410	
PHONE (WK) 503 708-3410	CELL same	FAX	
MAILING ADDRESS 2842 NE Regents Drive			
CITY Portland	STATE OR	ZIP 97212	E-MAIL * mark@visualtranslations.com

Organization

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

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

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

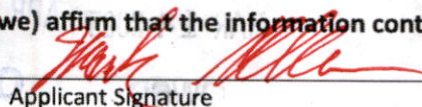
Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- 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.

 Applicant Signature	Mark Allen Print Name and Title if applicable	Feb. 3 2025 Date
Applicant Signature	Print Name and Title if applicable	Date

Superseded

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	N/A				
Source*:	Spring on site	Tributary:	diffuse runoff to N. Santiam River		
County:	Linn				
Quantity:	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 #
	Idanha 10S	06E	16	D0-0043	401
Maximum Height of Dam:	4 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 use

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 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	DWA Gulf of Mexico				
Source*:	Spring on site	Tributary:	diffuse runoff to N. Santiam River		
County:	Linn				
Quantity:	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 #
	Idanha 10S	06E	16	D0-0043	401
Maximum Height of Dam:	4 feet. If excavated write "zero feet."				

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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. *AAA*

☐ 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.

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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.

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.

There are several seasonal springs that emerge at the base of an escarpment. Our intent is to create a shallow surface swale to direct water into a deepened, historically occurring pool, and then route winter overflow through a culvert to the edge of our property where it might eventually rejoin the Santiam watershed without flooding a planned cabin site. This property had been logged before we acquired it and the presence of a prior seasonal wetland is unknown but suspected. We are planning to restore a naturally appearing environment.

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).

There is no fish passage or need for a notable dam. Our intention is to gently grade the land to look as natural as possible by using pool excavation to ~ 8' and using gradual swales that may raise NE embankments by 3- 4'.

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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 Mark Allen			PHONE 503 708-3410	
MAILING ADDRESS 2842 NE Regents Dr				
CITY Portland	STATE OR	ZIP 97212	EMAIL mark@visualtranslations.com	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
Idanha	10S06E	16	D0-0043	401	residential?	☐ Diverted	☒ Conveyed	☐ Used	cabin and wetland restoration
						☐ 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:

Linn County, Idanha

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) spring and drainage

Estimated quantity of water needed: 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 Multipurpose use

Briefly describe:

There are several seasonal springs that emerge at the base of an escarpment. Our intent is to create a shallow surface swale to direct water into a deepened, historically occurring pool, and then route winter overflow through a culvert to the edge of our property where it might eventually rejoin the Santiam watershed without flooding a planned cabin site. This property had been logged before we acquired it and the presence of a prior seasonal wetland is unknown but suspected. We are planning to restore a naturally appearing environment.

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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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
	Received APR 08 2025	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	OWRD	☐ 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.

Name: _____ Title: _____

Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

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: Mark Allen

Staff Name: Rebecca Stormer Title: City Records

Staff Signature: Rebecca Stormer Date: 3/5/25

Governmental Entity: City of Idanha Phone: 503-854-3313

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 Mark Allen		
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:		
3. Is water available for the proposed reservoir? ☒ YES ☐ NO		
4. If yes, during what period? Beginning: November End: June (excluding March) 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: Greg Wacker

Watermaster Signature: [Signature] Date: 2/3/2025

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: Mark AllenAddress: 2842 NE Regents Drive, Portland Or. 97212Phone/Email: 503 708-3410 / mark@visualtranslations.comReservoir Name: N/ASource: Spring / RunoffBasin Name: WillametteTwp Rng Sec QQ: 10S 6E 16 SWSE

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Volume (AF): 5☐ 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) 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)

- 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 project pose any other significant detrimental impact to an existing fishery resource locally or downstream?.....☒ 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 February through November poses a significant detrimental impact to existing fishery resources. *(For example, if diversion of water for storage*

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)

Applicant Name: Mark Allen

ODFW Review

Review Date: 2/11/2025

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 (Bull Trout and Spring Chinook Salmon), and sensitive species (Coastal Cutthroat Trout) are present in the North Santiam River during the period of impact. Instream flows to fulfill MF144 for aquatic life are not being met partially or wholly during the period of impact. Based on parameters assessed by ODFW, instream flows are currently below those essential to support the biological needs of an existing fishery resource during February – April and July - November.

