

FILE#: R 84681
LLEWELLYN L ROBBINS
ROBBINS, DENZIL
41416 POCAHONTAS RD
BAKER CITY, OR 97814

Date filed _____
Priority _____
Action suspended until C-17

Return to applicant _____
Date of approval _____

CONSTRUCTION
Date for beginning 12/20/02
Date for completion _____
Extended to _____

Date for application of water 10/1/06
Extended to 10-1-2017

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received COB U 9/20/2017
Date Certificate issued 6/25/2021
Proposed cert. mailed: 9/15/2020

Application No. R-84681 ALT/RES
Permit No. ~~R-13101~~ R-13114
Certificate No. 95589

Stream Index, Page No. _____

ASSIGNMENTS		
Date	To Whom	
<u>10/17/16</u>	Denzil Robbins 42395 Adams Road Baker City, OR 97814	

REMARKS
Secondary - S-84682 - irrigation

COB U MAP 1096

FEES PAID		
Date	Amount	Receipt No.
<u>3-5-01</u>	<u>200.00</u>	<u>4345</u>
<u>10-11-10</u>	<u>85.00</u>	<u>12150</u>
<u>12-14-16</u>	<u>575.00</u>	<u>12212</u>
<u>9/20/17</u>	<u>200.00</u>	<u>12468</u>
	Cert. Fee	

FEES REFUNDED		
Date	Amount	Check No.
<u>MZ 12-28-01</u>	<u>100.00</u>	<u>015412</u>

ASSIGNMENTS		
Date	To Whom	

FOR 2001

DATE FEB 20 Nov. 23 TIME 1015 PM

FROM Tom Rudolph

FIRM Baker CITY

PHONE (541)-523-8224

☐ FAX AREA CODE NUMBER EXTENSION

☐ MOBILE # 26 EXT 08

AREA CODE NUMBER TIME TO CALL

TELEPHONED	☒	PLEASE CALL	☒
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE MARKS 2001

Wife -

INFO

R-84681

SIGNED STATUS  FORM 4007 MADE IN U.S.A.

MESSAGE

Mailing List for Final Certificate

Application: R-84681

Permit: R-13114

Certificate: 95589

Permit/Certificate Holder:

DENZIL ROBBINS
42395 ADAMS RD
BAKER CITY OR 97814

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Final Certificate to be sent to:

1. Vault
2. File

Other persons to receive copies: (include map):

1. Robert D. Bagett, PLS, CWRE
Robert D. Bagett
PO Box 476
John Day, OR. 97845

Copies Mailed by: <u>TH</u> (STAFF) on: <u>6/25/2024</u> (DATE)



Oregon
Kate Brown, Governor

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

DATE MAILED: JUN 25 2021

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DENZIL ROBBINS
42395 ADAMS RD
BAKER CITY OR 97814

confirms the right to store water perfected under the terms of Permit R-13114. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-84681

SOURCE OF WATER: HIBBARD CREEK, ROUEN CREEK, AND UN-NAMED SPRINGS, TRIBUTARY OF SALMON CREEK

STORAGE FACILITY: ROBBINS RESERVOIR

PURPOSE OR USE OF THE STORED WATER: STORAGE FOR IRRIGATION

MAXIMUM STORAGE VOLUME: 10.31 ACRE-FEET EACH YEAR, BEING ANY COMBINATION FROM HIBBARD CREEK, ROUEN CREEK AND UN-NAMED SPRINGS, TRIBUTARY OF SALMON CREEK

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1 THROUGH MAY 31 AND THE MONTH OF NOVEMBER EACH YEAR

DATE OF PRIORITY: MARCH 5, 2001

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	39 E	WM	9	SW NE	2140 FEET SOUTH AND 1660 FEET WEST FROM NE CORNER, SECTION 9

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
9 S	39 E	WM	9	SW NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

When in the judgment of the Watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows from the reservoir or passing all incoming natural flows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

The water user shall maintain a staff gage that measures the entire range and stage between full reservoir level and dead pool in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, or I. If the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet installed. A written waiver may be obtained from the local watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right 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.

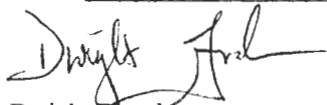
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

This right does not authorize the water user to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the water user.

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

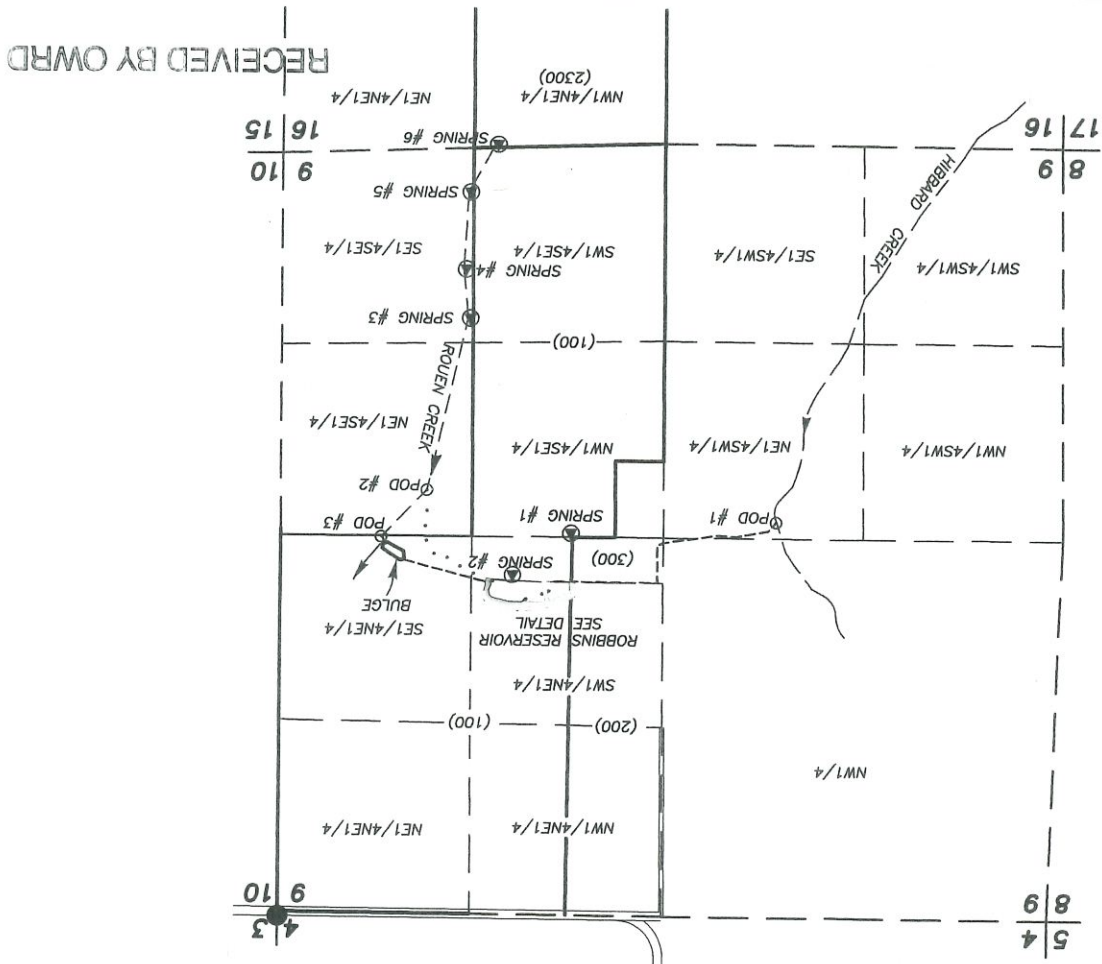
Issued **JUN 25 2021**.

A handwritten signature in dark ink, appearing to read "Dwight French", written over a horizontal line.

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

1096

SECTION 9, T.9S., R.39E., W.M.



RECEIVED BY OWRD

SEP 20 2017

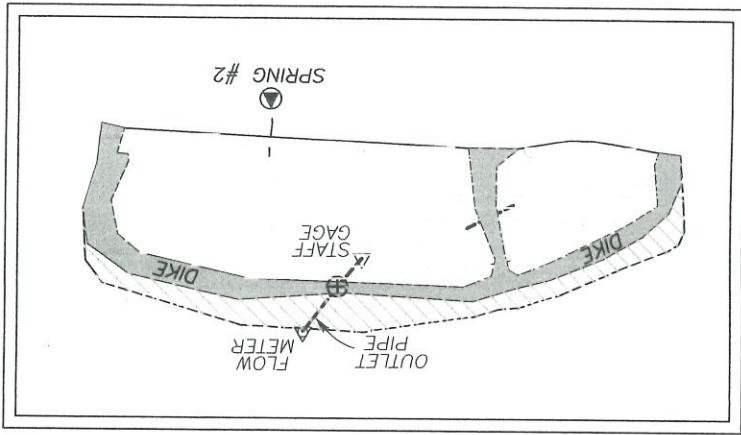
SALEM, OR

ROBB'S RESERVOIR

SCALE: 1" = 200'

ROBB'S RESERVOIR

4601



POD'S & SPRINGS:

NOTE: POD & Spring Coordinates are from the NE Corner Section 9

- POD #1: 2710' South & 3390' West
- POD #2: 2920' South & 1000' West
- POD #3: 2600' South & 690' West

- Spring #1: 2630' South & 3390' West - Spillman Spring
- Spring #2: 2360' South & 1560' West - Unnamed
- Spring #3: 4110' South & 1290' West - Unnamed
- Spring #4: 4450' South & 1260' West - Unnamed
- Spring #5: 4980' South & 1290' West - Unnamed
- Spring #6: 5310' South & 1470' West - Unnamed

MIDDLE CENTERLINE OF DAM AT OUTLET PIPE IS 2140 FT. SOUTH & 1660 WEST FROM THE NE CORNER SEC. 9

MEASURING DEVICE: STAFF GAGE IN RESERVOIR BEARS S40°15'W, 38.7 FT. FROM MIDDLE CENTERLINE OF DAM

FLOW METER BEARS N40°15'E, 59.0 FT. FROM MIDDLE CENTERLINE OF DAM

- PIPELINE
- DITCH
- _____ TAX LOT LINE
- () TAX LOT

FD. REFERENCE POINT: 5/8" REBAR 30' NORTH OF NE COR. SEC. 9

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES

RENEWS: 12/31/2017



Date Surveyed: August 17, 2017

In Name Of
DENZIL ROBBINS
Storage Facility: Robbins Reservoir
Prepared by: Robert D. Baggett, PLS, CWRE
217 N. Canyon Blvd.
John Day, Oregon 97845
(541) 575-1251

PERMIT R-13114
APPLICATION R-84681

Under
FINAL PROOF SURVEY

Mailing List for Proposed Certificate

Application: R-84681

Permit: R-13114

Certificate: 95589

Permit/Certificate Holder:

DENZIL ROBBINS
42395 ADAMS RD
BAKER CITY OR 97814

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 8
2. File

Other persons to receive copies: (include map):

3. Robert Bagett, PLS, CWRE

Copies Mailed	
by:	<u>TM</u> (STAFF)
on:	<u>9/18/2020</u> (DATE)



Oregon
Kate Brown, Governor

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

DATE MAILED: SEP 18 2020

NOTICE

Reference: Application R-84681, Permit R-13114

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-986-0817.

If you have any other questions please contact Jonnine Skaug at 503-986-0813.

Sincerely,

Dwight French
Water Right Services Administrator

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DENZIL ROBBINS
42395 ADAMS RD
BAKER CITY OR 97814

confirms the right to store water perfected under the terms of Permit R-13114. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-84681

SOURCE OF WATER: HIBBARD CREEK, ROUEN CREEK, AND UN-NAMED SPRINGS, TRIBUTARY OF SALMON CREEK

STORAGE FACILITY: ROBBINS RESERVOIR

PURPOSE OR USE OF THE STORED WATER: STORAGE FOR IRRIGATION

MAXIMUM STORAGE VOLUME: 10.31 ACRE-FEET EACH YEAR, BEING ANY COMBINATION FROM HIBBARD CREEK, ROUEN CREEK AND UN-NAMED SPRINGS, TRIBUTARY OF SALEM CREEK

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1 THROUGH MAY 31 AND THE MONTH OF NOVEMBER EACH YEAR

DATE OF PRIORITY: MARCH 5, 2001

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	39 E	WM	9	SW NE	2140 FEET SOUTH AND 1660 FEET WEST FROM NE CORNER, SECTION 9

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
9 S	39 E	WM	9	SW NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

When in the judgment of the Watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows from the reservoir or passing all incoming natural flows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

The water user shall maintain a staff gage that measures the entire range and stage between full reservoir level and dead pool in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, or I. If the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet installed. A written waiver may be obtained from the local watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right 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.

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.

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.

This right does not authorize the water user to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the water user.

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

Issued _____

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

MEMO –Proof to Satisfaction

Application # <u>R-84681</u>	Permit # <u>R-13114</u>	Transfer #
WRD Reviewer <u>J Skaug</u>	Date <u>June 2020</u>	
WRD Peer Reviewer <u>J Clark</u>	Date <u>7/24/20</u>	

Research

- ☒ Organize file in chronological order
☒ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
☒ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
☒ Water Organization identified using AOI? ☒ No ☐ Yes
 If "Yes" cc: _____ & Add to Mailing List
☒ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor tax lots 100 & 200 same owner & address
 If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
☒ Print Platcard & check for Place of Use Conflict? ☒ No ☐ Yes
 If "Yes", provide copy of certificate & relevant map
☒ Print BLM Cadastral Survey
☒ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ☐ No ☒ Yes
 If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- ☒ Fish Conditions
☒ Meter/measuring device yes March 2017
☒ Water Use Reporting
☒ Pump Test (post December 19, 1988)
☒ Other Conditions Staff gage OK email from WM Sept 2017
☒ SWL
☒ C-Date 10/1/2006 ext 10/1/2017 claim scup Aug 2017
☒ See below
☐ Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

Assignment: Denzil Robbins, 42395 Adams Rd, Baker City OR 97814
1) Robert Baggett, PLS, CURR

going proposed

$$\text{Max depth 10' Surface Area } 1.63 = 10.31 \text{ AF } \left(\frac{448,944}{43,560} \right) = 10.31$$

Determination

___ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

✓
___ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

Reduced Af

___ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

___ Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

___ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

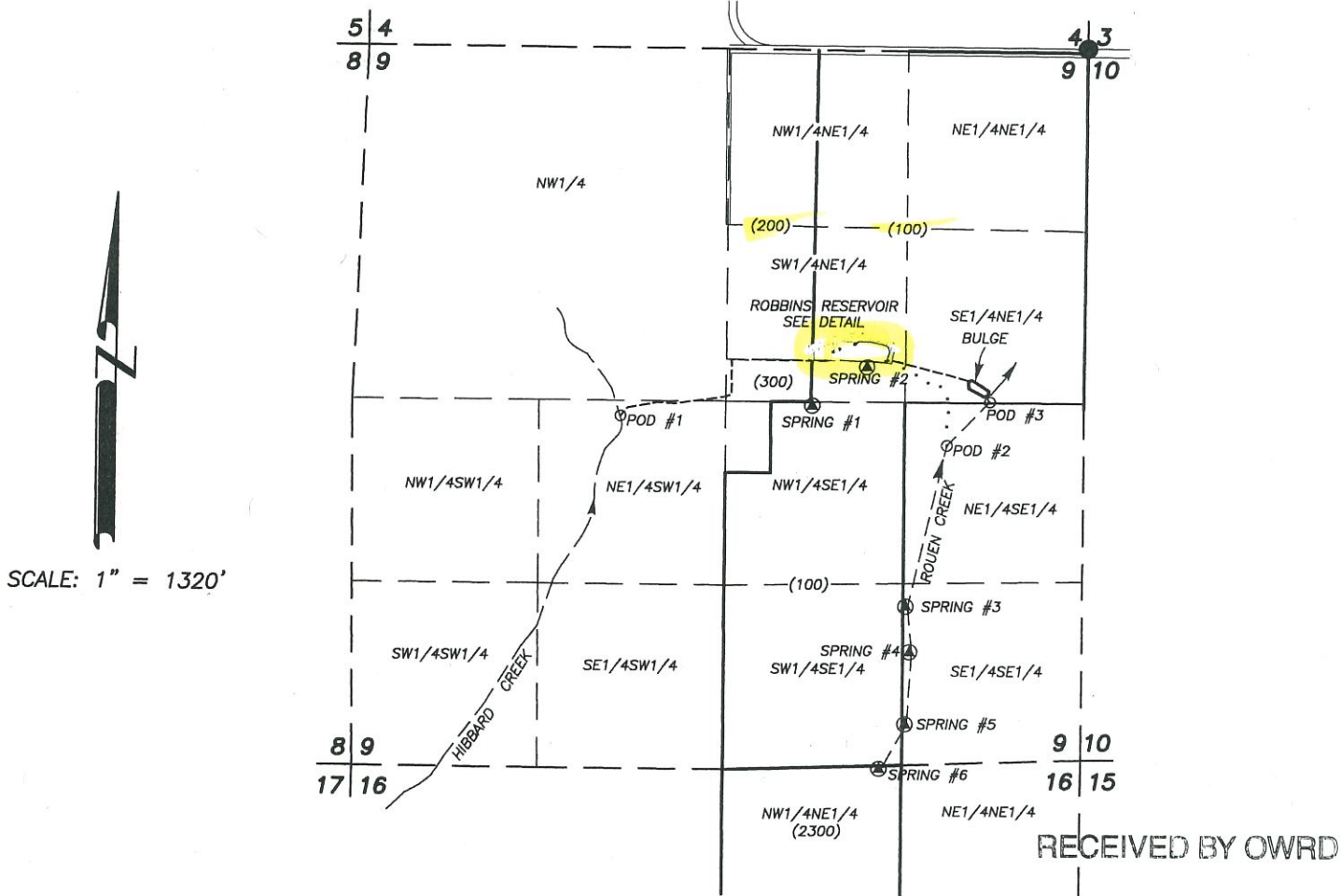
___ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

___ Record marking:	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____

NOTES:

SECTION 9, T.9S., R.39E., W.M.

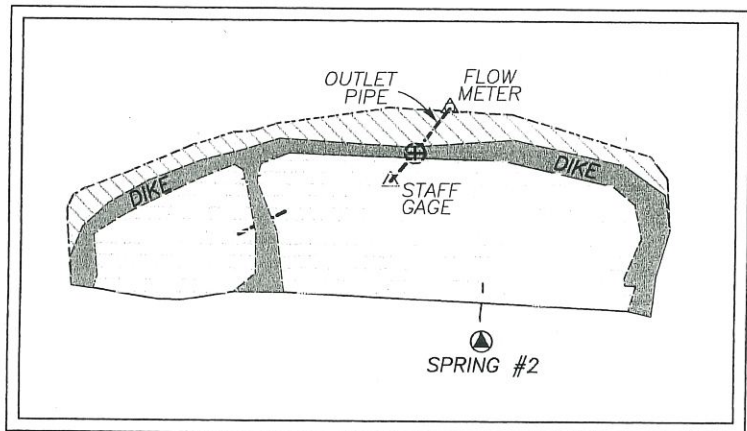
1096



RECEIVED BY OWRD

SEP 20 2017

SALEM, OR



ROBBINS RESERVOIR

DETAIL

SCALE: 1"=200'

ROBBINS RESERVOIR

1096

POD'S & SPRINGS:

NOTE: POD & Spring Coordinates are from the NE Corner Section 9

- POD #1: 2710' South & 3390' West
- POD #2: 2920' South & 1000' West
- POD #3: 2600' South & 690' West
- ⊙ Spring #1: 2630' South & 3390' West - Spillman Spring
- ⊙ Spring #2: 2360' South & 1560' West- Unnamed
- ⊙ Spring #3: 4110' South & 1290' West- Unnamed
- ⊙ Spring #4: 4450' South & 1260' West- Unnamed
- ⊙ Spring #5: 4980' South & 1290' West- Unnamed
- ⊙ Spring #6: 5310' South & 1470' West- Unnamed

- ⊕ MIDDLE CENTERLINE OF DAM AT OUTLET PIPE IS 2140 FT. SOUTH & 1660 WEST FROM THE NE CORNER SEC. 9

MEASURING DEVICE: STAFF GAGE IN RESERVOIR BEARS S40°15'W, 38.7 FT. FROM MIDDLE CENTERLINE OF DAM

FLOW METER BEARS N40°15'E, 59.0 FT. FROM MIDDLE CENTERLINE OF DAM

- PIPELINE
- DITCH
- TAX LOT LINE
- () TAX LOT

- FD. REFERENCE POINT: 5/8" REBAR 30' NORTH OF NE COR. SEC. 9

FINAL PROOF SURVEY

Under

PERMIT R-13114
APPLICATION R-84681

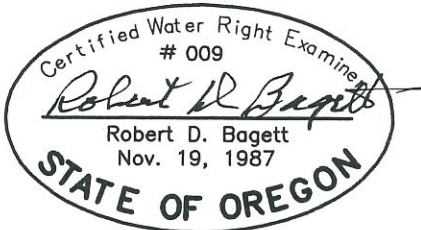
In Name Of

DENZIL ROBBINS

Storage Facility: Robbins Reservoir

Prepared by: Robert D. Bagett, PLS, CWRE
217 N. Canyon Blvd.
John Day, Oregon 97845
(541) 575-1251

Date Surveyed: August 17, 2017



RENEWS: 12/31/2017

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LLEWELLYN L AND DENZIL ROBBINS
41416 POCAHONTAS RD
BAKER CITY, OREGON 97814

Assigned Denzil Robbins
42395 Adams Rd
Baker City OR 97814
(541) 523-4491

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

APPLICATION FILE NUMBER: R-84681

SOURCE OF WATER: HIBBARD CREEK, ROUEN CREEK, AND UN-NAMED SPRINGS,
TRIBUTARY OF SALMON CREEK

STORAGE FACILITY: ROBBINS RESERVOIR

PURPOSE OR USE OF THE STORED WATER: STORAGE FOR IRRIGATION

MAXIMUM STORAGE VOLUME: 10.31 20.0 ACRE-FEET EACH YEAR, BEING ANY COMBINATION
FROM HIBBARD CREEK, ROUEN CREEK AND UN-NAMED SPRINGS, TRIBUTARY OF
SALMON CREEK

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1
THROUGH MAY 31 AND THE MONTH OF NOVEMBER EACH YEAR

DATE OF PRIORITY: MARCH 5, 2001

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 9.50 FEET.

