

Name Ryan Beyerlein  
 By 3434 Quartz Creek Rd.  
 Address PO Box 1052  
Merlin, OR 97532

Application No. R-89331

Permit No. R-15595

Certificate No. \_\_\_\_\_

Date

DENIED \_\_\_\_\_

MISFILED \_\_\_\_\_

WITHDRAWN \_\_\_\_\_

CANCELLED \_\_\_\_\_

Volume Page

### FEES PAID

Date	Amount	Receipt No.
1-30-2023	\$603.00	140042
4-28-2023	610.00	140598

Cert. Fee

### FEES REFUNDED

Date	Amount	Receipt No.

(28)

Priority 1-30-2023

County Josephine WM# 14

### RELATED FILES

### ASSIGNMENTS

Date	To Whom	Address

### DEVELOPMENT

Date

Completion 8-11-2028

Extended to \_\_\_\_\_

Final Proof received \_\_\_\_\_

Proposed Cert. Mailed \_\_\_\_\_

### REMARKS

### MAP LOCATION



# Mailing List for FO Copies

Application: R-89331

Permit: R-15595

Original mailed to Applicant:

RYAN R. BEYERLEIN  
PO BOX 1052  
MERLIN OR 97532

Sent via auto email:

1. Applicant – roguefarmer6@gmail.com
2. Agent – Samantha Walgamot, rougefarmer6@gmail.com
3. WRD – Watermaster District 14, Scott C. Ceciliani
4. WRD – Justin Dillon, SWR
5. WRD – SW Section

Copies sent to:

1. File – R-89331

Application Specialist: Dianna Brainard

Copies Mailed	
By:	<u>KMWR</u> (STAFF)
On:	<u>AUG 11 2023</u> (DATE)



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON

Water Right Application R-89331 in the     )  
name of RYAN R. BEYERLEIN                     )  
   )

FINAL ORDER  
APPROVING THE STORAGE OF  
SURFACE WATER

***Authority***

The application is being processed in accordance with Oregon Revised Statute (ORS) 537.409, which establishes the process by which an application to store waters of the public may be submitted. This statute can be accessed here:

<https://www.oregon.gov/OWRD/programs/policylawandrules/Pages/default.aspx>

The Water Resources Department's website can be accessed here:

<https://www.oregon.gov/OWRD>

In accordance with ORS 537.409, the Department shall conduct a public interest review of an application submitted to store water in a reservoir that has a storage capacity of less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height.

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.

In addition, the Department will review ORS Chapter 538 to determine if the source of water has been withdrawn from further appropriation and will conduct a review consistent with ORS Chapter 390.835 – Oregon's Scenic Waterway laws – to determine whether the use is prohibited.

Following this review, the Department shall issue a final order granting or denying the permit or granting the permit with conditions.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is a final order in other than contested case. This final order is subject to judicial review under ORS 536.075 and ORS 183.484. Any petition for judicial review of the final order must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075, ORS 183.484, and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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



### FINDINGS OF FACT

1. On January 30, 2023, Ryan R. Beyerlein submitted an application for a permit to store water pursuant to ORS 537.409.

Storage Volume: 2.86 ACRE-FEET

Dam Height: 9.0 FEET

Source: RUNOFF, TRIBUTARY TO JUMP OFF JOE CREEK

County: JOSEPHINE COUNTY

Reservoir Location: SECTION 3, TOWNSHIP 35 SOUTH, RANGE 6 WEST, W.M.

2. The required examination fees were paid, and the minimum application requirements were met.
3. On February 7, 2023, the Department provided public notice of the application in the Department's weekly public notice. A 60-day comment period followed.
4. The Department did not receive public comment related to the possible issuance of the attached permit.
5. An assessment of water availability at 50% exceedance for the proposed use was completed using the Department's Water Availability Reporting System. A copy of this assessment is in the application file. This review is done consistent with OAR 690-410-0070(2)(a). The assessment established that water is available December 1 through March 31 of each year for the proposed use.
6. The Department relies on the Oregon Department of Fish and Wildlife's review and recommendations in determining whether a proposed use would pose a significant detrimental impact to existing fishery resources. The Department has determined that, if limited to February 1 through March 31, and as conditioned, the proposed use will not pose a significant detrimental impact to existing fishery resources.
7. The Department has determined that the proposed use, as conditioned, will not injure other water rights.
8. The Department has determined that the proposed source has not been withdrawn from further appropriation under ORS Chapter 538.
9. The proposed reservoir is not prohibited under ORS 390.835.

### CONCLUSIONS OF LAW

1. Application R-89331 contains the information required by ORS 537.409(1)-(3).
2. The proposed use would not impair or be detrimental to the public interest as described in ORS 537.409.

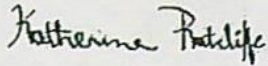


ORDER

Application R-89331 is approved and Permit R-15595 is issued as limited by the conditions contained therein.

AUG 11 2023

Dated at Salem, Oregon on \_\_\_\_\_



Katherine Ratcliffe  
Water Rights Section Manager, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department

If you have questions about statements contained in this document, please contact Dianna Brainard at [dianna.j.brainard@water.oregon.gov](mailto:dianna.j.brainard@water.oregon.gov) or 971-375-1602.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.



STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RYAN R. BEYERLEIN  
PO BOX 1052  
MERLIN OR 97532

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

APPLICATION FILE NUMBER: R-89331

SOURCE OF WATER: RUNOFF, TRIBUTARY TO JUMP OFF JOE CREEK

STORAGE FACILITY: UNNAMED RESERVOIR

MAXIMUM DAM HEIGHT: 9.0 FEET

MAXIMUM VOLUME: 2.86 ACRE-FEET

PURPOSE OR USE OF THE STORED WATER: MULTIPURPOSE USE

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1 THROUGH MARCH 31

DATE OF PRIORITY: JANUARY 30, 2023

RESERVOIR LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	6 W	WM	3	NW NE	552.9 FEET SOUTH AND 3347.5 FEET EAST FROM NW CORNER, SECTION 3

THE AREA TO BE SUBMERGED BY THE RESERVOIR:

Twp	Rng	Mer	Sec	Q-Q
35 S	6 W	WM	3	NW NE



## PERMIT SPECIFIC CONDITIONS

1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
2. **Water Use Measurement, Recording, and Reporting:**
  - A. 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 shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The watermaster may determine an alternate measuring device is suitable. The permittee shall maintain the device in good working order.
  - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
  - C. The Director may require the permittee to keep and maintain a record of the volume of water stored, and may require the permittee to report water-storage on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit.
  - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
3. **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, 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.

4. **Fish Stocking:**

Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon shall have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without a fish transport permit issued by ODFW. As part of the permitting process, the permittee shall also screen the inlet and outlet of their pond to ensure that fish cannot escape into public waters and/or to keep wild fish from entering the pond.



**5. 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 June 15 through September 15, unless an alternate time period is approved by Oregon Department of Fish and Wildlife.

**6. 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.

**7. 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. Permittee is responsible for obtaining any necessary state and federal permits.

**8. 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.

**9. Scenic Waterway Flows:**

Diversion of water under this permit is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at Rogue River near Agness, OR gage 14372300, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

Rogue Scenic Waterway	
Month	Minimum Flow (CFS)
February	3500
March	3500

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



11. The permittee shall pass all live flow outside the storage season described above.
12. The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.
13. 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.
14. This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

#### **STANDARD CONDITIONS**

1. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
2. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
3. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

#### **DEVELOPMENT AND COMPLETION TIMELINE REQUIREMENTS**

1. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
2. The permitted volume of water shall be stored within five years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
3. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.



4. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.
5. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
  - a. the dimensions of the reservoir;
  - b. the maximum capacity of the reservoir in acre-feet; and
  - c. a map identifying the location of the reservoir prepared in compliance with Water Resources Department standards.

Issued AUG 11 2023

*Katherine Ratcliffe*

Katherine Ratcliffe  
Water Rights Section Manager, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department



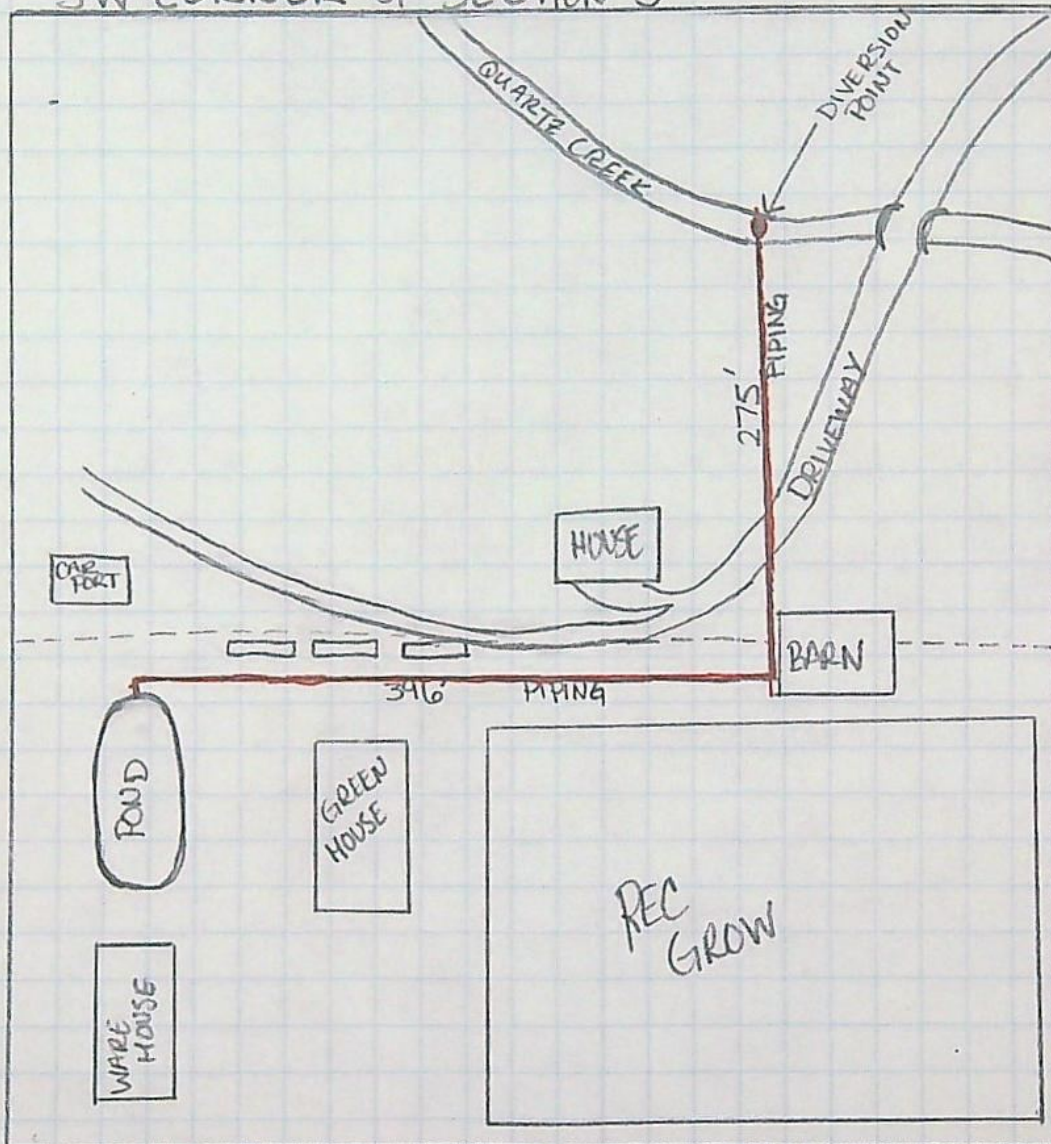
Q1/QT = SW SW

MAP TAX LOT: 35S, 06W, 05-00-001300-00

POND LAT/LONG: 42.550349, -123.445026

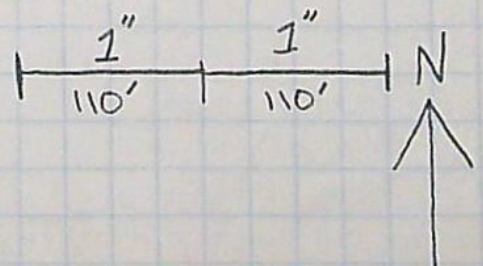
3434 QUARTZ CREEK RD. MERLIN OR 97532

266.4 FEET NORTH AND 108.4 FEET EAST FROM THE  
SW CORNER OF SECTION 5



DIVERSION LAT/LONG:  
42.551086, -123.4435

POND  
CAPACITY:  
.918 AF



RECEIVED

MAY 04 2023

OWRD



DIVERSION LOCATION FROM LAND SURVEY CORNER

119 FEET NORTH AND 523 FEET EAST FROM THE SW CORNER OF THE  
SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP  
35 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY,  
OREGON.

LATITUDE AND LONGITUDE:

42.551086, -123.4435

RECEIVED

MAY 04 2023

OWRD



QT/QT = NW/NW

MAP TAX LOT: 35-06-03-00-000501-00  
\$ 35-06-03-00-000504-00

LAT/LONG: 42.563121, -123.393814

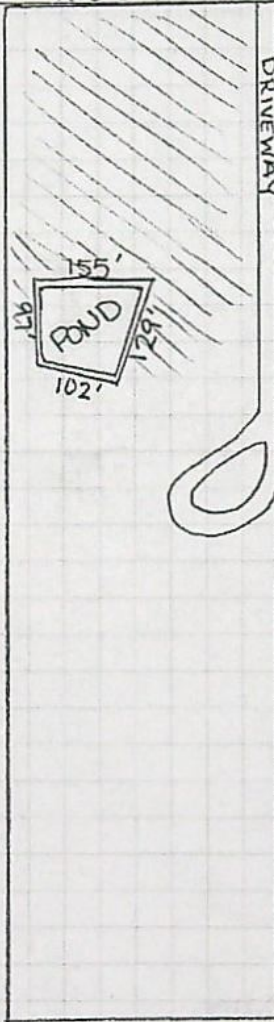
450 THREE PINES RD GRANTS PASS  
OR 97526

RECEIVED

APR 07 2023

OWRD

← THREE PINES ROAD →

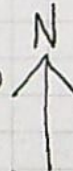


3,347.5 FEET EAST  
AND 552.9 FEET SOUTH  
FROM THE NORTH WES  
CORNER OF SECTION 3

3.39 ACRES  
3.91 ACRES  
CAPACITY

KEY:

FIELD  
WETLAND



1" 1"  
200' 200'



## POND LOCATION FROM LAND SURVEY CORNER

EAST 3,347.5 FEET AND SOUTH 552.9 FEET FROM THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NW QUARTER OF SECTION 3, TOWNSHIP 35 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON.

