

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 PERRY A. BAKER			PHONE (HM)
PHONE (WK) 503-947-6241	CELL 971-718-4422	FAX	
MAILING ADDRESS 4034 FAIRVIEW INDUSTRIAL DR. SE			
CITY SALEM	STATE OR	ZIP 97302	E-MAIL * PERRY.A.BAKER@ODFW.OREGON.GOV

Organization

NAME OREGON DEPARTMENT OF FISH AND WILDLIFE		PHONE	FAX
MAILING ADDRESS 4034 FAIRVIEW INDUSTRIAL DR. SE			CELL
CITY SALEM	STATE OR	ZIP 97302	E-MAIL * PERRY.A.BAKER@ODFW.OREGON.GOV

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

AGENT / BUSINESS NAME JUSTINE BRUMM / OREGON DEPARTMENT OF FISH AND WILDLIFE		PHONE 541-799-4556	FAX
MAILING ADDRESS 17330 SE EVELYN ST			CELL 541-799-4556
CITY CLACKAMAS	STATE OR	ZIP 97015	E-MAIL * JUSTINE.A.BRUMM@ODFW.OREGON.GOV

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.

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Salem, OR

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

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Justine Brumm, WWMP Program Coordinator

5/21/2025

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:	Coyote Creek Northeast				
Source*:	Diffuse run-off	Tributary:	N/A		
County:	Lane				
Quantity:	24 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	17S	5W	36		502
Maximum Height of Dam:	2 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: Wetland Enhancement / Wildlife

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? 1.5 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. DSL, DEQ, USACE, Lane County, OWRD Water Master, BPA, ODFW Water Program and District staff

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.

The goal of this project is to restore wetland habitat for wildlife and provide local infrastructure benefits by capturing and slowing the movement of run off waters, improving water quality, allowing the recharge of ground water reserves, lowering temperatures of water feeding into local tributaries, providing flood and erosion control, and creating critical habitat for species of conservation priority. The reservoir includes two small tapered berms constructed of native soil sourced on-site. Water will passively seep through the soil and around the edges of berms. These berms do not impede a natural stream channel. If needed outside of the authorized storage season, a temporary pump system can be used to pass live flow.

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).

See attached construction specs and map. The berms do not divert a natural stream channel.

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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

Applicant

NAME Oregon Department of Fish and Wildlife			PHONE (HM)		
PHONE (WK) 541-799-4556		CELL		FAX	
ADDRESS 26969 Cantrell Rd					
CITY Eugene		STATE OR	ZIP 97402	E-MAIL* justine.a.brumm@odfw.oregon.gov	

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:
17S	5W	35-36		502	Exclusive Farm Use/E40	☐ Diverted ☐ Conveyed ☒ Used	Wildlife
						☐ 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:

Lane County, Eugene, OR

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Groundwater ☒ Surface Water (name) Diffuse runoff

Estimated quantity of water needed: 24 acre-feet ☐ 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 Wildlife

Briefly describe:

The goal of the project is to benefit wetland habitat and provide local infrastructure benefits by capturing and slowing movement of run off, improving water quality, allowing the recharge of ground water reserves, lowering temperatures of water feeding into local tributaries, providing flood and erosion control, and creating critical habitat for species of conservation priority.

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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 uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LC 16.212(3)-1.9.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

"creation of, restoration of, or enhancement of wetlands" allowed outright in EFU zone

NAME <u>Caitlin Donnelly</u>	TITLE: <u>MD Technician</u>
SIGNATURE <u>[Signature]</u>	PHONE: <u>541-682-3958</u>
GOVERNMENT ENTITY <u>LANE COUNTY</u>	DATE: <u>5/9/25</u>

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Salem, OR

Land Use Information Form
Page 1 of 3

Watermaster Alternate Reservoir Application Review Sheet

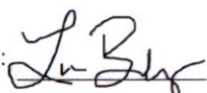
In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes 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		
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: Pass live flow outside of the fill season.		
3. Is water available for the proposed reservoir? ☒ YES ☐ NO		
4. If yes, during what period? Beginning: 9/1 End: 7/31 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: Lanaya Blakely

Watermaster Signature:  Date: 6/9/2025

NOTE: This completed form must be returned to the applicant

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Water Availability Analysis

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Salem, OR

LONG TOM R > WILLAMETTE R - AB MOUTH

WILLAMETTE BASIN

Water Availability as of 2/28/2025

Watershed ID #: 114 ([Map](#))

Date: 2/28/2025

Exceedance Level: 50% ▼

Time: 11:10 AM

[Download Data](#)

Water Availability

Select any Watershed for Details

Nesting Watershed Order	Stream Name ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	181 WILLAMETTE R> COLUMBIA R- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2	182 WILLAMETTE R> COLUMBIA R- AB MOLALLA R	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3	183 WILLAMETTE R> COLUMBIA R- AB MILL CR AT GAGE 14191000	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4	30200321 WILLAMETTE R> COLUMBIA R- AB PERIWINKLE CR AT GAGE 14174	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
5	114 LONG TOM R> WILLAMETTE R- AB MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes

Limiting Watersheds

Monthly Streamflow in Cubic Feet per Second

Annual Volume at 50% Exceedance in Acre-Feet

Month	Limiting Watershed ID #	Stream Name	Water Available?	Net Water Available
JAN	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	994.00
FEB	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	866.00
MAR	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	354.00
APR	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	265.00
MAY	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	162.00
JUN	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	76.10
JUL	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	5.49
AUG	114	LONG TOM R > WILLAMETTE R - AB MOUTH	No	-6.82
SEP	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	8.29
OCT	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	32.50
NOV	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	130.00
DEC	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	869.00
ANN	114	LONG TOM R > WILLAMETTE R - AB MOUTH	Yes	226,000.00

Detailed Reports for Watershed ID #181

WILLAMETTE R > COLUMBIA R - AT MOUTH

WILLAMETTE BASIN

Water Availability as of 2/28/2025

Watershed ID #: 181 ([Map](#))

Date: 2/28/2025

Exceedance Level: 50% ▼

Time: 11:10 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second

Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	51,100.00	2,710.00	48,400.00	0.00	1,500.00	46,900.00
FEB	49,100.00	7,970.00	41,100.00	0.00	1,500.00	39,600.00
MAR	42,400.00	7,550.00	34,800.00	0.00	1,500.00	33,300.00
APR	36,400.00	7,190.00	29,200.00	0.00	1,500.00	27,700.00
MAY	28,300.00	4,430.00	23,900.00	0.00	1,500.00	22,400.00
JUN	15,800.00	2,360.00	13,400.00	0.00	1,500.00	11,900.00
JUL	7,980.00	2,320.00	5,660.00	0.00	1,500.00	4,160.00
AUG	5,530.00	2,070.00	3,460.00	0.00	1,500.00	1,960.00
SEP	5,740.00	1,690.00	4,050.00	0.00	1,500.00	2,550.00
OCT	8,390.00	729.00	7,660.00	0.00	1,500.00	6,160.00
NOV	24,400.00	1,040.00	23,400.00	0.00	1,500.00	21,900.00
DEC	52,800.00	1,360.00	51,400.00	0.00	1,500.00	49,900.00
ANN	19,700,000.00	2,480,000.00	17,300,000.00	0.00	1,090,000.00	16,200,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	1,880.00	0.04	441.00	96.10	10.80	22.30	191.00	64.70	2,710.00
FEB	7,150.00	0.04	441.00	96.10	10.80	22.30	191.00	64.10	7,970.00
MAR	6,720.00	6.75	441.00	96.00	10.80	22.30	194.00	61.80	7,550.00
APR	6,330.00	44.20	441.00	96.00	10.80	22.30	187.00	61.80	7,190.00
MAY	3,400.00	319.00	430.00	96.00	10.60	22.30	107.00	40.00	4,430.00
JUN	443.00	615.00	1,040.00	95.70	10.50	22.30	96.80	38.00	2,360.00
JUL	14.30	1,050.00	1,030.00	95.20	10.50	22.30	59.20	31.70	2,320.00
AUG	2.15	826.00	1,020.00	95.10	10.50	22.30	58.90	31.40	2,070.00
SEP	0.87	406.00	1,040.00	95.60	10.60	22.30	85.10	34.10	1,690.00
OCT	0.69	29.20	426.00	96.00	10.60	22.30	90.50	53.40	729.00
NOV	240.00	0.05	434.00	96.10	10.90	22.30	174.00	61.40	1,040.00
DEC	536.00	0.04	441.00	96.10	10.80	22.30	192.00	64.70	1,360.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF181A	APPLICATION	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Maximum		1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00

Detailed Reports for Watershed ID #182

WILLAMETTE R > COLUMBIA R - AB MOLALLA R

WILLAMETTE BASIN

Water Availability as of 2/28/2025

Received by OWRD

JUN 23 2025

Salem, OR

Watershed ID #: 182 ([Map](#))

Date: 2/28/2025

Exceedance Level: 50% ▼

Time: 11:10 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	38,500.00	2,310.00	36,200.00	0.00	1,500.00	34,700.00
FEB	37,100.00	7,490.00	29,600.00	0.00	1,500.00	28,100.00
MAR	32,800.00	7,260.00	25,500.00	0.00	1,500.00	24,000.00
APR	28,300.00	6,910.00	21,400.00	0.00	1,500.00	19,900.00
MAY	22,200.00	4,250.00	17,900.00	0.00	1,500.00	16,400.00
JUN	12,500.00	1,980.00	10,500.00	0.00	1,500.00	9,020.00
JUL	6,330.00	1,810.00	4,520.00	0.00	1,500.00	3,020.00
AUG	4,290.00	1,650.00	2,640.00	0.00	1,500.00	1,140.00
SEP	4,420.00	1,390.00	3,030.00	0.00	1,500.00	1,530.00
OCT	6,690.00	753.00	5,940.00	0.00	1,500.00	4,440.00
NOV	19,000.00	887.00	18,100.00	0.00	1,500.00	16,600.00
DEC	40,700.00	975.00	39,700.00	0.00	1,500.00	38,200.00
ANN	15,200,000.00	2,250,000.00	13,000,000.00	0.00	1,090,000.00	11,900,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	1,550.00	0.00	508.00	81.30	6.71	16.50	90.20	55.10	2,310.00
FEB	6,730.00	0.00	508.00	81.30	6.71	16.50	90.20	54.60	7,490.00
MAR	6,500.00	4.64	508.00	81.20	6.71	16.50	93.90	52.70	7,260.00
APR	6,130.00	30.60	508.00	81.20	6.71	16.50	89.20	52.70	6,910.00
MAY	3,300.00	225.00	505.00	81.20	6.71	16.50	78.20	36.60	4,250.00
JUN	422.00	429.00	912.00	80.80	6.71	16.50	75.20	35.50	1,980.00
JUL	3.97	725.00	908.00	80.30	6.69	16.50	38.40	29.10	1,810.00
AUG	2.00	569.00	908.00	80.20	6.69	16.50	38.40	28.80	1,650.00
SEP	0.71	281.00	911.00	80.80	6.77	16.50	64.60	31.50	1,390.00
OCT	0.39	20.20	508.00	81.20	6.77	16.50	69.00	50.80	753.00
NOV	132.00	0.00	508.00	81.30	6.80	16.50	88.40	53.80	887.00
DEC	217.00	0.00	508.00	81.30	6.71	16.50	90.20	55.10	975.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Received by OWRD