In addition, ODFW reviewed available information (Temperature TMDL Replacement: Willamette Subbasins) regarding water quality impairment and determined that the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion. Both temperature and dissolved oxygen are related to flow modifications and water withdrawals, and both, when combined with reduced streamflow, can increase stress on aquatic life. Because the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion, ODFW recommends that the water use, including any releases from the reservoir to waters of the state (see "Water Quality" condition below), also be restricted to coincide with the TMDL critical period of May - October.

The proposed use will diminish physical habitat and alter the flow regime to which fish are naturally adapted, negatively affecting their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed use would impair or be detrimental to an existing fishery resource and/or their habitat 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												

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

ODFW recommends the storage season be restricted to only January and December or the proposed use be mitigated prior to issuance of a Proposed Final Order for any use outside of this period. In addition, the upstream end of the small culvert will need to meet ODFW's fish screen criteria/guidelines to prevent fish from being able to enter the reservoir. 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

Digitally signed by
Janna Guzman

ODFW Signature: Guzman

Date: 2025.02.11
08:02:51 -08'00'

Print Name: Janna Guzman

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ODFW Title: Water Planning Coordinator

Date: 2/11/2025

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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

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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 January and December.
- ☐ **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

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Applicant Name: Mark Allen

ODFW Review

Review Date: 2/11/2025

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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After recording return to:
Mark W. Allen and Ellen S. Ragan
Revocable Trust, dated February 3,
2015
2842 NE Regents Drive
Portland, OR 97212

Until a change is requested all tax
statements shall be sent to the
following address:
Mark W. Allen and Ellen S. Ragan
Revocable Trust, dated February 3,
2015
2842 NE Regents Drive
Portland, OR 97212

File No.: 7083-2595930 (DB)
Date: February 09, 2016

THIS SPACE RESERVED FOR RECORDER'S USE

E-RECORDED

simplifile®

ID:

2016-03312

County:

Linn

Date:

3-1-16

Time:

8:48

STATUTORY WARRANTY DEED

Dallas G. Benton and Sarah R. Benton, as tenants by the entirety, Grantor, conveys and warrants to **Mark W. Allen and Ellen S. Ragan Revocable Trust, dated February 3, 2015, and any amendments thereto**, 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 **\$52,300.00**. (Here comply with requirements of ORS 93.030)

Received

APR 08 2025

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MAR 14 2025

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FATCO 2595930



After recording return to:
Mark W. Allen and Ellen S. Ragan
Revocable Trust, dated February 3,
2015
2842 NE Regents Drive
Portland, OR 97212

Until a change is requested all tax
statements shall be sent to the
following address:
Mark W. Allen and Ellen S. Ragan
Revocable Trust, dated February 3,
2015
2842 NE Regents Drive
Portland, OR 97212

File No.: 7083-2595930 (DB)
Date: February 09, 2016

THIS SPACE RESERVED FOR RECORDER'S USE

LINN COUNTY, OREGON

2016-03312

D-WD

03/01/2016 08:48:18 AM

Stn=8 S. WILSON

\$15.00 \$11.00 \$10.00 \$19.00 \$20.00

\$75.00

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

Steve Druckenmiller - County Clerk

STATUTORY WARRANTY DEED

Dallas G. Benton and Sarah R. Benton, as tenants by the entirety, Grantor, conveys and warrants to Mark W. Allen and Ellen S. Ragan Revocable Trust, dated February 3, 2015, and any amendments thereto, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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The true consideration for this conveyance is **\$52,300.00**. (Here comply with requirements of ORS 93.030)

Received

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MAR 14 2025

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FATCO 2595930

APN: 25839

Statutory Warranty Deed
- continued

File No.: 7083-2595930 (DB)

EXHIBIT A

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

**LOTS 7, 8 AND 9, BLOCK 1, AND LOT 4, BLOCK 2, CHESTNUT ADDITION TO NEW IDANHA,
LINN COUNTY, STATE OF OREGON (PLAT VOLUME 10, PAGE 19)**

**TOGETHER WITH THAT PORTION OF VACATED UNNAMED STREET INURING THERETO AS
DISCLOSED BY ORDINANCE RECORDED IN MICROFILM VOLUME 141, PAGE 190 ON AUGUST
03, 1976.**

**SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF IDANHA BY DEED RECORDED
APRIL 16, 1977 IN MICROFILM VOLUME 161, PAGE 865.**

NOTE: This Legal Description was created prior to January 01, 2008.