LATITUDE AND LONGITUDE TO CENTER OF POND:

42.563121, -123.393814

RECEIVED

APR 07 2023

OWRD



RECEIVED  
JAN 03 2023  
OWRD

JAN 30 2023

OWRD  
SALEM, OREGON

575'

502  
10.34 AC.

501  
8.59 Ac.

400  
0.17 Ac.

300  
41.49 Ac.

503  
10.22 Ac.

300

100  
0.81 Ac  
3

ROAD

LOT 45.04

500  
10.57 Ac.

45.24

375'

504  
5.00 Ac.

475'

607  
5.05 Ac.

606  
5.00 Ac.

608  
5.03 Ac.

700  
7.73 Ac.

701  
4.00 Ac.

800  
9.77 Ac.

900  
17.59 Ac.

609  
5.18 Ac.

610  
5.00 Ac.

611  
5.00 Ac.

605  
5.00 Ac.

604  
5.00 Ac.

PARADISE VALLEY ESTATES

EDEN DRIVE

5

OLD PACIFIC HIGHWAY

- Land is seen as 1 tax lot per Josephine County as it is zoned EFU!



MAP TAX LOT: 35-06-03-00-000501-00

QT/QT  
NW/NE

+ 35-06-03-00-000504-00

Township, Range, Section, 1/4 1/4 tax lot  
(100 Feet East & 510 Feet South from the NW corner)

RECEIVED  
JAN 03 2023

OWRD

450 THREE PINES RD FIRANTS PASS OR 97526

THREE PINES RD

RECEIVED

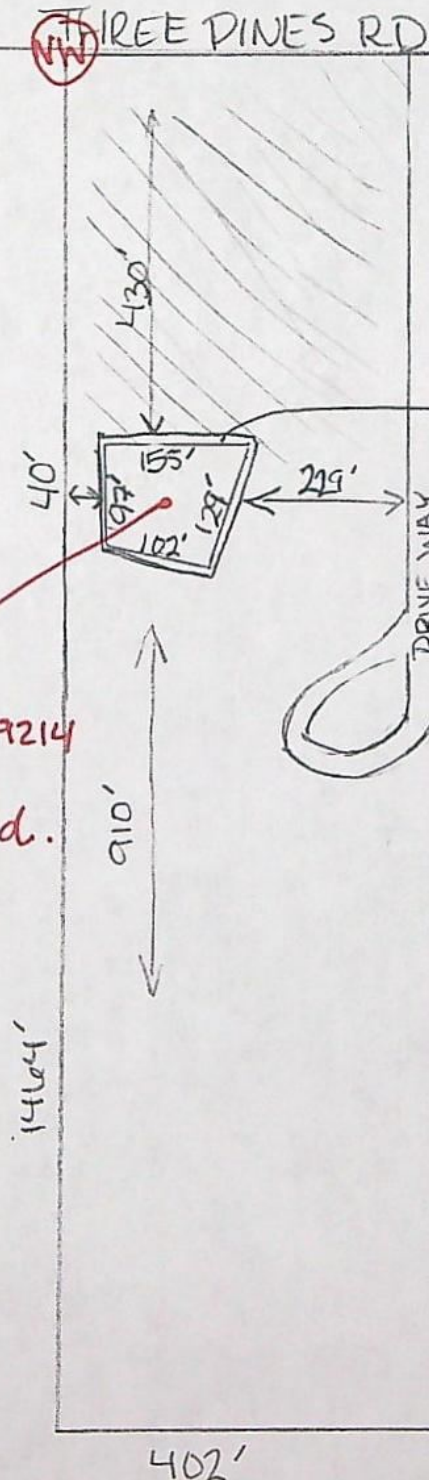
JAN 30 2023

OWRD  
SALEM, OREGON

0.39 ACRE FEET  
3.91 ACRE FEET  
CAPACITY

42.56391, -123.39214  
Coordinates to  
Center of pond.

MAX  
9' sides above ground.



KEY:

FIELD  
(WETLAND)



1" = 200 FT 1" = 200 FT



**BRAINARD Dianna J \* WRD**

---

**From:** BUCHHOLZ Sheila L \* WRD  
**Sent:** Thursday, February 2, 2023 11:59 AM  
**To:** BRAINARD Dianna J \* WRD  
**Subject:** Application R-89330 (snap 222166), and R-89331 (snap 222163)

Good Afternoon Dianna,

You have been assigned as caseworker on these related applications. I wanted to let you know that the applicant on both of them gave us measured distances from their own tax lots. This isn't an acceptable area to measure from. The applicant needs to provide legal measurements from a quarter quarter, or possibly from a DLC, but not a tax lot.

I just wanted you to have this information for while you are working the cases.

Thanks so much!

*Sheila Buchholz*

Data Technician 1

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

Email: [Sheila.L.Buchholz@water.oregon.gov](mailto:Sheila.L.Buchholz@water.oregon.gov)



OREGON  
WATER  
RESOURCES  
DEPARTMENT

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking





# Oregon

Tina Kotek, Governor

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

January 31, 2023

Ryan Beyerlein  
3434 Quartz Creek Rd.  
PO Box 1052  
Merlin, OR 97532

Dear Applicant:

The Oregon Water Resources Department has received your applications to store water in a reservoir under the Alternate Review process. Your applications have been assigned file numbers **R-89330** and **R-89331**. Please refer to these numbers when contacting the Department. Should you have any questions about your applications, please contact the following Water Rights Specialist assigned to your application:

Dianna Brainard	Phone: 971-375-1602
	Email: <a href="mailto:dianna.j.brainard@water.oregon.gov">dianna.j.brainard@water.oregon.gov</a>

A description of the steps that are used for processing an application to stored water in a reservoir are shown on the reverse side of this letter.

Included with this letter is a Wetland Determination Request form provided by the Department of State Lands (DSL) Wetland Program to determine if wetlands or other regulated water bodies (such as creeks) are in the project area. Please complete and return the form to DSL.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

Dante Luongo  
Customer Service Representative  
Oregon Water Resources Department

cc: File R-

Encl. - DSL Wetland Offsite Form



## **Water-Use Permit Application Processing Steps**

### **Oregon Water Resources Department**

#### **Alternate Review Process for a Reservoir Applications:**

After a completed application has been received by the Department, the Department must make public notice of the application within 60 days. Applications are noticed to the public every Tuesday and can be accessed from the Department's website: <https://www.oregon.gov/owrd>.

The Department does not notify individual, neighboring landowners of an application, unless they are identified in the application as affected landowners. The public notice is to ensure that any person may submit detailed information requesting the Department deny an application based upon whether the proposed use causes injury to existing water rights or poses a significant detrimental impact to an existing fishery resource. All comments must be submitted within 60 days of the public notice.

Following the 60-day public comment period, the Department can issue a Final Order. Alternate Reservoir applications typically take between 3-5 months to process, depending upon the number of pending applications in the queue.

The Department recommends applicants not schedule excavation work or otherwise expend financial resources until an ODFW fish passage plan and the alternate reservoir application have been approved. Also note that other permits may be required for any construction activities in waterways, wetlands, or riparian areas.



## Alternate Reservoir Application Completeness Checklist

Minimum Requirements (ORS 537.409)

For use by WRD staff only

Application #:	R-89331	Receipt #:	140042
Applicant Name:	Ryan Beyerlein	Amount Requested:	2.86
Priority Date:	1-30-2023	Proposed Use:	Multipurpose
County:	Josephine	POD TRS & TL:	35S 6W 3
WM #:	14	Caseworker:	<input type="checkbox"/> KF Dianna <input type="checkbox"/> LG Brainard
Reviewed by:	Dante Luongo	Reviewed Date:	1-31-2023

☒ **ORS 538.** Is the source withdrawn by ORS 538? ☐ YES ☐ NO [if yes, return application and fees]

☒ Landowner name, mailing address and telephone number provided.