JUN 23 2025

Salem, OR

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF182A	APPLICATION	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Maximum		1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00

Detailed Reports for Watershed ID #183

WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

WILLAMETTE BASIN

Water Availability as of 2/28/2025

Watershed ID #: 183 ([Map](#))

Exceedance Level: 50% ▼

Date: 2/28/2025

Time: 11:10 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	32,500.00	2,250.00	30,300.00	0.00	1,300.00	29,000.00
FEB	31,500.00	7,430.00	24,100.00	0.00	1,300.00	22,800.00
MAR	28,600.00	7,220.00	21,400.00	0.00	1,300.00	20,100.00
APR	25,700.00	6,870.00	18,800.00	0.00	1,300.00	17,500.00
MAY	21,000.00	4,180.00	16,800.00	0.00	1,300.00	15,500.00
JUN	12,100.00	1,690.00	10,400.00	0.00	1,300.00	9,110.00
JUL	6,070.00	1,450.00	4,620.00	0.00	1,300.00	3,320.00
AUG	4,110.00	1,330.00	2,780.00	0.00	1,300.00	1,480.00
SEP	4,210.00	1,150.00	3,060.00	0.00	1,300.00	1,760.00
OCT	6,410.00	747.00	5,660.00	0.00	1,300.00	4,360.00
NOV	17,000.00	855.00	16,100.00	0.00	1,300.00	14,800.00
DEC	34,700.00	918.00	33,800.00	0.00	1,300.00	32,500.00
ANN	13,500,000.00	2,160,000.00	11,300,000.00	0.00	942,000.00	10,400,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	1,510.00	0.00	585.00	54.90	3.56	12.60	36.10	41.20	2,250.00
FEB	6,700.00	0.00	584.00	54.90	3.56	12.60	36.10	40.70	7,430.00
MAR	6,480.00	3.34	585.00	54.80	3.56	12.60	41.50	39.30	7,220.00
APR	6,120.00	21.00	585.00	54.80	3.56	12.60	37.30	39.30	6,870.00
MAY	3,300.00	165.00	581.00	54.80	3.56	12.60	35.30	23.80	4,180.00
JUN	421.00	311.00	827.00	54.50	3.56	12.60	33.50	23.70	1,690.00
JUL	3.93	525.00	824.00	54.40	3.54	12.60	6.14	18.00	1,450.00
AUG	1.99	410.00	824.00	54.30	3.54	12.60	6.14	17.70	1,330.00
SEP	0.69	202.00	826.00	54.40	3.62	12.60	31.20	20.30	1,150.00
OCT	0.32	14.60	584.00	54.80	3.62	12.60	37.40	39.70	747.00
NOV	124.00	0.00	585.00	54.90	3.65	12.60	34.60	40.70	855.00
DEC	185.00	0.00	585.00	54.90	3.56	12.60	36.10	41.20	918.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Received by OWRD

JUN 23 2025

Salem, OR

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF183A	APPLICATION	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00

Detailed Reports for Watershed ID #30200321

WILLAMETTE R > COLUMBIA R - AB PERIWINKLE CR AT GAGE 14174

WILLAMETTE BASIN

Water Availability as of 2/28/2025

Watershed ID #: 30200321 ([Map](#))

Exceedance Level: 50% ▼

Date: 2/28/2025

Time: 11:10 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	17,300.00	1,380.00	15,900.00	0.00	1,750.00	14,200.00
FEB	17,400.00	4,290.00	13,100.00	0.00	1,750.00	11,400.00
MAR	15,800.00	4,560.00	11,200.00	0.00	1,750.00	9,490.00
APR	13,800.00	4,260.00	9,540.00	0.00	1,750.00	7,790.00
MAY	11,400.00	2,560.00	8,840.00	0.00	1,750.00	7,090.00
JUN	7,370.00	856.00	6,510.00	0.00	1,750.00	4,760.00
JUL	4,130.00	666.00	3,460.00	0.00	1,750.00	1,710.00
AUG	2,980.00	604.00	2,380.00	0.00	1,750.00	626.00
SEP	2,970.00	517.00	2,450.00	0.00	1,750.00	703.00
OCT	3,550.00	269.00	3,280.00	0.00	1,750.00	1,530.00
NOV	8,170.00	355.00	7,820.00	0.00	1,750.00	6,070.00
DEC	19,100.00	381.00	18,700.00	0.00	1,750.00	17,000.00
ANN	7,460,000.00	1,240,000.00	6,230,000.00	0.00	1,270,000.00	4,960,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	1,110.00	0.00	175.00	42.00	0.02	5.82	26.00	13.70	1,380.00
FEB	4,030.00	0.00	175.00	42.00	0.02	5.82	26.00	13.20	4,290.00
MAR	4,300.00	1.73	175.00	42.00	0.02	5.82	27.30	11.80	4,560.00
APR	3,990.00	10.70	175.00	42.00	0.02	5.82	26.80	11.80	4,260.00
MAY	2,200.00	91.60	175.00	42.00	0.02	5.82	25.30	11.80	2,560.00
JUN	284.00	163.00	325.00	42.00	0.02	5.82	25.30	11.80	856.00
JUL	3.57	280.00	324.00	41.90	0.02	5.82	2.23	8.58	666.00
AUG	1.42	220.00	324.00	41.80	0.02	5.82	2.23	8.57	604.00
SEP	0.64	108.00	324.00	41.90	0.02	5.82	25.30	11.20	517.00
OCT	0.13	7.71	175.00	42.00	0.02	5.82	25.30	13.20	269.00
NOV	93.60	0.00	175.00	42.00	0.02	5.82	24.50	13.20	355.00
DEC	118.00	0.00	175.00	42.00	0.02	5.82	26.00	13.70	381.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Received by OWRD

JUN 23 2025

Salem, OR

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF184A	APPLICATION	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00
Maximum		1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00	1,750.00

Received by OWRD

Detailed Reports for Watershed ID #114

JUN 23 2025

LONG TOM R > WILLAMETTE R - AB MOUTH
WILLAMETTE BASIN

Salem, OR

Water Availability as of 2/28/2025

Watershed ID #: 114 ([Map](#))

Exceedance Level: 50% ▼

Date: 2/28/2025

Time: 11:10 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	1,220.00	151.00	1,070.00	0.00	75.00	994.00
FEB	1,330.00	389.00	941.00	0.00	75.00	866.00
MAR	984.00	555.00	429.00	0.00	75.00	354.00
APR	590.00	250.00	340.00	0.00	75.00	265.00
MAY	301.00	64.20	237.00	0.00	75.00	162.00
JUN	146.00	29.90	116.00	0.00	40.00	76.10
JUL	68.80	48.30	20.50	0.00	15.00	5.49
AUG	42.40	39.20	3.18	0.00	10.00	-6.82
SEP	40.00	21.70	18.30	0.00	10.00	8.29
OCT	48.40	5.94	42.50	0.00	10.00	32.50
NOV	211.00	5.76	205.00	0.00	75.00	130.00
DEC	1,050.00	106.00	944.00	0.00	75.00	869.00
ANN	362,000.00	99,700.00	262,000.00	0.00	36,700.00	226,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	146.00	0.00	0.40	3.20	0.00	0.60	0.23	0.24	151.00
FEB	385.00	0.00	0.40	3.20	0.00	0.60	0.23	0.24	389.00
MAR	551.00	0.26	0.40	3.20	0.00	0.60	0.23	0.24	555.00
APR	244.00	1.65	0.40	3.20	0.00	0.60	0.23	0.24	250.00
MAY	47.30	12.20	0.40	3.20	0.00	0.60	0.23	0.24	64.20
JUN	0.23	24.90	0.53	3.20	0.00	0.60	0.23	0.24	29.90
JUL	0.03	43.50	0.53	3.20	0.00	0.60	0.23	0.24	48.30
AUG	0.01	34.50	0.53	3.11	0.00	0.60	0.23	0.23	39.20
SEP	0.02	16.90	0.53	3.20	0.00	0.60	0.23	0.24	21.70
OCT	0.06	1.21	0.40	3.20	0.00	0.60	0.23	0.24	5.94
NOV	1.09	0.00	0.40	3.20	0.00	0.60	0.23	0.24	5.76
DEC	101.00	0.00	0.40	3.20	0.00	0.60	0.23	0.24	106.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
IS89666A	APPLICATION	25.00	25.00	25.00	25.00	25.00	9.37	3.62	2.05	3.39	4.00	25.00	25.00
IS89668A	APPLICATION	8.00	8.00	8.00	8.00	8.00	3.00	0.50	0.50	0.50	0.50	8.00	8.00
IS89667A	APPLICATION	75.00	75.00	75.00	75.00	75.00	40.00	15.00	10.00	10.00	10.00	75.00	75.00
IS89670A	APPLICATION	12.00	12.00	12.00	12.00	12.00	2.78	1.10	0.61	0.94	1.00	10.30	12.00
IS89669A	APPLICATION	20.00	20.00	20.00	20.00	20.00	4.21	1.71	0.50	0.50	0.50	14.60	20.00
IS89671A	APPLICATION	30.00	30.00	30.00	30.00	18.60	4.32	1.71	1.01	1.60	2.00	12.60	30.00
Maximum		75.00	75.00	75.00	75.00	75.00	40.00	15.00	10.00	10.00	10.00	75.00	75.00

Received by OWRD

JUN 23 2025

Salem, OR

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name: Perry A. BakerAddress: 4034 Fairview Industrial Dr. SE, Salem Or. 97302Phone/Email: 971-718-4422 / perry.a.baker@odfw.oregon.govReservoir Name: Coyote Creek NortheastVolume (AF): 24Source: Run OffBasin Name: Long Tom R☐ in-channelTwp Rng Sec QQ: 17S 5W 36 SWSW, NWSW, NESW, SESW☒ 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 August poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would

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)

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.