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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 29 day of February, 2016.

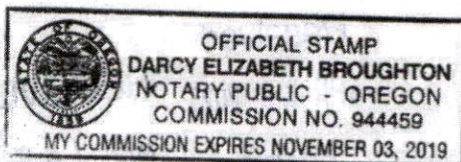
Dallas G. Benton
Dallas G. Benton

Sarah R. Benton
Sarah R. Benton

STATE OF Oregon)
)ss.
County of Linn)

This instrument was acknowledged before me on this 29 day of February, 2016
by **Dallas G. Benton and Sarah R. Benton.**

Notary Public for Oregon
My commission expires: 11-3-19



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First American

Exhibit A

ISSUED BY

First American Title Insurance Company

POLICY NUMBER

5011400-2595930

File No.: 7083-2595930

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF Linn, STATE OF OR, AND IS DESCRIBED AS FOLLOWS:

LOTS 7, 8 AND 9, BLOCK 1, AND LOT 4, BLOCK 2, CHESTNUT ADDITION TO NEW IDANHA, LINN COUNTY, STATE OF OREGON (PLAT VOLUME 10, PAGE 19)

TOGETHER WITH THAT PORTION OF VACATED UNNAMED STREET INURING THERETO AS DISCLOSED BY ORDINANCE RECORDED IN MICROFILM VOLUME 141, PAGE 190 ON AUGUST 03, 1976.

SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF IDANHA BY DEED RECORDED APRIL 16, 1977 IN MICROFILM VOLUME 161, PAGE 865.

NOTE: This Legal Description was created prior to January 01, 2008.

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First American

Schedule A

Owner's Policy of Title Insurance

ISSUED BY

First American Title Insurance Company

POLICY NUMBER

2595930

Name and Address of Title Insurance Company:

First American Title Insurance Company, 1 First American Way, Santa Ana, CA 92707.

File No.: 7083-2595930

Address Reference: 241, 251, 261 and 265 Wildwood Avenue, Idanha, OR 97350 Amount of Insurance: \$52,300.00

Premium: \$309.00

Date of Policy: March 01, 2016 at 8:48 a.m.

1. Name of Insured:

Mark W. Allen and Ellen S. Ragan Revocable Trust, dated February 3, 2015, and any amendments thereto

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

Mark W. Allen and Ellen S. Ragan Revocable Trust, dated February 3, 2015, and any amendments thereto

4. The Land referred to in this policy is described as follows:

See Exhibit "A" attached hereto and made a part hereof.

Received

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Oregon Water Resources Department
Attn: Water Rights Section
725 Summer St NE Ste A
Salem, OR

To Water Rights Section,

Please confirm your receipt of this packet with any further needs. Thanks for reviewing. I can provide an email copies that might be easier to read if you write me:
mark@visualtranslations.com

There are two recent surveys, one that I drew upon that has elevations and a second for the replat that vacated 'Wildwood avenue'. Lots 4, 7, 8 are now the continuous subject area.

We are planning a small cabin and only seeking to reroute a few natural seasonal springs with drainage on our property to a very small pond and then onward. We don't have any commercial or agricultural 'use' plan; just a natural restoration.

Idanha is a small town supportive of my effort. They have no city planner, so the land use form was sent from Becky Stormer to McRae Carmichael at COG. The receipt form is included here.

Again, please let me know if you have any additional needs. I'd love to know your timing requirements for review.

