

SEE R-75412-20

YELLOW = RAISING SP

RED = CHANGES

CATLOW
(SITE) O WELL

DEC 3 1994

WATER DEPT.
SALEM, OREGON

T. 33 S., R. 31 E. W.M.

Permit No. R-75421

CERTIFICATE NO. 69556

CATLOW
SMITH
MILLER
MILLER

BECKLEY
(SITE)

PRATT

T. 34 S., R. 30 E.

T. 34 S., R. 31 E.

9.760 AC

STATE OF OREGON
COUNTY OF Harney

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

REX CLEMENS RANCH INC.
PO BOX 427
PHILOMATH, OR 97370

confirms the right to store the waters of
RUNOFF, A TRIBUTARY OF ROARING SPRINGS CREEK IN FOUR RESERVOIRS
for LIVESTOCK AND WILDLIFE.

The right to store and use these waters was perfected under Reservoir Application R-75421.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 4.0 ACRE-FEET, BEING
1.0 AF IN EACH RESERVOIR

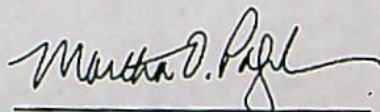
Located as follows:

SE 1/4 SE 1/4 SECTION 32, TOWNSHIP 33 SOUTH, RANGE 31 EAST WM.
SE 1/4 SW 1/4 SECTION 1, TOWNSHIP 34 SOUTH, RANGE 30 EAST WM.
SE 1/4 NW 1/4 SECTION 2, TOWNSHIP 34 SOUTH, RANGE 31 EAST WM.
SW 1/4 NW 1/4 SECTION 34, TOWNSHIP 33 SOUTH, RANGE 31 EAST WM.

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

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

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



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 69556

December 20, 1994

REX CLEMENS RANCH INC.
PO BOX 427
PHILOMATH, OR 97370

REFERENCE: F i l e #
R-75412,R-75413,R-75414,R-75415,R-75416,R-75417,R-75418,R-75419,R-
75420,R-75421;

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

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

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

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

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

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



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

R E F E R E N C E : F i l e (s) -
R-75412,R-75413,R-75414,R-75415,R-75416,R-75417,R-75418,R-75419,R-75420,R-75421

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

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

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

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

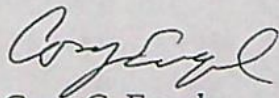
When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application.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

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

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

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

Sincerely,



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

cc: CWRE

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # 75421

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

12/17/94

LG

Name and mailing address of applicant

Source of water

Quantity of water

Map showing location of POD & POU

Use of water

Names and addresses of legal owners

Signature of applicant

Oath

Application date stamped per money receipt date

Land use approved X pending

If reservoir < 5 AF \$ 80, if > 5 AF \$

HB 2153/HB 2107 APPLICATION -- SEE REVERSE

Route to Data Center (Unless 2153/2107)

DATA CENTER

Stream Code

Entered into WRIS

SUPPORT SERVICES

3/13/95

XX

12/94

C

u

u

Stamp contents with application number

Mail ack letter (provided by Data Center) with

receipt to applicant, cc to CWRE and file

Place label on file and calender card

APPLICATION SECTION

Stream Indexed Basin #

Plat Carded and copy made

YES NO

If dam is over 10 feet or storage exceeds 9.2

AC-FT, route file to Dam Safety Section

TR CASEWORKER

TR Checklist complete

YES NO

Within Irrigation District

District Notified

District excerpt received

TR Mailed DATE

Public Interest Checklist complete

Management Codes

REMARKS:

Q-75421

Application No.

nit No.

REX CLEMENS RANCH INC.

Name . PO BOX 427

Address PHILOMATH, OR 97370

Assigned

Address

Beginning construction

Completion of construction

Extended to

Complete application of water

Extended to

FILE#: R 75421

REX CLEMENS RANCH INC.
PO BOX 427
PHILOMATH, OR 97370

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REX CLEMENS RANCH INC.
PO BOX 427
PHILOMATH, OR 97370

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **119788**

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

INVOICE # _____

RECEIVED FROM: REX CLEMENS RANCH,
BY: INC.

APPLICATION	R-75421
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 24-12 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 500.00

01-00-0 WRD MISC CASH ACCT

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

REDUCTION OF EXPENSE

CASH ACCT.