DAM LOCATION: SW 1/4 NE 1/4, SECTION 9, T9S, R39E, W.M.; 325 FEET NORTH
& 795 FEET EAST FROM C1/4 CORNER, SECTION 9

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
SECTION 9

TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee
OK shall install a meter or other suitable measuring device as
approved by the Director. The permittee shall maintain the

Application R-84681

Water Resources Department

PERMIT R-13114

meter or measuring device in good working order.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring 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 amount (volume) of water used and may require the permittee to report water use 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. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

When in the judgement of the Watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows from the reservoir or passing all incoming natural flows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level 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. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

STANDARD CONDITIONS

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.

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.

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.

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.

This permit does not authorize the permit holder to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the permit holder.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before **October 1, 2006.**

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.

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 stores 9.2 or more acre-feet of water.

If no secondary permit exists and the reservoir stores 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;

C date = 10/1/2006 ext
10/1/17
Claim says Aug 2017

- (b) the maximum capacity of the reservoir in acre-feet; and
- (c) a map identifying the location prepared in compliance with Water Resources Department standards.

This Permit R-13114 supercedes Permit R-13101, which is no longer valid.

Issued January 11 , 2001


Paul R. Cleary, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Application R 84681 Water Resources Department
Basin C9 VOLUME 2 POWDER R MISC

PERMIT R-13114
DISTRICT 8



Tax Lots

Identify Tax Lots

[QR Map](#)

- ☐ Off
☒ On

County: Baker
 Taxlot: 09S39E0900100
 Owner1: ROBBINS, DENZIL L & KATHRYN
 Owner2:
 Owner Address 42395 ADAMS RD, BAKER CITY,
 OR 97814
 Site Address 0, , OR
 Acres: 186.7
 TRSQQ: WM9.00S39.00E9XXXX
 Effective Date January 1, 2019

Note. Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

Tax Lots

Identify Tax Lots

[QR Map](#)

- ☐ Off
☒ On

County: Baker
 Taxlot: 09S39E0900200
 Owner1: ROBBINS, DENZIL & KATHRYN
 Owner2:
 Owner Address 42395 ADAMS RD, BAKER CITY,
 OR 97814
 Site Address 42395 ADAMS RD, COUNTY, OR
 Acres: 41.1
 TRSQQ: WM9.00S39.00E9XXXX
 Effective Date January 1, 2019

Note. Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



SECTION 9 T.9S. R.39E. W.M.
BAKER COUNTY
1" = 400'

09S39E09



Revised: BPH
02/03/1999

09S39E09

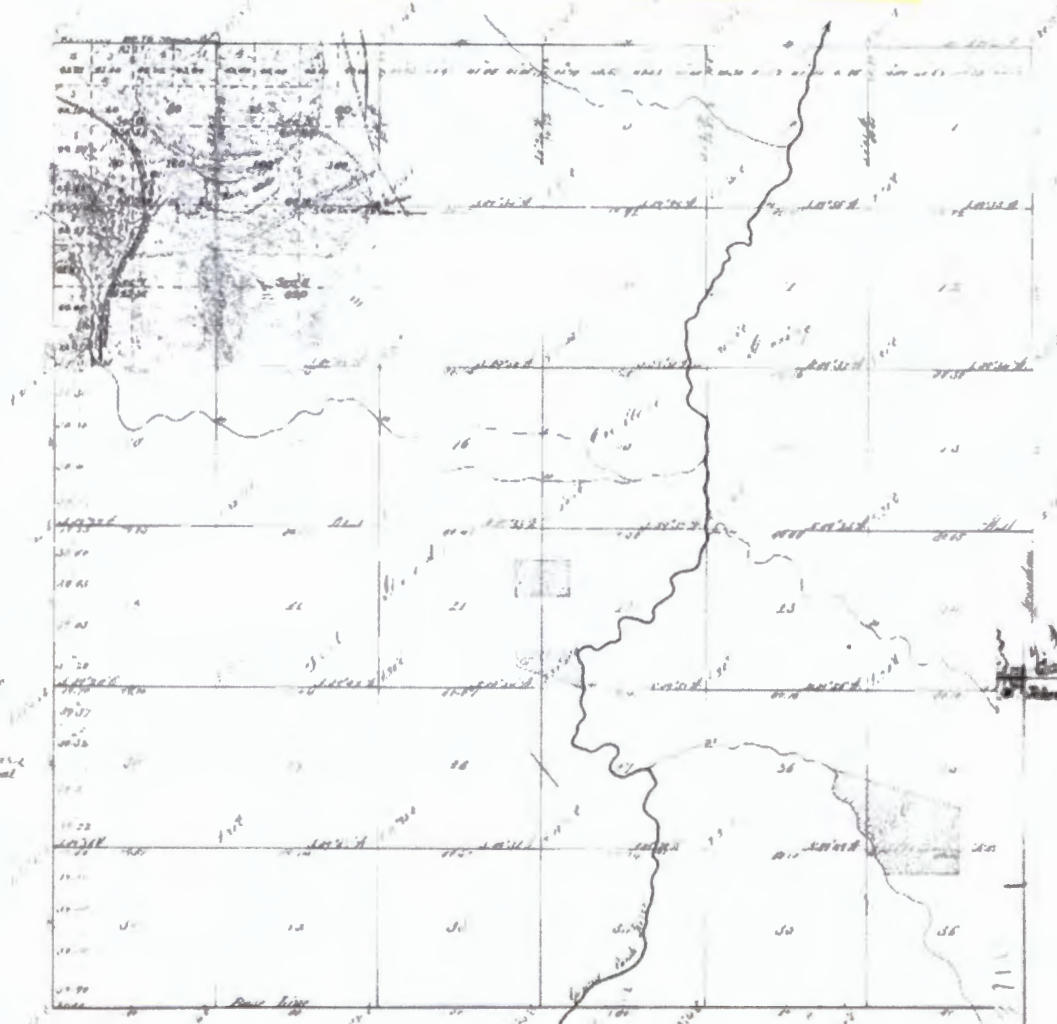


No Conflict

Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Permit: R 13114 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acre
CERT:3983 OR *	J H BAISLEY	POWDER RIVER			3983	12 31 1864	NC	IR	09 00S-39 00E-09-SWNE			16.0000
CERT:4574 OR *	E B WOODWORTH	POWDER RIVER			4574	12/31/1875	NC	IR	09.00S-39.00E-09-SWNE			5.0000
CERT:3983 OR *	J H BAISLEY	POWDER RIVER			3983	12 31 1864	NC	MI	09.00S-39 00E-09-SWNE			
						12 31 1869	NC	ST	09 00S-39 00E-09-			
APP: P 82088 *	LLEWELLYN L ROBBINS		P-82088			1/29/1997	NC	LV	09.00S-39.00E-09-SWNE			
								RC	09.00S-39.00E-09-SWNE			
CERT:70902 OR *	DENZIL ROBBINS		R-77096		70902	1-1-1993	NC	LV	09 00S-39 00E-09-SWNE			
								RC	09 00S-39 00E-09-SWNE			
CERT:37499 OR *	MAUD A SCHROEDER		S-45133	S-33722	37499	7/3/1968	NC	IR	09.00S-39.00E-09-SWNE			10.4000
PERMIT: S 53815 *	DENZIL ROBBINS		S-84682	S-53815		3 5 2001	NC	IS	09 00S-39 00E-09-SWNE			35.0000



W. Eugene Byars
3 Insurance Mutual
for Oregon

579 RECEIVED BY THE REVENUE COMMISSIONER G. L. M. 11. 11. 1893

Area of former Survey 20186, 36 Acres, Area of New survey 2330.09 Acres Total number of Acres 2366.09

Name	Address	City	State	Zip	Phone	Telex
Budweiser	Edin. & Co.	New York	N.Y.	10017	212-698-1111	100-1111
Hotel New York	John W. Starnes	New York	N.Y.	10017	212-698-1111	100-1111

The ... of ...
... to the ...
... which ...
... the ...
... the ...

80.11 $1.89^{\circ}34'N$

9

80.75 $1.89^{\circ}50'N$

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #	B 84681	WRD Reviewer	C. Holmes
Transfer #	0		
Date Received	9/20/17		
CWRE Name	Baggett		

Fees:

A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.

A fee of \$200 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #: or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #: or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

claim logged ✓

file marked ✓

MONEY SLIP	
DATE:	RECEIPT #:
RECEIVED FROM:	APPLICATION PERMIT TRANSFER
CASH ☐ CHECK # ☐ OTHER (IDENTIFY):	TOTAL REC'D: \$
WRD TREASURY 4176 MISC CASH ACCT	
0401 CORNERS (IDENTIFY):	\$
0402 OTHER (IDENTIFY):	\$
0243 WATERMETER: 0244 WATER METER ALIGNMENT: 0245 CORNERS: 0246 CORNERS: 0247 CORNERS: 0248 CORNERS:	
WRD TREASURY 4276 WIRE OPERATIONS ACCT	
MISCELLANEOUS	
0407 COPY & TAP FEES	\$
0408 RESEARCH FEES	\$
0409 MISC REVENUE (IDENTIFY):	\$
10-60 DEPOSIT (LAW IDENTIFY):	\$
0240 EXTENSION OF TIME	\$
WATER RIGHTS	
0201 SURFACE WATER	EXAM FEE \$ RECORD FEE \$
0202 GROUND WATER	\$ \$
0203 TRANSFER	\$ \$
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTION	EXAM FEE \$ RECORD FEE \$
0219 LANDOWNER'S PERMIT (IDENTIFY):	\$ \$
0220 OTHER (IDENTIFY):	\$ \$
WRD TREASURY 6487 HYDROELECTRIC	
0233 POWER LICENSE FEE (FURNISH):	EXAM FEE \$ RECORD FEE \$
0234 HYDRO LICENSE FEE (FURNISH):	\$ \$
HYDRO APPLICATION	
SPECIAL INSTRUCTIONS:	

☐ RETURN TO APPLICANT - LETTER ATTACHED

**CLAIM OF
BENEFICIAL USE
for Reservoir Permits by
CWRE's (not self-certified)**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

**A fee of \$175 must accompany this form for permits
with priority dates after July 8, 1987.**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-84681	R-13114	NA

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Denzil Robbins		PHONE No. 541-523-4491	ADDITIONAL CONTACT No.
ADDRESS 42395 Adams Road			
CITY Baker City	STATE OR	ZIP 97814	E-MAIL

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each permit holder of record must sign this form.***

3. Permit holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD Denzil Robbins			
ADDRESS 42395 Adams Road			
CITY Baker City	STATE OR	ZIP 97814	

ADDITIONAL PERMIT HOLDER OF RECORD NA			
ADDRESS NA			
CITY NA	STATE NA	ZIP NA	

4. Date of Site Inspection: **9/26/2016 and 8/17/2017**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Denzil Robbins	9/26/2016	Owner/ Operator
Denzil Robbins	8/17/2017	Owner/ Operator

6. County: **Baker**

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD NA			
ADDRESS NA			
CITY NA	STATE NA	ZIP NA	

Add additional tables for owners of record as needed

RECEIVED BY OWRD

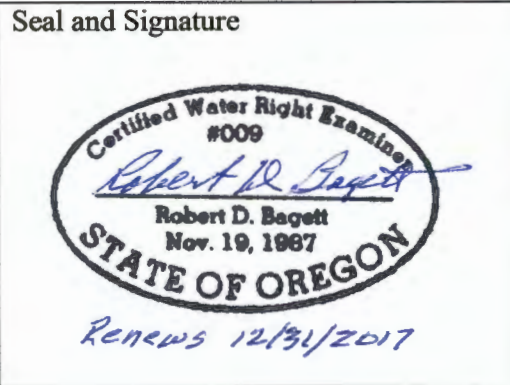
SEP 20 2017

SALEM, OR

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Robert D. Baggett	PHONE NO. 541-620-0717	ADDITIONAL CONTACT NO. 541-575-1251
ADDRESS P.O. Box 476		
CITY John Day	STATE OR	ZIP 97845
E-MAIL bob@johndaysurveyors.com		

Permit Holder's of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Denzil Robbins	Owner/Operator	9-14-17

RECEIVED BY OWRD

SECTION 3

CLAIM DESCRIPTION

1. Reservoir source and, if from surface water, the tributary:

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Robbins Reservoir	Hibbard Creek, Rouen Creek and Un-named Springs- any combination	Salmon Creek
		SEP 20 2017

SALEM, OR

2. Developed use(s), period of use, and rate for each use:

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
Robbins Reservoir	Storage for Irrigation	Feb. 1 thru May 31 & the month of Nov.	10.31 ac ft.
Total Quantity of Water Stored			10.31 ac.ft.

3. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion to the reservoir:

POD #1: Water is diverted from Hibbard Creek via buried 5" PVC gravity flow pipe to reservoir.
POD #2: Water is diverted from Rouen Creek via gravity flow ditch to the reservoir.
POD #3: Water is diverted from Rouen Creek via gravity flow ditch, 60 ft. to a bulge in the system, a small settling pond, thence via buried 5" PVC gravity flow pipe to the reservoir.
Water from unnamed springs situated along Rouen Creek is conveyed via Rouen Creek to POD #2 and POD #3 thence diverted to reservoir as described herein above.
Water from Spillman Spring and an unnamed spring situated just south of reservoir is conveyed in open gravity flow swales to reservoir.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. YES

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allowed 20 acre feet for storage. The water user only developed 10.31 acre feet.

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Robbins Reservoir	20.0 acre ft.	10.31 ac. ft.

SECTION 4 SYSTEM DESCRIPTION

Are there multiple reservoirs?

NO

If "YES" you will need to copy and complete Sections 4B through 4E for each reservoir.

Reservoir Name or Number this section describes (only needed if there is more than one):

NA

RECEIVED BY OWRD

SEP 20 2017

A. Reservoir Location

1. Is the reservoir on-channel?

SALEM, OR

NO

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLot	DLC	MEASURED DISTANCES
9S	39E	WM	9	SWNE	NA	NA	2140 ft. South & 1660 ft. West of
							NE Corner Section 9, T.9 S., R.39E.

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

NO

If "NO" items 2 through item 5 may be deleted.

6. Additional notes or comments related to the system:

The staff gage provided by the watermaster was installed in October 2016, the water user maintained it until he replaced it with a longer staff gage in August 2017.

C. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
POD 1 to Reservoir 5"	PVC	150	99 ft.	1660 ft.	0.06	1.415 cfs
Bulge to Reservoir 5"	PVC	150	27 ft.	600 ft.	0.05	1.215 cfs

3. Provide calculations:

See attached Exhibits A & D.

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
NA	NA	NA	NA

Attach measurement notes.

D. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **YES**

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
POD #2 to Res: Earth	3 ft.	1 ft.	1 ft.	0.025	72 ft.	915 ft.	0.79	18.0 cfs
POD #3 to bulge: Earth	2 ft.	1 ft.	1 ft.	0.025	8 ft.	60	0.13	16.2 cfs

3. Provide calculations:

See Attached Exhibits B & C.

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
NA	NA	NA	NA

Attach measurement notes.

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications?

NO

If "YES", answer items 2; items 3 through 8 relating to this section may be deleted.

If "NO", skip items 2; answer items 3 through 8.

RECEIVED BY OWRD

SEP 20 2017

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
10 ft.	9.4 ft.	1.63 ac.	10.31 ac. ft.

4. Provide reservoir volume calculations:

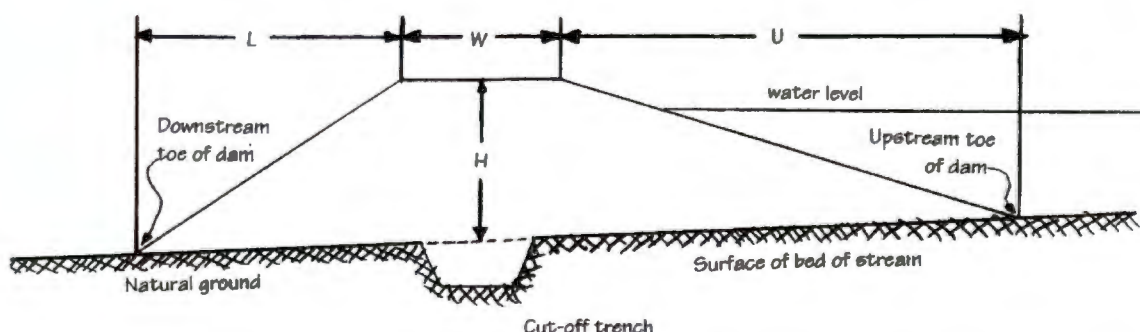
Surface area=70,910 sq. ft. Bottom area= 24,610 sq. ft. Average area= 47,760 sq. ft.
Avg. depth= 9.4 ft.

$$47,760 \times 9.4 = 448,944 \text{ cu. ft. } \frac{448,944}{43,560} = 10.31 \text{ ac. ft.}$$

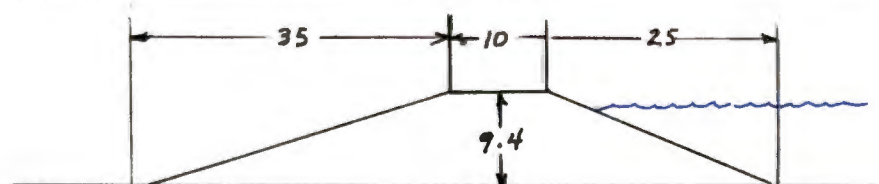
5. Provide the following information concerning the physical characteristics of the dam:

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN- STREAM SLOPE	UP- STREAM SLOPE
10 ft.	9.4 ft.	35 ft.	25 ft.	1 ft.	3.7: 1	2.7:1

Example Dam Profile This box may be deleted from the form



6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.



7. Describe the outlet works (size and type of the outlet conduit and location):

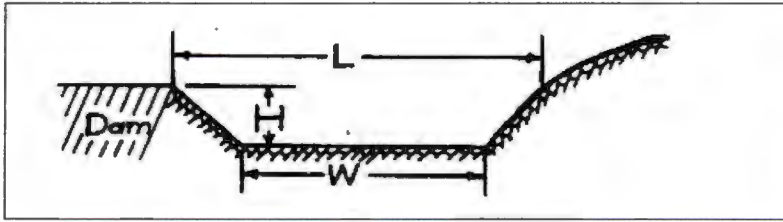
The outlet conduit/gate is a 5 inch diameter PVC pipe buried beneath the approximate center of the dam and discharges at toe of dam into a ditch.

RECEIVED BY OWRD

SEP 20 2017

8. Describe the emergency spillway (dimensions and location):

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
NO SPILLWAY WAS CONSTRUCTED		



RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	January 11, 2001		
BEGIN CONSTRUCTION (A)	Before January 11, 2002	March 16, 2001	Begin Construction
COMPLETE CONSTRUCTION (B)			
COMPLETE APPLICATION OF WATER (C)	October 1, 2006	August 16, 2017	Following issuance of the extension order, the water user installed the flow meter and staff gage and stored water for irrigation per the permit.

* MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

YES

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
Final Order: Permit R-13114	NA	October 1, 2017

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement?

NO

If "NO", items 4b through 4d relating to this section may be deleted.

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements?

NO

If "NO", items 5b through 5e relating to this section may be deleted.

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test?

NO

If "NO", items 6b through 6e relating to this section may be deleted.

RECEIVED BY OWRD

3. Measurement Conditions:

- a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? **YES**

If "NO", items 3b through 3f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

- b. Has a meter been installed? **YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Robbins Reservoir	Aquamaster	50403	Working	52	March 1, 2017

If a meter has been installed, items 6d through 6g relating to this section may be deleted.

4. Recording and reporting conditions

- a. Is the water user required to report the water use to the Department? **NO**

If "NO", item 4b relating to this section may be deleted.

If the reports have not been submitted, attach a copy of the reports if available.

5. Fish Screening

- a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **NO**

If "NO", items 5b through 5e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

- a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

If "NO", items 6b and 6c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

7. Other conditions required by permit, permit amendment final order, or extension final order

- a. Was the water user required to restore the riparian area if it was disturbed? **NO**
- b. Was a fishway required? **NO**
- c. Was submittal of a letter from an engineer required prior to storage of water? **NO**
- d. Was submittal of a water management and conservation plan required? **RECEIVED BY OWRD NO**
- e. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

e. The extension final order required a staff gage. The staff gage provided by the watermaster was installed in October 2016, the water user maintained it until he replaced it with a longer staff gage in August 2017.