Best Wishes,

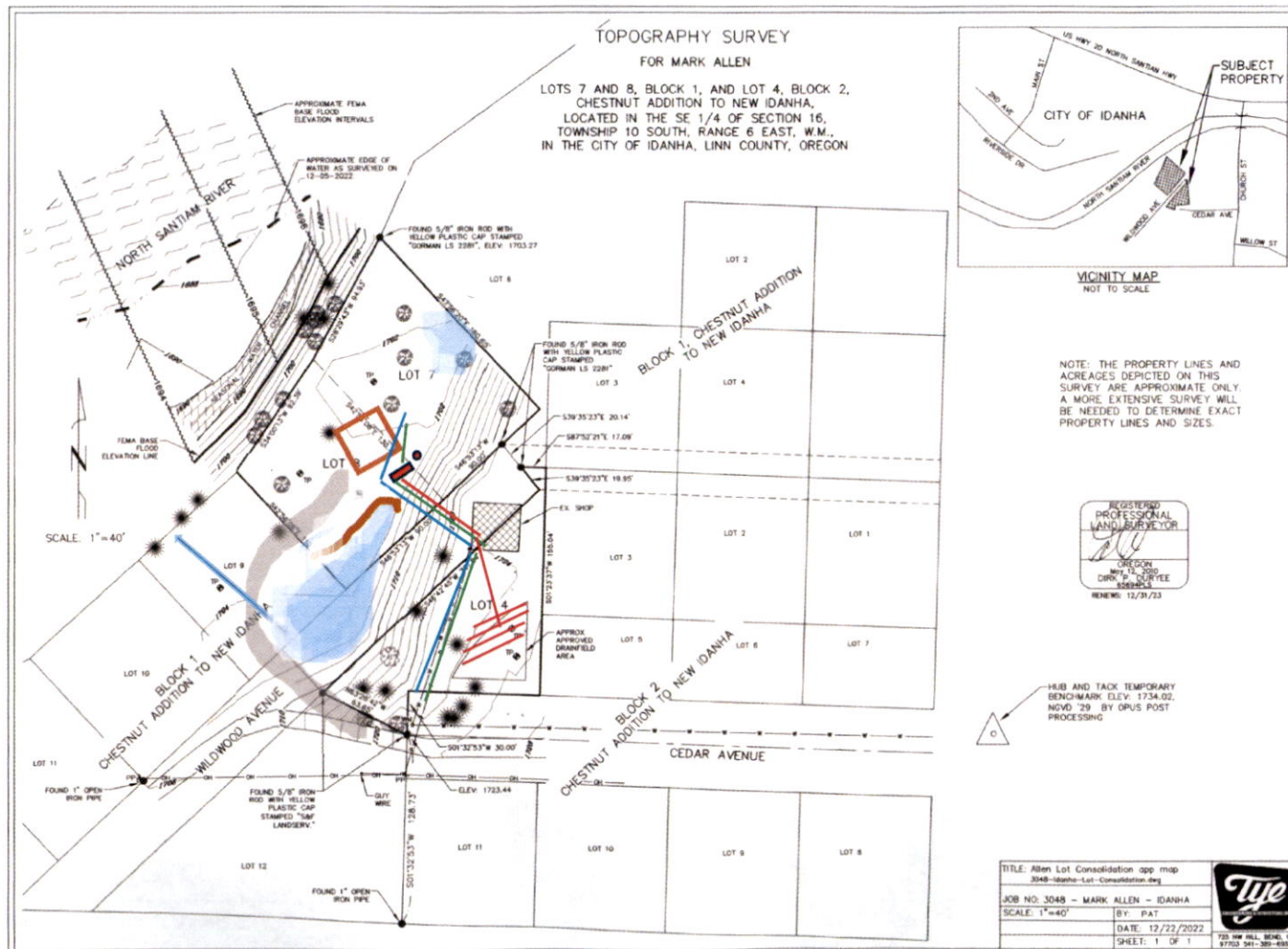


Mark Allen

503 708-3410

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OWRD	OWRD

- Cabin 
- Electric 
- Water 
- Septic 
- Road 
- Alt. Res. 
- Culvert 
- ~2' berm 



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NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO CONSOLIDATE LOT 4, BLOCK 2 AND LOTS 7, 8, AND 9, BLOCK 1, CHESTNUT ADDITION TO NEW IDAHO, WHICH COMPRISES A PORTION OF THE LAND DESCRIBED IN LINN COUNTY DEED DOCUMENT NO. 2016-03312, TOGETHER WITH THE RECENTLY VACATED PORTION OF WILLOW STREET, INTO 2 (TWO) PARCELS OF LAND. THIS WAS PERMITTED BY CITY OF IDAHO STAFF REPORT & DECISION PLA 23-01.