Based on parameters assessed, ODFW has determined that the proposed reduction in flow will not pose a significant detrimental impact to existing fishery resources during the fill period of January-July & September-December. The proposed restoration activity is solely intended to restore or enhance natural processes, will provide a net ecological benefit and long-term habitat benefits, and ODFW has identified the applicant as an individual, agency or restoration entity having experience or skills in durable habitat restoration. Therefore, ODFW concurs with the Watermaster's assessment that water is available for the use January-July & September-December. Additional conditions apply (see pages 3-4 of this review). If OWRD's determination regarding water availability changes, ODFW will need to re-assess the proposed use.

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

describe Mitigation Obligation here, if applicable

Digitally signed
Danette by Danette
Faucera
 Date: 2025.05.15
 08:08:03 -07'00'

ODFW Signature: _____ Print Name: Danette Faucera

ODFW Title: Water Policy Coordinator Date: 5/15/25

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

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

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JUN 23 2025

Salem, OR

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 January-July & September-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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Salem, OR

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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Salem, OR



US-OR-200-3

FERN RIDGE WILDLIFE AREA COYOTE CREEK NORTHEAST WETLAND ENHANCEMENT BID SET

VICINITY MAP



See Location Map

LOCATION MAP



NOT TO SCALE

PROJECT LOCATION

Section: 35 & 36
Township: T 17 S
Range: R 5 W
Meridian: Willamette
County: Lane
State: Oregon

SURVEY DATUM

Horizontal: NAD 83
US State Plane Oregon South Zone
Vertical: NAVD88
Units: International Feet

2013-2015 OLC LIDAR: Lane County, OR
Watershed Sciences Inc. has collected Light Detection
and Ranging (LIDAR) data in the Lane County Study
Area for the Oregon Department of Geology and Mineral
Industries (DOGAMI). NOAA CDM has taken the data
and ingested it into the Digital Coast Data Access Viewer
for distribution.

SHEET INDEX

1	Cover Sheet
2	Definitions & Legend
3	Conceptual Site Plan
4	Sections

EMERGENCY CONTACT INFORMATION

In case of fire: CALL 911

PROJECT DIRECTORY

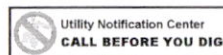
Ducks Unlimited, Inc.
Pacific Northwest Office
11805 NE 96th St, Suite 1300
Vancouver, Washington 98662
Ph. (360) 885-2011

MAP DATA

Contour Interval: 1 Foot

Aerial Photo: Google, NAIP

Unauthorized Changes & Uses
The engineer preparing these plans will not be responsible for, or liable
for, unauthorized changes to or uses of these plans. All changes must
be in writing and must be approved by the preparer of these plans.



Salem, OR

JUN 23 2025

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REVISIONS			
REV. NO.	DESCRIPTION	DATE	APPROVED
1			
2			
3			
4			



PROJECT NO. US-OR-200-3	DATE 4/25/2023	DESIGNED BY: BML
FERN RIDGE WILDLIFE AREA COYOTE CREEK NORTHEAST WETLAND ENHANCEMENT		DRAWN BY: BOR
APPROVED BY:		SURVEYED BY: USAR
		CHECKED BY: -
		SHEET NO. 1 of 4

BID SET

GENERAL NOTES:

1. Ducks Unlimited makes no representations as to the existence or nonexistence of utilities. It is the responsibility of the contractor to comply with the provisions of all applicable utility notification regulations. The contractor will be liable for any damage to utilities caused by construction activities.
2. The engineer does not represent that the location of utilities shown on the plans are exact or complete. It shall be the responsibility of the contractor to determine the presence of, actual locations of and make provisions for all watercourses and utilities. The contractor shall verify location, depth and height. Their verification shall be coordinated by the contractor with the appropriate utility company.
3. The contractor shall exercise extreme caution when working in the vicinity of overhead power lines. Verify location in the field and protect in place.
4. At least 2 working days prior to beginning any digging or excavation work, the contractor shall notify underground service alert (a.k.a. USA North) at www.usanorth.org or by phone at 811 or 1-800-227-2600, to determine locations of existing utilities.
5. In accordance with generally accepted construction practices, the contractor will be solely and completely responsible for the conditions of the job site including safety of all persons and property during performance of the work. The contractor shall ensure that all work is performed in accordance with occupational safety laws, including the design and construction of proper shoring of trenches. The duties of the project engineer do not include review of the adequacy of the contractor's safety in, on, or near the job site.
6. It is the responsibility of the contractor to be knowledgeable about the project specifications and permits. All work shall be completed in compliance with the contract documents. The contractor shall have copies of the most current approved plans, specifications and permit conditions on site during all work operations.
7. The project site and adjacent areas contain sensitive habitat areas for protected wildlife, and may include endangered species. The contractor shall protect wildlife and water quality, and minimize possible air, waterway, and subsoil contamination or pollution or other undesirable effects.
8. Should it appear that the work to be done, or any matter relative thereto, is not sufficiently detailed or explained on these plans or in the specifications, the contractor shall contact the construction manager for such further explanations as may be necessary.
9. Should the contractor find any discrepancies between the conditions existing in the field and the information shown on the drawings, he shall notify the construction manager before proceeding with construction.

SURVEY POINT DESCRIPTORS

CTBM	Bench Mark (permanent)	RDSH	Road Shoulder
CTBT	Bench Mark (temporary)	RDSN	Road Sign
CTCP	Survey Control Point (permanent)	RDT0	Road, Toe of Slope
CTCT	Survey Control Point (temporary)	RDTF	Road, Top of Slope
DIFL	Ditch Flowline	SDMH	Storm Drain, Manhole
DIGB	Ditch Grade Break	SDPI	Storm Drain, Pipe Invert
DITO	Ditch Toe	SDPT	Storm Drain, Pipe Top
DITP	Ditch Top	SSMH	Sanitary Sewer, Manhole
ELBX	Electric, Box or Pullbox	SWFL	Swale Flowline
ELOY	Electric, Guy Wire	SWGB	Swale Grade Break
ELPP	Electric, Power Pole	SWTO	Swale Toe
ELSN	Electric, Warning Sign	SWTP	Swale Top
ELTR	Electric, Transformer	TFBL	Topo Feature, Building
ELTW	Electric, Tower	TFBR	Topo Feature, Brush
ELVT	Electric, Vault	TFCC	Topo Feature, Concrete (pad, slab, etc.)
FNAP	Fence Angle Point	TFFL	Topo Feature, Flowline
FNCR	Fence Corner	TFGB	Topo Feature, Grade Break
FNGT	Fence Gate	TFGS	Topo Feature, Ground Shot
FNLN	Fence Line	TFRK	Topo Feature, Rock Or Rocky Area Boundary
IRCO	Irrigation Concrete Pad	TFTL	Topo Feature, Tree Line
IRCP	Irrigation Control Panel	TFTO	Topo Feature, Grade Break at Toe
IRPI	Irrigation Pipe Invert	TFTP	Topo Feature, Grade Break at Top
IRPM	Irrigation Pump	TFTR	Topo Feature, Tree
IRPT	Irrigation Pipe Top	WAEW	Edge of Water
IRVL	Irrigation Valve	WAHW	High Water Mark
IRWL	Irrigation Well	WAUW	Under Water Ground Shot
LVCL	Levee Centerline	WAVS	Water Surface
LVGB	Levee Grade Break	WCFL	Water Control Structure, Flowline/Invert at Structure
LVTO	Levee Toe of Slope	WCFR	Water Control Structure, Frame Top
LVTP	Levee Top of Slope	WCHW	Water Control Structure, Headwall
RDCL	Road, Centerline	WCPI	Water Control Structure, Pipe Invert at Outlet
RDED	Road, Edge of Dirt Road	WCPT	Water Control Structure, Pipe Top at Outlet
RDEG	Road, Edge of Gravel Road	WCST	Water Control Structure, Top of Structure
RDEP	Road, Edge of Paved Road	WCWW	Water Control Structure, Wing Wall
RDSB	Road Grade Break		

ABBREVIATIONS

AB	Aggregate Base	MIN	Minimum	WS	Water Surface
AC	Acre	MISC	Miscellaneous	WSEL	Water Surface Elevation
APPROX	Approximate	(N)	North	WWF	Welded Wire Fabric
BM	Benchmark	N	Not In Contract	X:1	Slope, Horizontal/Vertical
CAP	Corrugated Aluminum Pipe	NTS	Not To Scale		
CC	Center to Center	OC	On Center		
CF	Cubic Foot	OD	Outside Diameter		
CFS	Cubic Foot Per Second	PIP	Pressure Irrigation Pipe		
CL	Centerline	PP	Power Pole		
CMP	Corrugated Metal Pipe	PSI	Pounds per Square Inch		
CMPA	Corrugated Metal Arch Pipe	PT	Pressure Treated		
CONC	Concrete	PVC	Polyvinyl Chloride		
CP	Control Point	QTY	Quantity		
CY	Cubic Yard	R	Right		
DEMO	Demolish	R/CB	Reinforced Concrete Box		
DIA, Ø	Diameter	RD	Road		
Dy	Dyke	REF	Reference Dimension		
Dr	Riser Diameter	REQD	Required		
DU	Ducks Unlimited, Inc.	ROW	Right Of Way		
D/S	Downstream	S	South		
E	East	SCH	Schedule		
EG	Existing Ground	SS	Stainless Steel		
EL	Elevation	SDR	Standard Dimension Ratio		
EX, EXIST	Existing	SF	Square Feet		
FG	Finished Grade	SHT	Sheet		
FL	Flowline	SP	Special		
FRG	Final Rough Grade	SPECS	Specifications		
FT	Foot, Feet	SY	Square Yard		
FTG	Fitting, Footing	STA	Station		
GA	Gauge	STD	Standard		
GB	Grade Break	TBD	To Be Determined by Engineer		
H	Height	TBM	Temporary Benchmark		
HDPE	High-Density Polyethylene	TE	Top Elevation		
HR	Half Round	TEMP	Temporary		
ID	Inside Diameter	TOI	Top of Island		
IE	Invert Elevation	TOL	Top of Levee		
IG	Initial Grade	TOS	Top of Berm		
IN	Inch, Inches	TYP	Typical		
INV	Invert	USA	Underground Service Alert		
IPS	Iron Pipe Size	US	Upstream		
L	Length, Left	V/LV	Valve		
LBF	Pounds-Force	W	Width, West (where applicable)		
LF	Linear Feet	W/	With		
MAINT	Maintenance	WCS	Water Control Structure		
MAX	Maximum				

LEGEND & STANDARD SYMBOLS (Symbols do not represent actual scale / size of object)