SECTION 6

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Exhibit A	Gravity Flow Pipe Capacity Calculations from POD #1 to reservoir
Exhibit B	Ditch Capacity Calculations from POD #2 to reservoir
Exhibit C	Ditch Capacity Calculations from POD #3 to bulge in system (pond)
Exhibit D	Gravity Flow Pipe Capacity Calculations from bulge to reservoir
Exhibit E	Watermaster: Waiver regarding weirs & acceptance of staff gage

SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Used GPS in RTK mode to locate POD's Robbins Reservoir, dam, outlet, staff gage, totalizing flowmeter and the Witness Corner to the NE corner of Section 9, T.9S., R.39E., W.M.

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- X Map on polyester film.
- X Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- X Township, Range, Section, Donation Land Claims, and Government Lots
- NA If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- NA Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- X Locations of meters and/or measuring devices in relationship to point of diversion
- X Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- X Point(s) of diversion or appropriation (illustrated and coordinates)
- X Tax lot boundaries and numbers
- X Source illustrated if surface water
- X Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- X Application and permit number or transfer number
- X North arrow
- X Legend
- X CWRE stamp and signature

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

Pipe Capacity Calculator

for pipes flowing full, using the Hazen-Williams Formula

Data Entry (fill in underlined blanks)

Interior Diameter = 5 inches, or 0.416667 feet
Roughness Coefficient (C) = 150
Fall = 99 feet per 1660 feet of distance
Grade = 0.05963855, or 6.0%

Results calculated

Area of cross-section = 0.13635 square feet
Wetted Perimeter = 1.309 feet
Hydraulic Radius = 0.10417
Velocity = 10.3743 feet per second

Pipe Capacity = 1.415 cubic feet per second

DENZIL ROBBINS

R-13114

EXHIBIT A

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

Ditch Capacity Calculator

using Manning's Formula

Data Entry (fill in underlined blanks)

Top Width = 3 feet
Bottom Width = 1 feet
Depth = 1 feet
Fall = 72 feet per 915 feet of distance
Grade = 0.07868852 , or 7.9%
n Factor = 0.03

Results calculated

Area of cross-section = 2 square feet
Wetted Perimeter = 3.82843 feet
Hydraulic Radius = 0.52241
Velocity = 9.013 feet per second

Calculated Ditch Capacity = 18.0 cubic feet per second

DENZIL ROBBINS

R-13114

EXHIBIT B

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

Ditch Capacity Calculator

using Manning's Formula

Data Entry (fill in underlined blanks)

Top Width = 2 feet
Bottom Width = 1 feet
Depth = 1 feet
Fall = 8 feet per 60 feet of distance
Grade = 0.13333333 , or 13.3%
n Factor = 0.03

Results calculated

Area of cross-section = 1.5 square feet
Wetted Perimeter = 3.23607 feet
Hydraulic Radius = 0.46353
Velocity = 10.833 feet per second

Calculated Ditch Capacity = 16.2 cubic feet per second

DENZIL ROBBINS

R-13114

EXHIBIT C

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

Pipe Capacity Calculator

for pipes flowing full, using the Hazen-Williams Formula

Data Entry (fill in underlined blanks)

Interior Diameter = 5 inches, or 0.416667 feet
Roughness Coefficient (C) = 150
Fall = 27 feet per 600 feet of distance
Grade = 0.045, or 4.5%

Results calculated

Area of cross-section = 0.13635 square feet
Wetted Perimeter = 1.309 feet
Hydraulic Radius = 0.10417
Velocity = 8.91067 feet per second

Pipe Capacity = 1.215 cubic feet per second

DENZIL ROBBINS

R-13114

EXHIBIT D

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

Bob Bagett

From: LUSK Rick M * WRD <Rick.M.Lusk@oregon.gov>
Sent: Wednesday, September 13, 2017 11:06 AM
To: bob@johndaysurveyors.com
Cc: denzil@robbinsfarmeq.com; CLARK Gerald E * WRD
Subject: Final Proof for Reservoir permit R-13114, application R-84681

Bob Bagett,

I performed a field inspection of reservoir permit R-13114 this morning. Page 2 of the permit allows a waiver of the requirement to install weirs. This email is the written waiver from the local Watermaster. The installation of weirs is not necessary.

Additionally, the existing staff gauge measures the entire range and stage in the reservoir and is acceptable.

Thanks,

Rick Lusk
Assistant Manager, ER
Watermaster District 8
Oregon Water Resources Department
1995 3rd Street, Suite 180
Baker City, OR 97814
541-523-8224
Rick.M.Lusk@oregon.gov

RECEIVED BY OWRD

SEP 20 2017

SALEM, OR

EXHIBIT E



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 26, 2017

Denzil Robbins
42395 Adams Rd
Baker City OR 97814

On September 20, 2017 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application **R-84681** Permit R-13114
S-84682 S-53815

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Wednesday, September 13, 2017 11:07 AM
To: LUSK Rick M * WRD
Cc: denzil@robbsfarmeq.com; bob@johndaysurveyors.com
Subject: RE: Final Proof for Reservoir permit R-13114, application R-84681

Rick,

Thank you for the quick response to this inquiry. I will place a copy of this message in the file.

Have a great day!

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: LUSK Rick M * WRD
Sent: Wednesday, September 13, 2017 11:06 AM
To: bob@johndaysurveyors.com
Cc: denzil@robbsfarmeq.com; CLARK Gerald E * WRD
Subject: Final Proof for Reservoir permit R-13114, application R-84681

Bob Bagett,

I performed a field inspection of reservoir permit R-13114 this morning. Page 2 of the permit allows a waiver of the requirement to install weirs. This email is the written waiver from the local Watermaster. The installation of weirs is not necessary.

Additionally, the existing staff gauge measures the entire range and stage in the reservoir and is acceptable.

Thanks,

Rick Lusk
Assistant Manager, ER
Watermaster District 8
Oregon Water Resources Department
1995 3rd Street, Suite 180
Baker City, OR 97814
541-523-8224
Rick.M.Lusk@Oregon.gov

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit R-13114, Water Right Application R-84681) FINAL ORDER
in the name of Denzil Robbins)

Permit Information

Application:	R-84681
Permit:	R-13114
Basin:	Powder / Watermaster District 8
Date of Priority:	March 5, 2001
Source of Water:	Hibbard Creek, Rouen Creek, and un-named springs, tributary of Salmon Creek
Storage Facility:	Robbins Reservoir
Purpose or Use of the stored water:	Storage for irrigation
Maximum Storage Volume:	20.0 Acre-Feet (AF) each year, being any combination from Hibbard Creek, Rouen Creek and un-named springs, tributary of Salmon Creek

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

Application History

Permit R-13114 was issued by the Department on January 11, 2001. The permit specified actual construction work to begin January 11, 2002, and complete application of water to beneficial use by October 1, 2006. On December 14, 2016, Denzil Robbins submitted an Application for

Extension of Time for Permit R-13114. In accordance with OAR 690-315-0050(2), on January 24, 2017, the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use from 2006 to October 1, 2017. The protest period closed March 10, 2017, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings in the Proposed Final Order dated January 24, 2017.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

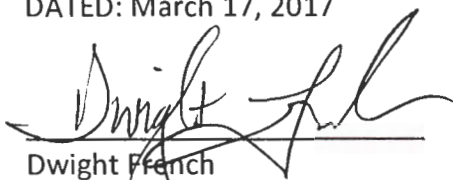
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application R-84681, Permit R-13114, therefore, is approved. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2006 to October 1, 2017.

DATED: March 17, 2017

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact Permit Extension Specialist at (503) 986-986-0825.
 - 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
-

Mailing List for Extension FO Copies

FO Date: March 17, 2017

Copies Mailed

Application: R-84681

By: SP

Permit: R-13114

On: 3-17-17

Original mailed to permit holder

Denzil Robbins
42395 Adams Rd
Baker City, OR 97814

Copies sent to:

1. WRD - App. File R-84681/ Permit R-13114

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving notification via e-mail FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 8, Rick Lusk

CASEWORKER: CAC

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

CEIPT # **122120**

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

INVOICE # _____

RECEIVED FROM: Denzil L Robbins
BY: Kathryn J Robbins Ranch Account

APPLICATION	<u>R84681</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 1697 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$575.00

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	\$ <u>575.00</u>

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE \$	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: **122120**

DATED: 12/14/16 BY: B. Lush



Oregon
Kate Brown, Governor

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

December 16, 2016

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: R-84681 (Permit R-13114)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

Application: R-84681

Permit: R-13114

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

Applicant/Permit

Holder(s) Denzil Robbins ✓

☒ WRIG...Money Received on: Dec 14, 2010

☐ Extension Specialist ...

☒ Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

☒ Stacy Phillips...

☒ Recent Assignment (Check WRIS for Update)

☒ Publish on Public Notice (initial 30-day comment): Date of
notice 12-20-10

☒ Update WRIS Database

☒ In the "PNotice Date" field... Enter the date the Extension Application
was published on the Public Notice.

☒ In the "Ext Filed" field... Enter the date the Extension Application was
received.

☒ Yes or ☐ No: Return file to Extension Specialist after PN Jeffrey

NOTES:

Extension PFO Checklist for
Other than Muni or Quasi-Municipal
 Water Use Permits
 (OAR 690-315-0010 through OAR 690-315-0060)

Application: R-84681 Permit: R-13114 Permit Amendment? No ☐ Yes ☐ T- ☐ pending ☐ approved

Permit Holder's Name: Denzil Robbins

Permit Holder's Mailing Address: 42395 Adams Rd, Baker City, OR 97814

email denzil@robbinsfarmeg.com

Phone Number: 541-579-6681

Agent/CWRE NA

Drainage Basin: 9 Powder County: Baker Watermaster District: 8 ER Watermaster: Rcklusk

Date Permit was issued: Jan 11, 2001 Priority Date: March 5, 2001 Date of PN: 12-20-16

Source: Hibbard Creek, Raven Creek, and un-named springs, tributary of Salmon Cr.

Use: Irrigation

"Q": 20 AF Each Year, being any combination from Hibbard Cr, Raven Cr, & un-named springs.

Orig "A" Date: Jan 11, 2002 Orig "B" Date: NA Orig "C" Date: Oct 1, 2006

Extension request received: Dec 14, 2016 Last Authorized Date: NA Last Authorized "C" Date: NA

Request Number (1, 2, 3...): 1 Proposed "B" Date: 2017 Proposed C Date: 2017

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
✓		Begin construction: <u>march 16, 2001</u>
	✓	<u>meter or other</u>
✓		<u>outlet pipe or other</u>
	✓	<u>staff gage</u>
	✓	<u>weir above & below</u>

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- ☒ ☐ Work was accomplished within the time allowed in the permit or previous extension
- ☐ ☒ Water right permit holder conformed with the permit or previous extension conditions
- ☐ ☒ Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has ^{stored} ~~beneficially used~~ 20 cfs/gpm of the total permitted quantity of water on 20 acres

- ☒ ☐ Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$ 8,000 Estimated Remaining Cost: \$ 2,000

GW REVIEW: Y N

MITIGATION REVIEW: Y N

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes ☐ No ☐

Application _____ - _____ Permit _____ - _____ Township _____ Range _____ Section _____

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- ☐ ☒ above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
- ☐ ☒ within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- ☐ ☒ within a critical or limited Ground Water Area? Name of area _____
- ☒ ☐ within a sensitive, threatened or endangered species area source: "/>in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- ☒ ☐ within an area ranking low / moderate / high / Highest (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. ☒ Approval of Extension Request

No ... "Good Cause" cannot be found. ☐ Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes ☐ No ☐

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

☐ 5-year Progress Report Checkpoints (Years: _____)

☐ Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- ☐ **COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- ☒ **COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- ☐ **COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates
Mailing / Issuance Date: 1/24 Protest Deadline Date: 3/10 FO Issuance Date: 3/17

Reviewer's Name: _____ Date: _____

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits
(OAR 690-315-0010 through OAR 690-315-0060)

Application: R-84681 Permit: R-13114 Permit Amendment? No ☐ Yes ☐ T- ☐ pending ☐ approved

Permit Holder's Name: Danzil Robbins

Permit Holder's Mailing Address: 42395 Adams Rd Baker City, OR 97814

email danzile.robbinsfarm@gmail.com

Phone Number: 541-519-6681

Agent/CWRE NA

Drainage Basin: 9 County: baker Watermaster District: 8 Watermaster: _____

Date Permit was issued: Jan 11, 2001 ~~Aug 20, 2002~~ Priority Date: March 5, 2001 Date of PN: _____

Source: Hibbard Creek, Rouen Creek, and un-named springs, tributary of Salmon Creek

Use: storage for IR in Robbins Reservoir

"Q": 20.0 AF FA. yr. being any combination ...

Orig "A" Date: Jan 11, 2002 Orig "B" Date: _____ Orig "C" Date: 10-1-2006

Extension request received: Dec 5, 2016 Last Authorized Date: _____ "C" Date: _____

Request Number st (1, 2, 3...): _____ Proposed "B" Date: _____ Proposed C Date: 10-1-2017

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
	✓	Begin construction: A date is <u>Jan 11, 2002</u> App states began <u>3-16-2007</u> <u>purchased excavator</u>
	✓	meter before use or other suitable measuring device
✓ <u>April 2003</u>		outlet pipe or other means to to evacuate water
	✓	staff gauge

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- ☐ ☒ Work was accomplished within the time allowed in the permit or previous extension
- ☐ ☒ Water right permit holder conformed with the permit or previous extension conditions
- ☐ ☒ Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used 20.0 cfs/gpm (af) of the total permitted quantity of water on _____ acres

- ☒ ☐ Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$ 8,000 Estimated Remaining Cost: \$ 2,000

GW REVIEW: Y N _____

MITIGATION REVIEW: Y N _____

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes ☒ No ☐

Application _____ - Permit _____ - Township _____ Range _____ Section _____

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- ☐ ☐ above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
- ☐ ☐ within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- ☐ ☐ within a critical or limited Ground Water Area? Name of area _____
- ☐ ☐ within a sensitive, threatened or endangered species area source: [/gisdata/dev/projects/salmon/div33map.aml](http://gisdata/dev/projects/salmon/div33map.aml)
- ☐ ☐ in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- ☐ ☐ within an area ranking low / moderate / high / Highest (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Maps (by region)

Needs"

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. ☐ Approval of Extension Request

No ... "Good Cause" cannot be found. ☒ Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes ☐ No ☐

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

☐ 5-year Progress Report Checkpoints (Years: _____)

☐ Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- ☐ **COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- ☐ **COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- ☐ **COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____ FO Issuance Date: _____

Reviewer's Name: _____ Date: _____

**Oregon Water Resources Department
Attribute Report***Report Date: Dec 15, 2016***General:**

TRSQQ:	WM9.00S39.00E9SENE WM9.00S39.00E9NWSE WM9.00S39.00E9SWNE WM9.00S39.00E9SENW WM9.00S39.00E9NWNE WM9.00S39.00E9NESW WM9.00S39.00E9NESE
DLC:	-
Latitude:	44.7973141873
Longitude:	-117.9389062172
Buffer (ft):	1000
Elevation (ft):	3604
Basin Name:	Powder
Basin Plan:	-Powder
County:	Baker
WM District:	8
WM Region:	EASTERN
ODFW Region, District:	Northeast Region, La Grande District
Irrigation District AOI:	-
Irrigation District, Other:	-
Dams (Permit):	-
Water Rights:	<u>Platcard for WM9.00S39.00E9</u> <u>Platcard for WM9.00S39.00E9</u> <u>Platcard for WM9.00S39.00E9</u>

	<u>Platcard for WM9.00S39.00E9</u>
	<u>Platcard for WM9.00S39.00E9</u>
	<u>Platcard for WM9.00S39.00E9</u>
	<u>Platcard for WM9.00S39.00E9</u>
Well Logs:	<u>Logs for WM9.00S39.00E9</u> <u>Logs for WM9.00S39.00E9</u> <u>Logs for WM9.00S39.00E9</u> <u>Logs for WM9.00S39.00E9</u> <u>Logs for WM9.00S39.00E9</u> <u>Logs for WM9.00S39.00E9</u> <u>Logs for WM9.00S39.00E9</u>

Rules:

Withdrawn Authority:	-
Groundwater Retricted:	-
GW Retricted Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muni Wells (5mile):	-
Rule 4D:	-
Division 33 (Area, Watershed, species):	UPPER COLUMBIA, Baldock Slough-Powder River, Redband Trout
Water Quality Limited Pollutant:	-
Is in Deschutes Study Area:	-
Deschutes Zone Impact:	-
Deschutes Zone Overlay:	-
Scenic Water Way:	-

Hydrography:

OWRD Streamcode:	-
Waterbody Name:	-

HUC 10:	1705020303
HUC Watershed:	Baldock Slough-Powder River
WAB Wshed Order:	11 10
WAB Analysis:	<u>SALMON CR > POWDER R - AT MOUTH</u> <u>POWDER R > SNAKE R - AB ROCK CR</u>
Streamflow:	OWRD Opportunities: Good ODFW Needs: Moderate Combined Priority: Not a priority OWRD Opportunities: Very good ODFW Needs: High Combined Priority: Current resources priority
Gaging Station Data:	-

Sources:

General
<i>Oregon Public Land Survey Quarter-quarters.</i> Bureau of Land Management, Oregon Water Resources Department.. n.d. 1:24,000.
<i>Donated Land Claims.</i> Oregon Water Resources Department. January 1, 1995. 1:100,000.
<i>Elevation.</i> ESRI World Elevation. February 2000. 1:121,000.
<i>OWRD Administrative Basins.</i> Oregon Water Resources Department. January 1, 1995.
<i>Oregon Counties.</i> Bureau of Land Management (BLM), Oregon State Office.. January 1, 2008.
<i>OWRD Watermaster Districts.</i> Oregon Water Resources Department. March 31, 2014.
<i>OWRD Regions.</i> Oregon Water Resources Department. January 1, 1995.
<i>ODFW Districts and Regions.</i> Oregon Department of Fish and Wildlife. August 28, 2012.
<i>Water Organizations</i> Oregon Water Resources Department. April 1, 2013. 1:24,000.

Large Dams Inventory. Oregon Water Resources Department. August 12, 2014. 1:24,000.

Rules

Withdrawn Authority Areas. Oregon Water Resources Commission. January 1, 2007.

OWRD Groundwater Restricted Areas. Oregon Water Resources Department. October 5, 2016.

OWRD Groundwater Restricted Areas - Subunits. Oregon Water Resources Department. April 1, 2009.

ODEQ Groundwater Management Areas (GWMAs). Oregon Department of Environmental Quality. April 21, 2008.

Groundwater Umatilla Municipal Wells 5-mile buffer. Oregon Water Resources Department. June 28, 2012.

National Marine Fisheries Service (NMFS) 4(d) Rule. National Marine Fisheries Service. January 1, 2007.

OAR Chapter 690, Division 33 - HUC 10 . Oregon Department of Fish & Wildlife. January 1, 2003.

Oregon Water Quality Assessment 2010. This data set was assembled by the Oregon Department of Environmental Quality, Water Quality Division, Standards and Assessments Section. GIS data prepared by the Watershed Management Section, Drinking Water Program.. August 16, 2013.

Deschutes USGS Groundwater Study Area. Water Resources Commission, U.S. Geological Survey (USGS) Water Resources Division (Portland, OR), Oregon Water Resources Department.. January 1, 2001. 1:100,000.

Deschutes Zones of Impact. Oregon Water Resources Department.. October 25, 2007.

Deschutes Zones Overlay. Oregon Water Resources Department. October 25, 2007.

Oregon State Scenic Waterway areas. Oregon Water Resources Department, Oregon Parks and Recreation Department.. January 1, 2007.

Hydrography

Routed OWRD Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 11, 2014.

. Unknown. n.d.

Watershed Boundary Dataset (WBD), 10-digit (watershed). Pacific Northwest Hydrography Framework, U.S. Geological Survey (USGS), National Resources Conservation Service (NRCS).. June 11, 2014. 1:24,000.

Water Availability Basins. Oregon Water Resources Department.. n.d. 1:100,000.

Priority Watersheds for Streamflow Restoration. Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife.. January 15, 2004.

Stream Gage Stations. Oregon Water Resources Department and US Geological Survey. n.d.

[close](#)

[Print Report](#)



Oregon Water Resources Department
Water Availability Analysis

[Main](#)
[Help](#)
[Return](#)
[Contact Us](#)

Water Availability Analysis

SALMON CR > POWDER R - AT MOUTH
POWDER BASIN

Water Availability as of 12/28/2016

Watershed ID #: 30920329 ([Map](#))

Date: 12/28/2016

Exceedance Level:

Time: 1:06 PM

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
Select	1	30920301	POWDER R> SNAKE R- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes
Select	2	72193	POWDER R> SNAKE R- AB EAGLE CR	No	Yes	Yes	Yes	Yes	No	No	No	No	No	No	No	Yes
Select	3	72192	POWDER R> SNAKE R- AB GOOSE CR	No	Yes	Yes	Yes	No	No	No	No	No	No	No	No	Yes
Select	4	72191	POWDER R> SNAKE R- AB UNN STR	No	No	Yes	Yes	No	No	No	No	No	No	No	No	Yes
Select	5	30920327	POWDER R> SNAKE R- AB ROCK CR	No	No	No	Yes	No	No	No	No	No	No	No	No	Yes
Select	6	30920329	SALMON CR> POWDER R- AT MOUTH	No	No	No	No	No	No	No	No	No	No	No	No	No

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

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).

I, Denzil Robbins

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

42395 Adams Rd
ADDRESS

Baker City
CITY

Or
STATE

97814
ZIP

541-519-6681
PHONE

denzil@robbinsfarmeg.com
E-MAIL ADDRESS

the permit holder of:

Application Number R-84681

Permit Number R-13114
[OAR 690-315-0020(3)(b)]

do hereby request that the time in which to:

☒ complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on Month: 10 Day: 1 Year: 2006, be extended to October 1, 2017. [OAR 690-315-0020(3)(i)]

RECEIVED BY OWRI

☐ N/A (Check this box if the permit does not specify a date by when construction must be completed.)