SUBJECT LOT CORNERS WERE SEARCHED FOR ALONG WILLOW STREET AND THE NORTH SANTIAM RIVER; ONLY THOSE CORNERS SET BY CS 26514 AND 24474 WERE RECOVERED IN THESE AREAS, RATHER THAN PROJECT THE WEST RIGHT OF WAY 370' USING A 130' BASELINE FROM THE THREE ORIGINAL PLAT MONUMENTS RECOVERED ON C.S. 26514, AND THEN DISCARD THE GORMAN MONUMENTS SET ON C.S. 24474, WHICH WE RELIED ON TO BE THE CORNERS OF LOT 7, BLOCK 1, I CHOSE TO HOLD THE PIPE AT THE SOUTHERLY MOST CORNER OF LOT 10 AND THE ROD AT THE EASTERLY MOST CORNER OF LOT 7 FOR THE NORTHERLY LINE OF WILLOW STREET. THE LOT CORNER LOCATIONS BETWEEN THESE TWO MONUMENTS WERE THEN PROPORTIONED USING THE NEW IDAHO PLAT DISTANCES. THE INTERIOR LOT LINES WERE HELD PARALLEL TO THE NORTH LINE OF LOT 7, AS NO CORNERS WERE RECOVERED ALONG THE RIVER.

LEGEND:

- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "GORMAN SURVEY LS 2281" PER C.S. 24474 FLUSH OR AS NOTED
- SET 5/8"x30" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "UDELL ENG"
- () DATA OF RECORD
- [] CALCULATED DATA
- C.S. COUNTY SURVEY
- FD FOUND
- IR IRON ROD
- IP IRON PIPE
- SI CHESTNUT ADDITION (C.S. 3125)
- SQ. FT. SQUARE FEET
- R/W RIGHT OF WAY
- W/ YPC WITH YELLOW PLASTIC CAP

REFERENCE SURVEYS: C.S. 3125 (CHESTNUT ADDITION), C.S. 24474, C.S. 25107, C.S. 26514, C.S. 26206 (PARTITION PLAT NO. 2017-04).

SURVEYOR'S CERTIFICATE:

I, KYLE W. LATIMER, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED HEREON PER ORS 92, THE EXTERIOR BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD MARKING THE NORTHERLY MOST CORNER OF LOT 7 OF CHESTNUT ADDITION TO NEW IDAHO; THENCE SOUTH 27°42'08" WEST 97.29 FEET TO A 5/8" IRON ROD; THENCE SOUTH 33°02'20" WEST 94.81 FEET TO A 5/8" IRON ROD MARKING THE WESTERLY MOST CORNER OF LOT 8 OF SAID PLAT; THENCE SOUTH 46°54'19" WEST 92.50 FEET TO A 5/8" IRON ROD MARKING THE WESTERLY MOST CORNER OF LOT 9; THENCE SOUTH 44°12'30" EAST 112.20 FEET TO A 5/8" IRON ROD MARKING THE SOUTHERLY MOST CORNER OF LOT 9; THENCE NORTH 45°36'16" EAST 66.93 FEET TO A 5/8" IRON ROD; THENCE SOUTH 44°23'44" EAST 40.00 FEET TO A 5/8" IRON ROD; THENCE SOUTH 45°36'16" WEST 29.20 FEET TO A POINT BEING WITNESSED BY A 5/8" IRON ROD SOUTH 64°43'30" EAST 0.65 FEET; THENCE SOUTH 64°43'30" EAST 64.32 FEET TO A 5/8" IRON ROD; THENCE NORTH 0°14'08" EAST 155.19 FEET TO A 5/8" IRON ROD; THENCE NORTH 89°14'44" WEST 17.10 FEET TO A 5/8" IRON ROD; THENCE NORTH 40°52'18" WEST 20.13 FEET TO A 5/8" IRON ROD; THENCE NORTH 45°48'53" EAST 35.17 FEET TO A 5/8" IRON ROD; THENCE NORTH 44°12'30" WEST 160.73 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 42,586 SQUARE FEET OF LAND, MORE OR LESS.

EASEMENTS OF RECORD:

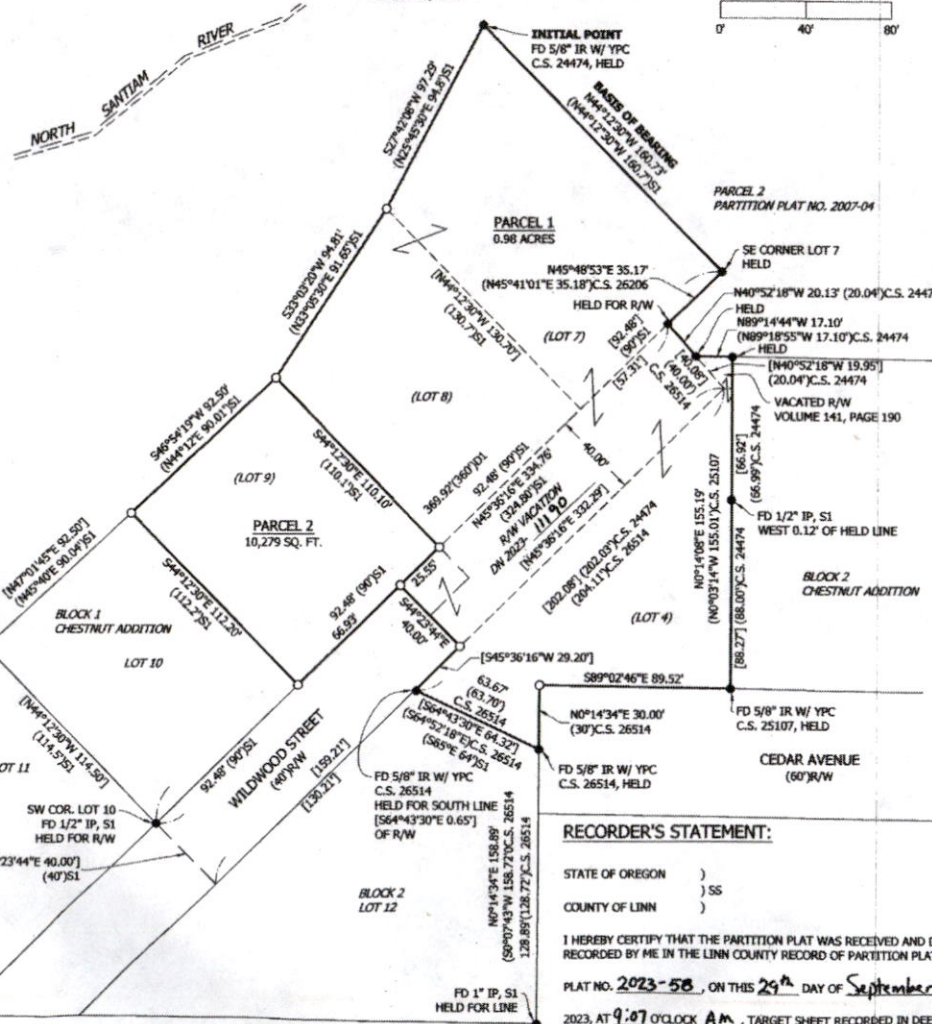
A TITLE REPORT PREPARED BY AMERITITLE INSURANCE COMPANY TITLE NUMBER. 601930AM REVEALED NO EASEMENTS OF RECORD:

C.S. **27474**

PARTITION PLAT NO. **2023-58**

FOR MARK ALLEN AND ELLEN RAGAN
A REPLAT OF LOTS 7, 8, 9, BLOCK 1 AND LOT 4, BLOCK 2, CHESTNUT
ADDITION, AND A PORTION OF VACATED WILLOW STREET,
LOCATED IN THE SE 1/4 SEC. 16, T. 10 S., R. 6 E., W.M.,
CITY OF IDAHO, LINN COUNTY, OREGON

CITY OF IDAHO STAFF REPORT & DECISION PLA 23-01
AUGUST 05, 2023



OWNER'S DECLARATION:

KNOW ALL PERSONS THAT MARK W. ALLEN AND ELLEN S. RAGAN REVOCABLE TRUST, DATED FEBRUARY 3, 2015 ARE THE OWNERS OF THE LAND DESCRIBED HEREON AND HAVE CAUSED THE SAME TO BE REPLATTED INTO A SINGLE PARCEL AS SHOWN.

See Doc. No. **2023-11316**

MARK W. ALLEN, TRUSTEE

DATE

See Doc. **2023-11316**

ELLEN S. RAGAN, TRUSTEE

DATE

ACKNOWLEDGMENT:

STATE OF OREGON)
COUNTY OF)

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2023, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARK W. ALLEN, TRUSTEE AND ELLEN S. RAGAN, TRUSTEE, IN THE ABOVE CAPACITY, WHO ARE KNOWN TO ME TO BE THE IDENTICAL PERSONS NAMED IN AND WHO EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES HEREIN NAMED.

NOTARY SIGNATURE

NOTARY PUBLIC - OREGON
(PRINT NAME)

COMMISSION NO.