Existing Fence Line - Barbed Wire	Existing Power / Telephone Pole
Existing Fence Line - Chain Link	Existing Electric Guy Wire
Existing Fence Line - Stockade	Existing Electric Transformer
Power / Telephone Overhead Lines	Existing Electric Tower
Underground Gas Line	Existing Electric Vault
Electric Line	Existing Blind
Force Main Line	Existing Gate Valve
Sanitary Sewer Line	Existing Air Relief Valve
Storm Drain Line	Existing Alfalfa / Overflow Valve
Existing Ditch	Existing Irrigation Well
Existing Levee	Existing Irrigation Pump
Existing Swale	Existing Water Meter
Existing Road - Dirt	Existing Fire Hydrant
Existing Road - Gravel	Existing Manhole
Existing Road - Paved	Existing Natural Gas Meter / Valve
Existing Trees / Brushline	Existing Sign

WCS01	Water Control Structure ID#	New Power Pole
1	Revision Number Identifier	New Gate Valve
1	Cut/Borrow Area / Pothole	New Air Relief Valve
1	Fill Area	New Alfalfa / Overflow Valve
1	Ditch Cleaning	New Irrigation Pump
1	New Ditch Centerline / Flowline	New Water Control Structure
1	New Swale Centerline / Flowline	New Water Control Structure
1	Regrade Existing Swale	New Agri-Drain In-line Water Control Structure
1	New Levee Centerline	Benchmark
1	Improved Levee Centerline	Temporary Benchmark
1	Regraded/Lowered Levee Centerline	Control Point
1	Remove Existing Levee	
DESIGN WSEL=XXXX.X	Design Water Surface Elevation	Grading Example
		Slope Symbols

Section Letter	Detail Number	Section Letter	Direction of Section
SEE SECTION A-5	SEE DETAIL 1-5	SEE SECTION A-5	Direction of Section
Sheet Where Section is Shown	Sheet Where Detail is Shown	Sheet Where Section is Shown	Direction of Section
Detail Number	TYPICAL DETAIL XXX	Section Letter	Direction of Section
1	SCALE	1	Direction of Section
	Dash indicates that detail is typical and may appear on multiple sheets - a number would indicate the sheet(s) where detail was taken		Direction of Section
Section Letter	TYPICAL SECTION XXX	Section Letter	Direction of Section
A	SCALE	A	Direction of Section
	Dash indicates that section is typical and may appear on multiple sheets - a number would indicate the sheet(s) where section was taken		Direction of Section
		Construction Notes (See sheet where appears)	

REVISIONS		DATE		APPROVED	
REV. NO.	DESCRIPTION	DATE	APPROVED	DATE	APPROVED
1					
2					
3					
4					
DUCKS UNLIMITED					
PROJECT NO. US-OR-200-3 DATE: 4/26/2023					
FERN RIDGE WILDLIFE AREA COYOTE CREEK NORTHEAST WETLAND ENHANCEMENT					
DEFINITIONS & LEGEND					
DESIGNED BY: BMS					
DRAWN BY: BOR					
SURVEYED BY: LGAR					
CHECKED BY: -					
SHEET NO. 2 of 4					

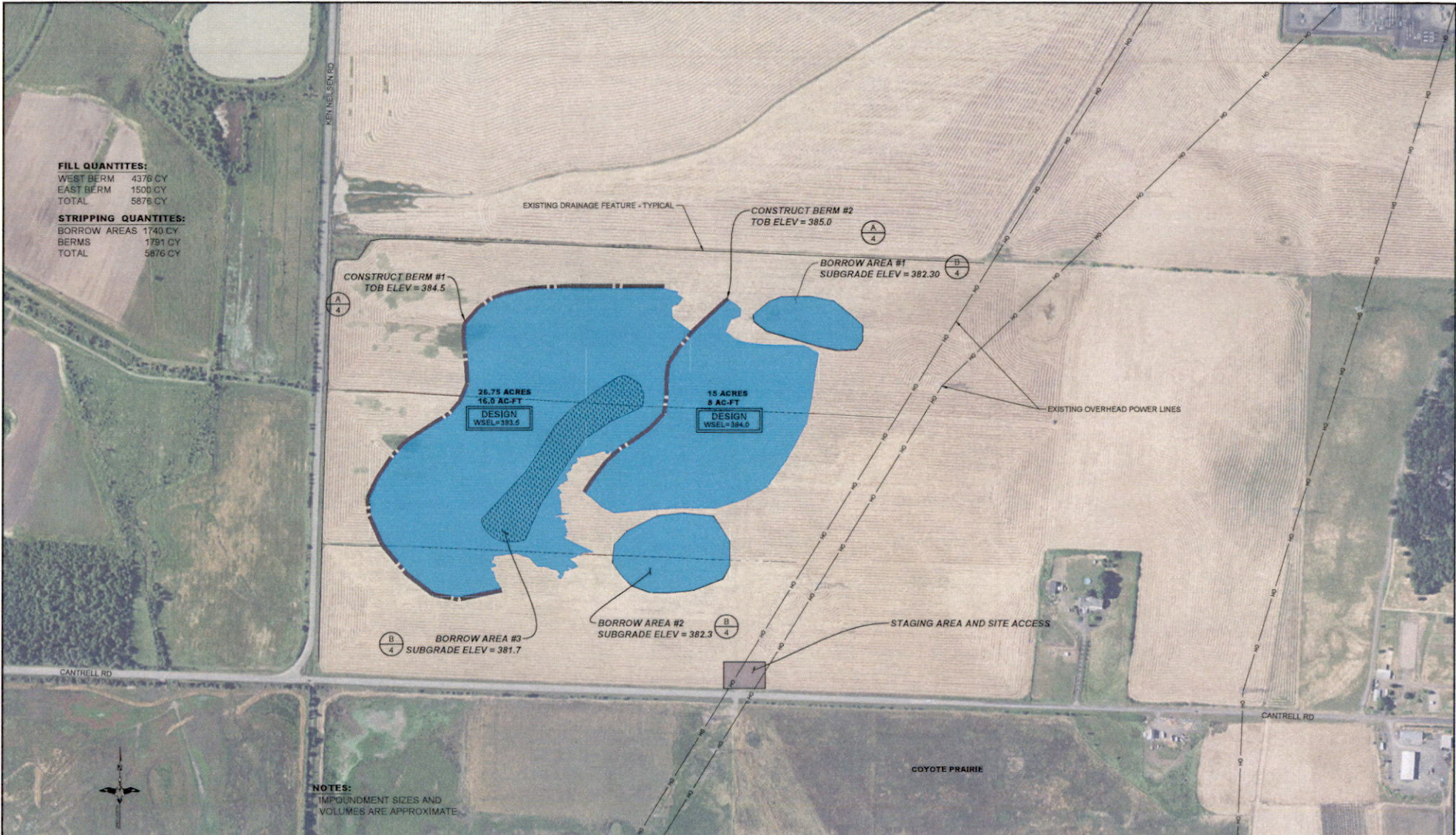
Received by OWRD

JUN 23 2025

Salem, OR

Unauthorized Changes & Uses

The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes must be in writing and must be approved by the preparer of these plans.



FILL QUANTITIES:
WEST BERM 4376 CY
EAST BERM 1500 CY
TOTAL 5876 CY

STRIPPING QUANTITIES:
BORROW AREAS 1740 CY
BERMS 1791 CY
TOTAL 5876 CY

NOTES:
IMPOUNDMENT SIZES AND
VOLUMES ARE APPROXIMATE.

Unauthorized Changes & Uses
The engineer preparing these plans will not be responsible for, or liable
for, unauthorized changes to or uses of these plans. All changes must
be in writing and must be approved by the preparer of these plans.

Received by OWRD

JUN 23 2025

Salem, OR

REVISIONS			
REV. NO.	DESCRIPTION	DATE	APPROVED
1			
2			
3			
4			

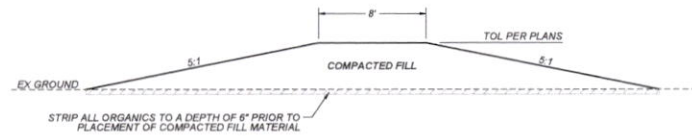


PROJECT NO. US-OR-200-3 DATE 4/25/2023
FERN RIDGE WILDLIFE AREA
COYOTE CREEK NORTHEAST
WETLAND ENHANCEMENT

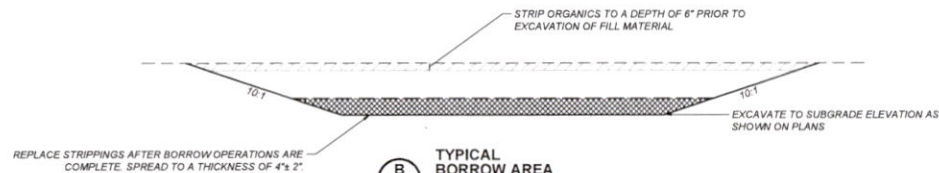
DESIGNED BY: SBL
DRAWN BY: SBL
SURVEYED BY: LGAR
CHECKED BY: -
SHEET NO.

BID SET

CONCEPTUAL SITE PLAN **3 of 4**



**TYPICAL SECTION
NEW BERM**
NOT TO SCALE



**TYPICAL
BORROW AREA**
NOT TO SCALE

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Unauthorized Changes & Uses
The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes must be in writing and must be approved by the preparer of these plans.

REVISIONS			
REV. NO.	DESCRIPTION	DATE	APPROVED
1			
2			
3			



PROJECT NO. US-OR-200-3	DATE 4/25/2023	DESIGNED BY: EML
FERN RIDGE WILDLIFE AREA		DRAWN BY: RGR
COYOTE CREEK NORTHEAST		SURVEYED BY: LDR
WETLAND ENHANCEMENT		CHECKED BY: .
SECTIONS		SHEET NO. 4 of 4

BID SET



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JUN 23 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Perry Baker
4034 Fairview Industrial Dr. SE, Salem OR 97302
Transaction Type: A11 Reservoir
Fees Received: \$ 2074.00

☐ Cash

☒ Check:

Check No.

127408153

Name(s) on Check:

Dept of Fish & Wildlife

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Conie Larien

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

CT629 0850 JW

Lane County Clerk
Lane County Deeds and Records

2015-043343

AFTER RECORDING, RETURN TO:

Bonneville Power Administration
Real Property Services, TERR
Re: WILWF-WL-24; WILWF-WL-25
P.O. Box 3621
Portland, OR 97208-3621



01524721201500433430190194

\$95.00

RPR-ESMT Cnt=1 Stn=41 CASHIER 02
\$95.00

08/28/2015 10:36:28 AM

Received by OWRD

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DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT is executed by State of Oregon, acting through the Department of Fish and Wildlife ("Grantor"), in favor of the United States of America ("United States" or "Grantee"), acting by and through the Department of Energy, Bonneville Power Administration ("BPA"), headquartered in Portland, Oregon, at P.O. Box 3621, Portland, OR 97208-3621. The Grantor and Grantee together are referred to as the "Parties."