DEC 14 2016

and/or the time in which to:

SALEM, OR

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on Month: 10 Day: 1 Year: 2006, be extended to October 1, 2017. [OAR 690-315-0020(3)(i)]

I am the permit holder, or have written authorization from the permit holder (attached to this Application for Extension of Time), to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.

Denzil Robbins 12-1-2016
Signature Date
Denzil Robbins Owner
Printed Name Title

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$575.
- Signature page (Second page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION
along with the Supporting documents and/ or evidence

\$575 STATUTORY FEE TO:

**Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301**



GENERAL TIPS:

- ☐ Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS, available at the following link:
http://www.oregon.gov/owrd/PUBS/docs/forms/fillable_muni_quasi_ext_app_form_2014.doc
- ☐ Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of our permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR EXTENSION OF TIME FOR A WATER RIGHT PERMIT (Attachment A), provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:
http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_690/690_315.html
- ☐ You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRI

DEC 05 2016

SALEM, OR

- An Application for an Extension of Time will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://apps.wrd.state.or.us/apps/wr/wrinfo/> (using the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time

Please see the instruction sheet to help you answer these items.

1. Beginning Construction within required deadlines. OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

☐ Yes ☐ No

n/A

Date construction began Month: Day: Year: _____

Details of construction and attach documentation: _____

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

For Surface/Reservoir Permit

Has construction of the water system begun? ☒ Yes ☐ No

Date construction began Month: Day: Year: 3 16 2001

Details of construction and attach documentation: _____

Build Res.
Work Performed By Lew Robbins with Backhoe &
Dump Truck already owned by Lew Robbins

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
☐	Installation of a meter/totalizing flow meter	☐ Yes ☐ No	
☐	Submittal of annual water usage report	☐ Yes ☐ No	
☐	Submittal of initial static water level measurement	☐ Yes ☐ No	
☐	Submittal of annual static water level measurements in the month required	☐ Yes ☐ No	
☐	Submittal of Seven consecutive static water level measurements in the month required	☐ Yes ☐ No	
☐	Special well construction standards	☐ Yes ☐ No	
☐	Submittal of a monitoring plan	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
Surface Water or Reservoir			
☒	<i>Permit Requires meter and Staff Gauge:</i> Installation of a meter/ totalizing flow meter/ in-line meter	☐ Yes ☒ No	April 2017
☒	Installation a staff gauge	☐ Yes ☒ No	April 2017
☐	Installation of a fish screen	☐ Yes ☐ No	
☐	Installation of a fish by-pass device	☐ Yes ☐ No	
☐	Installation of a fish passage	☐ Yes ☐ No	
☒	Installation of an outlet gate/pipe/ conduit	☒ Yes ☐ No	May 2001
☐	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	☐ Yes ☐ No	
☐	Submit as-built plans and specification	☐ Yes ☐ No	
☐	Submittal of a letter from an engineer prior to storage	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	

RECEIVED BY OWRD

2b. If you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance. *my Father, Lew Robbins, was included in this permit process. He may have received the documentation to finalize the permit. my Father got dementia & has since passed away. The paperwork got lost during this time. We also had to apply for an Assignment to myself, Denzil, to clear up this matter due to his death. April 2017 Completion*
 [OAR 690-315-0020(3)(e)]

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. *Use chronological order.* (this does NOT include planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
1-11-2001	Date the permit was signed - find date above signature on last page of permit.	
3-16-2001	Start Construction of Res. Work Performed by Lew Robbins & Denzil Robbins with Eq. owned	
	Fuel, Labor, Outlet Pipe	8000
2002	Purchase loader, Excavator, larger Dump Truck.	49500
	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost for Chart-B		57500 + 8000

* If exact cost is not known, you must provide your best estimate.

RECEIVED BY OWRD

- 4. If this is not your 1st Application for Extension of Time request, fill out CHART-C below in addition to CHART-B above. Use chronological order.**

CHART-C

CHART C		
DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the 1st (or the most recent) Application for Extension of Time. n/a	
	"Extended To" date for complete application of water resulting from the 1st (or the most recent) Application for Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
	n/a	
Total Cost of Chart-C		

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: 57500 8000
(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRD

Page 7 of 10

DEC 05 2016

SALEM, OR

[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):

TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = NA cfs (cubic feet per second) or,

Maximum rate used to date = NA gpm (gallons per minute) or,

Acre-feet stored to date = 20 AF

7. For Ground Water Permit Extensions (e.g. G-XXXX):

TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 8 below)	Maximum instantaneous rate used to date from this well - under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	
Total instantaneous rate from all wells utilized under this permit								

8. If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location.

Has or will a Permit Amendment Application been/be filed? Yes ☐ No ☐

If a Permit Amendment Application has been filed: Transfer No. T- X

Well # NA Actual location: NA Well # NA Actual location: NA

Revised 5/25/2016

Application for an Extension of time for a Permit

Page 8 of 10

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRD

DEC 05 2016

SALEM, OR

[OAR 690-315-0020(3)(e)(C)]

9. Provide the total number of acres irrigated to date under this permit (if applicable).

145
List by year, the number of acres irrigated each year since permit issuance, and provide a copy of the application map identifying the acres irrigated.

Total acres irrigated to date: 145

Ground Water Permits: Please specify which wells are being utilized for this irrigation.

Well # _____ Acres _____ Well # _____ Acres _____

Well # _____ Acres NTA Well # _____ Acres _____

[OAR 690-315-0020(3)(i)(j)]

10. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
April 2017	Install Totalizing Flowmeter and Staff Gauge	2000
Year:	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		2000

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: 2000
(The total cost from CHART-E)

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRD

DEC 15 2016

SALEM, OR

[OAR 690-315-0020(3)(h)]

12. Describe the reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances. Include any additional unforeseen events and/or other governmental regulation or requirements.

The Construction was pretty much completed by the time limit. We missed adding the Flowmeter & staff gauge when we were finalizing the permit. We will have it completed by April 2017

[OAR 690-315-0020(3)(k)]

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

Flowmeter & staff gauge are all that's needed to complete this project. Winter in Eastern Oregon makes it difficult to complete this fall

[OAR 690-315-0020(3)(m)(n)]

14. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.

Forgiveness in failing to complete the requirements & Permitting by the original Competition Date

Attach permit, and documentation to the application.

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRD

DEC 05 2016

SALEM, OR

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 200 ft

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRD
DEC 05 2016
SALEM, OR

RETAIL INSTALMENT CONTRACT

AGCO Finance LLC

AF 3889 (FAX) (10/01) **AND SECURITY AGREEMENT**
AGRICULTURAL AND COMMERCIAL USE

REGION CODE	DLR. CODE	003278.0100	CONTRACT NUMBER	20408
NAME		LLEWELLYN L ROBBINS		
ADDRESS		41416 POCAHONTAS RD		
TOWN & STATE		BAKER CITY, OR		
ZIP CODE	AREA CODE AND TELEPHONE NO.	(541)523-4491		
CONTRACT DATE		03/16/02		
NAME		ROBBINS FARM EQUIPMENT, INC.		
TOWN		BAKER CITY		
STATE		OR		
SOCIAL SECURITY OR FEDERAL ID NUMBER		544-36-8580		

The undersigned Buyer (if more than one, jointly and severally), having been quoted a Time Price and a lower Cash Price, hereby purchases the property described below from the undersigned Seller for the Deferred Payment Price indicated in the Analysis of Sale, subject to the terms and conditions hereunder AND ON PAGES 2 AND 3 WHICH FOLLOW.

Note: If the above Machinery is described as "New", that description does not mean the Machinery necessarily is manufactured in the current year.

NEW USED	MAKE AND MODEL NUMBER	SERIAL NUMBER	DESCRIBE PROPERTY PURCHASED	PRICE
U	KAWASAKI K5680T	861984	LOADER	15,000.00

DESCRIPTION (include make and model)	SERIAL NUMBER	TRADE-IN ALLOWANCE	LESS OWING	NET TRADE-IN

SECURITY INTEREST Under the Uniform Commercial Code:
In order to secure payment of the indebtedness contained herein and for all other amounts due or to become due hereunder and for each and every other indebtedness or obligation now or hereafter owing by the Buyer to the Seller and/or AGCO Finance LLC ("Assignee"), the undersigned Buyer hereby grants to the Seller a security interest in the above described property, including the proceeds thereof, together with all repairs, replacements and accessions now or thereafter appertaining thereto until all indebtedness is paid in full.

PAYMENT SCHEDULE

The Buyer promises to pay the Total of Payments (Item 18) to the order of the Seller in:

EQUAL Monthly ☐ Semiannual ☐
INSTALMENTS Quarterly ☐ Annual ☒

Number of Payments	Amount of Each Payment	FIRST PAYMENT DATE (Payment to be on 1st or 15th)
4	\$ 3,565.72	04/01/03

UNEQUAL OR IRREGULAR INSTALMENTS

PMT NO.	INSTALMENT AMOUNT	INST. DUE DATE	PMT NO.	INSTALMENT AMOUNT	INST. DUE DATE
1.			5.		
2.			6.		
3.			7.		
4.			8.		
5.			9.		
6.			10.		

BALLOON PAYMENTS:

Items above being more than twice the amount of any otherwise regularly scheduled equal payment may be refinanced only on such terms and conditions as the then parties to this contract may agree as of their due dates.

SKIP PAYMENT SCHEDULE (Monthly Payments Only) Except for the months of _____ each year, equal monthly instalments are payable on the same day of each consecutive month.

ANALYSIS OF SALE

Total Price	1.	15,000.00
Sales Taxes	2.	.00
Cash Price (1 + 2)	3.	15,000.00
Cash Down Payment	4.	3,000.00
Net Trade-in	5.	.00
Total Down Payment (4 + 5)	6.	3,000.00
Unpaid Balance of Cash Price (3 - 6)	7.	12,000.00
Other Charges:	8.	
a. Physical Damage Insurance	9.	.00
b. Life Insurance	10.	.00
c. Disability Insurance	11.	.00
d. Filing Fee	12.	10.00
e. Documentation Fee	13.	.00
f. Other	14.	.00

(Must Describe)

TOTAL OTHER CHARGES

(9 + 10 + 11 + 12 + 13 + 14) 15. 10.00

Unpaid Balance/Amount Financed (7 + 15) 16. 12,010.00

FINANCE CHARGE

Total Payments (16 + 17) 18. 14,262.88

Deferred Payment Price (3 + 15 + 17) 19. 17,262.88

ANNUAL PERCENTAGE RATE

Date Finance Charge Begins to Accrue 20. 7.250 %

(if different than contract date - must be 1st or 15th day of month) 21. 04/01/02

PREPAYMENT REFUND: The Buyer can prepay his debt and obtain a refund of part of the Finance Charge. The refund will be calculated using the Rule of 78's -- a method commonly used to figure refunds on instalment contracts -- unless applicable law requires a different method of calculation.

LATE PAYMENT: Each instalment past due more than 10 days shall be subject to a late charge accrued at an ANNUAL PERCENTAGE RATE equal to 21% per year from the due date until paid or \$1, whichever is greater, but in no event shall any late charge exceed the maximum amount allowed by law.

Pay Instalments to:

AGCO Finance LLC
P.O. Box 9263 • Urbandale, IA 50306-9263

RECEIVED BY OWRD

RECEIVED BY OWRD

RETAIL INSTALMENT CONTRACT

AGCO Finance LLC

AF 3889 (FAX) (10/01) **AND SECURITY AGREEMENT**
AGRICULTURAL AND COMMERCIAL USE

REGION CODE	DLR. CODE	003278.0100	CONTRACT NUMBER
NAME		LLEWELLYN L ROBBINS	
ADDRESS		41416 POCAHONTAS RD	
TOWN & STATE		BAKER CITY, OR	
ZIP CODE	AREA CODE AND TELEPHONE NO.	(541)523-4491	
SOCIAL SECURITY OR FEDERAL ID NUMBER		544-36-8580	

The undersigned Buyer (if more than one, jointly and severally), having been quoted a Time Price and a lower Cash Price, hereby purchases the property described below from the undersigned Seller for the Deferred Payment Price indicated in the Analysis of Sale, subject to the terms and conditions hereunder AND ON PAGES 2 AND 3 WHICH FOLLOW.

Note: If the above Machinery is described as "New", that description does not mean the Machinery necessarily is manufactured in the current year.

NEW USED	MAKE AND MODEL NUMBER	SERIAL NUMBER	DESCRIBE PROPERTY PURCHASED	PRICE
U	LINK BELT 2860C	09H9-848	EXCAVATOR	29,500.00

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

DESCRIPTION (include make and model)	SERIAL NUMBER	TRADE-IN ALLOWANCE	LESS OWING	NET TRADE-IN
KAWASAKI K5580T LOADER	861984	15,000.00	12,500.00	2,500.00

SECURITY INTEREST Under the Uniform Commercial Code:
In order to secure payment of the indebtedness contained herein and for all other amounts due or to become due hereunder and for each and every other indebtedness or obligation now or hereafter owing by the Buyer to the Seller and/or AGCO Finance LLC ("Assignee"), the undersigned Buyer hereby grants to the Seller a security interest in the above described property, including the proceeds thereof, together with all repairs, replacements and accessions now or thereafter appertaining thereto until all indebtedness is paid in full.

PAYMENT SCHEDULE

The Buyer promises to pay the Total of Payments (Item 18) to the order of the Seller in:

EQUAL Monthly ☐ Semiannual ☐
INSTALMENTS Quarterly ☐ Annual ☒

Number of Payments	Amount of Each Payment	FIRST PAYMENT DATE (Payment to be on 1st or 15th)
4	\$ 6,486.25	09/15/03

UNEQUAL OR IRREGULAR INSTALMENTS

PMT NO.	INSTALMENT AMOUNT	INST. DUE DATE MO. DAY YR.	PMT NO.	INSTALMENT AMOUNT	INST. DUE DATE MO. DAY YR.
1.			7.		
2.			8.		
3.			9.		
4.			10.		
5.			11.		
6.			12.		

BALLOON PAYMENTS:

Items above being more than twice the amount of any otherwise regularly scheduled equal payment may be refinanced only on such terms and conditions as the then parties to this contract may agree as of their due dates.

SKIP PAYMENT SCHEDULE (Monthly Payments Only) Except for the months of _____ each year, equal monthly instalments are payable on the same day of each consecutive month.

ANALYSIS OF SALE

Total Price	1.	29,500.00
Sales Taxes	2.	.00
Cash Price (1 + 2)	3.	29,500.00
Cash Down Payment	4.	5,000.00
Net Trade-in	5.	2,500.00
Total Down Payment (4 + 5)	6.	7,500.00
Unpaid Balance of Cash Price (3 - 6)	7.	22,000.00
Other Charges:	8.	
a. Physical Damage Insurance	9.	.00
b. Life Insurance	10.	.00
c. Disability Insurance	11.	.00
d. Filing Fee	12.	20.00
e. Documentation Fee	13.	.00
f. Other _____	14.	.00

(Must Describe)

TOTAL OTHER CHARGES

(9 + 10 + 11 + 12 + 13 + 14)	15.	20.00
Unpaid Balance/Amount Financed (7 + 15)	16.	22,020.00
FINANCE CHARGE	17.	3,925.00
Total Payments (16 + 17)	18.	25,945.00
Deferred Payment Price (3 + 15 + 17)	19.	33,445.00
ANNUAL PERCENTAGE RATE	20.	6.900 %
Date Finance Charge Begins to Accrue	21.	09/15/02

(if different than contract date - must be 1st or 15th day of month)

PREPAYMENT REFUND: The Buyer can prepay his debt and obtain a refund of part of the Finance Charge. The refund will be calculated using the Rule of 78's -- a method commonly used to figure refunds on instalment contracts -- unless applicable law requires a different method of calculation.

LATE PAYMENT: Each instalment past due more than 10 days shall be subject to a late charge accrued at an ANNUAL PERCENTAGE RATE equal to 21% per year from the due date until paid or \$1, whichever is greater, but in no event shall any late charge exceed the maximum amount allowed by law.

Pay Instalments to:
AGCO Finance LLC
P.O. Box 9263 • Des Moines, IA 50305-9263

RECEIVED BY OWRD

MMW ELECTRIC MOTOR & PUMP REPAIR INC.

41280 HWY 30
BAKER CITY, OR 97814

Invoice

DATE	INVOICE #
4/22/2004	7514

BILL TO

ROBBINS FARM EQUIPMENT
3850 10TH ST.
BAKER CITY, OR.97814

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

P.O. NO.	TERMS	REP
5236377	NET 10TH	MAV

DESCRIPTION	QTY	RATE	AMOUNT
Re: GREENFIELD PIVOT			
9 @ 110' SPANS; 1 @ 10' OVER HANG; PIVOT PANEL 480V W/ AUTO REVERSE; KOMET TWIN MAX; NELSON R3000; DUAL CLIP NOZZLE; GALV GOOSENECK; POLY WEIGHTS; NELSON 800 PRESSURE REGULATOR		22,984.00	22,984.00
FREIGHT		2,000.00	2,000.00
2400' THHN 8 BLK WIRE; 1200' THHN 10 GRN WIRE; 1200' 1 1/4" SCH40 CONDUIT.		1,106.00	1,106.00
Thank you for your business.		Total	526,090.00

ACCOUNTS over 30 days will be subject to a 2% per month finance charge. (24% annual) \$15.00 service charge on returned checks.

RECEIVED BY OWRD

DEC 05 2016

SALEM, OR

Check No. 0556544

GREENFIELD MINI PIVOT

Vendor Number	Name		Total Discounts	
0000404108	MMW ELECTRIC MOTOR		0.00	
Check Number	Date	Total Amount	Discounts Taken	Total Paid Amount
0556544	21 May 2004	26,090.00	0.00	26,090.00

SALEM, OR

Invoice

ACI

3395 10TH ST.
Baker City, OR 97814
541-523-2300
Oregon CCB# 197929

Date	Invoice #
10/20/2016	7311

Bill To
DENZIL ROBBINS 42395 ADAMS RD. BAKER CITY, OR 97814

PAID
11/10/2016

P.O. Number	Terms	Rep
	10TH	MV

Quantity	Description	Price Each	Amount
1	FLOWMETER WITH TOTALIZER & PVC TRANSDUCER	1,000.00	1,000.00
1	2" BLK MERCHANT COUPLING	5.50	5.50
RECEIVED BY OWRD DEC 14 2016 SALEM, OR RECEIVED BY OWRD DEC 05 2016 SALEM, OR			

Thank you for your business.

Total

\$1,005.50

Invoice

ACI

3395 10TH ST.
Baker City, OR 97814
541-523-2300
Oregon CCB# 197929

Date	Invoice #
10/26/2016	7332

Bill To
DENZIL ROBBINS 42395 ADAMS RD. BAKER CITY, OR 97814

PAID
11/10/2016

P.O. Number	Terms	Rep
	10TH	TY

Quantity	Description	Price Each	Amount
	2 X 5' STAFF GAUGES (E) & 2" X 3" STAFF GAUGE NUMERALS 1-9	260.00	260.00
	FREIGHT CHARGES	23.72	23.72
		RECEIVED BY OWRD	
		DEC 14 2016	
		SALEM, OR	
		RECEIVED BY OWRD	
		DEC 05 2016	
		SALEM, OR	

THANK YOU FOR YOUR BUSINESS (FRITZ)	Total	\$283.72
-------------------------------------	--------------	----------

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LLEWELLYN L AND DENZIL ROBBINS
41416 POCAHONTAS RD
BAKER CITY, OREGON 97814

(541) 523-4491

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

APPLICATION FILE NUMBER: R-84681

SOURCE OF WATER: HIBBARD CREEK, ROUEN CREEK, AND UN-NAMED SPRINGS,
TRIBUTARY OF SALMON CREEK

STORAGE FACILITY: ROBBINS RESERVOIR

PURPOSE OR USE OF THE STORED WATER: STORAGE FOR IRRIGATION

MAXIMUM STORAGE VOLUME: 20.0 ACRE-FEET EACH YEAR, BEING ANY COMBINATION
FROM HIBBARD CREEK, ROUEN CREEK AND UN-NAMED SPRINGS, TRIBUTARY OF
SALMON CREEK

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1
THROUGH MAY 31 AND THE MONTH OF NOVEMBER EACH YEAR

DATE OF PRIORITY: MARCH 5, 2001

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 9.50 FEET.

DAM LOCATION: SW 1/4 NE 1/4, SECTION 9, T9S, R39E, W.M.; 325 FEET NORTH
& 795 FEET EAST FROM C1/4 CORNER, SECTION 9

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
SECTION 9
TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the

Application R-84681 Water Resources Department

PERMIT R-13114

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRD

DEC 05 2016

SALEM, OR

meter or measuring device in good working order.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring 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 amount (volume) of water used and may require the permittee to report water use 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. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

When in the judgement of the Watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows from the reservoir or passing all incoming natural flows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level 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. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

Application R-84681 Water Resources Department

PERMIT R-13114

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRD

DEC 05 2016

SALEM, OR

STANDARD CONDITIONS

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.

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.

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.

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.

This permit does not authorize the permit holder to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the permit holder.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2006.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.

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 stores 9.2 or more acre-feet of water.

If no secondary permit exists and the reservoir stores 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;

Application R-84681 Water Resources Department

PERMIT R-13114

RECEIVED BY OWRD

DEC 05 2016

RECEIVED BY OWRD

SALEM, OR

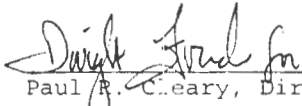
DEC 14 2016

SALEM, OR

- (b) the maximum capacity of the reservoir in acre-feet; and
- (c) a map identifying the location prepared in compliance with Water Resources Department standards.