☒ Source and tributary listed. Notes: NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE. Cannot accept an E2 application and a storage application at the same time.

☒ Reservoir Location. TRSQQ and tax lot provided. Note: only 1 reservoir/pond per application

☒ Dam height, if applicable: 9 Ft

☒ Property ownership indicated?

☒ If applicant does not own all the land is the affected landowner's name and mailing address listed?

☐ YES ☐ NO (Note: this includes lands not owned by applicant, upon which the source is located OR that are crossed by the diversion works, and any roads or rights-of-way.)

☒ Application signed by the landowner(s)? All parties noted as applicants must sign the application.

☒ **Completed Watermaster review sheet**, signed and dated. Note: Must be completed within last 6 months.

- Will the reservoir injure an existing water right? ☐ YES ☐ NO
- If YES, can conditions be applied to mitigate injury? ☐ YES ☐ NO

☒ **Completed ODFW review sheet**, signed and dated. Note: Must be completed within last 6 months.

- Will reservoir pose a significant detrimental impact to an existing fishery resource? ☐ YES ☐ NO
- If YES, can conditions be applied to mitigate the impact? ☐ YES ☐ NO ☐ N/A

☒ **Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?

Note: Does the use on land-use form match the proposed use on the application? Must be signed within the last 12 months.

☒ **Provide a Legal Description** of all the property involved with this application. A copy of a deed, land sales contract, or title insurance meets this requirement.



☒ **Acceptable Map.** Note: Requirements set forth by the Commission; causes fatal flaw if not provided by the applicant.

- ☒ Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)
- ☒ Scale of the Map, even scale such as 1" = 400', 1" = 1000', or 1" = 1320'
- ☒ Reference corner on map
- ☒ North directional symbol
- ☒ 1/4 1/4's clearly identified
- ☒ Reservoir clearly identified
- ☒ Dam, or POD (if off-channel), coordinates referenced to a government land survey corner  
Note: If no dam, use coordinates to the center of reservoir.

☒ **Fees:** Amount of Water Requested: .918 Name on Check: \_\_\_\_\_

Exam Fee Due:	\$603
Exam Fee Submitted:	\$603
Difference:	\$0
Recording Fee Paid?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No \$
Total:	\$1213



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

RECEIVED

JAN 30 2023

OWRD  
SALEM, OREGON

RECEIVED

JAN 03 2023

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 <b>RYAN R. BEYERLEIN</b>		PHONE (HM) <b>541-479-2605</b>	
PHONE (WK) <b>541-479-2605</b>	CELL	FAX	
ADDRESS <b>P.O. BOX 1052</b>			
CITY <b>MERLIN</b>	STATE <b>OR</b>	ZIP <b>97532</b>	E-MAIL * <b>ROQUEFARMER6@GMAIL.COM</b>

**Organization**

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

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

AGENT / BUSINESS NAME <b>SAMANTHA A. WALGANDT</b>		PHONE <b>541-479-2605</b>		FAX
ADDRESS <b>932 SW BRIDGE ST APT A</b>				CELL
CITY <b>GRANTS PASS</b>	STATE <b>OR</b>	ZIP <b>97526</b>	E-MAIL * <b>ROQUEFARMER6@GMAIL.COM</b>	

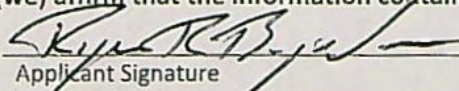
Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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

 **RYAN R. BEYERLEIN** **11-12-2021**  
Applicant Signature Print Name and Title if applicable Date

Applicant Signature Print Name and Title if applicable Date



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## SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	N/A				
Source*:	SURFACE RUNOFF		Tributary:	JUMP OFF JOE CREEK	
County:	JOSEPHINE				
Quantity:	Acre-Feet [length x width x depth / 43,560] 2.86				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	35 S	06 W	03	NW-NE	501
Maximum Height of Dam:	9' feet. If excavated write "zero feet."				

\* Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, an unnamed stream, or spring.

## SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: MULTIPURPOSE USE

NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stock water, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.

## SECTION 4: PROPERTY OWNERSHIP

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

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

☒ There are no encumbrances

☐ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

☐ No (Please check the appropriate box below)

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

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

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

List the names and mailing addresses of all affected landowners:

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## SECTION 5: ENVIRONMENTAL IMPACT

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

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

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

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

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

If YES, how much? \_\_\_\_\_ miles.

**Existing:** Have you been working with other agencies? ☐ YES ☒ NO

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

## 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.

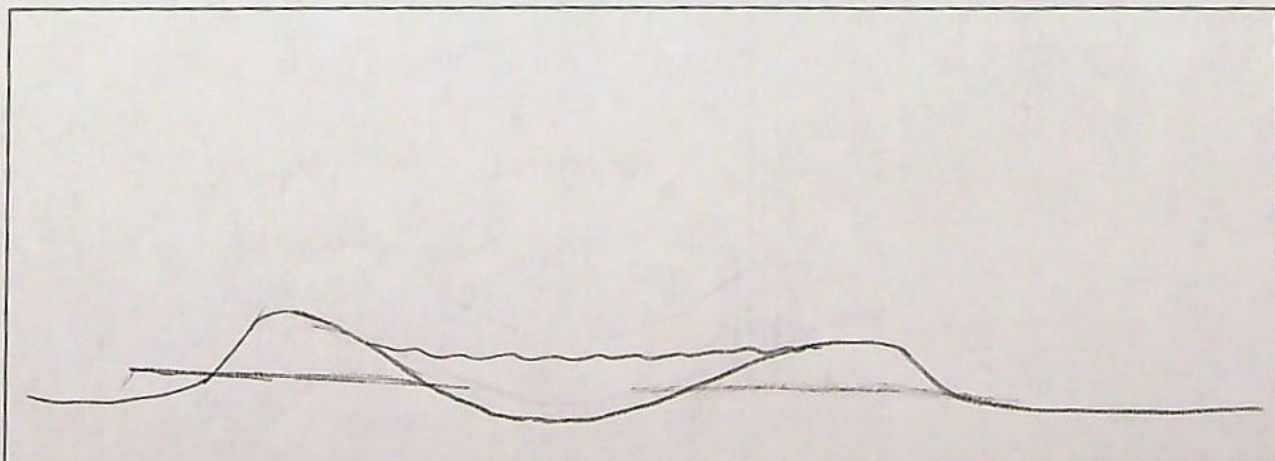
Irrigation District Name:		Address:	
City:	State:	Zip:	

## 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.

LAND GETS SWAMPY DURING RAINY SEASON. POND  
WILL COLLECT SURFACE RUN OFF TO BE USED FOR  
MULTI PURPOSE, MOSTLY AGRICULTURE.

If the diversion involves a dam, use this space below 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).







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# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266503-986-0900  
www.oregon.gov/OWRD

NAME <b>RYAN BEYERLEIN</b>		PHONE (HM) <b>541-479-2405</b>	
PHONE (WK) <b>541-479-2405</b>	CELL	FAX	
ADDRESS <b>PO Box 1052</b>			
CITY <b>MERLIN</b>	STATE <b>OR</b>	ZIP <b>97532</b>	E-MAIL* <b>ROGUE FARMER 16 @ GMAIL.COM</b>

## 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:
<b>35 S</b>	<b>06 W</b>	<b>03</b>	<b>NW/NE</b>	<b>501</b>	<b>EFU</b>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

— **JOSEPHINE COUNTY - GRANTS PASS**

## B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond    ☐ Ground Water    ☒ Surface Water (name) **RUN OFF**

Estimated quantity of water needed: **3.4**    ☐ 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 \_\_\_\_\_

Briefly describe:

**COLLECT SURFACE RUNOFF TO USE FOR IRRIGATION**

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.