MY COMMISSION EXPIRES:

APPROVALS:

CITY OF IDAHO STAFF REPORT & DECISION PLA 23-01, WE THE UNDERSIGNED HAVE EXAMINED AND APPROVED THE PORTION OF THIS PARTITION AS REQUIRED BY THE DESIGNATED AUTHORITY OF OUR RESPECTIVE OFFICES.

Rebecca Storrer
CITY OF IDAHO

September 25, 2023
DATE

Mark J. Loney
LINN COUNTY SURVEYOR

9-28-2023
DATE

ASSESSOR'S STATEMENT:

TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN PAID AS OF THE 28th DAY OF September, 2023.

Ben Olson - DEPUTY
LINN COUNTY TAX COLLECTOR/ASSESSOR

RECORDER'S STATEMENT:

STATE OF OREGON)
COUNTY OF LINN)

I HEREBY CERTIFY THAT THE PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY RECORD OF PARTITION PLATS AS

PLAT NO. **2023-58**, ON THIS 29th DAY OF September,

2023, AT 9:07 O'CLOCK A.M., TARGET SHEET RECORDED IN DEED

RECORDS DOCUMENT NO. **2023-11317**

STEVE DRUCKENMILLER DEPUTY CLERK
LINN COUNTY CLERK

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Kyle W. Latimer
JUNE 12, 2013
KYLE W. LATIMER
#80442
EXPIRES 12-31-2024

Udell
ENGINEERING &
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON
97355
PH. (541) 451-5125
FAX (541) 451-1366
23-090 ALLEN IDAHO REPLAT GSR

SHEET 1 OF 1

Received
APR 08 2025

RECEIVED

MAR 14 2025

OWRD

OWRD

I HEREBY CERTIFY THIS TO BE A TRUE
AND EXACT COPY OF THE ORIGINAL PLAT.
Kyle W. Latimer
KYLE W. LATIMER



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1

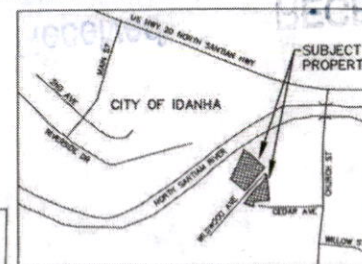


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2

FOR MARK ALLEN

LOTS 7 AND 8, BLOCK 1, AND LOT 4, BLOCK 2,
CHESTNUT ADDITION TO NEW IDANHA,
LOCATED IN THE SE 1/4 OF SECTION 16,
TOWNSHIP 10 SOUTH, RANGE 6 EAST, W.M.,
IN THE CITY OF IDANHA, LINN COUNTY, OREGON



VICINITY MAP
NOT TO SCALE

NOTE: THE PROPERTY LINES AND
ACREAGES DEPICTED ON THIS
SURVEY ARE APPROXIMATE ONLY.
A MORE EXTENSIVE SURVEY WILL
BE NEEDED TO DETERMINE EXACT
PROPERTY LINES AND SIZES.



HUB AND TACK TEMPORARY
BENCHMARK ELEV: 1734.02
NGVD '29 BY OPUS POST
PROCESSING

TITLE: Allen Lot Consolidation app map 3048-Ianba-Lot-Consolidation.dwg		 725 NW 11th, Boca
JOB NO: 3048 - MARK ALLEN - IDAIBA		
SCALE: 1"=40'	BY: PAT	
	DATE: 12/22/2022	
	SHEET: 1 OF 1	