This Permit R-13114 supercedes Permit R-13101, which is no longer valid.

Issued January 11, 2001


Paul R. Cleary, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Application R 84681 Water Resources Department
Basin 09 VOLUME 2 POWDER R MISC

PERMIT R-13114
DISTRICT 8

RECEIVED BY OWRD

DEC 14 2016

SALEM, OR

RECEIVED BY OWRD

DEC 05 2016

SALEM, OR

RECEIVED BY OWRD

DEC 05 2016

SALEM, OR



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

RECEIVED BY OWRD

December 7, 2016

DEC 14 2016

Denzil Robbins
42395 Adams Rd
Baker City, OR 97814

SALEM, OR

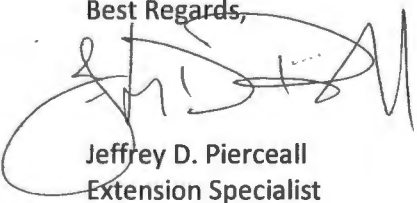
Dear Mr. Robbins,

On December 5, 2016, the Department received your Application for Extension of Time for a Water Right Permit regarding Permits R-13114, and S-53815, along with the associated fees. A preliminary review of the application for extension of time for Permit R-13114 indicates that no actual construction of the reservoir occurred prior to the January 11, 2002, deadline listed in the permit. Actual construction is physical work performed towards the development of the reservoir. Since the Permit S-53815 source is the reservoir authorized in the other permit, the Departments ability to extend the "S" permit relies on the ability to extend the "R" permit.

As we discussed on the phone, you believe that work was likely accomplished prior to the January 11, 2002 and you wanted to review your records so you may better describe the date construction began. I am therefor returning your applications so you may make the necessary additions. Once you have completed the applications, please re-submit them for the Departments consideration.

With this letter, you are also being given additional time to complete the applications, and the Department will take no further actions to cancel the permits until February 10, 2017. If you need additional time to complete the applications, please contact me prior to February 10, 2017, to update the Department on the progress.

Best Regards,


Jeffrey D. Pierceall
Extension Specialist

we think we have all the
dates correct.

If not please call me

Rick Lusk

WM #8

541-523-8224 ext 23!

Thanks

Rick Lusk

12-13-2016

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time
for Permit R-13114, Water Right Application R-84681
in the name of Denzil Robbins

)
) PROPOSED FINAL
) ORDER

Permit Information

Application:	R-84681
Permit:	R-13114
Basin:	Powder / Watermaster District 8
Date of Priority:	March 5, 2001
Source of Water:	Hibbard Creek, Rouen Creek, and un-named springs, tributary of Salmon Creek
Storage Facility:	Robbins Reservoir
Purpose or Use of the stored water:	Storage for irrigation
Maximum Storage Volume:	20.0 Acre-Feet (AF) each year, being any combination from Hibbard Creek, Rouen Creek and un-named springs, tributary of Salmon Creek

Please read this Proposed Final Order in its entirety.

In summary, the Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2006 to October 1, 2017.¹

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

¹ Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use.

ACRONYM QUICK REFERENCE

Department – Oregon Water Resources Department

ODFW – Oregon Department of Fish and Wildlife

PFO – Proposed Final Order

AF – acre-feet

FOF – Finding of Fact

AUTHORITY

Generally, see ORS 537.230 and OAR Chapter 690 Division 315.

ORS 537.230(3) provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefor; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides that in order to approve an application for an extension of time to complete construction or apply water to full beneficial use, the Department shall make the findings in OAR 690-315-0040(1) including a finding that there is “good cause” to approve the extension. OAR 690-315-0040(2)-(4) contains the factors that the Department must consider to make findings that support a “good cause” determination.

FINDINGS OF FACT

1. On January 11, 2001, Permit R-13114 was issued by the Department. The permit authorizes the storage of up to 20.0 AF of water in Robbins Reservoir, being any combination from Hibbard Creek, Rouen Creek, and un-named springs, tributaries of Salmon Creek, for storage for irrigation. The permit specified actual construction was to begin by January 11, 2002, and complete application of the stored water to the use was to be made on or before October 1, 2006.
2. On October 13, 2016, an assignment by proof from Llewellyn L. and Denzil Robbins to Denzil Robbins was recorded in the records of the Water Resources Department.
3. On December 14, 2016, the permit holder, Denzil Robbins, submitted an “Application for Extension of Time” to the Department, requesting the time to apply water to full beneficial use under the terms of Permit R-13114 be extended from October 1, 2006, to October 1, 2017. This is the first permit extension requested for Permit R-13114.

4. On December 20, 2016, notification of the Application for Extension of Time for Permit R-13114 was published in the Department's Public Notice. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

In order to approve an application for an extension of time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

5. On December 14, 2016, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

6. Actual construction of the water system began prior to the January 11, 2002 deadline specified in the permit. According to the permit holder, construction of Robbins Reservoir began March 16, 2001.

The Department has determined based on Finding of Fact (FOF) 6, the permit holder has satisfied the condition requiring beginning of construction of the water works.

Good Cause [OAR 690-315-0040(1)(d)]

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable diligence", the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b) The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.

Amount of Construction [OAR 690-315-0040(3)(a)]

The amount of construction completed within the time allowed in the permit.²

7. Actual construction of the water system began prior to the January 11, 2002 deadline specified in the permit. Construction of Robbins Reservoir began March 16, 2001.

² "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

8. Work was accomplished during the original development time frame under Permit R-13114. The work accomplished consisted of excavation of Robbins Reservoir, and an outlet pipe was installed.

The Department has determined based on FOF 7 and 8, that work has been accomplished prior to permit issuance and within the time allowed in the permit being from January 11, 2001, to October 1, 2006, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

The water right permit holder's conformance with the permit conditions.

9. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: the record does not show that (1) a meter or other suitable measuring device has been installed; and (2) a staff gage has been installed. The Department recognizes that it is the intent of the permit holder to comply with all permit conditions at the time the conditions become applicable.

The Department has determined based on FOF 9, that the permit holder has not demonstrated compliance with the following permit conditions as required by Permit R-13114:

- Before any water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director; and
- Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir.

In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

The amount of beneficial use made of the water during the permit time limits.

10. The Application states a maximum volume of 20.0 AF of water has been stored in Robbins Reservoir from Hibbard Creek, Rouen Creek, and un-named springs, tributaries of Salmon Creek.
11. According to the permit holder delay of full beneficial use of water under Permit R-13114 was due, in part, to serious health issues. The permit holder needs more time in which to satisfy compliance of conditions required by Permit R-13114.

The Department has determined based on FOF 9 that beneficial use of water has not yet been demonstrated under this permit because not all permit conditions were satisfied by October 1, 2006.

Financial Investments to appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]

12. The Application states the permit holder has invested about \$8,000, which is about 80 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$2,000 investment is needed for the completion of this project.

The Department has determined based on FOF 12, that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The application provides evidence of progress towards completion of the water system; a financial investment has been made; the permit holder has not demonstrated compliance with all permit conditions, and; beneficial use has not been demonstrated. The Department has determined the applicant has demonstrated the minimum necessary for the Department to find reasonable diligence towards complete application of water to a beneficial use.

The Market and Present Demands for Water [OAR 690-315-0040(4)(a-f)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

- *(a) The amount of water available to satisfy other affected water rights and scenic waterway flows;*
- *(b) Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d);*
- *(c) The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife;*
- *(d) Economic investment in the project to date;*
- *(e) Other economic interests dependent on completion of the project; and*
- *(f) Other factors relevant to the determination of the market and present demands for water and power.*

OAR 690-315-0040(4)(a)

The amount of water available to satisfy other affected water rights and scenic waterway flows.

13. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13114; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an Application for a new water right is submitted.
14. Current Water Availability Analysis for Salmon Creek, (Tributary to Powder River) at the mouth (watershed ID 30920329) shows that no water is available at the 50% exceedance level

OAR 690-315-0040(4)(b)

Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

15. The points of diversion are located on a tributary of Salmon Creek, and are not located within a Withdrawn Area.
16. Salmon Creek is not located within or above a state or federal scenic waterway.
17. The points of diversion are not in a location listed by the Department of Environmental Quality as a water quality limited stream.

OAR 690-315-0040(4)(c)

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

18. Salmon Creek is located within an area ranked "high" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

OAR 690-315-0040(4)(d)

Economic interests dependent on completion of the project.

19. The Application states an approximate total of \$8,000 has been invested in the project.

OAR 690-315-0040(4)(e)

Other economic interests dependent on completion of the project.

20. The Application did not identify economic interests other than those of the applicant's that may be dependent on completion of the project.

OAR 690-315-0040(4)(f)

Other factors relevant to the determination of the market and present demand for water and power.

21. No other factors relevant to the determination of the market and present demand for water and power have been identified.

OAR 690-315-0040(2)(f)

Fair Return Upon Investment

22. The Application did not identify that the use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

OAR 690-315-0040(2)(g)

Other Governmental Requirements

23. The Application did not identify any delay in the development of this project that was caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

24. According to the permit holder, unforeseen events extended the length of time needed to fully develop and perfect Permit R-13114, in that the permit holders were faced with serious health issues that restricted their ability to complete development of the project in a timely manner.

Denial of an Extension Would Result in Undue Hardship [OAR 690-315-0040(2)(i)]

25. The Application did not state if a denial of the extension would result in undue hardship.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

26. The Department has found good faith of the appropriator under Permit R-13114.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

27. As of December 14, 2016, the permit holder states the remaining work to be completed consists of meeting all permit conditions, including installing a totalizing flow meter and staff gage; and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2017, to accomplish the application of water to beneficial use under the terms and conditions of Permit R-13114 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department must find that there is “good cause” to approve the extension. In making a “good cause” finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

CONCLUSIONS OF LAW

1. The Applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The Applicant complied with construction timeline requirements to begin actual construction as required by ORS 537.230, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 6 through 26, full application of water to beneficial use can be accomplished by October 1, 2017³, as required by OAR 690-315-0040(1)(c).
4. The Applicant can complete the project within the time period requested for the extension on the project. OAR 690-315-0050(5).
5. The Applicant has demonstrated good cause for the extension. OAR 690-315-0050(5).

continued on the following page

³Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to apply water to beneficial use under Permit R-13114 from October 1, 2006, to October 1, 2017.

DATED: January 24, 2017


Dwight French, Administrator
Water Right Services Division

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **March 10, 2017**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

-
- If you have any questions about statements contained in this document, please contact Corey A Courchane at (503) 986-0825.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to : Water Right Services Division
725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266
-

Mailing List for Extension PFO Copies

PFO Date: January 24, 2017

Copies Mailed

Application: R-84681

By: SP

Permit: R-13114

On: 1-24-17

Original mailed to Applicant:

Denzil Robbins
42395 Adams Rd
Baker City, OR 97814

Copies sent to:

1. WRD - App. File R-84681/ Permit R-13114

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date)

(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 8, Rick Lusk

CASEWORKER: CAC



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

December 7, 2016

Denzil Robbins
42395 Adams Rd
Baker City, OR 97814

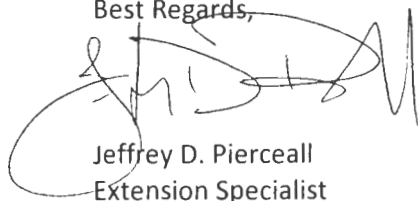
Dear Mr. Robbins,

On December 5, 2016, the Department received your Application for Extension of Time for a Water Right Permit regarding Permits R-13114, and S-53815, along with the associated fees. A preliminary review of the application for extension of time for Permit R-13114 indicates that no actual construction of the reservoir occurred prior to the January 11, 2002, deadline listed in the permit. Actual construction is physical work performed towards the development of the reservoir. Since the Permit S-53815 source is the reservoir authorized in the other permit, the Departments ability to extend the "S" permit relies on the ability to extend the "R" permit.

As we discussed on the phone, you believe that work was likely accomplished prior to the January 11, 2002 and you wanted to review your records so you may better describe the date construction began. I am therefor returning your applications so you may make the necessary additions. Once you have completed the applications, please re-submit them for the Departments consideration.

With this letter, you are also being given additional time to complete the applications, and the Department will take no further actions to cancel the permits until February 10, 2017. If you need additional time to complete the applications, please contact me prior to February 10, 2017, to update the Department on the progress.

Best Regards,



Jeffrey D. Pierceall
Extension Specialist



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

October 17, 2016

Denzil Robbins
42395 Adams Road
Baker City, Oregon 97814

Reference: Application R-84681, Permit R-13114

The assignment by proof from Llewellyn L. and Denzil Robbins to Denzil Robbins has been recorded in the records of the Water Resources Department.

The Departments records will now show Denzil Robbins as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 121566 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit required complete application of water to the proposed use by October 1, 2006, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE). As of this date, the claim of beneficial use has not been received by the Department.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 121566

cc: Watermaster 8

Data Center, OWRD (cover letter & request)

File



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
www.wrd.state.or.us

Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)

If for multiple rights, a separate form and fee for each right will be required.

I, Denzil Robbins

(Name of Party Requesting Assignment)

42395 Adams Road Baker City OR 97814 541-519-6681
(Mailing Address) (City) (State) (Zip) (Phone #)

☒ hereby request assignment of application/permit/transfer/license/GR Certificate of Registration;

☐ hereby request assignment of a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # R-84681; Permit # R-13114; Transfer# _____
-OR-

License # _____ GR Statement # _____; GR Certificate of Registration # _____

Llewellyn L. and Denzil Robbins

(Name of Holder of Record)

41416 Pocahontas Road Baker City OR 97814 541-519-6681
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)

- 1) I certify that I am the current owner of the property described in this application, Permit, transfer, license or GR Certificate of Registration.
- 2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
- 4) I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 6 day of Oct, 2016.

Party Requesting Assignment Denzil Robbins

Party Requesting Assignment [Signature]

ASSIGN PROOF
JLS 10/13/2016

RECEIVED BY OWRD

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon. Fee receipt # 121566
For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

Last updated: July 19, 2013 Request for Assignment if Permit Holder not available

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$85.

OCT 11 2016

SALEM, OR

WR

GRANTOR:
Llewellyn L. Robbins, Trustee
41416 Pocahontas Road
Baker City, Oregon 97814

GRANTEES: B12 22 0160
Denzil L. & Kathryn J. Robbins
42395 Adams Road
Baker City, Oregon

SEND TAX STATEMENTS TO:
Llewellyn L. Robbins
42395 Adams Road
Baker City, Oregon 97814

AFTER RECORDING RETURN TO:
Elkhorn Title Company
1725 Main Street
Baker City, Oregon 97814

WARRANTY DEED

LLEWELLYN L. ROBBINS, TRUSTEE OF THE LEW ROBBINS TRUST UAD 4/5/12,
"Grantor," for a consideration in the sum of \$336,600.00, hereby conveys and warrants
to DENZIL L. ROBBINS and KATHRYN J. ROBBINS, husband and wife, as "Grantees," the following
described real property free of encumbrances except as specifically set forth herein:

Land in Baker County, Oregon, as follows:

In Twp. 9 S., R. 39 E., W.M.:

Sec. 9: E $\frac{1}{2}$ NE $\frac{1}{4}$,

The East 528 feet of the W $\frac{1}{2}$ NE $\frac{1}{4}$,

W $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM a parcel described as follows:

Beginning at the Northwest corner of the SE $\frac{1}{4}$;
thence South 32 rods;
thence East 20 rods;
thence North 32 rods;
thence West 20 rods to the point of beginning.

The above legal description was created prior to January 1, 2008.

Assessor Reference Nos.: 8939, 14308 and 14624.

Together with any and all water and water rights, ditch and ditch rights thereunto belonging
or in anywise appertaining, SUBJECT TO Pole Line Easement in favor of California-Pacific
Utilities Company, a corporation, recorded in Book 133, at page 434 of the Deed Records of
said County.

RESERVING THEREFROM AND SUBJECT TO A LEGAL LIFE ESTATE FOR THE TERM OF THE
NATURAL LIFE OF THE SAID GRANTOR LLEWELLYN L. ROBBINS IN THE ABOVE DESCRIBED
REAL PROPERTY.

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

DATED this 5 day of April, 2012

Llewellyn L. Robbins
LLEWELLYN L. ROBBINS, TRUSTEE

STATE OF OREGON)
) ss:
County of Baker)

The foregoing instrument was acknowledged before me this 5th day of April, 2012
by Llewellyn L. Robbins, Trustee of the Lew Robbins Trust, UAD 4-5-12.



Kelly Lynn Hardy
Notary Public for Oregon
My Commission Expires: 9-6-13

RECEIVED BY OWF

OCT 11 2016

SALEM, OR

B12 22 0161

STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY
TAMARA J. GREEN, BAKER CO. CLERK
BY Cindy Carpenter DEPUTY

DOC#: 12220160B

6/05/2012 3:45 PM

REF .00 46.00

353V CK

RECEIVED BY OVRD

OCT 11 2016

SALEM, OR

661689

I.D. TAG NO.

OREGON HEALTH AUTHORITY
CENTER FOR HEALTH STATISTICS
CERTIFICATE OF DEATH

136-2015-002529

STATE FILE NUMBER

TO BE COMPLETED BY FUNERAL FACILITY

Legal Name		First Llewellyn	Middle Leroy	Last Robbins	Suffix	Death Date February 20, 2015
Sex Male	Age 84 years	Social Security Number 544-36-8580		County of Death Baker		
Birthdate October 25, 1930		Birthplace Phillip, South Dakota			Was Decedent Ever in U.S. Armed Forces? No	
Residence: 41416 Pocahontas Road				City/Town Baker City		
Residence County Baker		State or Foreign Country Oregon		Zip Code + 4 97814		Inside City Limits? No
Marital Status at Time of Death Widowed		Spouse's Name Prior to First Marriage Darlene Emma Robbins				
Father's Name Leicester Erwin Robbins				Mother's Name Prior to First Marriage Inga Viken		
Informant's Name Denzil Robbins		Telephone Number Not Available	Relationship to Decedent Son		Mailing Address 42395 Adams Road, Baker City, OR 97814	
Place of Death Hospital-Inpatient		Facility Name St. Alphonsus Medical Center - Baker City, Inc.				
Location of Death 3325 Pocahontas Road		City/Town or Location of Death Baker City		State Oregon	Zip Code + 4 97814	
Method of Disposition Cremation		Place of Disposition Eastern Oregon Pioneer Crematory		Location (City/Town and State) Baker City, Oregon		
Name and Complete Address of Funeral Facility Coles Tribute Center 1950 Place St, Baker City, Oregon 97814						
Date of Disposition TBD		Funeral Director's Signature R. Roger Coles		Electronically Signed	OR License Number CO-3474	
Registrar's Signature Jennifer A. Woodward		Date Received February 23, 2015		Local File Number		
Amendment						

TO BE COMPLETED BY MEDICAL CERTIFIER

Was case referred to Medical Examiner? No		Autopsy? No	Were autopsy findings available to complete the cause of death?		Time of Death 1500
CAUSE OF DEATH IMMEDIATE CAUSE ↓ community acquired bacterial pneumonia					Approximate Interval Onset to Death days
Due to (or as a consequence of) ↓ a.					
Due to (or as a consequence of) ↓ b.					
Due to (or as a consequence of) ↓ c.					
Due to (or as a consequence of) ↓ d.					
Other significant conditions contributing to death: acute on chronic renal failure, gastrointestinal bleed, dementia, hypertension					
Manner of Death Natural		If Female Not Applicable		Did tobacco use contribute to death? No	
Date of Injury	Time of Injury	Place of Injury		Injury at Work?	
Location of Injury					
Describe how injury occurred:				If transportation injury, specify.	
Name and Address of Certifier Jonathan David Schott 3950 17th Street A, Baker City, Oregon 97814					
Name and Title of Attending Physician If Other than Certifier				Date Signed February 23, 2015	
Medical Certifier Jonathan David Schott		Electronically Signed	Title of Certifier M.D.		License Number MD21468
Amendment					

OCT 11 2016

SALEM, OR

I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE OR THE VITAL RECORD FACTS ON FILE IN THE OREGON CENTER FOR HEALTH STATISTICS OR A DELEGATED LOCAL OFFICE.

February 24, 2015

DATE ISSUED:

THIS COPY IS NOT VALID WITHOUT INTAGLIO STATE SEAL AND BORDER.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

JENNIFER A. WOODWARD, PH.D.
STATE REGISTRAR

45-2CC (01/06)



STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 121566

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

INVOICE # _____

RECEIVED FROM: Denzil L Robbins;
BY: Kathryn J Robbins;
Ranch Account

APPLICATION	<u>R-84681</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# 11677 ☐ OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 85.00

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) Assignment \$ 85.00
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME _____ \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____
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: 121566

DATED: 10-11-16 BY: Felicia Bran

R-84427 41/27
hold

FITZGERALD Kate M

From: SAUTER Jerry K <jerry.k.sauter@state.or.us>
Sent: Tuesday, October 13, 2015 9:18 AM
To: mike@benchmarkls.com
Cc: FITZGERALD Kate M (fitzgerald.kate.m@state.or.us)
Subject: RE: Water rights in Baker County

Hello Mike,
Your request poses no issues and I appreciate the update. I'll put a copy in the files.
Thanks,
JK

J.K. (Jerry) Sauter | Water Rights Program Analyst
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph. 503.986.0817 | Fax 503.986.0901
Information Requests may be made to : customerservice@wrd.state.or.us

From: Mike Springer [<mailto:mike@benchmarkls.com>]
Sent: Tuesday, October 13, 2015 8:12 AM
To: SAUTER Jerry K; SAUTER Jerry K
Subject: Water rights in Baker County

Hi Jerry,

I'm not sure which of these emails is best so I sent it to both.