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

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

WATER RIGHTS:

842.001	SURFACE WATER	\$ <u>40.00</u>	842.002	\$ <u>10.00</u>
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
	LANDOWNER'S PERMIT		842.024	\$

OTHER (IDENTIFY)

06-00-0 WELL CONST. START FEE

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

OTHER (IDENTIFY)

45-00-0 LOTTERY PROCEEDS

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

LIC NUMBER

42.011	POWER LICENSE FEE (FW/WRD)	\$
2.115	HYDRO LICENSE FEE (FW/WRD)	\$

HYDRO APPLICATION

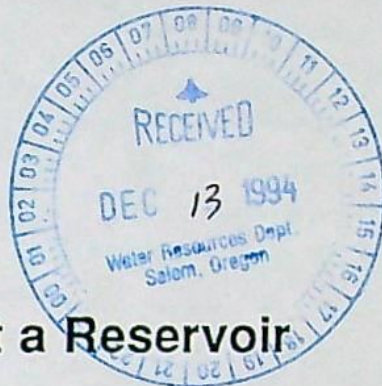
119788

DATED: 12-13-94

BY: [Signature]

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

Application No.

12-75421

State of Oregon

WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

Applicant(s) Rex Clemens Ranch Inc.

(Please print or type - use dark ink)

Mailing Address: P. O. Box 427Philomath,Oregon97370929-2592

City

State

Zip

Daytime Phone No.

I (We) make application for a permit to construct Stock water pond reservoir and store the following described waters of the State of Oregon:

1. **SOURCE OF WATER** for the proposed use: Runoff & Spring flow,
 a tributary of Roaring Springs Creek drainage in Harney County.
 If not in channel of a stream, state how it is to be filled: Runoff and Spring flow

2. **THE DAM:** The maximum height of the structure will be see attached ^{sheet} feet above stream bed or ground surface at the centerline.

The dam will be (check one) ☒ earthfill, ☐ concrete, ☐ flashboard, ☐ other.

If "other" give description: _____

Give the location, description, and dimensions of the outlet conduit: None

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. **THE USE(s)** of the impounded water will be: Livestock & Wildlife water

4. **THE AMOUNT OF WATER** to be stored is: Less than 1 acre-feet.
The area submerged by the reservoir, when filled, will be less than 2/10 acres,
and the maximum depth of water will be less than 5 feet.

5. **SPILLWAY DESCRIPTION** (location and dimensions). State whether over or around the dam. See attached sheet

A.

B.

C.

D.

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DEC 18 1994

WATER RESOURCES DEPT.
SALEM, OREGON

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

Proposed date construction work will begin Prior years

Proposed date construction work will be completed Already done

Proposed date water use will be completed Before 1 - 1 - 93

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

See attached map

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

X Applicant CWRE Other (Identify in REMARKS section)

- b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

X Applicant CWRE Other (Identify in REMARKS section)

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS: _____

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

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Rex Clemens Ranch Inc.

By:

Ethel M. Clemens
Signature of Applicant

12-8-94
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 13 day of December, 1994, at 8:00 o'clock, 4 M.

Priority: 1/1/93

RECEIVED

DEC 13 1994

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION NO: R-75421

Application No 12-45421
Permit No.

RECEIVED

DEC 13 1994

WATER RESOURCES DEPT.
SALEM, OREGON

2
Dam
Height

5
Spillway
Dimensions

Beckley Area

T. 33 S., R. 31 E., W.M.

A, Sec. 32: SE1/4SE1/4 2' 1' x 20' center over
Pond north of fountain

D, Sec. 34: SW1/4NW1/4 3' 1' x 10' center over
East of road by cattle guard

T. 34 S., R. 30 E., W.M.

B, Sec. 1: SE1/4SW1/4 2' 1' x 20' center over
Pond by Rock Creek

T. 34 S., R. 31 E., W.M.

C, Sec. 2: SE1/4NW1/4 4' 2' x 20' left side around
Pond by east fence

RECEIVED

DEC 13 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

WATER
RESOURCES
DEPARTMENT

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.



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

Description of Water Use

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

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

Applicant Name: Rex Clemens Ranch Inc.
 Address: P.O. Box 427
Philomath, Oregon 97370
 Phone: 929-2592

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

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

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☒ Surface Water Name sources <u>Roaring Springs Creek</u> _____ _____	_____ Cubic feet per second. _____ Gallons per minute. <u>1</u> Acre-Feet or less
☒ Reservoir or pond ☐ Ground Water	

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

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

Applicant's Name: Rex Clemens Ranch Inc.
Address: P. O. Box 427
City: Philomath State: Ore. Zip: 97370 Day Phone: 929-2592

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

(CHECK ALL THAT APPLY)

Map #	TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING Rural Residential/RR-5)	(e.g.	WATER DIVERTED	WATER CONVEYED	WATER USE
33-31	2900	EFRU-1				Livestock
34-30	100	EFRU-1				Livestock
34-31	200	EFRU-1				Livestock

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

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

For Local Government Use Only

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

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

- ☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
Cite applicable ordinance section(s) Art 3, Sec 3.010. Go to section b) on reverse side.
- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

=====

Receipt for Request for Land Use Information

WRD Applicant Name: Rex Clemens Ranch Inc.

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

City or County: _____
Staff Contact: _____ Phone: _____
Signature: _____ Date of Information Request: _____