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Alternative Reservoir

261 Cedar, Idanha OR

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MAR 14 2025
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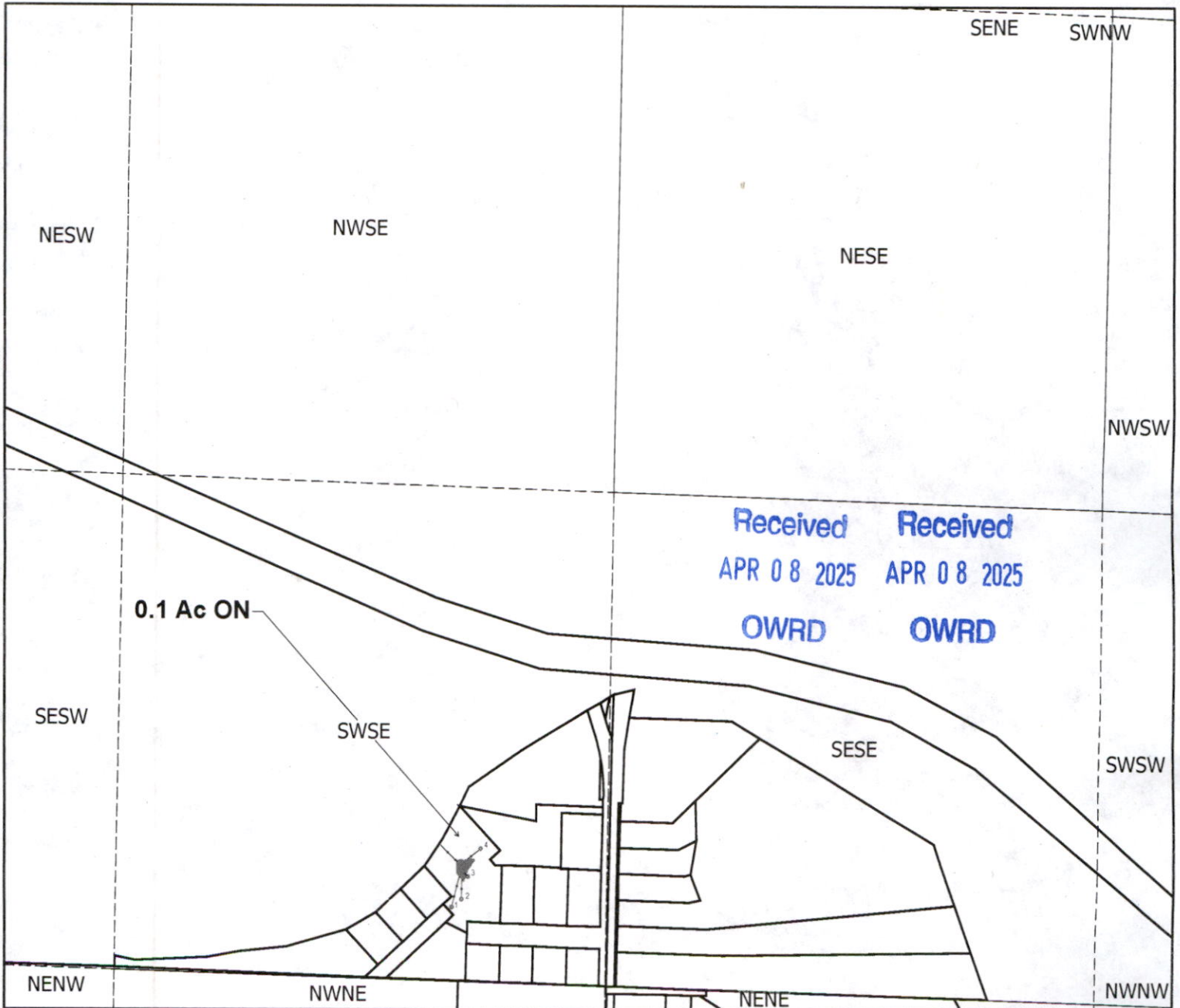
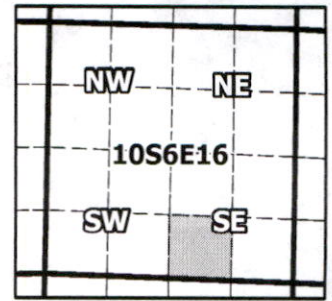
Santiam Irrigation District

2025 District Transfer Application "On" Map

Certificates:

for MARK WALLEN & ELLEN S RAGAN REV TRUST

Superseded



Taxlot 10S06E16-D0-00400, 10-6-16-SW/SE: 0.1 Acres On, 1.0 Acres Total

Cert:

Date: 04-03-2025, 0.10 Acres

Proposed Reservoir Located 315 feet North and 390 feet West from SE corner of SE 1/4 SECTION 16

Spring 1 Located 160 feet North and 455 feet West from SE corner of SE 1/4 SECTION 16

Spring 2 Located 180 feet North and 420 feet West from SE corner of SE 1/4 SECTION 16

Spring 3 Located 250 feet North and 390 feet West from SE corner of SE 1/4 SECTION 16

Spring 4 Located 340 feet North and 340 feet West from SE corner of SE 1/4 SECTION 16

— Pipe / Conveyance Line

■ Proposed Place of Use

□ Taxlots

• Spring Location



1 inch = 400 feet

Prepared by Santiam Irrigation District | April 2025