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Attachment 2: Land Use Information Form

## 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): Section 19.04020.4 (outright use)
- ☐ 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> 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.

Josephine County  
700 NW Dimmick Street  
Suite C  
Grants Pass, OR 97527

NAME <u>Tami Smith</u>	TITLE: <u>Associate Planner</u>
SIGNATURE <u>Tami Smith</u>	PHONE: <u>541-474-5124</u>
GOVERNMENT ENTITY <u>Josephine County</u>	DATE: <u>2-16-2022</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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## 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: Ryan R. Beyerlein		Agent: Samantha A Walga, not	450 Three Pines Rd.
1. Does the proposed reservoir have the potential to injure existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Explain: Instream water rights C-59772 and C-73026 are not always met.			
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Explain: Use may be made at times when sufficient water is available to satisfy all prior rights, including prior right for maintaining instream flows. Installation of measuring device. Rogue Scenic Waterway condition.			
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
4. If yes, during what period? Beginning: December End: March			
Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))			
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
Who:	Agency:	Date:	
Who:	Agency:	Date:	

Watermaster Name: Scott Cecilian

Watermaster Signature: [Signature] Date: 1-17-2023

NOTE: This completed form must be returned to the applicant





## Water Availability Analysis

JUMPOFF JOE CR > ROGUE R - AB LOUSE CR  
ROGUE BASIN

Water Availability as of 1/17/2023

Watershed ID #: 71032 ([Map](#))

Date: 1/17/2023

Exceedance Level: 50%

Time: 9:04 AM

Water Availability

Limiting Watersheds

Complete Water Availability Analysis

### Water Availability

Select any Watershed for Details

	Nesting Order	Watershed ID #	Stream Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
<a href="#">Select</a>	1	255	ROGUE R> PACIFIC OCEAN- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes
<a href="#">Select</a>	2	31531008	ROGUE R> PACIFIC OCEAN- AB SHASTA COSTA CR	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes
<a href="#">Select</a>	3	31531001	ROGUE R> PACIFIC OCEAN- AB MEADOW CR	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes
<a href="#">Select</a>	4	31531002	ROGUE R> PACIFIC OCEAN- AB GRAVE CR	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes
<a href="#">Select</a>	5	70994	JUMPOFF JOE CR> ROGUE R- AT MOUTH	Yes	Yes	Yes	No	No	No	No	No	No	No	No	Yes	Yes
<a href="#">Select</a>	6	71032	JUMPOFF JOE CR> ROGUE R- AB LOUSE CR	Yes	Yes	Yes	No	No	No	No	No	No	No	No	Yes	Yes

Download Data ( [Text - Formatted](#) [Text - Tab Delimited](#) [Excel](#) )



For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water

Today's Date: Tuesday, January 17, 2023

Base Application Fee		\$480.00
Proposed Dam Height in feet	9	
Proposed Reservoir volume in Acre Feet	2.66	\$123.00
	Subtotal	\$603.00
Permit Recording Fee ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.		<a href="#">Recalculate</a>
Estimated cost of Permit Application		\$1,213.00

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# ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name: Ryan R Beyerlein

Address: P.O. Box 1052, Merlin, OR 97532

450 Three Pines Rd.

Phone/Email: 541-479-2605/roguefarmer6@gmail.com

Reservoir Name: Beyerlein Reservoir

Source: Run-off

Basin Name: Jumpoff Joe Creek < Rogue River

Twp Rng Sec QQ: 35S 6W 3 NWNE

Volume (AF): 2.86 AF

☐ in-channel

☒ off-channel

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

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

- 1) Is the proposed project and AO<sup>1</sup> 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 NMF<sup>2</sup> are or were historically present?..... ☐ YES ☐ NO  
(if yes then proceed to #3; if no then proceed to #4)

- 3) If NMF are or were historically present:

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

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

- 4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... ☒ YES ☐ NO

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

- ☒ Any diversion or appropriation of water for storage during the period April 1-January 31 poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)

<sup>1</sup> 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)

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



Applicant Name: Ryan Beyerlein

ODFW Review

If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

- ☐ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

ESA-listed fish (Coho Salmon), sensitive species (spring Chinook Salmon, summer steelhead, and Pacific Lamprey), and other game fish (fall Chinook Salmon, winter steelhead, and Coastal Cutthroat Trout) may be present in Jumpoff Joe Creek and/or the Rogue River during the period of impact. ODFW has identified biologically necessary flows not captured in an instream water right (e.g., flows in a Basin Investigation Report, Persistence Flow Determination, Seasonally Varying Flow prescription, or other flow analysis) that would benefit fishery resources at the Point of Diversion or downstream.

In addition to existing instream water rights and pending instream water right applications, ODFW recommends the following biologically necessary flows be available in Jumpoff Joe Creek above Louse Creek to protect public uses:

JAN	type here cfs	APR	type here cfs	JUL	type here cfs	OCT	7.9 cfs
FEB	type here cfs	MAY	type here cfs	AUG	type here cfs	NOV	17.7 cfs
MAR	type here cfs	JUN	type here cfs	SEP	3.7 cfs	DEC	type here cfs

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Jumpoff Joe Creek at the mouth:

JAN	type here cfs	APR	type here cfs	JUL	24.7 cfs	OCT	type here cfs
FEB	type here cfs	MAY	100 cfs	AUG	9.6 cfs	NOV	71.4 cfs
MAR	type here cfs	JUN	52.3 cfs	SEP	type here cfs	DEC	type here cfs

Based on parameters assessed by ODFW, instream flows are currently below those essential to support the biological needs of an existing fishery resource during April 1-January 31. In addition, ODFW reviewed available information (Rogue River Basin Temperature TMDL; DEQ 2008) regarding water quantity impairment and determined that the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion. The proposed pond is in the Rogue River basin and subject to the Rogue River Basin Temperature TMDL (DEQ, 2008), which identifies the critical period for temperature as April 1-October 31. Diminished flows from the proposed withdrawal could impact temperature impairments in the Rogue River during this period.

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

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

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

☐ NO (explain) ☒ YES

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

Water is only available to support the quality and quantity of biologically necessary flows at the POD or downstream during February 1-March 31. ODFW recommends the storage season be restricted to coincide with this period or the proposed use be mitigated prior to issuance of a Final Order for any storage outside of this period. Without appropriate



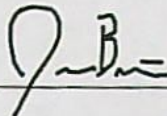
Applicant Name: Ryan Beyerlein

ODFW Review

conditions (see below) and/or mitigation, a further reduction in flow or alteration of habitat from the proposed water use outside of this period will result in a significant detrimental impact to an existing fishery resource.

Mitigation is often complicated, time consuming, and expensive, and may include, but is not limited to, actions such as replacing the proposed amount of water through purchasing or transferring an existing water right. If the applicant chooses to pursue mitigation after application submittal to WRD, ODFW will provide a Mitigation Obligation consistent with the goals and standards of OAR 635-415-0025 (ODFW Habitat Mitigation Recommendations) to compensate for any potential impact from the proposed use. Upon request, the WRD caseworker can schedule a consultation with ODFW for more information.