I have a client that contacted me last week regarding three permits that need COBU's completed. I believe that he has received a letter from OWRD informing him that he needs to complete these projects. I haven't seen the letter, but if it is critical that I reference it in our correspondence, I'll get a copy of it.

According to him the following permits were mentioned in the letter: S53815, R13114 and R13322. Under the name of Robbins.

Mr. Robbins has contracted with us to complete the work, but due to our current work load and the timing of my communications with Mr. Robbins, I was hoping that I could get an extension of time to complete these COBU's. If I could until June 2016 I'm sure I can have all three projects completed.

With Best Regards,

--

Mike Springer, PLS
Benchmark Land Surveying, Inc
217 N. Canyon Blvd.
P.O. Box 476
John Day, Oregon

(541) 575-1251...Work
(800) 699-0516...Toll Free
(541) 620-0676...Mobile

"- End of Interview -"

SAUTER Jerry K

From: SAUTER Jerry K
Sent: Tuesday, October 13, 2015 9:18 AM
To: 'mike@benchmarkls.com'
Cc: FITZGERALD Kate M (fitzgerald.kate.m@state.or.us)
Subject: RE: Water rights in Baker County

Hello Mike,
Your request poses no issues and I appreciate the update. I'll put a copy in the files.
Thanks,
JK

J.K. (Jerry) Sauter | Water Rights Program Analyst
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph. 503.986.0817 | Fax 503.986.0901
Information Requests may be made to : customerservice@wrdd.state.or.us

From: Mike Springer [<mailto:mike@benchmarkls.com>]
Sent: Tuesday, October 13, 2015 8:12 AM
To: SAUTER Jerry K; SAUTER Jerry K
Subject: Water rights in Baker County

Hi Jerry,

I'm not sure which of these emails is best so I sent it to both.

I have a client that contacted me last week regarding three permits that need COBU's completed. I believe that he has received a letter from OWRD informing him that he needs to complete these projects. I haven't seen the letter, but if it is critical that I reference it in our correspondence, I'll get a copy of it.

According to him the following permits were mentioned in the letter: S53815, R13114 and R13322. Under the name of Robbins.

Mr. Robbins has contracted with us to complete the work, but due to our current work load and the timing of my communications with Mr. Robbins, I was hoping that I could get an extension of time to complete these COBU's. If I could until June 2016 I'm sure I can have all three projects completed.

With Best Regards,

--
Mike Springer, PLS
Benchmark Land Surveying, Inc
217 N. Canyon Blvd.
P.O. Box 476
John Day, Oregon

012-
1400
10/13/2015

June 5, 2015

Files: R-84681, R-85019 and S-84682

Dennis Robbins called to inform us that he has retained Mike Springer at Benchmark Engineering to bring his permits to completion

jp

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

R-84681

Denzil Robbins
42395 Adams Road
Baker City, OR 97814

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Denzil Robbins

☐ Agent
☐ Address

B. Received by (Printed Name)

Denzil Robbins

C. Date of Delivery

5-4-15

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

MAY 06 2015

OWRD

3. Service Type

☐ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7014 1200 0000 8251 3464

PS Form 3811, July 2013

Domestic Return Receipt *KF WR*

PORTLAND
STATES POSTAL SERVICE
OR 9720

04 MAY '15

PM 11



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

Oregon Water Resources Department
Attention: Kate Fitzgerald
725 Summer St. NE, Suite A
Salem, OR 97301





Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

NOTE: For water rights information and useful forms, please see our web site at
www.oregon.gov/OWRD

April 27, 2015

Certified mail number 7014 1200 0000 8251 3464

Return receipt requested

Denzil Robbins
42395 Adams Road
Baker City, OR 97814

Reference: Application R-84681, Permit R-13114

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2006.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2006. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (June 26, 2015) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Machele Bamberger by telephone at 503-986-0802, Corey Courchane by telephone at 503-986-0825, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (1)

cc: File R-84681

OWRD Watermaster District 8

PERMIT STATUS REVIEW BY M. Bamberger DATE 4-9-15 FILE # ~~A~~ R- 84681

1. Per Dwight French, **do not** send "C" DATE NOTICE PACKET if : update appropriate db

NO Extension pending _____

NO Assignment is pending _____

NO Cancellation has been requested _____

NO Dept. has already sent a certified 60-Day Compliance letter (date _____, # _____)

Was **60 days notice** allowed? Y N If No, How Much Time ? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check ? Y N date _____ successful ? Y N

Re-send Cert. Letter ? Y N date _____

Send cancellation order Y N

NO Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received _____

2. IF NONE OF THE ABOVE APPLY

_____ Send **certified** "C" date notice packet to permit holder

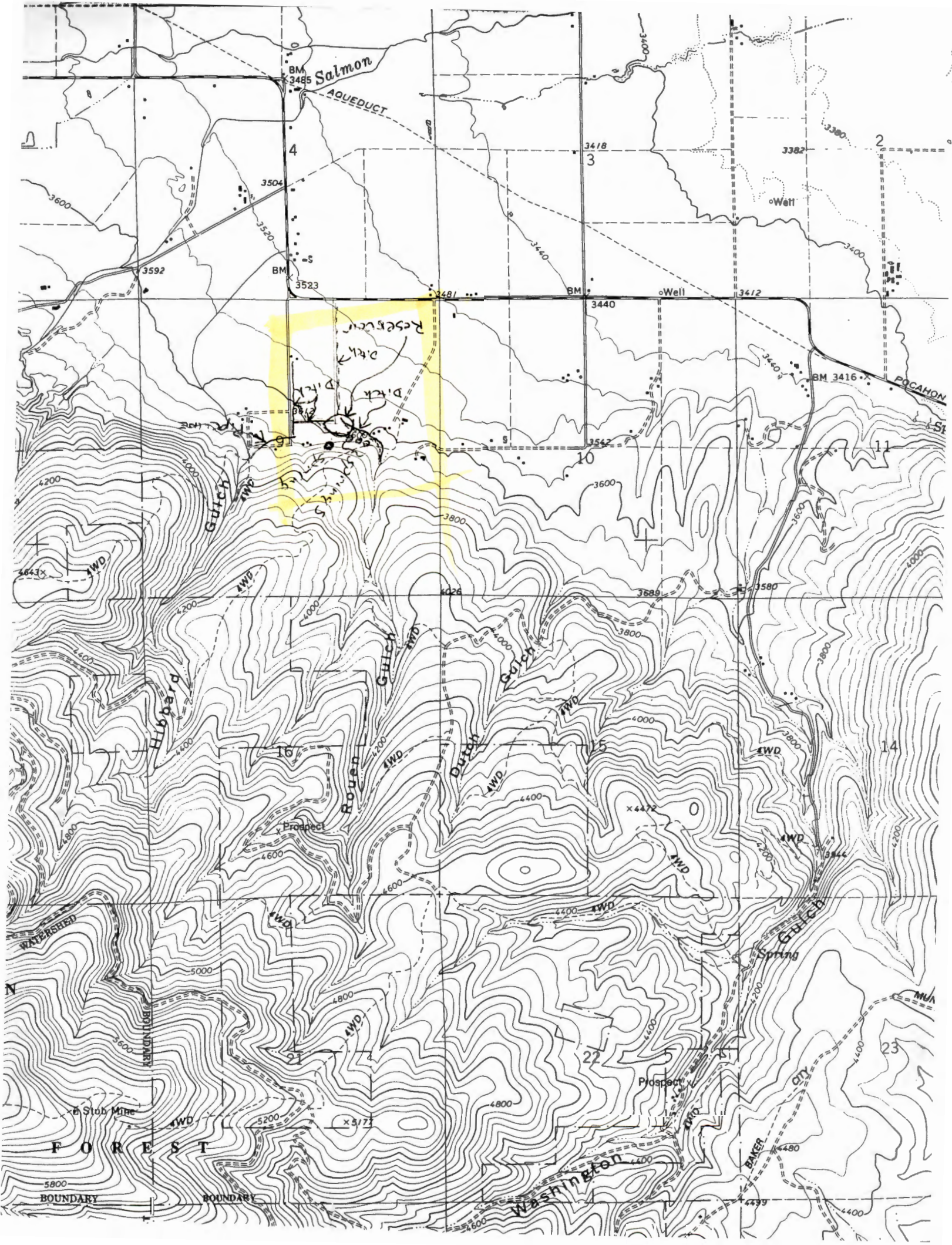
"C" DATE 10-1-2006 BASIN NUMBER 9 WM # 8

CWRE or AGENT NONE

S:\groups\wr\PERMIT C jd\c-date-checklist.doc

Denzil
Robbins
42395 Adams
Rd
Baker City, OR
97814

Send letter
MAB 4-9-15



Sect 9 T. 9S. R. 39E. Wm.

Baker County

Llewellyn & Denzil Robbins
41416 Peabodys Rd 42395 Adams Lane
Baker City, Or 97814 Baker City, Or 97814

SW 1/4 of NE 1/4

Tract no 100 & 200

RECEIVED

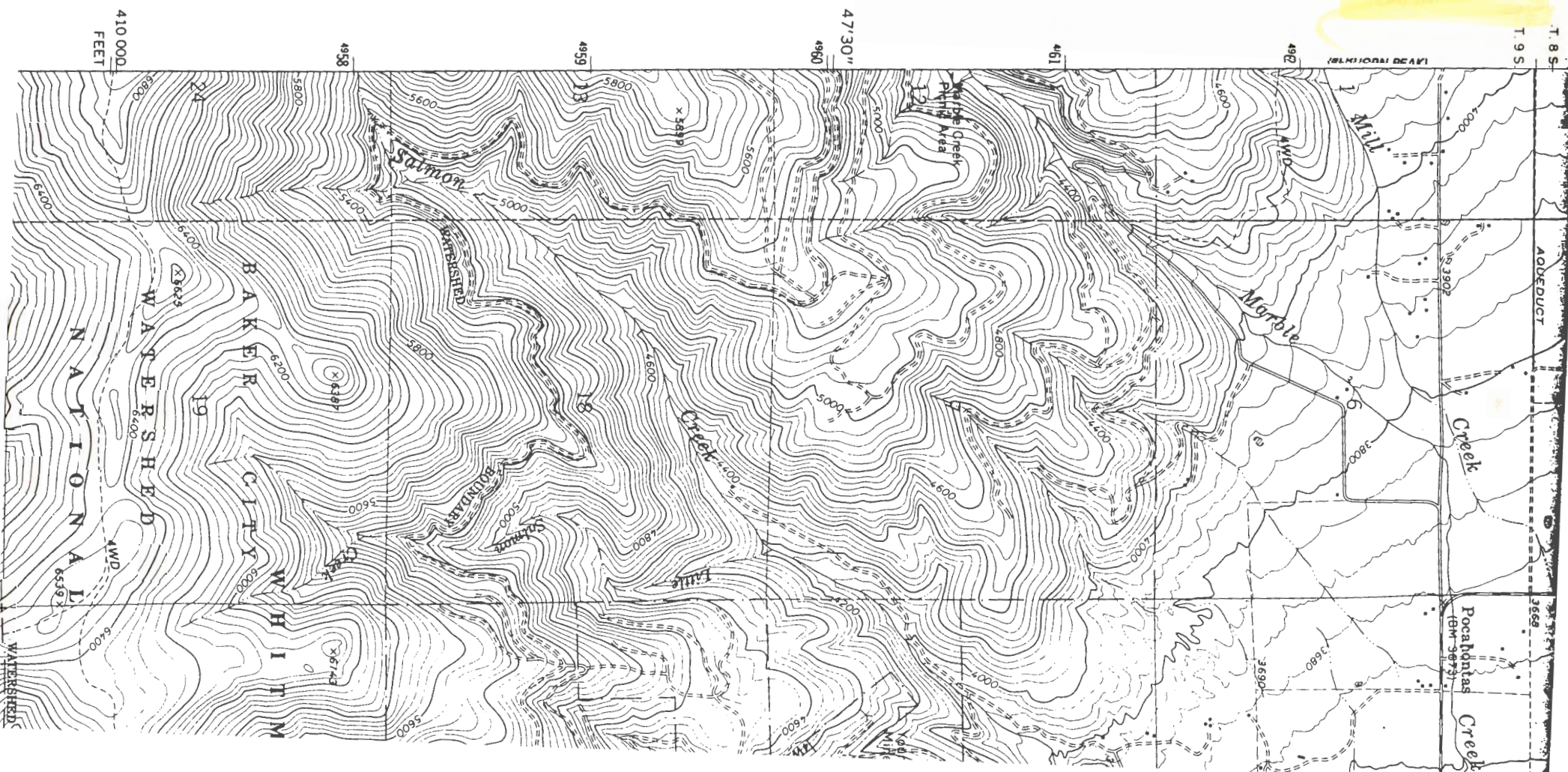
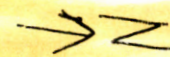
JAN 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 05 2001

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon Water Resources Department

Water Rights Application
Number R-84681

Superceding Final Order

Application History

On MARCH 5, 2001, LLEWELLYN L AND DENZIL ROBBINS submitted an application to the Department for a water use permit. Pursuant to ORS 537.409, the Department provided public notice of the application in the Department's weekly public notice. A 60 day comment period followed.

On December 20, 2001, the Department issued a Final Order approving Application R-84681. In order to correct an error in the permit that omitted sources of water, Superceding Final Order R-13114 is being issued to correctly identify all sources of water applied for by the applicant. Permit R-13114 supercedes permit R-13101.

The Department **has not** received adverse comments related to the possible issuance of the attached permit. The Department **has** received comments from Oregon Department of Fish and Wildlife related to the possible issuance of the attached permit. No substantial issues were raised in those comments.

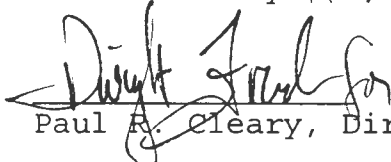
Water is available for the proposed use as described in the attached permit.

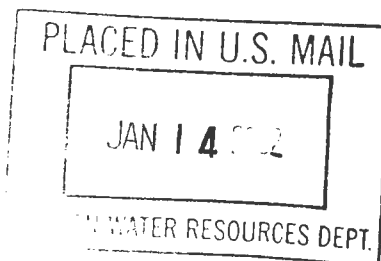
The use, as described on the attached permit, will not injure any existing water rights and does not pose potential detrimental impacts to existing fishery resources. Therefore, the proposed use would not impair or be detrimental to the public interest.

Order

Application R-84681 therefore is approved pursuant to ORS 537.409, and Permit Number R-13114 is issued as limited by the conditions contained therein.

DATED January 11, 2001


Paul R. Cleary, Director



Appeal Rights

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

This document was prepared by Jan DeVito. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455, extension 240.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at extension 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th Street NE, Salem, OR 97301-4172, Fax: (503)378-6203.

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LLEWELLYN L AND DENZIL ROBBINS
41416 POCAHONTAS RD
BAKER CITY, OREGON 97814

(541) 523-4491

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

APPLICATION FILE NUMBER: R-84681

SOURCE OF WATER: HIBBARD CREEK, ROUEN CREEK, AND UN-NAMED SPRINGS,
TRIBUTARY OF SALMON CREEK

STORAGE FACILITY: ROBBINS RESERVOIR

PURPOSE OR USE OF THE STORED WATER: STORAGE FOR IRRIGATION

MAXIMUM STORAGE VOLUME: 20.0 ACRE-FEET EACH YEAR, BEING ANY COMBINATION
FROM HIBBARD CREEK, ROUEN CREEK AND UN-NAMED SPRINGS, TRIBUTARY OF
SALMON CREEK

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1
THROUGH MAY 31 AND THE MONTH OF NOVEMBER EACH YEAR

DATE OF PRIORITY: MARCH 5, 2001

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 9.50 FEET.

DAM LOCATION: SW 1/4 NE 1/4, SECTION 9, T9S, R39E, W.M.; 325 FEET NORTH
& 795 FEET EAST FROM C1/4 CORNER, SECTION 9

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
SECTION 9
TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the

meter or measuring device in good working order.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring 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 amount (volume) of water used and may require the permittee to report water use 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. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

When in the judgement of the Watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows from the reservoir or passing all incoming natural flows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level 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. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

STANDARD CONDITIONS

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.

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.

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.

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.

This permit does not authorize the permit holder to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the permit holder.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2006.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.

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 stores 9.2 or more acre-feet of water.

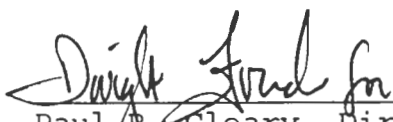
If no secondary permit exists and the reservoir stores less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:

- (a) the dimensions of the reservoir;

- (b) the maximum capacity of the reservoir in acre-feet; and
- (c) a map identifying the location prepared in compliance with Water Resources Department standards.

This Permit R-13114 supercedes Permit R-13101, which is no longer valid.

Issued January 11 , 2001


Paul R. Cleary, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Mailing List for FO Copies

Application #R-84681

Print Date : January 11, 2002

Original mailed to Applicant:

LLEWELLYN L AND DENZIL ROBBINS, 41416 POCAHONTAS RD, BAKER CITY, OREGON 97814

Copies sent to:

1. WRD - File # R-84681
2. WRD - Water Availability: Ken Stahr (WAB= 8 GRANDE RONDE)
3. WRD - Data Center
4. WRD - NWR

Copies Mailed By: <u>TEB</u> (SUPPORT STAFF) on: <u>1/11/02</u> (DATE)

FO, Map, and Fact Sheet Copies sent to:

5. WRD - Rick Lusk, Watermaster; DISTRICT 8
6. WRD - Jerry Rodgers, Eastern Region Manager
7. ODFW District Biologist: (BAKER County) - Jeff Zakel (reviewed by Tim Walters)

Copies sent to Other Interested Persons (*CWRE, Agent, Commenter, etc.*)

8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____
2. _____
3. _____

CASEWORKER : JAD (week 320) - superceding

Oregon Water Resources Department

Water Rights Application

Number R-84681

Final Order

Application History

On MARCH 5, 2001, LLEWELLYN L AND DENZIL ROBBINS submitted an application to the Department for a water use permit. Pursuant to ORS 537.409, the Department provided public notice of the application in the Department's weekly public notice. A 60 day comment period followed.

The Department **has not** received adverse comments related to the possible issuance of the attached permit.

The Department **has** received comments from Oregon Department of Fish and Wildlife related to the possible issuance of the attached permit. No substantial issues were raised in those comments.

Water is available for the proposed use as described in the attached permit.

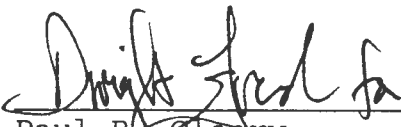
The use, as described on the attached permit, will not injure any existing water rights and does not pose potential detrimental impacts to existing fishery resources.

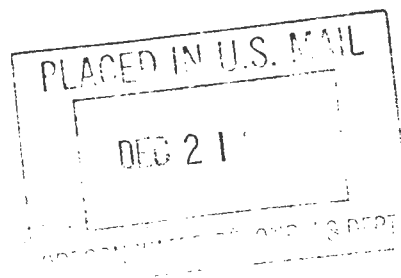
Therefore, the proposed use would not impair or be detrimental to the public interest.

Order

Application R-84681 therefore is approved pursuant to ORS 537.409, and Permit Number R-13101 is issued as limited by the conditions contained therein.

DATED December 20, 2001


Paul R. Cleary
Director



Appeal Rights

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

This document was prepared by Jan DeVito. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455, extension 240.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at extension 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th Street NE, Salem, OR 97301-4172, Fax: (503)378-6203.

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LLEWELLYN L AND DENZIL ROBBINS
41416 POCAHONTAS RD
BAKER CITY, OREGON 97814

(541) 523-4491

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

APPLICATION FILE NUMBER: R-84681

SOURCE OF WATER: ROUDEN CREEK, A TRIBUTARY OF SALMON CREEK

STORAGE FACILITY: ROBBINS RESERVOIR

PURPOSE OR USE OF THE STORED WATER: STORAGE FOR IRRIGATION

MAXIMUM STORAGE VOLUME: 20.0 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1
THROUGH MAY 31 AND NOVEMBER 1-30 OF EACH YEAR

DATE OF PRIORITY: MARCH 5, 2001

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 9.50 FEET.

DAM LOCATION: SW 1/4 NE 1/4, SECTION 9, T9S, R39E, W.M.; 325 FEET NORTH
& 795 FEET EAST FROM C1/4 CORNER, SECTION 9

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
SECTION 9
TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter

or measuring device; provided however, where the meter or measuring 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 amount (volume) of water used and may require the permittee to report water use 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. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

When in the judgement of the Watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows from the reservoir or passing all incoming natural flows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level 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. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

STANDARD CONDITIONS

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.

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.

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.

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.

This permit does not authorize the permit holder to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the permit holder.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2006.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.

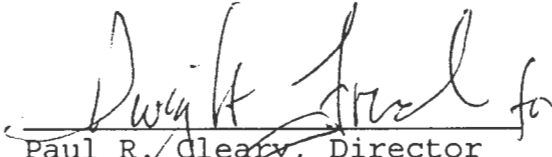
The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir stores 9.2 or more acre-feet of water.

If no secondary permit exists and the reservoir stores 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 prepared in compliance with Water Resources Department standards.