I. RECITALS

- A. Grantor's legislative mandate is to preserve, protect, and perpetuate wildlife and wildlife habitat for the citizens of Oregon. ORS § 496.012. Grantor implements this mandate through the Oregon Conservation Strategy and the Habitat Mitigation Policy.
- B. BPA is a power-marketing agency having legal obligations under the Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. §§ 839-839h ("Northwest Power Act") to protect, mitigate, and enhance fish and wildlife, including related spawning grounds and habitat, affected by the development and operation of Federal hydroelectric projects of the Columbia River and its tributaries, in a manner consistent with the purposes of the Northwest Power Act, the Fish and Wildlife Program adopted by the Pacific Northwest Electric Power and Conservation Planning Council under subsection 4(h) of the Northwest Power Act (16 U.S.C. § 839b(h)), and other environmental laws, including the Endangered Species Act, 16 U.S.C. §§ 1531-1544 ("ESA"). BPA has the authority pursuant to the Northwest Power Act, 16 U.S.C. §§ 839b(h) and 839f(a), the Federal Columbia River Transmission System Act, 16 U.S.C. § 838i(b), or the Bonneville Project Act, 16 U.S.C. §§ 832a(c) through (f), to acquire real estate or to assist in the acquisition and transfer of real property interests.
- C. BPA and the State of Oregon entered into a programmatic Memorandum of Agreement, Willamette River Basin Memorandum of Agreement Regarding Wildlife Habitat Protection and Enhancement between the State of Oregon and the Bonneville Power Administration dated October 22, 2010 ("MOA"),

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in which BPA agreed to fund the acquisition of real property interests through the State of Oregon to permanently protect and enhance important fish and wildlife habitat in the Willamette Basin, where it either currently exists or at one time existed, in exchange for supporting BPA's partial fulfillment of Northwest Power Act and ESA obligations, and in exchange for rights of enforcement, entry, and inspection to the United States and its assigns.

D. BPA in accordance with the mutual commitments of the MOA, a copy of which is available from the BPA Manager, Real Property Services, P.O. Box 3621, Portland, OR 97208-3621, provided funding to the Grantor to acquire fee title ownership of certain real property, the Coyote Creek NE ("**Protected Property**") located in Lane County, Oregon. The Protected Property has important features that help BPA meet its statutory obligations to the public under the Northwest Power Act and other environmental laws.

II. AGREEMENT

- A. **Conveyance and Consideration.** The Grantor, for and in consideration of the funding in the amount of \$628,000.00 in U.S. dollars, in hand paid, which BPA provided to ODFW to acquire fee title ownership of the Protected Property, hereby voluntarily conveys and warrants to the United States of America and its assigns a perpetual easement for conservation purposes ("**Conservation Easement**") in, over, under, upon and across the Protected Property, legally described in Exhibit A (legal description) and shown in Exhibit B (map) together with the right of entry and access,, created and implemented under applicable state and federal law, and creating an interest in property intended to be a conservation easement under §§ ORS 271.715-795. The Parties intend this Conservation Easement to be a perpetual and irrevocable easement in gross, and further intend that its terms and conditions, set forth below, create equitable servitudes and covenants running with the land, binding the Grantor and the Grantor's successors and assigns for the benefit of the United States.
- B. **Purpose.** The purpose ("**Purpose**") of this Conservation Easement is to protect and conserve, and as appropriate, to allow for the restoration or enhancement of the **Conservation Values** (Section C, below) of the Protected Property. As such, the Purpose of this Conservation Easement includes the prevention of any use of the Protected Property that will materially harm or materially interfere with any of the Conservation Values of the Protected Property. The Grantor intends that this Conservation Easement will confine the use of the Protected Property to activities that comply with the Conservation Easement, including the approved Management Plan. BPA shall have the right, but not the obligation, to enforce any and all terms of this Conservation Easement. The Grantor shall only conduct activities on the Protected Property which are consistent with the Purpose of this Conservation Easement. In the event that there is a conflict between the Grantor's uses or activities and the Purpose of Conservation Easement, the Purpose of the Conservation Easement shall be

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construed broadly and shall prevail over any conflicting uses or activities of the Grantor.

- C. Conservation Values.** The Protected Property, in its present state, comprises approximately 224 acres of grass seed hay fields in agricultural production. The Parties agree that portions of the Protected Property currently include and may include in the future important species, habitat, and other important ecosystem attributes. The Protected Property's large size and its location near other conservation properties are of landscape-scale importance.

Desired Future Condition. Desired future conditions of the Protected Property include restoring degraded habitats from cropland to wet prairie and upland prairie. At the time of the grant of this Conservation Easement, the Protected Property has been in agriculture use for more than four decades and most of the native constituents, excluding some tufted hairgrass (*Deschampsia cespitosa*) in the westernmost parcel, have been replaced with grass fields. Approximately 210 acres could be restored to wet prairie and another 40 acres to upland prairie for the benefit of western meadowlark (*Sturnella neglecta*), streaked horned lark (*Eremophila alpestris strigata*), and other grassland nesting bird species, as well as for listed plant species. Restoration of the Protected Property will allow for increased habitat connectivity between the on-site wet prairie and large blocks of priority habitats located on adjacent protected sites to the south, the wetlands to the west, and ODFW's Coyote Creek South property. This landscape level habitat conservation has the potential to greatly benefit other Oregon Conservation Strategy priority species, especially rare plant species and federally listed threatened bird species, including but not limited to the streaked horned lark (*E. strigata*), which the Protected Property provides the southernmost known nesting population.

The Conservation Values of the Protected Property that currently exist specifically include the following, recognizing that such Conservation Values may periodically fluctuate or trend toward long-term change, due to natural events such as wildfire, floods, interdecadal climate events, and long-term climate change, as well as human-initiated enhancement or restoration actions:

1. The Protected Property will help conserve a key area that includes approximately 224.83 acres of wet and upland prairie habitat. Rare grassland birds such as the western meadowlark have been documented on the site. When restored, there is potential habitat for a variety of wildlife species, including declining grassland birds, amphibians, reptiles, raptors, waterfowl, and other species. Restoration of the Protected Property will also provide opportunities for re-introduction of endangered Willamette Valley plant species associated with wet prairie, such as Bradshaw's lomatium and Willamette daisy. Willamette daisy populations are present in the immediate vicinity and a portion of the Protected Property has been designated as Critical Habitat (an area essential for the conservation) of this species.
2. The Protected Property is strategically located adjacent to the Fern Ridge Wildlife

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Area (FRWA) which adds to the larger complex of nearby conservation lands in Salem, OR the Protected Property will contribute to a unique and complex array of prairie and wetlands focused management projects and areas which include the FRWA, ODFW's Coyote Creek South, and the City of Eugene's Coyote Prairie. Restoration efforts can be landscape focused and provide the opportunity to utilize the expertise of a number of local agencies, including ODFW, U.S. Fish and Wildlife Service, and City of Eugene.

3. Particular fish and wildlife species, including but not limited to ESA-listed species, species serving important roles in the ecosystem, and species which are of significant importance to the social and economic well-being of the Pacific Northwest and the Nation, and which are dependent on suitable environmental conditions, with an emphasis on native species. The Conservation Values include important habitat, generally characterized by the biological or physical components that support fish and wildlife species, including but not limited to space for individual and population growth, and for normal behavior; food, water, air, light, minerals, or other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, and migration; and often identified as important through regulatory categorical designations such as ESA-designated critical habitat or other important environmental areas identified by local, tribal, state, or federal law.
4. Other Ecosystem Attributes and Services. Ecosystem attributes and services, present as of the Effective Date of this Conservation Easement, include but are not limited to the fish and wildlife habitats described above, biodiversity, clean air and water, maintenance of soil productivity, and carbon sequestration. The Protected Property also provides a scenic resource.

D. Water and Mineral Rights. To the extent Grantor has or after-acquires water rights, Grantee shall ensure that the Grantor shall not abandon any of the water rights appurtenant to the Protected Property by virtue of non-use and that the Grantor may not transfer, change the point of diversion, change the purpose of use, or otherwise significantly change any Protected Property water right without receiving prior written approval from BPA.

Mineral rights to Parcel I and Parcel II of the Protected Property (as legally described in Exhibit A) were released by the State of Oregon, acting by and through its Department of State Lands, and acquired by Grantor to assure no surface disruption from mineral exploration or extraction and-for the long-term conservation of the Protected Property. Said rights shall thereafter run with the land, and Grantor may not transfer, abandon, or otherwise encumber the same.

E. Baseline Documentation. The Grantor and BPA agree that the characteristics and conditions of the Protected Property at the time of this grant are documented in a **Baseline Documentation Report**, signed and acknowledged by the Parties; the acknowledgment is Exhibit C.

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F. Reserved Uses. The Grantor reserves, for itself and its successors and assigns, the right to use the Protected Property in any and all ways which are consistent with the Purpose of this Conservation Easement and which are not otherwise prohibited by this Conservation Easement, including but not limited to: the right to record title, the right to convey, transfer, and otherwise alienate title to these reserved rights; the right of quiet enjoyment of the rights reserved in Protected Property; and the right to prevent trespass and control access.

G. Management Plan. Within 18 months of this grant, the Grantor shall develop a Management Plan for the Protected Property to describe the uses and activities that the Grantor expects to undertake or allow to be undertaken on the Protected Property, including any restoration, enhancement, operation and maintenance, or any other activities or uses. The Grantor shall include in the Management Plan any limitations or prescriptions for these uses and activities necessary to ensure the Purpose of this Conservation Easement. The Grantor shall also identify in the Management Plan the allowable use and access by the public of the Protected Property if public access is appropriate.

In developing the draft Management Plan, Grantor will solicit and incorporate as Grantor deems appropriate the views of interested natural resource management agencies, local governments, and parties. Grantor will submit documentation showing the nature and extent of such coordination with any draft plan to BPA. BPA shall review that Plan and any proposed amendments for conformance with the MOA, this Conservation Easement, and applicable laws. BPA must review the Management Plan or any amendments prior to its implementation for consistency with the Purpose of the acquisition and this Conservation Easement. Prior to review of the Management Plan by BPA, the Grantor shall not undertake any ground-disturbing activities on the Protected Property without prior notice to and written consent of BPA. The Grantor shall make the final Management Plan, and any final amendments, available to the public.

H. Public Access. The Grantor shall provide reasonable access to the Protected Property (for example, for undeveloped recreational uses, such as hiking, bird watching, hunting, and fishing) to the general public, unless the Grantor and BPA determine such access may materially impair one or more of the Conservation Values of the Protected Property. The Grantor will address access to the Protected Property in the Management Plan.