ODFW Signature: \_\_\_\_\_



Print Name: Jason Brandt

ODFW Title: SW Hydro Coordinator

Date: 1/24/23

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## MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020, March 25, 2021

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

☒ **Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

☐ **b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.

☐ **b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

☒ **b51a** The period of use has been limited to February 1-March 31.

☐ **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.

☒ **Construction Activities:** For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.

☐ **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.

☐ **fishdiv33:** 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.

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.

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.

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- ☐ **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 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 fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without a fish transport permit approved by ODFW. As part of the permitting process, the permittee must also screen the inlet and outlet of their pond to insure that fish cannot escape into public waters and/or to keep wild fish from entering the pond.
- ☐ **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 or Riparian Construction:** For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 40 certification program prior to construction. The applicant must contact these agencies to confirm requirements.
- ☒ **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 June 15-September 15 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.
- ☒ **wetland:** The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.
- ☐ **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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## ODFW Alternate Reservoir Application Review Sheet

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CLATSOP COUNTY, OREGON

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This portion to be completed by the Applicant					
Applicant <b>RYAN R. BEYERLEIN</b>		Phone No. <b>541-479-2605</b>		Email. <b>ROGUEFARMER4@GMAIL.COM</b>	
Address <b>450 THREE PINES RD</b>		City <b>GRANTS PASS</b>	State <b>OR</b>	Zip <b>97526</b>	
Reservoir Name: <b>NIA</b>		Source: <b>SURFACE RUNOFF</b>		Volume (AF): <b>2.86</b>	
Township (N or S) <b>35S</b>	Range (E or W) <b>106W</b>	Section <b>03</b>	Quarter/ Quarter <b>NW/NE</b>	Basin Name: <b>ROGUE</b>	<input type="checkbox"/> in-channel <input checked="" type="checkbox"/> off-channel

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District Staff	
1) Is the proposed project and AO <sup>1</sup> off channel? <input type="checkbox"/> YES <input type="checkbox"/> NO (If yes then proceed to #4; if no then proceed to #2)	
2) Is the proposed project or AO located where NMF <sup>2</sup> are or were historically present? <input type="checkbox"/> YES <input type="checkbox"/> 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?	<input type="checkbox"/> YES <input type="checkbox"/> NO
b. Is there an ODFW-approved fish-passage waiver or exemption?	<input type="checkbox"/> YES <input type="checkbox"/> 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: <input type="checkbox"/> YES <input type="checkbox"/> NO <i>Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)</i>	
<input type="checkbox"/> Any diversion or appropriation of water for storage during the period _____ through _____ poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.	
<input type="checkbox"/> 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.	
If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?	
<input type="checkbox"/> YES (Select from Menu of Conditions on next page)	<input type="checkbox"/> NO (explain)

ODFW Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

ODFW Title: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE: This completed form must be returned to the applicant**<sup>1</sup> 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)<sup>2</sup> NMF = Native Migratory Fish Species in Oregon as defined by OAR 635-412-0005 (32)



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## MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

**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 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.

**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.

**fishdiv33:** 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.

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.

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:** 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.

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 through .

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.

**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 River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

**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.

**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.

**fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.

**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.



\*

## - - Property Data Selection Menu - -

Owner: BEYERLEIN, RYAN R

Prop ID : R302896 (Real Estate)

(115242) PO BOX 1052

Map Tax Lot: 35-06-03-00-000501-00

MERLIN, OR 97532

Legal : ACRES 8.59, POTENTIAL ADD'L TAX  
LIABSitus : 450 THREE PINES RD  
GRANTS PASS, OR 97526

Year Built :

Living Area:

Name(s) :

2020 Roll Values

Area : 05

RMV Land Non-LSU \$ 0 (+)

Sale Info : 02/27/12 \$189,000

RMV Land LSU \$ 246,410 (+)

Deed Type : WD

RMV Improvements \$ 18,660 (+)

Instrument: 12-002115

RMV Total \$ 265,070 (=)

2020 Tax Status \* No Taxes Due \*

Land LSU \$ 24,530

Current Levied Taxes : 267.89

Total Exemptions \$ 0

Special Assessments : 69.43

M5 Net Value \$ 55,380

M50 Assd Value \$ 39,660

(AD) Alt Disp  
(O)wnership(Y) primary  
(H)istory(L)and/Impr  
(W) Spec Assmt(G)en Appr  
(.) More

Enter Option from Above or &lt;RET&gt; to Exit: \_

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Property Owner Property Address  
R302896 BEYERLEIN, RYAN R 450 THREE PINES RD, GRANTS PASS, OR 97526

2022 In Process Real Market Value

\$237,520

#### 2022 GENERAL INFORMATION

Property Status A Active  
Property Type Residential  
Legal Description ACRES 8.59, POTENTIAL ADD L TAX LIAB  
Alternate Account Number ZF036  
Neighborhood 0500 Hugo  
Map Number 35-06-03-00-000501-00  
Property Use 551-HBU Farm, Zone Farm; Receiving Spec  
Asmt/Improved  
Levy Code Area 05  
Zoning EF

#### RELATED PROPERTIES

Linked Properties -  
Property Group ID G490  
Grouped Properties R302899, R302899  
Split / Merge Date -  
Split / Merge Accounts -  
Split / Merge Message -

#### 2022 OWNER INFORMATION

Owner Name BEYERLEIN, RYAN R  
Mailing Address PO BOX 1052 MERLIN, OR 97532

#### SPECIAL ASSESSMENTS

CODE	DESCRIPTION	FROM YEAR	TO YEAR	AMOUNT
SFP	ODF WILDFIRE PROTECTION - TIMBER	-	2022	\$23.51
SFP	ODF WILDFIRE PROTECTION - TIMBER	2021	2021	\$23.51
SFPI	ODF WILDFIRE PROTECTION - SURCHARGE	-	2022	\$47.50
SFPI	ODF WILDFIRE PROTECTION - SURCHARGE	2021	2021	\$47.50

#### PROPERTY FLAGS

PROPERTY FLAG CODE	PROPERTY FLAG DESCRIPTION
PATL	Potential Add'l Tax Liability

#### 2022 IMPROVEMENTS

Improvement #1 Improvement Type  
Farm Building

Bed:  
0

Expand/Collapse All

Sketch

#### 2022 LAND SEGMENTS

STATE CODE	SEGMENT TYPE	LAND SIZE
L1	B3 BENCH DRY	1.00 Acres
L2	B3 BENCH DRY	3.00 Acres

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L3	B4 BENCH DRY	2.39 Acres
L4	B6 HILL DRY	1.40 Acres
L5	B7 FARM WOODLOT	0.80 Acres
L6	OSD On-Site Development	-
<b>TOTALS</b>		<b>3,741,800 Sq. Ft / 8.55 acres</b>

#### CERTIFIED / IN PROCESS VALUES

YEAR	IMPROVEMENTS	LAND	RMV	SPECIAL USE	ASSESSED VALUE
2022 (In Process)	\$2,850	\$234,670	\$237,520	\$2,780	\$26,770
2021	\$3,050	\$251,100	\$254,150	\$2,780	\$26,070

#### SALES HISTORY

GO TO DEED RECORDS

SALE DATE	SELLER	BUYER	INST #	SALE PRICE	INST TYPE
2/27/2012	REIMCHE, GUY R & REIMCHE, STACEY L	BEYERLEIN, RYAN R	12-002115	\$189,000	Warranty Deed
6/28/2002	DICKERSON, C CLAY & DICKERSON, JUDITH ELIZABETH	REIMCHE, GUY R & REIMCHE, STACEY L	02-013720	\$115,000	Warranty Deed
10/15/1997	CHOWNING, CALVIN L & CHOWNING, JEWEL E	DICKERSON, C CLAY & DICKERSON, JUDITH ELIZABETH	97-18261	\$102,000	Warranty Deed