Issued December 20, 2001


Paul R. Cleary, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Mailing List for FO Copies

Application #R-84681

Print Date : December 17, 2001

Original mailed to Applicant:

LLEWELLYN L AND DENZIL ROBBINS, 41416 POCAHONTAS RD, BAKER CITY, OREGON 97814

Copies sent to:

1. WRD - File # R-84681
2. WRD - Water Availability: Ken Stahr (WAB= 8 GRANDE RONDE)
3. WRD - Data Center
4. WRD - NWR

Copies Mailed	
By: <u>DC</u>	(SUPPORT STAFF)
on: <u>12/20/01</u>	(DATE)

FO, Map, and Fact Sheet Copies sent to:

5. WRD - Rick Lusk, Watermaster; DISTRICT 8
6. WRD - Jerry Rodgers, Eastern Region Manager
7. ODFW District Biologist: (BAKER County) - Jeff Zakel (reviewed by Tim Walters)

Copies sent to Other Interested Persons (*CWRE, Agent, Commenter, etc.*)

8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____
2. _____
3. _____

CASEWORKER : JAD (Week 317)

5. DETERMINATION:

DENY, BECAUSE OF ____ ODFW Recommendation and/or ____ Withdrawn Stream
☒ ~~ISSUE FINAL ORDER WITH PERMIT (CONDITIONED AS NEEDED)~~
☒ ~~FEE REFUND INITIATED~~ \$ 100.00 date 12/10/01

A. Verify Legal Description

Reservoir POD 1/4 1/4 sw/ne T.R.S. 9S, 39E, 9

Reservoir POU 1/4 1/4 " T.R.S. " "

B. Assign permit number. R- 1310 . (A-13101)

- The list of permit numbers is accessed through Explorer
- The List of permit numbers is located in **Paradox**, wr/fo/issue.db

C. Specific conditions to be included in the Final Order:

Water Availability Season Feb 1 - May 31 and Nov. 1-30 each year

Water Availability Limitations

N/A Scenic Waterway Condition (_____ Scenic Waterway) macro ssw

✓ Watermaster condition 6c - see Salmon-colored form
and b.58

✓ ODFW condition, reflecting DEQ comment - relevant only to potential injury to existing fishery resources or existing water rights (no pispc) see e-mail to Timothy Walters of 12/5/01

N/A Miscellaneous

N/A Mailing List Notes

D. Verify the correct measurement and reporting condition.

Small Res. Stores ≤ 9.2 acre feet ("Director may require..meter or measuring device...")

✓ Medium Res. Stores > 9.2 but < 100 acre feet ("permittee shall install meter or other device...")

Large Res. Stores ≥ 100 acre feet ("permittees shall submit a report")

E. Run the Macro, insert and check conditions from “C-D” and adjust formatting.

F. When document is completed, "save as" to: S:\GROUPS\WR\FO\WEEK 317.

G. ✓ Print final document and submit for review by caseworker: Kerry.

H. Prepare the week report and arrange materials in application folders.

I. Route to Management for signature with weekly batch of Final Orders.

J. ☒ Route to support services for copying and mailing.

K. Save final FO and Permit in S:\GROUPS\WR\FO\DONE\ 01-12

L. ✓ Delete duplicate copies of the document from "expedite" and WEEK OF 3/7.

M. ✓ Update permit database **Paradox**, **wr/fo/issue.db** with issue date.

ORS 537.409 ALTERNATE RESERVOIR WORKSHEET (rev. 12/2001 jd)

1. FILE # R- 84681 (also see: secondary. S-84682 - irrigation)

2. APPLICATION FORM COMPLETENESS:

Reviewer
Date

Jan DeVito
12/4/01

yes Application form is completed & signed.

yes Land Use form has been signed by planning.

yes Verify Fees (\$10 per acre-foot with maximum fee of \$100).

20 acre feet x \$10/acre foot = \$ 200

Total paid \$200 Receipt Number 43456 Refund \$ 1000.00.
overpaid

yes Appropriate map has been received that meets OAR 690-310-050 requirements

N/A Secondary application filed if appropriate? File number for secondary S- N/A.

3. PRE-FINAL ORDER PROCESSING BY CASEWORKER Jan DeVito:

From WRD Web Site:

Conflict check: Print plat card report from WRD web page.

done At Interactive Mapping, print Analysis Report for file.

WM DIST 8 WM NAME Rick Lusk REGION Eastern

done While at Analysis Report, print Water Availability for priority date at 50% exceedence. If no WID number, fax copy of application and map to Watermaster for Watermaster Water Availability analysis. WID # 72191

done Check Basin Map and Program for stream withdrawals. classification and Note at #5C list of FO conditions.

Basin Powder Sub-basin — ORS Div. 690-509-0000 (-2) classification

done check withdrawals not taken

done Initiate mail of application review forms to Interagency Review Team members - consult current lists. Mailing date 4/13/02 Update database ✓ Division 33 does not apply to Alt. Pond Process.

ODFW Contact: Jim Walters

DEQ Contact: Dick Nichols

WRD Watermaster Rick Lusk

4. BEFORE PREPARING FO OR PERMIT, CHECK FILE FOR:

yes Application review forms **completed** by Interagency Team members (ODFW, DEQ, Watermaster, NMFS, etc) in the file? Public interest conditions can only relate to potential injury to existing fishery resources or existing water rights. Note at #5C.

yes Land use approved by the local planning department. If not, prepare Final Order and insert a condition into Permit that requires land use information prior to Claim of Beneficial Use. Note at #5C.

N/A If comments received from anyone other than Interagency Team members, list name and mailing address to receive \$10 letter on mailing distribution list.

N/A Check Scenic Waterway map for POD location. If directly on a scenic waterway (red on map) read and apply the appropriate rule. If in a scenic waterway area (yellow on map) note at #5C. Scenic Waterway: — (add condition: macro ssw)

to file

X-Sender: frenchdw@mailhub.wrd.state.or.us
X-Mailer: QUALCOMM Windows Eudora Version 5.1
Date: Fri, 07 Dec 2001 13:59:01 -0800
To: Janice DeVito <Janice.A.DEVITO@wrđ.state.or.us>
From: Dwight W French <Dwight.W.FRENCH@wrđ.state.or.us>
Subject: Re: Fwd: Alt Pond Application R84681, Robbins

Sounds good.
Dwight

At 10:16 AM 12/7/2001, you wrote:

As you requested, Dwight, I phoned Tim Walters about the ODFW conditions for this Alt Pond application. Then, I sent him this e-mail to clarify our conversation. I haven't heard anything to the contrary back from him. So, I'll proceed with processing the application. The second paragraph summarizes what I understand is your concern. Thanks....jd

Date: Wed, 05 Dec 2001 11:15:56 -0800
To: Timothy.R.Walters@state.or.us
From: Janice DeVito <Janice.A.DEVITO@wrđ.state.or.us>
Subject: Alt Pond Application R84681, Robbins

I appreciate your clarifying the ODFW review for this specific application, that the use **does not have** potential for detrimental impact to existing fishery resources. WRD now processes Alternate Pond applications under parameters of ORS537.409 instead of OAR Chapter 690 Div. 33 (per memo from Dwight French of October 19, 2001.) I will attach a copy of this e-mail to the review that you completed 5/9/01 and submitted to us for this file.

From our conversation, I understand that in some areas of your district there might be the possibility for applications in certain locations to have the potential for detrimental impact to existing fishery resources. So, each Alternate Pond application is considered by ODFW on an individual basis.

The water availability season each year for application R84681 (Robbins) is February through May, and the month of November.

If you have further comment about this application or correction to my understanding as outlined in this e-mail, please let me know. Thanks again....Jan

Janice A. DeVito, Water Rights/Adjudications Division
Oregon Water Resources Department, 158 - 12th Street NE, Salem OR 97301-4172
phone: 503-378-8455 x240 FAX: 503-378-6203

RECEIVED

JAN 29 2001

WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department Land Use Information Form

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

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: L.L. Robbins & Denzil Robbins

Address: 41416 Pocahontas Rd.

City: Baker City State: OR Zip: 97814 Day Phone: 503-4491

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>939100</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used
<u>9399200</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used
		☐ Diverted	☐ Conveyed	☐ Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Baker County

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Irrigation - Supplemental

Briefly describe: _____

D. Source

Indicate the source for the proposed water use:

☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

20 ☐ CFS ☐ GPM ☒ Acre-Feet

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

RECEIVED

MAR 05 2001

WATER RESOURCES DEPT.
SALEM, OREGON

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

- ☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____. Go to section B "Approval" below
- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Grant Young Date: 9/21/00
Title: Asst. Planner Phone: 541-523-8219
Signature: [Signature]

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Receipt for Request for Land Use Information

Name of water right applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: _____ Date: _____

NOV, Feb-Apr 14 → N/A
NOV, Feb-May
no set season



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

Application for a Permit to Store Water

200

Alternate Review Process (ORS 537.409)

You may use this form for any reservoir storing less than 9.2 acre-feet
or with a dam less than 10 feet high.

RECEIVED

JAN 29 2001

Use a separate form for each reservoir.

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will require it to you. If any requested information does not apply to your application, insert "n/a."

WATER RESOURCES DEPT.
SALEM, OREGON

1. APPLICANT INFORMATION

Landowner: Llewellyn L. & Denzil Robbins
First Last

Authorizing Agent: L. Robbins First Last Denzil Robbins

Mailing address: 41416 Pocahontas Rd (42395 Adams Ln.)
Baker City OR. 97814
City State Zip

Phone: 541-523-4491 + 523-2268
Home Work Other

*Fax: _____ *E-Mail address: _____

RECEIVED

*Optional information

MAR 05 2001

2. LOCATION AND SOURCE

WATER RESOURCES DEPT.
SALEM, OREGON

A. Reservoir name: Robbins Res.

B. Source

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 the source is run-off, seepage, or an unnamed spring or stream.

Source: Hubbard Creek Salmon Creek
Rouden Cr. Tributary to: Powder River
Surface water — unnamed springs

C. Reservoir Location

township	range	section	quarter/quarter	tax lot no.
9	39	9	SW 1/4 of NE 1/4	100 & 200

D. Dam

Maximum height of the dam: 9 1/2 ft. feet.

9S, 39E
Section 9

App. No. <u>R-84681</u>	For Department Use
Permit No. _____	

RECEIVED

JAN 29 2001

How do you plan to use the stored water?

- Irrigation
- Stockwater
- Aquatic Life
- Nursery Operations
- Cranberry
- Temperature Control
- Forest and Range Management
- Industrial
- Commercial
- Fire Protection
- Mining
- Power Development
- Domestic
- Human Consumption
- Domestic Expanded
- Municipal
- Stormwater
- Quasi-municipal
- Group Domestic
- Recreation
- Wildlife
- Pollution Abatement
- Wetland Enhancement
- Multipurpose

What is an acre foot?

One acre-foot is the volume of water that would cover one acre of land to the depth of one foot. To find out how much water your pond stores, multiply the surface area (in feet) by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. To be eligible for the alternate process your reservoir must store less than 400,752 cubic feet (43,560 X 9.2).

Application fee

Your application fee is based on the number of acre-feet of your proposed reservoir.

\$10 per acre-foot.

Example:

6.5 acre-feet X \$10=\$65 total.

WRD on the web:
www.wrd.state.or.us

3. WATER USE

WATER RESOURCES DEPT.
SALEM, OREGON

A. Quantity: Amount of water to be stored in the reservoir at maximum capacity: 20 Ac Ft.

B. Use: Indicate the proposed use(s) of the stored water (see list to the left). Irrigation

Note: If you intend to use this stored water outside of the reservoir you must also file an application to use surface water.

C. Water Rights: What water rights, if any, have been issued for this reservoir? (Indicate permit or certificate number.)

None

4. ENVIRONMENTAL IMPACT

A. Channel: Is the reservoir in stream or off channel? ☐ Yes ☒ No

B. Wetland: Is the project in a wetland? ☐ Yes ☒ No ☐ Don't Know

C. Existing: Is this an existing reservoir? ☐ Yes ☒ No

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

D. Fish Habitat: Is there fish habitat upstream of the proposed structure? ☐ Yes ☒ No ☐ Don't Know

If yes, how much? _____ miles

E. Partnerships: 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 the project.

5. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

[Signature]
Landowner

11/13/00
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

MAR 05 2001

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 2, 2002

Robbins Farm Equipment Inc.
Attn: Llewellyn and Denzil Robbins
41416 Pocahontas Road
Baker City OR 97814

RE: Refund of excess fees, Application R-84681

Enclosed is our Warrant No. 116990935 as a refund of excess fees submitted for the above application. Under the Alternate Review Process (ORS 537.409) the maximum fee is \$100.00. Since you submitted \$200.00 on March 5, 2001, we are refunding the \$100.00 overpayment.

Please contact me if you have questions.

Sincerely,

Janice A. DeVito
Water Rights Division
503-378-8455 extension 240

enclosure

S:\groups\wr\hydro\jan's files\alt reservoir work\R84681 refund to app.wpd

STATE OF OREGON REMITTANCE ADVICE

WARRANT NO.
116990935

WATER RESOURCES DEPARTMENT

INVOICE NO.	INVOICE DATE	INVOICE DESCRIPTION	AGY	DOCUMENT	AMOUNT
		REVENUE REFUND R-84681	43456	690 VP015412	100.00

VENDOR NAME: ROBBINS FARM EQUIPMENT INC		ISSUE DATE: 12/28/01	WARRANT AMOUNT 100.00
---	--	----------------------	-----------------------

STATE OF OREGON
Dept of Administrative Services
To the State Treasurer, Salem, OR 97301-3896
WATER RESOURCES DEPARTMENT
(503) 378-8455

96-10
1232
CHECK DATE
12/28/01



BANK WARRANT NO.
11 6990935

PAY THIS AMOUNT
\$100.00

DOCUMENT NO.
VP015412

*****ONE HUNDRED AND 00/100 DOLLARS

ROBBINS FARM EQUIPMENT INC
41416 POCAHONTAS ROAD
BAKER CITY OR 97814

VOID AFTER 2 YEARS FROM DATE OF ISSUE

John J. Fozard

№6990935 № 123 200101 № 10501 №

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **43456**

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

INVOICE # _____

RECEIVED FROM: Robbins Farm Equipment Inc

BY: _____

APPLICATION	R-84681
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 2422 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 200.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

(ew) TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

WATER RIGHTS:

0201 SURFACE WATER A1+

EXAM FEE
\$ 100.00

0202

RECORD FEE
\$ 100.00

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE
\$

0219

LICENSE FEE
\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # **43456**

DATED: 8-5-01 BY: S. Henderson

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **43456**

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

INVOICE # _____

RECEIVED FROM: Robbins Farm Equipment Inc

BY: _____

APPLICATION	R-84681
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 2422 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 200.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

WATER RIGHTS:

0201 SURFACE WATER *AIF*

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

EXAM FEE

\$ 100.00

\$

\$

EXAM FEE

\$

RECORD FEE

\$ 100.00

\$

\$

LICENSE FEE

\$

\$

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

0210 MONITORING WELLS

\$

OTHER (IDENTIFY) _____

CARD #

CARD #

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # **43456**

DATED: 8-5-01

BY: S. Henderson

INTEROFFICE MEMO

DATE: December 10, 2001
TO: MARIE LICARI, FISCAL
FROM: Jan DeVito
SUBJECT: REQUEST FOR REFUND
FILE: R84681

Please prepare a refund in the amount of \$100.00, receipt 43456, made payable to:

Name: Robbins Farm Equipment Inc.
Address: 41416 Pocahontas Road
City: Baker City State: OR Zip: 97814

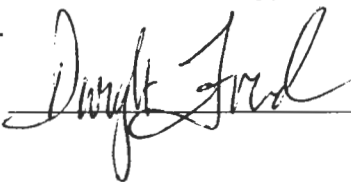
These funds are being paid as a result of:

☐ Application rejected/ withdrawn
☒ XX Excess fees collected for application
☐ File Closed
☐ Payment of Publication of Notice (PON)
☐ Protest Filing Fees
☐ Other: _____

0202

Please route the refund check and the file back to Jan DeVito for further processing.

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature:  (Dwight French) Date: 12-10-01

INTEROFFICE MEMO

DATE: December 10, 2001
TO: MARIE LICARI, FISCAL
FROM: Jan DeVito
SUBJECT: REQUEST FOR REFUND
FILE: R84681

Please prepare a refund in the amount of \$100.00, receipt 43456, made payable to:

Name: Robbins Farm Equipment Inc.
Address: 41416 Pocahontas Road
City: Baker City State: OR Zip: 97814

These funds are being paid as a result of:

☐ Application rejected/ withdrawn
☒ Excess fees collected for application
☐ File Closed
☐ Payment of Publication of Notice (PON)
☐ Protest Filing Fees
☐ Other: _____

0202

Please route the refund check and the file back to Jan DeVito for further processing.

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: Dwight French (Dwight French) Date: 12-10-01

S:\groups\wr\hydro\jan's files\alt reservoir work\R84681 refund request.wpd

DEC 24 2001



Water Availability for WID 72191

- jump to:
- [home](#)
 - [commission](#)
 - [water law](#)
 - [water rights](#)
 - [surface water](#)
 - [ground water](#)
 - [maps](#)
 - [programs](#)
 - [publications](#)
 - [links](#)
 - [staff](#)
 - [file pickup](#)
 - [intranet](#)
 - [about](#)
 - [search](#)
 - [oregon online](#)
 - [comments](#)

WATER AVAILABILITY TABLE															
Stream: POWDER R > SNAKE R - AB UNN STR															
Basin: POWDER															
Watershed ID Number: 72191 (and Nested Subbasins)															
Time: 09:38															
Exceedance Level: 50															
Date: 04/12/2001															
Select an Item Number for More Details															
Item #	Watershed ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto	
1	30920301	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES	
2	72193	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO	YES	
3	72192	NO	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO	YES	
4	72191	NO	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO	YES	

Water available Feb 1 - May 31 and November 1-31

STREAM NAMES															
Basin: POWDER															
Watershed ID Number: 72191 (and Nested Subbasins)															
Time: 09:38															
Date: 04/12/2001															
Select an Item Number for More Details															
Item	Watershed ID	Stream Name													
1	30920301	POWDER R > SNAKE R - AT MOUTH													
2	72193	POWDER R > SNAKE R - AB EAGLE CR													
3	72192	POWDER R > SNAKE R - AB GOOSE CR													
4	72191	POWDER R > SNAKE R - AB UNN STR													

LIMITING WATERSHEDS															
Stream: POWDER R > SNAKE R - AB UNN STR															
Watershed ID Number: 72191															
Basin: POWDER															
Time: 09:38															
Exceedance Level: 50															
Date: 04/12/2001															
Mnth	Limiting Watershed	Stream Name										Water Net Water			
												Avail? Available			

1	72192	POWDER R > SNAKE R - AB GOOSE CR	NO	-8.1
2	72191	POWDER R > SNAKE R - AB UNN STR	YES	41.6
3	72191	POWDER R > SNAKE R - AB UNN STR	YES	97.7
4	72191	POWDER R > SNAKE R - AB UNN STR	YES	336.0
5	72192	POWDER R > SNAKE R - AB GOOSE CR	YES	152.0
6	72192	POWDER R > SNAKE R - AB GOOSE CR	NO	-169.0
7	72193	POWDER R > SNAKE R - AB EAGLE CR	NO	-301.0
8	72193	POWDER R > SNAKE R - AB EAGLE CR	NO	-225.0
9	72193	POWDER R > SNAKE R - AB EAGLE CR	NO	-190.0
10	72193	POWDER R > SNAKE R - AB EAGLE CR	NO	-35.2
11	72192	POWDER R > SNAKE R - AB GOOSE CR	YES	7.2
12	72192	POWDER R > SNAKE R - AB GOOSE CR	NO	-34.8
Stor	72191	POWDER R > SNAKE R - AB UNN STR	YES	38100.0

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: POWDER R > SNAKE R - AT MOUTH

Basin: POWDER

Exceedance Level: 50

Watershed ID Number: 30920301

Time: 09:38

Date: 04/12/2001

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	312.00	97.90	2.37	212.00	.00	.00	212.00
2	477.00	118.00	2.68	356.00	.00	.00	356.00
3	838.00	198.00	3.40	637.00	.00	.00	637.00
4	1640.00	419.00	9.67	1210.00	.00	.00	1210.00
5	2290.00	1120.00	17.80	1150.00	.00	.00	1150.00
6	2060.00	1140.00	11.30	905.00	.00	.00	905.00
7	673.00	639.00	5.52	28.90	.00	.00	28.90
8	320.00	401.00	1.68	-82.70	.00	.00	-82.70
9	229.00	301.00	3.32	-74.90	.00	.00	-74.90
10	214.00	89.90	3.24	121.00	.00	.00	121.00
11	250.00	53.20	2.34	194.00	.00	.00	194.00
12	281.00	112.00	2.32	167.00	.00	.00	167.00
Stor	578000	284000	3970	300000	0	0	300000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Stream: POWDER R > SNAKE R - AT MOUTH
Basin: POWDER
Watershed ID Number: 30920301
Time: 09:38
Date: 04/12/2001

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	77.43	.00	17.24	1.65	.04	.72	3.23	.00	100.00
2	98.03	.00	17.24	1.65	.04	.72	3.23	.00	121.00
3	170.33	7.83	17.24	1.65	.04	.72	3.23	.00	201.00
4	239.44	166.17	17.24	1.65	.04	.72	3.23	.00	428.00
5	178.97	936.48	17.24	1.65	.04	.71	2.87	.00	1140.00
6	97.49	1018.18	34.48	1.42	.04	.71	2.84	.00	1160.00
7	31.80	572.91	34.48	1.42	.04	.71	2.73	.00	644.00
8	15.12	348.24	34.48	1.42	.04	.70	2.73	.00	403.00
9	10.82	253.71	34.48	1.42	.04	.71	2.73	.00	304.00
10	10.18	60.09	17.24	1.65	.04	.72	3.20	.00	93.10
11	32.66	.00	17.24	1.65	.04	.72	3.23	.00	55.50
12	91.62	.00	17.24	1.65	.04	.71	3.23	.00	114.00