I. Annual Report. The Grantor shall annually submit a report to BPA that describes, at a minimum any: changes in real property interests (including water rights) in the Protected Property; uses or activities undertaken, in progress, or planned; violations or threatened violations of the Conservation Easement; and enforcement action taken. The Grantor shall provide the initial annual report in the fifteenth month after the closing date of the acquisition of the Protected Property, and then annually on that initial report date anniversary thereafter, unless otherwise agreed by BPA.

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J. Rights Conveyed to Grantee

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1. General Rights. The Grantor has conveyed this Conservation Easement to the United States. BPA is the acquiring federal agency having jurisdiction and control over this Conservation Easement. Subject to valid existing rights of record and those rights specifically reserved to the Grantor, all development rights associated with the Protected Property are vested in Grantee. In addition to any other rights granted to the Grantee pursuant to this Conservation Easement, Grantee has the right to:

- a. Access and inspect the Protected Property at all reasonable times upon reasonable notice (which may be by phone or electronic mail) to assure compliance with this Conservation Easement;
- b. To access the Protected Property upon reasonable notice (which may be by phone or electronic mail) to survey the fish and wildlife habitat and evaluate the status of the Conservation Values;
- c. Prevent any activity on the Protected Property inconsistent with this Conservation Easement, and to require the restoration of areas or features of the Protected Property that are damaged by any inconsistent activity; and
- d. Should the Grantor fail to do so, to retain and maintain the right to use any and all of the water rights associated with the Protected Property, and to protect those rights from threat of abandonment or forfeiture under relevant law; Grantee may, after providing 90 days advance written notice to the Grantor enter upon the Protected Property and take actions reasonably necessary to maintain the validity of the water rights.

2. Transmission Right-of-Way Easement. Parties acknowledge this Conservation Easement does not affect or limit prior rights held by the Grantee on the Protected Property for electric power transmission purposes. The easements are recorded in the records of Lane County, Oregon under Book number 369 page 274 recorded January 17, 1966; and under instrument #33404 dated March 3, 1948. These rights include the right to enter and access BPA transmission facilities.

3. Future Negotiations for Access Easement.

If BPA and Grantor decide that a defined route and means of access to BPA's transmission facilities is necessary or appropriate over the Protected Property, Grantor shall negotiate a perpetual access easement with BPA at no cost to BPA. A condition of siting a new access road easement on the mitigation property is that the road must not have permanent, long-term significant effects on the conservation values protected with the underlying acquisition.

BPA shall initiate negotiation of the terms and conditions of the access easement by providing draft access easement language. In the negotiations and the final access easement, BPA shall, at a minimum:

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- a. Recognize the purposes for which the underlying fee or conservation easement was acquired.
- b. Use reasonable efforts to accommodate Grantor's preferences for siting, designing, using, and maintaining any necessary access road.
- c. Fund appropriate mitigation measures identified during negotiations or as part of the environmental analysis for the access road under NEPA, the ESA, the Clean Water Act, the National Historic Preservation Act, or any other applicable state or federal laws.

The Parties will negotiate the terms and conditions of the access easement in good faith, in accordance with applicable law. If negotiations fail, or an access easement is not finalized in a timely manner (where "timely" means enough time to accommodate BPA's need for a final decision, allowing at least 60 business days for negotiation and finalization of an access easement), then BPA's authorities to pursue a necessary or appropriate access easement are unaffected by this Conservation Easement.

K. Prohibited Uses. The Grantor shall manage the Protected Property to protect its fish and wildlife habitat on behalf of BPA, preventing any and all uses of the Protected Property that are inconsistent with the Purpose of this Conservation Easement. The Grantor may also manage the Protected Property to restore or enhance fish and wildlife habitat, provided the restoration or enhancement activities are approved by BPA, either in an final Management Plan or by prior written agreement. Prohibited uses of the Protected Property include those specifically listed below. The Parties intend that any activity that may materially harm or materially interfere with one or more of the Conservation Values is prohibited, and therefore the list identified below is not exhaustive.

1. *Residential, Commerical or Industrial Uses.* Any residential, commerical, or industrial uses of the Protected Property is prohibited, including timber harvesting, grazing of livestock, and agricultural production.
2. *Construction of Buildings, Facilities, Fences or Other Structures.* Construction of new buildings, facilities, fences or other structures is prohibited. Repair, maintenance, or replacement of existing buildings, facilities, fences or other structures identified in the Baseline Documentation Report are permitted at the same location and within the existing footprint of such structures.
3. *Utilities.* Except as provided for in Section J.2, the installation or relocation of new public or private utilities, including electric, telephone, or other communications services is prohibited. Existing utilities on, over, or under the Protected Property may be maintained, repaired, removed or replaced at their current location as that location is documented in the Baseline Documentation Report.

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4. *Signs.* Except for no trespassing signs, for sale signs, signs identifying the owner of the Protected Property, and signs that may be erected by the Grantee identifying the Purpose of the Protected Property, all other signs, advertisements, and billboards of any nature are prohibited. The permitted signs may not exceed 15 square feet in size.
5. *Waste.* Dumping, collecting, recycling, accumulating, or storing of trash, refuse, waste, sewage, bio-solids, or other debris is prohibited.
6. *Mining.* The exploration, development, mining or extraction of soil, sand, loam, gravel, mineral, oil, gas, or other substance from the surface or subsurface of the Protected Property is prohibited.
7. *Topography.* Altering the existing topography of the Protected Property by digging, plowing, disking, or otherwise disturbing the surface or subsurface is prohibited.
8. *Watercourses/Wetlands.* Draining, dredging, channeling, filling, leveling, pumping, diking, impounding or any other alteration of any watercourses, ponds, seeps, bogs, springs, wetlands, or any seasonally wet area is prohibited, as is altering or tampering with existing water control structures or devices.
9. *Vegetation.* The cutting, trimming, shaping, killing, or removal of any vegetation from the Protected Property, except for noxious weeds, is prohibited.
10. *Exotic Species.* The introduction, cultivation, or use of exotic plant or animal species on the Protected Property is prohibited. Exotic plants include non-native invasive plant species.
11. *Roads and Impervious Surfaces.* Construction of new roads and paving of any existing road not paved or otherwise covered in an impervious material as of the Effective Date is prohibited. Existing roads identified in the Baseline Documentation Report may be maintained and repaired in their current condition and within their existing footprint as identified in the Report.
12. *Vehicle Use.* The use of motorized vehicles is prohibited, except as necessary to carry out activities approved by the Grantee, or for limited, de-minimus, non-commercial recreational uses such as hunting or bird watching if those activities are approved uses in the Management Plan.
13. *Subdivision.* The legal or "de facto" division, subdivision or partitioning of the Protected Property is prohibited.
14. *Grant of Rights.* The granting of any property interest or rights in the Protected Property, including easements, permits, licenses, and leases, without the prior written consent of the Grantee is prohibited.

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L. Permitted Uses. Uses or activities otherwise prohibited under Section K above may be allowed but only if: (1) the use or activity is, in Grantee's sole discretion, consistent with the Purpose of this Conservation Easement; and (2) the use or activity and any necessary limits or prescriptions are agreed to by BPA in advance, either in a final Management Plan, or by written consent of BPA.

M. Enforcement

1. *Notice of Violation, Corrective Action.* If Grantee determines that the Grantor or its representatives, contractors, successors, or assigns violates or threatens to violate this Conservation Easement, and if such determination or dispute is not resolved by negotiation as set forth in Section N, Grantee will give written notice to the Grantor and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Protected Property resulting from any use or activity inconsistent with the Purpose, sufficient to restore the portion of the Protected Property so injured to its prior condition in accordance with a plan approved by Grantee.
2. *Grantor's Failure to Respond.* The Grantee may bring an action as provided in Section M.3 if the Grantor fails to cure the violation within thirty (30) calendar days after receipt of a notice of violation, or under circumstances where the violation cannot reasonably be cured within such thirty (30) day period, fails to begin curing the violation within the thirty (30) day period and fails to continue diligently to cure such violation until finally cured.
3. *Grantee's Action.* Grantee may pursue an action in a court having jurisdiction to enforce the terms of this Conservation Easement: (1) to enjoin the violation, ex parte as necessary, by temporary or permanent injunction; (2) to require the restoration of the Protected Property to the condition that existed prior to any such injury; and (3) to recover any damages to which it may be entitled for violation of the terms of this Conservation Easement. The remedies described in this paragraph shall be cumulative and shall be in addition to all remedies now or hereafter existing.
4. *Grantor's Action.* In the event that the Grantor seeks a determination as to the legal meaning or effect of this Conservation Easement, or as to any alleged violation hereof by Grantee, and if such determination or dispute is not resolved by negotiation set forth in Section N below, then the Grantor shall be entitled to bring judicial action in a court of competent jurisdiction.
5. *Emergency Enforcement.* Notwithstanding the provisions of M.1 and M.2, if Grantee determines on the basis of substantial evidence that circumstances require immediate action to prevent or mitigate significant damage to one or more of the Conservation Values, Grantee may undertake reasonable actions to remove,

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eliminate or mitigate damages to the Protected Property. Grantee shall provide prior notice to the Grantor of such actions to the extent reasonably practicable and may seek Grantor participation in such actions, but may proceed with such actions without permission from the Grantor or without waiting for the Grantor to take any action. Salem, OR

- N. Dispute Resolution.** The Parties shall attempt in good faith to resolve any dispute arising out of or relating to this Conservation Easement by negotiation between executives or officials who have authority to settle the controversy.
- O. Acts of God/Force Majeure.** Nothing contained in this Conservation Easement entitles the Grantee to bring any action against the Grantor for any injury to or change in the Protected Property resulting from causes beyond the Grantor's control, including, without limitation, naturally caused fire, flood, storm, and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Protected Property resulting from such causes. Such excuse from performance will be allowed only if such catastrophic event or other event beyond the Grantor's control has caused a substantial degradation of the Conservation Values. The Parties shall make all reasonable efforts to resume performance promptly once the force majeure is eliminated.
- P. Waiver.** The failure of any Party to require strict performance of any term of this Conservation Easement or a Party's waiver of performance shall not be a waiver of any future performance or of a Party's right to require strict performance in the future.
- Q. Conveyance and Assignment.** If Grantor chooses to convey the Protected Property, Grantor will, upon first obtaining authorization from the Oregon Fish and Wildlife Commission, offer it at no cost as follows: (1) to agencies of the State of Oregon; (2) to political subdivisions as defined in § ORS 271.005; and then (3) to BPA. If BPA declines, then Grantor shall pursue authorization pursuant to Oregon law to assign or transfer its rights to another qualified entity, subject to BPA approval, which shall not be unreasonably withheld.
- R. Proceeds from Activities on the Protected Property.** The Grantor shall use any proceeds generated from activities on the Protected Property (e.g., leases) towards the operations, maintenance and restoration of the Protected Property. If proceeds exceed the operations, maintenance and restoration needs of the Protected Property, the Grantor may use the proceeds on other BPA-funded properties in the Willamette River Basin owned by Grantor, or the Grantor may place the proceeds in its stewardship account for the property and roll the funds over to the next fiscal year until an operations or maintenance need arises.
- S. Termination or Amendment**
- 1. Termination Standard.** This Conservation Easement may be voluntarily terminated by agreement of the Parties only if:

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- a) a subsequent, unexpected change in the conditions of the Protected Property or the surrounding area makes impossible the continued use of the Protected Property for the Purpose of this Conservation Easement (except that changed environmental conditions related to climate change, or other natural events, for example, wildfire, river channel migration, erosion or avulsion, shall not be grounds for termination); or
 - b) BPA agrees to exchange this Protected Property for another property proposed by the Grantor; factors that BPA will consider in determining whether to agree to an exchange include whether the new property is at the time of the proposed exchange determined by BPA to supply equal or better Conservation Values to meet BPA's mitigation needs as compared with the Protected Property; whether the property will be permanently protected pursuant to a conservation easement granted to BPA on terms substantially similar to this Conservation Easement; and the costs to BPA of undertaking the acquisition of the new property, if any.
2. **Termination Process.** If the Parties agree to voluntarily terminate this Conservation Easement and have met the above termination standard, the Parties shall terminate this Conservation Easement by executing and recording an instrument appropriate for the purpose. In the event of termination through an exchange for another property, the Parties must agree on the new property and its conservation easement before this Conservation Easement will be terminated.
 3. **Proceeds after any Termination.** If this Conservation Easement is terminated either voluntarily by the Parties, or by involuntary extinguishment by a court of competent jurisdiction and the termination results in proceeds, BPA is entitled to either (1) a share of such proceeds in proportion to the amount BPA contributed to the fee title acquisition, which is 100% of the purchase price or (2) at BPA's election, to review and approve use of the proceeds by the Grantor to acquire new fish and wildlife habitat for BPA mitigation.
 4. **Amendment.** This Conservation Easement may only be amended by agreement of the Parties, and any such amendment shall be properly documented, executed, and recorded. Amendments based on changed conditions may be made only when the effect of the amendment is to benefit the Conservation Values (for example, amending the Conservation Easement to place further restrictions on the use of or activities on the Protected Property). The Parties may not use amendments to impliedly terminate the Conservation Easement or remove any portion of the Protected Property from its terms, except to the extent consistent with the Purpose of the Conservation Easement.
- T. Control.** The Grantor has ownership and control of the Protected Property and is responsible for all incidents of ownership. Such incidents of ownership include, but are not limited to, maintenance and repair of existing structures, hazardous waste

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response, endangered species protection, noxious weed and invasive species response, tort liability, compliance with applicable laws, and payment of applicable taxes and assessments.

Notwithstanding anything to the contrary in this Conservation Easement, the Parties acknowledge and agree that Grantor's authority and obligation to make any payment, grant any warranty, or incur any expense required to be made or undertaken by Grantor for the duration of this Conservation Easement is contingent on Grantor receiving funding as provided in the MOA, Section II.G (BPA Funding of Wildlife Mitigation Projects). If Grantor is unable to fulfill its obligations under the Conservation Easement due to lack of funding, appropriations, limitations, allotments, or other expenditure authority, Grantee, after notice to Grantor, may, but is not required to, fulfill the obligation on behalf of Grantor and if Grantee does so, Grantor shall reimburse Grantee for Grantee's actual costs incurred in discharging the obligation if Grantor receives funding, appropriations, grant funds, expenditure limitations, allotments, or other expenditure authority sufficient to allow Grantor, in the exercise of its reasonable administrative discretion, to provide such reimbursement. The Parties acknowledge that Grantor's inability to fulfill its obligations under this Conservation Easement may create additional obligations for Grantor under the MOA.

Nothing in this Conservation Easement is to be construed as permitting any violation of Article XI, section 7 of the Oregon Constitution or any other law regulating liabilities or monetary obligations of the State of Oregon.

- U. **Cultural Resources.** The Grantor is responsible for cultural or historic resource mitigation or preservation on the Protected Property in accordance with applicable cultural resource laws.
- V. **Hazardous Substances.** To the best of the Grantor's knowledge, there are no hazardous substances present in, on, or under the Protected Property, including without limitation, in the soil, air, or groundwater, and there is no pending or threatened investigation or remedial action by any governmental agency regarding the release of hazardous substances or the violation of any environmental law on the Protected Property, and that there are no underground storage tanks located on the Protected Property. If, at any time, there occurs, or has occurred a release in, on, or about the Protected Property of any hazardous substances, the Grantor agrees to take all steps necessary to assure its containment and remediation without cost to Grantee, including any cleanup that may be required, unless the release was caused by Grantee, in which case Grantee will be responsible for remediation in accordance with applicable law. Nothing in this Easement shall be construed as giving rise, in the absence of a judicial decree, to any right or ability in Grantee to exercise physical or managerial control over the day-to-day operations of the Protected Property, or any of the Grantor's activities on the Protected Property, or otherwise become an operator with respect to the Protected Property within the meaning of the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended

("CERCLA"). The Grantor specifically agrees to release and hold harmless Grantee from and against all liabilities for violations or alleged violations of, or other failure to comply with, any federal state or local environmental law or regulation relating to hazardous substances, including, without limitation, CERCLA, by the Grantor in any way affecting, involving, or relating to the Protected Property, except to the extent such violations or alleged violations are caused by the acts or omissions of Grantee.

W. Notice. Any notice permitted or required by this Conservation Easement, unless otherwise specified, must be in writing, delivered personally to the persons listed below, or will be deemed given on the date deposited in the United States mail, certified and postage prepaid, return receipt requested and addressed as follows, or at such other address as any Party may from time to time specify to the other Party in writing. Notices may be delivered by facsimile or other electronic means, provided that they are also delivered personally or by certified mail. The addresses listed below can be modified at any time through written notification to the other Party.

Notices to BPA should be sent to:

Director, Fish & Wildlife Program
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208-3621

Notices to the Grantor should be sent to:

Oregon Department of Fish and Wildlife
4034 Fairview Industrial Avenue SE
Salem, OR 97302

And to to BPA's Real Property Services:

Manager, Real Property Services
RE:WILWF-WL-24; WILWF-WL-25
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208-3621

X. Effective Date. This Conservation Easement vests when signed by the Grantor, and accepted by the Grantee.

Y. Schedule of Exhibits. All exhibits are incorporated and made part of this Conservation Easement.

Exhibit A – Legal Description
Exhibit B – Map
Exhibit C – Acknowledgement of Baseline Documentation Report
Exhibit D – Acceptable Encumbrances

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**Z. GRANT, COVENANTS AND WARRANTIES, SIGNATURE AND
ACKNOWLEDGMENTS**

To have and to hold the Conservation Easement herein granted unto the United States and its assigns.

The Grantor warrants and covenants to and with the United States that the Grantor is lawfully seized and possessed of the Protected Property in fee simple, with a good and lawful right to grant the same, including a good and lawful right to grant this Conservation Easement; that the Protected Property is free and clear of all encumbrances and restrictions except the encumbrances and restrictions specifically set forth in Exhibit D; that the United States and its assigns shall have the use of and enjoy all the benefits derived from and arising out of this Conservation Easement; that the Grantor shall at the request of the United States execute or obtain any reasonable further assurances of the title to the Property; and that the Grantor will forever warrant the title to the Property and defend the United States against all persons who claim a lawful interest in the Property, except for persons who claim interests under the exceptions described in Exhibit D.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument this 25 day of August, 2015.

GRANTOR



William Herber
Acting Deputing Director,
Oregon Department of Fish and Wildlife

ACCEPTANCE BY THE UNITED STATES



Luke Arant
Supervisory Realty Specialist
Bonneville Power Administration

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JUN 24 2025

Salem, OR

Date: 29 Aug, 15

JUN 24 2025

Salem, OR

ACKNOWLEDGMENT

STATE OF Oregon)
) ss.
 County of Marion)

On this 25 day of 25 August, 2015, before me personally appeared William Herber, known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Acting Deputy Director of the Oregon Department of Fish and Wildlife acknowledged to me that he executed the same freely and voluntarily in such capacity; and on oath stated that he was authorized to execute said instrument in such official or representative capacity.



Notary Public in and for the

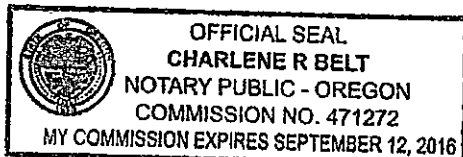
State of Oregon(SEAL) Residing at Corvallis

My commission expires 4/29/18 Karen Lee Tofte

ACKNOWLEDGMENT

STATE OF Oregon)
) ss.
 County of Washington)

On this 24th day of August, 2015, before me personally appeared Luke Arant, known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Supervisory Realty Specialist, Bonneville Power Administration acknowledged to me that he executed the same freely and voluntarily in such capacity; and on oath stated that he was authorized to execute said instrument in such official or representative capacity.



Notary Public in and for the

State of Oregon(SEAL) Residing at Canby, OR

My commission expires September 12, 2016

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EXHIBIT A

LEGAL DESCRIPTION

Salem, OR

PARCELS I AND II

The South half of the South half of Section 36, and the South half of the North half of the South half of Section 36, Township 17 South, Range 5 West, Willamette Meridian, Lane County, Oregon.

LESS AND EXCEPT any portion thereof which is not described in that certain Quitclaim Deed recorded on November 17, 1977 as Instrument No. 7773679, Lane County Official Records, in Lane County, Oregon.

ALSO LESS AND EXCEPT the real property described in that certain Personal Representative's Deed recorded on August 1, 2014 as Instrument No. 2014-029963, Lane County Deeds and Records, in Lane County, Oregon.

ALSO LESS AND EXCEPT any portion of the real property described in Instrument No. 7773679 lying within the real property described in that certain Warranty Deed recorded on May 21, 1965 as Instrument No. 4311, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO LESS AND EXCEPT any portion of the real property described in Instrument No. 7773679 lying within the right-of-way of Cantrell Road, which occupies the South line of said Section 36, or within the existing right of way of Nielsen Road, which occupies the West line of said Section 36, in Lane County, Oregon.