- If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

#### TAX SUMMARY

Effective Date: 4/15/2022    Details

TAXYEAR	TOTAL BILLED	AD VALOREM	SPECIAL ASMT	PRINCIPAL	INTEREST	DATE PAID	TOTAL OWED
2021	\$234.75	\$163.74	\$71.01	\$234.75	\$0.00	-	\$0.00
2020	\$337.32	\$267.89	\$69.43	\$337.32	\$0.00	-	\$0.00
2019	\$324.46	\$257.57	\$66.89	\$324.46	\$0.00	-	\$0.00
2018	\$320.46	\$254.21	\$66.25	\$320.46	\$0.00	-	\$0.00
2017	\$321.38	\$254.90	\$66.48	\$321.38	\$0.00	-	\$0.00
2016	\$281.83	\$215.58	\$66.25	\$281.83	\$0.00	-	\$0.00
2015	\$275.87	\$209.62	\$66.25	\$275.87	\$0.00	-	\$0.00
2014	\$271.79	\$205.54	\$66.25	\$271.79	\$0.00	-	\$0.00
2013	\$264.22	\$0.00	\$0	\$264.22	\$0.00	-	\$0.00
2012	\$235.86	\$0.00	\$0	\$235.86	\$0.00	-	\$0.00
2011	\$186.53	\$0.00	\$0	\$186.53	\$0.00	-	\$0.00
2010	\$183.68	\$0.00	\$0	\$183.68	\$0.00	-	\$0.00
2009	\$180.86	\$0.00	\$0	\$180.86	\$0.00	-	\$0.00
2008	\$204.17	\$0.00	\$0	\$204.17	\$0.00	-	\$0.00

#### TOTAL TAXES DUE

Current Year Due	\$0.00
Past Years Due	\$0.00
<b>Total Due</b>	<b>\$0.00</b>

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Property Owner Property Address  
R302899 BEYERLEIN, RYAN R \* THREE PINES RD, GRANTS PASS, OR 97526

2022 In Process Real Market Value

\$180,530

2022 GENERAL INFORMATION

Property Status A Active  
Property Type Residential  
Legal Description ACRES 5.00, POTENTIAL ADD'L TAX LIAB  
Alternate Account Number ZF036  
Neighborhood 0500 Hugo  
Map Number 35-06-03-00-000504-00  
Property Use 550-HBU Farm, Zone Farm, Receiving Spec  
Asmt/Vacant  
Levy Code Area 05  
Zoning EF

RELATED PROPERTIES

Linked Properties -  
Property Group ID G490  
Grouped Properties R302896, R302896  
Split / Merge Date -  
Split / Merge Accounts -  
Split / Merge Message -

2022 OWNER INFORMATION

Owner Name BEYERLEIN, RYAN R  
Mailing Address PO BOX 1052 MERLIN, OR 97532

SPECIAL ASSESSMENTS

CODE	DESCRIPTION	FROM YEAR	TO YEAR	AMOUNT
SFP	ODF WILDFIRE PROTECTION - TIMBER	-	2022	\$18.75
SFP	ODF WILDFIRE PROTECTION - TIMBER	2021	2021	\$18.75

PROPERTY FLAGS

PROPERTY FLAG CODE	PROPERTY FLAG DESCRIPTION
PATL	Potential Add'l Tax Liability

2022 LAND SEGMENTS

STATE CODE	SEGMENT TYPE	LAND SIZE
L1	B3 BENCH DRY	1.30 Acres
L2	B4 BENCH DRY	0.95 Acres
L3	B6 HILL DRY	0.60 Acres
L4	B7 FARM WOODLOT	2.15 Acres
TOTALS		217300.00 Sq. Ft / 5.00 acres

CERTIFIED / IN PROCESS VALUES

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SALEM, OREGON



YEAR	IMPROVEMENTS	LAND	RMV	SPECIAL USE	ASSESSED VALUE
2022 (In Process)		\$0	\$180,530	\$180,530	\$1,060
2021		\$0	\$193,180	\$193,180	\$1,060

#### SALES HISTORY

GO TO DEED RECORDS

SALE DATE	SELLER	BUYER	INST #	SALE PRICE	INST TYPE
2/27/2012	REIMCHE, GUY R & REIMCHE, STACEY L	BEYERLEIN, RYAN R	12-002115	\$189,000	Warranty Deed
6/28/2002	DICKERSON, C CLAY & DICKERSON, JUDITH ELIZABETH	REIMCHE, GUY R & REIMCHE, STACEY L	02-013720	\$115,000	Warranty Deed
10/15/1997	CHOWNING, CALVIN L & CHOWNING, JEWEL E	DICKERSON, C CLAY & DICKERSON, JUDITH ELIZABETH	97-18261	\$102,000	Warranty Deed

- If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

#### TAX SUMMARY

Effective Date: 4/15/2022

▼ Details

TAX YEAR	TOTAL BILLED	AD VALOREM	SPECIAL ASMT	PRINCIPAL	INTEREST	DATE PAID	TOTAL OWED
2021	\$25.40	\$6.65	\$18.75	\$25.40	\$0.00	-	\$0.00
2020	\$25.78	\$7.03	\$18.75	\$25.78	\$0.00	-	\$0.00
2019	\$25.49	\$6.74	\$18.75	\$25.49	\$0.00	-	\$0.00
2018	\$25.38	\$6.63	\$18.75	\$25.38	\$0.00	-	\$0.00
2017	\$25.35	\$6.60	\$18.75	\$25.35	\$0.00	-	\$0.00
2016	\$24.29	\$5.54	\$18.75	\$24.29	\$0.00	-	\$0.00
2015	\$24.08	\$5.33	\$18.75	\$24.08	\$0.00	-	\$0.00
2014	\$23.44	\$4.69	\$18.75	\$23.44	\$0.00	-	\$0.00
2013	\$23.85	\$0.00	\$0	\$23.85	\$0.00	-	\$0.00
2012	\$23.64	\$0.00	\$0	\$23.64	\$0.00	-	\$0.00
2011	\$23.42	\$0.00	\$0	\$23.42	\$0.00	-	\$0.00
2010	\$23.20	\$0.00	\$0	\$23.20	\$0.00	-	\$0.00
2009	\$23.41	\$0.00	\$0	\$23.41	\$0.00	-	\$0.00
2008	\$25.32	\$0.00	\$0	\$25.32	\$0.00	-	\$0.00
2007	\$495.33	\$0.00	\$0	\$495.33	\$0.00	-	\$0.00
2006	\$21.82	\$0.00	\$0	\$21.82	\$0.00	-	\$0.00
2005	\$21.73	\$0.00	\$0	\$21.73	\$0.00	-	\$0.00
2004	\$21.65	\$0.00	\$0	\$21.65	\$0.00	-	\$0.00
2003	\$21.64	\$0.00	\$0	\$21.64	\$0.00	-	\$0.00
2002	\$21.54	\$0.00	\$0	\$21.54	\$0.00	-	\$0.00
2001	\$21.48	\$0.00	\$0	\$21.48	\$0.00	-	\$0.00