PARCEL III:

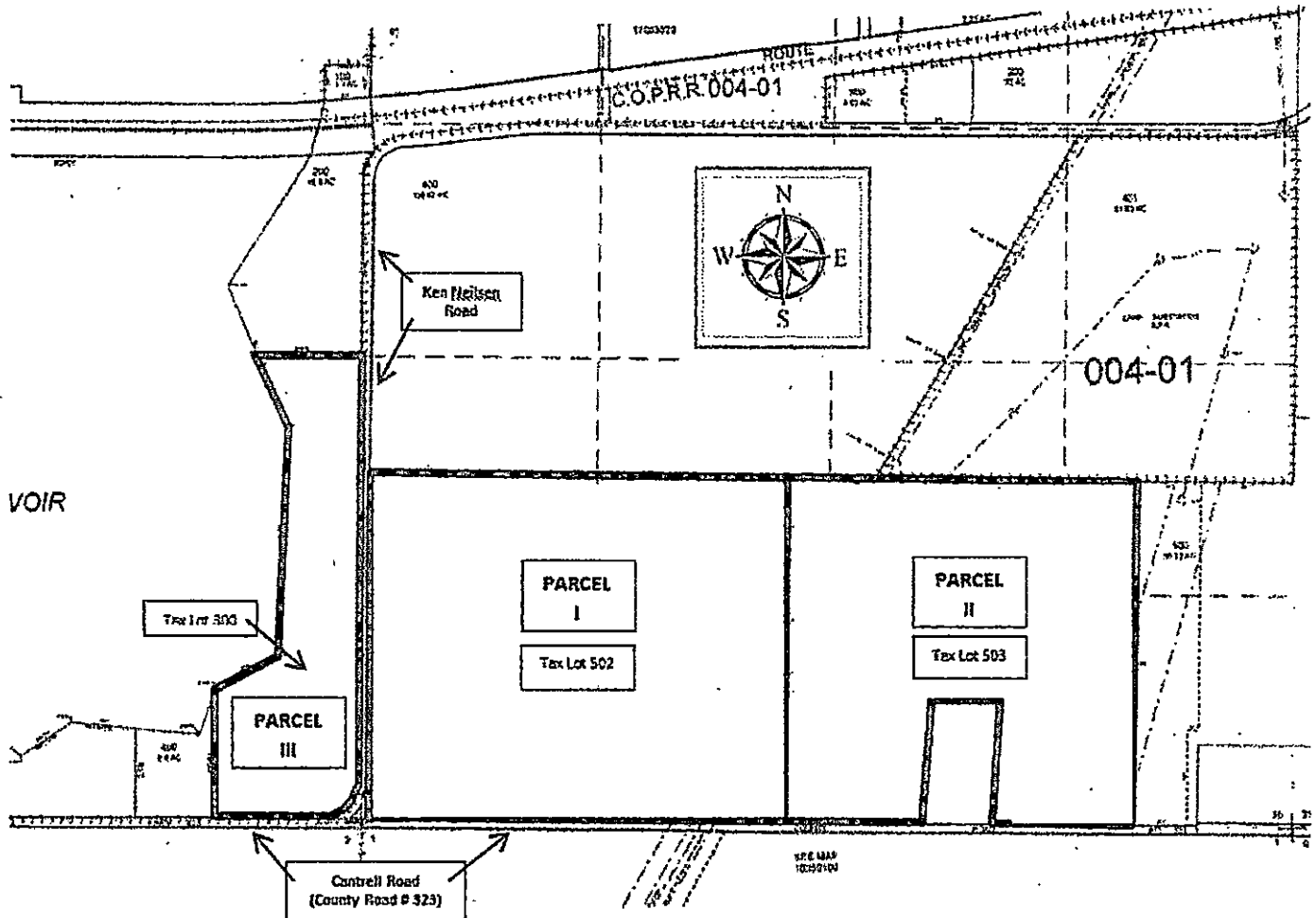
All of the East 50 rods of the Southeast quarter of Section 35, Township 17 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon.

EXCEPTING THEREFROM the following described premises:

Beginning at the quarter corner between Sections 35 and 36, Township 17 South, Range 5 West of the Willamette Meridian; thence West along the North line of the Southeast quarter of said Section 35, a distance of 640 feet to the intersection with the traverse along the 377-foot contour line and the true point of beginning; thence on the traverse along said 377-foot contour line as follows: South 23° 58' 32" East 440 feet; thence South 1° 58' 48" West 1299.95 feet; thence South 64° 13' 53" West 375 feet to the West line of the property of Annj Merryman; thence North along the West line of said property 1850 feet to the North line of the Southeast quarter of said Section 35; thence East along the North line of the Southeast quarter of said Section 35 to the true point of beginning, in Lane County, Oregon.

EXHIBIT B

MAP



This map is for reference and assistance in locating the subject parcels only. It may not be to scale. Refer to Legal Description on Exhibit A for property boundaries.

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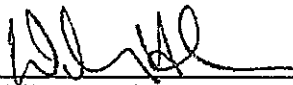
EXHIBIT C

**ACCEPTANCE AND ACKNOWLEDGEMENT
OF
BASELINE DOCUMENTATION**

The undersigned hereby acknowledge and agree that the Baseline Documentation for the Coyote Oaks Northeast located in Lane County, Oregon, prepared by the Oregon Department of Fish and Wildlife's Willamette Wildlife Mitigation Program and dated June 10, 2015, is an accurate representation of the biological, physical and historical conditions of the subject property as of the Effective Date of the Conservation Easement. All of the undersigned parties have received copies of the Baseline Documentation and is on file with the Bonneville Power Administration.

Grantor:

State of Oregon, acting through the Department of Fish and Wildlife



William Herber
Acting Deputy Director

8/25/15

Date

Grantee:

Bonneville Power Administration:



Luke Arant
Supervisory Realty Specialist

24 Aug. 15

Date

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JUN 24 2025
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EXHIBIT D

ACCEPTABLE ENCUMBRANCES

PARCEL I and PARCELL II

Easements, Notes, Conditions and Restrictions

Purpose: Plat of Lands

Recording Date: Partition Plat Nos. 2014-P2610 and No. 2014-P2611

Easement

In Favor of: United State of America

Purpose: Power Line

Recording Date: March 17, 1948 in Book 369, Page 274

June 11, 1948 in Book 375, Page 44

January 17, 1966, Reception No. 33404

PARCEL III

The rights of fishing, navigation and commerce in the State of Oregon and the Federal Government and the rights of the public in and to that portion thereof lying now or at any time below the ordinary high water mark of Fern Ridge Reservoir.

Subject to right of overflow by the U. S. A. as to any portion below the 377 foot contour line of Fern Ridge Reservoir

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EXHIBIT A

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LEGAL DESCRIPTION

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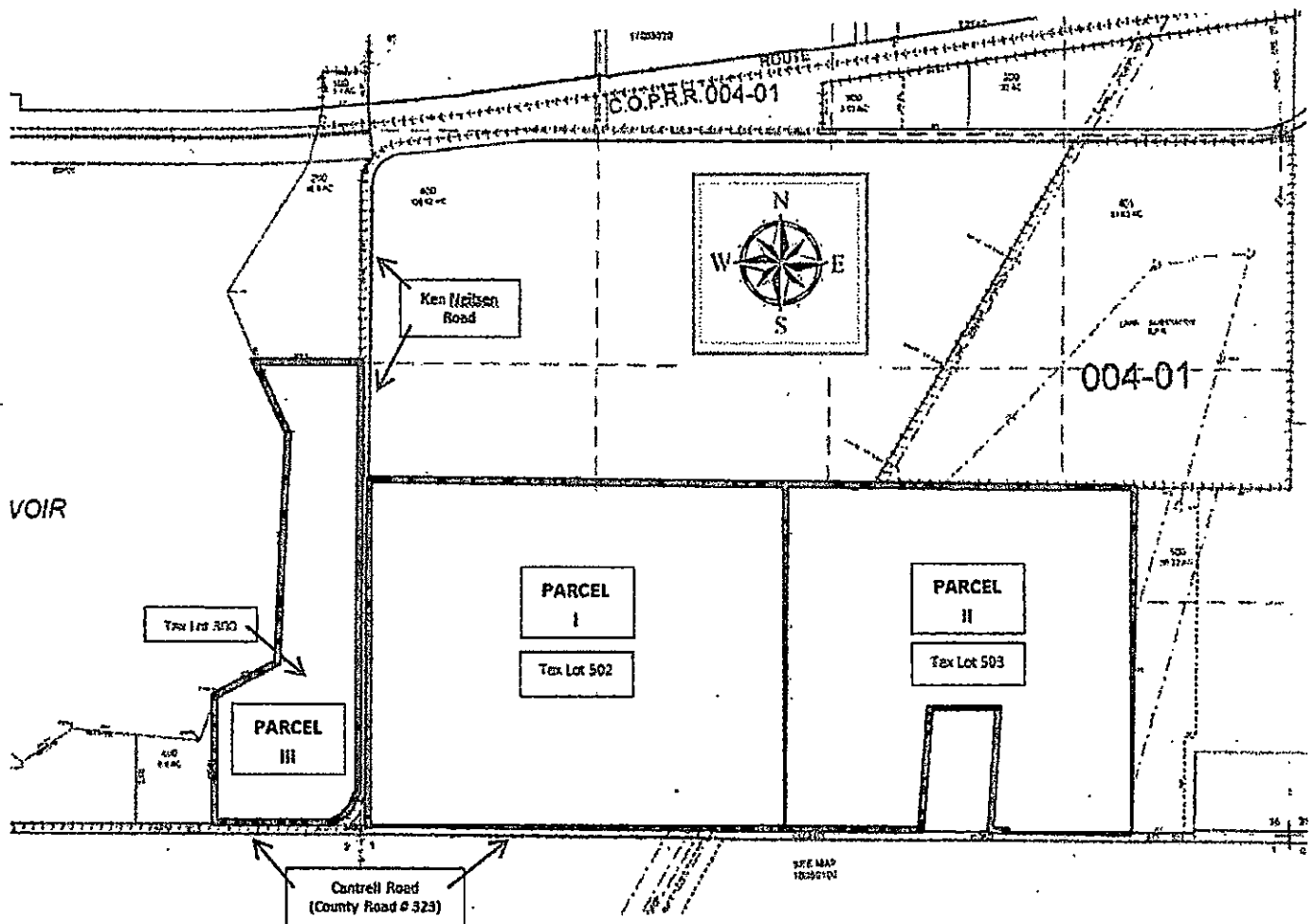
Received by OWRD

JUN 24 2025

Salem, OR

EXHIBIT B

MAP



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