#### TOTAL TAXES DUE

Current Year Due \$0.00

Past Years Due \$0.00

Total Due \$0.00

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TICOR TITLE

470312018911

## GRANTOR'S NAME:

Guy R. Reimche and Stacey L. Reimche  
P.O. Box 968  
Half Moon Bay, OR 94019

## GRANTEE'S NAME:

Ryan R. Beyerlein  
177 Little Cheyenne Trail  
Wilderville, OR 97543

## SEND TAX STATEMENTS TO:

Ryan R. Beyerlein  
450 Three Pines Road  
Grants Pass, OR 97526

## AFTER RECORDING RETURN TO:

Ryan R. Beyerlein  
450 Three Pines Road  
Grants Pass, OR 97526

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JOSEPHINE COUNTY OFFICIAL RECORDS

ART HARVEY, COUNTY CLERK

2012-002115

DED-WRD

Cnt=1 Pgs=2 Stn=2 RHENKELS

02/27/2012 03:45 PM

\$10.00 \$11.00 \$15.00 \$8.00 \$5.00

Total: \$49.00



00285469201200021150020028

I, Art Harvey, County Clerk, certify that the within document  
was received and duly recorded in the official records of  
Josephine County.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## STATUTORY WARRANTY DEED

Guy R. Reimche and Stacey L. Reimche, as tenants by entirety, Grantor, conveys and warrants to  
Ryan R. Beyerlein, an estate in fee simple, Grantee, the following described real property, free and clear  
of encumbrances except as specifically set forth below, situated in the County of Josephine, State of  
Oregon:

The East 400 feet of the West 1000 feet of the Northwest Quarter of the Northeast Quarter of  
Section 3, Township 35 South, Range 6 West of the Willamette Meridian, Josephine County,  
Oregon.

## Subject to and excepting:

COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, SET BACK LINES, POWERS OF  
SPECIAL DISTRICTS, AND EASEMENTS OF RECORD, IF ANY

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$189,000.00. (See  
ORS 93.030)

DATED: 2/25/12

Guy R. Reimche

Stacey L. Reimche

State of OREGON

COUNTY of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_

See attached.

\_\_\_\_\_, Notary Public - State of Oregon

My commission expires: \_\_\_\_\_

470312018911-TTJA26  
Deed (Warranty-Statutory)

49



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Mateo

On 2/25/2012 before me,

Tracy Francis, a Notary Public

personally appeared

Guy R. Keimche, and Stacey L. Keimche

RECEIVED

RECEIVED

JAN 03 2023

OWRD

JAN 30 2023

CLACKAMAS, OREGON



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ they executed the same in ~~his~~ their authorized capacity(ies), and that by ~~his~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Tracy Francis

Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document:

Statutory Warranty Deed

Document Date: 2-25-12

Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Guy R. Keimche

☒ Individual

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: Stacey L. Keimche

☒ Individual

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

49



Oregon Water Resources Department  
Alternate Reservoir Application

[Main](#)

[Help](#)

[Return](#)

[Contact Us](#)

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Thursday, February 3, 2022

Base Application Fee.		\$480.00
Proposed Dam Height in feet.	9	
Proposed Reservoir volume in Acre Feet.	2.86	\$123.00
Subtotal:		\$603.00
Permit Recording Fee. ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,213.00

\$603  
+ \$610  
-----  
Total \$1213

RECEIVED

JAN 30 2023

OWRD  
SALEM, OREGON

RECEIVED

JAN 03 2023

OWRD



RECEIVED

JAN 30 2023

OWRD  
SALEM, OREGON**Alternate Reservoir Application Completeness Checklist**

Minimum Requirements (ORS 537.409)

For use by WRD staff only

Application #:	R-	Receipt #:	139845
Applicant Name:	Ryan Beyerlein	Amount Requested:	2.86 af
Priority Date:	1/3/23	Proposed Use:	Multipurpose
County:	Josephine	POD TRS & TL:	35S 6W 3; 501
WM #:	14	Caseworker:	Dianne
Reviewed by:	Corie L.	Reviewed Date:	1/4/23

☒ **ORS 538.** Is the source withdrawn by ORS 538? ☐ YES ☒ NO [if yes, return application and fees]

☒ Landowner name, mailing address and telephone number provided.

☒ Source and tributary listed. Notes: NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE. Cannot accept an E2 application and a storage application at the same time.

☒ Reservoir Location. TRSQQ and tax lot provided. Note: only 1 reservoir/pond per application

☒ Dam height, if applicable: 9

☒ Property ownership indicated?

☐ If applicant does not own all the land is the affected landowner's name and mailing address listed?

☐ YES ☒ NO (Note: this includes lands not owned by applicant, upon which the source is located OR that are crossed by the diversion works, and any roads or rights-of-way.)

☒ Application signed by the landowner(s)? All parties noted as applicants must sign the application.

☒ **Completed Watermaster review sheet**, signed and dated. Note: Must be completed within last 6 months.

• Will the reservoir injure an existing water right? ☐ YES ☒ NO

• If YES, can conditions be applied to mitigate injury? ☐ YES ☒ NO

☒ **Completed ODFW review sheet**, signed and dated. Note: Must be completed within last 6 months.

• Will reservoir pose a significant detrimental impact to an existing fishery resource? ☐ YES ☒ NO

• If YES, can conditions be applied to mitigate the impact? ☐ YES ☒ NO ☐ N/A

☒ **Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?

Note: Does the use on land-use form match the proposed use on the application? Must be signed within the last 12 months.

☒ **Provide a Legal Description** of all the property involved with this application. A copy of a deed, land sales contract, or title insurance meets this requirement.



☒ **Acceptable Map.** Note: Requirements set forth by the Commission; causes fatal flaw if not provided by the applicant.

- ☒ Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)
  - ☒ Scale of the Map, even scale such as 1" = 400', 1" = 1000', or 1" = 1320'
  - ☒ Reference corner on map
  - ☒ North directional symbol
  - ☒ 1/4 1/4's clearly identified
  - ☒ Reservoir clearly identified
  - ☒ Dam, or POD (if off-channel), coordinates referenced to a government land survey corner
- Note: If no dam, use coordinates to the center of reservoir.

☒ **Fees:** Amount of Water Requested: 2.86 af Name on Check: Ryan Beyerlein

Exam Fee Due:	\$603
Exam Fee Submitted:	\$603
Difference:	\$0
Recording Fee Paid?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No \$
Total:	\$603



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **140598**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Ryan Beyerslein  
BY: \_\_\_\_\_

APPLICATION	<u>R-89331</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # \_\_\_\_\_ OTHER: (IDENTIFY) M.D.  
☐ ☐ ☒ 28533307353

TOTAL REC'D \$ 610.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
OTHER: (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201 SURFACE WATER	\$ _____	0202	RECORD FEE	\$ <u>610.00</u>
0203 GROUND WATER	\$ _____	0204		\$ _____
0205 TRANSFER	\$ _____			

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **140598**

DATED: 4/28/23 BY: Lee D. Miner



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **140598**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Ryan Boyerlein  
BY: \_\_\_\_\_

APPLICATION	R-89331
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # \_\_\_\_\_ OTHER: (IDENTIFY) M.D. ☒ 28533307353

TOTAL REC'D \$ 610.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
OTHER: (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ <u>610.00</u>
0205 TRANSFER	\$ _____		\$ _____

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **140598** DATED: 4/28/23 BY: Lee D. M...



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **140042**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Ryan Beyerlein  
BY: \_\_\_\_\_

APPLICATION	R 89331
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # \_\_\_\_\_ OTHER: (IDENTIFY) mo  
☒ 28533300028

TOTAL REC'D \$ 603.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
OTHER: (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE \$ <u>603.00</u>	0202	RECORD FEE \$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **140042**

DATE: 1-30-2003 BY: BZ