DETAILED REPORT OF ISWRs

Stream: POWDER R > SNAKE R - AT MOUTH
Basin: POWDER
Watershed ID Number: 30920301
Time: 09:38
Date: 04/12/2001

-ISWRs-								
APP #	0	0	0	0	0	0	0	MAXIMUM
Status								
1	.00	.00	.00	.00	.00	.00	.00	.00
2	.00	.00	.00	.00	.00	.00	.00	.00
3	.00	.00	.00	.00	.00	.00	.00	.00
4	.00	.00	.00	.00	.00	.00	.00	.00
5	.00	.00	.00	.00	.00	.00	.00	.00
6	.00	.00	.00	.00	.00	.00	.00	.00
7	.00	.00	.00	.00	.00	.00	.00	.00
8	.00	.00	.00	.00	.00	.00	.00	.00
9	.00	.00	.00	.00	.00	.00	.00	.00
10	.00	.00	.00	.00	.00	.00	.00	.00
11	.00	.00	.00	.00	.00	.00	.00	.00

12	.00	.00	.00	.00	.00	.00	.00	.00
----	-----	-----	-----	-----	-----	-----	-----	-----

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: POWDER R > SNAKE R - AB EAGLE CR

Basin: POWDER

Exceedance Level: 50

Watershed ID Number: 72193

Time: 09:38

Date: 04/12/2001

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	172.00	95.10	2.32	74.50	.00	60.00	14.50
2	301.00	118.00	2.63	181.00	.00	70.00	111.00
3	586.00	198.00	3.13	384.00	.00	80.00	304.00
4	1140.00	399.00	7.90	733.00	.00	80.00	653.00
5	1330.00	1010.00	15.20	303.00	.00	80.00	223.00
6	972.00	1030.00	8.32	-63.20	.00	80.00	-143.00
7	295.00	534.00	1.98	-241.00	.00	60.00	-301.00
8	148.00	311.00	1.65	-165.00	.00	60.00	-225.00
9	101.00	229.00	1.55	-130.00	.00	60.00	-190.00
10	97.80	70.80	2.26	24.80	.00	60.00	-35.20
11	122.00	49.50	2.29	70.20	.00	60.00	10.20
12	150.00	109.00	2.28	38.60	.00	60.00	-21.40
Stor	327000	251000	3110	109000	0	48900	79000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Stream: POWDER R > SNAKE R - AB EAGLE CR

Basin: POWDER

Watershed ID Number: 72193

Time: 09:38

Date: 04/12/2001

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	76.00	.00	16.60	1.45	.04	.54	2.81	.00	97.40
2	98.78	.00	16.64	1.45	.04	.54	2.81	.00	120.00
3	176.09	4.06	16.64	1.45	.04	.54	2.81	.00	202.00
4	250.17	135.23	16.64	1.45	.04	.54	2.81	.00	407.00

5	173.62	832.05	16.64	1.45	.04	.54	2.45	.00	1030.00
6	75.28	922.43	33.28	1.22	.04	.54	2.43	.00	1040.00
7	22.85	475.51	33.28	1.22	.04	.53	2.32	.00	536.00
8	11.46	263.67	33.28	1.22	.04	.53	2.32	.00	313.00
9	7.82	185.60	33.28	1.22	.04	.53	2.32	.00	231.00
10	7.63	43.95	16.64	1.45	.04	.54	2.79	.00	73.00
11	30.28	.00	16.64	1.45	.04	.54	2.81	.00	51.80
12	89.94	.00	16.64	1.45	.04	.54	2.81	.00	111.00

DETAILED REPORT OF ISWRs

Stream: POWDER R > SNAKE R - AB EAGLE CR

Basin: POWDER

Watershed ID Number: 72193

Time: 09:38

Date: 04/12/2001

-----ISWRs-----									
APP #	72193A	0	0	0	0	0	0	0	MAXIMUM
Status	Cert.								
1	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
2	70.00	.00	.00	.00	.00	.00	.00	.00	70.00
3	80.00	.00	.00	.00	.00	.00	.00	.00	80.00
4	80.00	.00	.00	.00	.00	.00	.00	.00	80.00
5	80.00	.00	.00	.00	.00	.00	.00	.00	80.00
6	80.00	.00	.00	.00	.00	.00	.00	.00	80.00
7	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
8	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
9	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
10	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
11	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
12	60.00	.00	.00	.00	.00	.00	.00	.00	60.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: POWDER R > SNAKE R - AB GOOSE CR

Basin: POWDER

Watershed ID Number: 72192

Time: 09:38

Exceedance Level: 50

Date: 04/12/2001

Month	Natural	CU + Stor	CU + Stor	Expected	Reserved	Instream	Net
-------	---------	-----------	-----------	----------	----------	----------	-----

	Stream Flow	Prior to 1/1/93	After 1/1/93	Stream Flow	Stream Flow	Water Rights	Water Available
1	138.00	94.00	2.18	41.90	.00	50.00	-8.15
2	229.00	115.00	2.44	112.00	.00	60.00	52.00
3	459.00	193.00	2.84	264.00	.00	70.00	194.00
4	951.00	382.00	6.52	562.00	.00	70.00	492.00
5	1210.00	976.00	11.90	222.00	.00	70.00	152.00
6	929.00	1020.00	8.26	-99.30	.00	70.00	-169.00
7	281.00	529.00	1.98	-250.00	.00	50.00	-300.00
8	141.00	307.00	1.65	-168.00	.00	50.00	-218.00
9	93.80	227.00	1.55	-134.00	.00	50.00	-184.00
10	90.00	70.30	2.16	17.50	.00	50.00	-32.50
11	109.00	49.60	2.16	57.20	.00	50.00	7.23
12	126.00	109.00	2.14	15.20	.00	50.00	-34.80
Stor	287000	246000	2760	77600	0	41600	53900

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Stream: POWDER R > SNAKE R - AB GOOSE CR

Basin: POWDER

Watershed ID Number: 72192

Time: 09:38

Date: 04/12/2001

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	74.80	.00	16.60	1.45	.04	.52	2.66	.00	96.10
2	95.66	.00	16.64	1.45	.04	.52	2.66	.00	117.00
3	171.18	3.00	16.64	1.45	.04	.52	2.66	.00	195.00
4	245.84	121.69	16.64	1.45	.04	.52	2.66	.00	389.00
5	177.60	789.73	16.64	1.45	.04	.52	2.36	.00	988.00
6	82.21	908.71	33.28	1.22	.04	.52	2.33	.00	1030.00
7	24.87	468.65	33.28	1.22	.04	.52	2.27	.00	531.00
8	12.48	259.30	33.28	1.22	.04	.52	2.27	.00	309.00
9	8.30	182.55	33.28	1.22	.04	.52	2.27	.00	228.00
10	8.01	43.18	16.64	1.45	.04	.52	2.66	.00	72.50
11	30.47	.00	16.64	1.45	.04	.52	2.66	.00	51.80
12	89.45	.00	16.64	1.45	.04	.52	2.66	.00	111.00

DETAILED REPORT OF ISWRs									
Stream: POWDER R > SNAKE R - AB GOOSE CR									
Basin: POWDER									
Watershed ID Number: 72192									
Time: 09:38									
Date: 04/12/2001									
-----ISWRs-----									
APP #	72192A	0	0	0	0	0	0	0	MAXIMUM
Status	Cert.								
1	50.00	.00	.00	.00	.00	.00	.00	.00	50.00
2	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
3	70.00	.00	.00	.00	.00	.00	.00	.00	70.00
4	70.00	.00	.00	.00	.00	.00	.00	.00	70.00
5	70.00	.00	.00	.00	.00	.00	.00	.00	70.00
6	70.00	.00	.00	.00	.00	.00	.00	.00	70.00
7	50.00	.00	.00	.00	.00	.00	.00	.00	50.00
8	50.00	.00	.00	.00	.00	.00	.00	.00	50.00
9	50.00	.00	.00	.00	.00	.00	.00	.00	50.00
10	50.00	.00	.00	.00	.00	.00	.00	.00	50.00
11	50.00	.00	.00	.00	.00	.00	.00	.00	50.00
12	50.00	.00	.00	.00	.00	.00	.00	.00	50.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION							
Stream: POWDER R > SNAKE R - AB UNN STR							
Basin: POWDER							
Exceedance Level: 50							
Watershed ID Number: 72191							
Time: 09:38							
Date: 04/12/2001							
Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	108.00	65.20	1.78	41.00	.00	25.00	16.00
2	158.00	84.40	1.96	71.60	.00	30.00	41.60
3	308.00	168.00	2.16	138.00	.00	40.00	97.70
4	702.00	321.00	4.43	376.00	.00	40.00	336.00
5	1040.00	816.00	8.12	216.00	.00	40.00	176.00
6	884.00	944.00	7.10	-67.10	.00	40.00	-107.00
7	271.00	482.00	1.51	-212.00	.00	25.00	-237.00
8	136.00	265.00	1.44	-130.00	.00	25.00	-155.00
9	89.70	192.00	1.42	-104.00	.00	25.00	-129.00

10	84.90	66.10	1.73	17.10	.00	25.00	-7.91
11	99.40	47.50	1.78	50.10	.00	25.00	25.10
12	107.00	59.10	1.76	46.10	.00	25.00	21.10
Stor	241000	212000	2120	57500	0	22000	43000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Stream: POWDER R > SNAKE R - AB UNN STR

Basin: POWDER

Watershed ID Number: 72191

Time: 09:38

Date: 04/12/2001

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	46.20	.00	16.60	1.45	.04	.44	2.20	.00	66.90
2	65.64	.00	16.64	1.45	.04	.44	2.20	.00	86.40
3	149.54	.00	16.64	1.45	.04	.44	2.20	.00	170.00
4	220.56	84.53	16.64	1.45	.04	.44	2.20	.00	326.00
5	158.39	644.58	16.64	1.45	.04	.43	2.20	.00	824.00
6	74.80	839.13	33.28	1.22	.04	.43	2.17	.00	951.00
7	22.93	423.13	33.28	1.22	.04	.43	2.16	.00	483.00
8	11.51	217.84	33.28	1.22	.04	.43	2.16	.00	266.00
9	7.59	149.02	33.28	1.22	.04	.43	2.16	.00	194.00
10	7.23	39.81	16.64	1.45	.04	.44	2.20	.00	67.80
11	28.51	.00	16.64	1.45	.04	.44	2.20	.00	49.30
12	40.13	.00	16.64	1.45	.04	.44	2.20	.00	60.90

DETAILED REPORT OF ISWRs

Stream: POWDER R > SNAKE R - AB UNN STR

Basin: POWDER

Watershed ID Number: 72191

Time: 09:38

Date: 04/12/2001

ISWRs								
APP #	72191A	0	0	0	0	0	0	MAXIMUM
Status	App.							
1	25.00	.00	.00	.00	.00	.00	.00	25.00
2	30.00	.00	.00	.00	.00	.00	.00	30.00

3	40.00	.00	.00	.00	.00	.00	.00	40.00
4	40.00	.00	.00	.00	.00	.00	.00	40.00
5	40.00	.00	.00	.00	.00	.00	.00	40.00
6	40.00	.00	.00	.00	.00	.00	.00	40.00
7	25.00	.00	.00	.00	.00	.00	.00	25.00
8	25.00	.00	.00	.00	.00	.00	.00	25.00
9	25.00	.00	.00	.00	.00	.00	.00	25.00
10	25.00	.00	.00	.00	.00	.00	.00	25.00
11	25.00	.00	.00	.00	.00	.00	.00	25.00
12	25.00	.00	.00	.00	.00	.00	.00	25.00

1

Paul R. Cleary, Director
Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

To: Timothy.R.Walters@state.or.us
From: Janice DeVito <Janice.A.DEVITO@wrд.state.or.us>
Subject: Alt Pond Application R84681, Robbins
Cc:
Bcc:
Attached:

I appreciate your clarifying the ODFW review for this specific application, that the use **does not** have potential for detrimental impact to existing fishery resources. WRD now processes Alternate Pond applications under parameters of ORS537.409 instead of OAR Chapter 690 Div. 33 (per memo from Dwight French of October 19, 2001.) I will attach a copy of this e-mail to the review that you completed 5/9/01 and submitted to us for this file.

From our conversation, I understand that in some areas of your district there might be the possibility for applications in certain locations to have the potential for detrimental impact to existing fishery resources. So, each Alternate Pond application is considered by ODFW on an individual basis.

The water availability season each year for application R84681 (Robbins) is February through May, and the month of November.

If you have further comment about this application or correction to my understanding as outlined in this e-mail, please let me know. Thanks again....Jan

Janice A. DeVito, Water Rights/Adjudications Division
Oregon Water Resources Department, 158 - 12th Street NE, Salem OR 97301-4172
phone: 503-378-8455 x240 FAX: 503-378-6203

DEQ DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Date: 4/13/01 21 day Deadline Date: 5/11/01 Application # R84681

RECEIVED

Applicant's Name: Robbins

APR 16 2001

1) Does the proposed use comply with state and federal water quality standards?

☒ NO / ☐ YES

Eastern Region - Bend

If NO, how?

POW. Powder River WQ
limited for temp and DO during summer

1) If the answer to question (1) is YES, will the proposed use still result in a diminution of water quality for the habitat of sensitive, threatened or endangered species? NO / YES

If YES, how?

yes. Reduced flow
aggravates WQ problem,

2) Can conditions be applied to mitigate the impact of the use?

NO / ☒ YES

Which conditions are recommended?

(Try to select conditions from the Menu of Conditions)

4) If conditions cannot be identified to offset impacts, would the proposed use harm the species? NO / YES

If YES, please explain:

DEQ RECOMMENDATION:

☒ Approval with conditions.

Store only during high flow winter /
early spring

☐ Approval without conditions.

☐ Denial.

RECEIVED

APR 25 2001

DEQ Representative: Name: N. LeFebvre

Date: 4-23-01

WRD Contact: Kerry Lefever, Acting Interagency Coordinator, Water Rights Division

1-800-624-3199 ext: 276 / Fax: 503-378-6203 / e-mail: Kerry.A.LEFEVER@ wrd.or.state.us

WATER RESOURCES DEPT.
SALEM, OREGON

D: 11 5 3 NOV, Feb-Apr 19

W/A NOV, Feb-May

no set season



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378-8455 • (800)624-3199
www.wrd.state.or.us

STW-1 Feb. 24 1999

Application for a Permit to Store Water

200

Alternate Review Process (ORS 537.409)

You may use this form for any reservoir storing less than 9.2 acre feet
or with a dam less than 10 feet high.

RECEIVED

Use a separate form for each reservoir.

JAN 29 2001

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will require a revision. If any requested information does not apply to your application, insert "n/a."

WATER RESOURCES DEPT.
SALEM, OREGON

1. APPLICANT INFORMATION

Landowner: Llewellyn L. E. Denzil Robbins
First Last

Authorizing Agent: L. Robbins First Last Denzil Robbins

Mailing address: 41416 Pocahontas Rd (42395 Adams Ln.)
Baker City OR. 97814
City State Zip

Phone: 541-523-4491 + 523-2268
Home Work Other

*Fax: _____ *E-Mail address: _____

RECEIVED

*Optional information

MAR 05 2001

2. LOCATION AND SOURCE

A. Reservoir name: Robbins Res.

WATER RESOURCES DEPT.
SALEM, OREGON

B. Source

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 the source is run-off, seepage, or an unnamed spring or stream.

Source: Hubbard Creek Salmon Creek
Rouden Cr. Tributary to: Powder River
Surface water — unnamed springs

C. Reservoir Location

township	range	section	quarter/quarter	tax lot no.
9	39	9	SW 1/4 of NE 1/4	100 & 200

D. Dam

Maximum height of the dam: 9 1/2 ft. feet.

RECEIVED

APR 25 2001

WATER RESOURCES DEPT.
SALEM, OREGON

For Department Use		
App. No. <u>R-84681</u>	Permit No. _____	Date <u>3-5-01</u>

RECEIVED

JAN 29 2001

How do you plan to use the stored water?

- Irrigation
- Stockwater
- Aquatic Life
- Nursery Operations
- Cranberry
- Temperature Control
- Forest and Range Management
- Industrial
- Commercial
- Fire Protection
- Mining
- Power Development
- Domestic
- Human Consumption
- Domestic Expanded
- Municipal
- Stormwater
- Quasi-municipal
- Group Domestic
- Recreation
- Wildlife
- Pollution Abatement
- Wetland Enhancement
- Multipurpose

What is an acre foot?

One acre-foot is the volume of water that would cover one acre of land to the depth of one foot. To find out how much water your pond stores, multiply the surface area (in feet) by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. To be eligible for the alternate process your reservoir must store less than 400,752 cubic feet (43,560 X 9.2).

Application fee

Your application fee is based on the number of acre-feet of your proposed reservoir.

\$10 per acre-foot.

Example:

6.5 acre-feet X \$10=\$65 total.

3. WATER USE

WATER RESOURCES DEPT.
SALEM, OREGON

A. Quantity: Amount of water to be stored in the reservoir at maximum capacity: 20 Ac Ft.

B. Use: Indicate the proposed use(s) of the stored water (see list to the left). Irrigation

Note: If you intend to use this stored water outside of the reservoir you must also file an application to use surface water.

C. Water Rights: What water rights, if any, have been issued for this reservoir? (Indicate permit or certificate number.)

None

4. ENVIRONMENTAL IMPACT

A. Channel: Is the reservoir in stream or off channel? ☐ Yes ☒ No

B. Wetland: Is the project in a wetland? ☐ Yes ☒ No ☐ Don't Know

C. Existing: Is this an existing reservoir? ☐ Yes ☒ No

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

D. Fish Habitat: Is there fish habitat upstream of the proposed structure? ☐ Yes ☒ No ☐ Don't Know

If yes, how much? _____ miles

E. Partnerships: 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 the project.

RECEIVED

APR 25 2001

5. SIGNATURE

WATER RESOURCES DEPT.
SALEM, OREGON

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

Stephen L. Robbins
Landowner

11/13/00
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

RECEIVED

MAR 05 2001



Water Availability for WID 72191

RECEIVED
APR 25 2001
WATER RESOURCES DEPT.
SALEM, OREGON

jump to:

- [home](#)
- [commission](#)
- [water law](#)
- [water rights](#)
- [surface water](#)
- [ground water](#)
- [maps](#)
- [programs](#)
- [publications](#)
- [links](#)
- [staff](#)
- [file pickup](#)
- [intranet](#)

- [about](#)
- [search](#)
- [oregon online](#)
- [comments](#)

WATER AVAILABILITY TABLE

Stream: POWDER R > SNAKE R - AB UNN STR
Basin: POWDER Exceedance Level: 50
Watershed ID Number: 72191 (and Nested Subbasins)
Time: 09:38 Date: 04/12/2001

Select an Item Number for More Details

Item #	Watershed ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	30920301	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
2	72193	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO	YES
3	72192	NO	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO	YES
4	72191	NO	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO	YES

STREAM NAMES

Basin: POWDER
Watershed ID Number: 72191 (and Nested Subbasins)
Time: 09:38 Date: 04/12/2001

Select an Item Number for More Details

Item	Watershed ID	Stream Name
1	30920301	POWDER R > SNAKE R - AT MOUTH
2	72193	POWDER R > SNAKE R - AB EAGLE CR
3	72192	POWDER R > SNAKE R - AB GOOSE CR
4	72191	POWDER R > SNAKE R - AB UNN STR

LIMITING WATERSHEDS

Stream: POWDER R > SNAKE R - AB UNN STR
Watershed ID Number: 72191
Basin: POWDER Exceedance Level: 50
Time: 09:38 Date: 04/12/2001

Mnth	Limiting Watershed	Stream Name	Water Net Water Avail?	Water Available

Stream: POWDER R > SNAKE R - AT MOUTH

Basin: POWDER

Watershed ID Number: 30920301

Time: 09:38

Date: 04/12/2001

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	77.43	.00	17.24	1.65	.04	.72	3.23	.00	100.00
2	98.03	.00	17.24	1.65	.04	.72	3.23	.00	121.00
3	170.33	7.83	17.24	1.65	.04	.72	3.23	.00	201.00
4	239.44	166.17	17.24	1.65	.04	.72	3.23	.00	428.00
5	178.97	936.48	17.24	1.65	.04	.71	2.87	.00	1140.00
6	97.49	1018.18	34.48	1.42	.04	.71	2.84	.00	1160.00
7	31.80	572.91	34.48	1.42	.04	.71	2.73	.00	644.00
8	15.12	348.24	34.48	1.42	.04	.70	2.73	.00	403.00
9	10.82	253.71	34.48	1.42	.04	.71	2.73	.00	304.00
10	10.18	60.09	17.24	1.65	.04	.72	3.20	.00	93.10
11	32.66	.00	17.24	1.65	.04	.72	3.23	.00	55.50
12	91.62	.00	17.24	1.65	.04	.71	3.23	.00	114.00

DETAILED REPORT OF ISWRs

Stream: POWDER R > SNAKE R - AT MOUTH

Basin: POWDER

Watershed ID Number: 30920301

Time: 09:38

Date: 04/12/2001

-ISWRs-								
APP #	0	0	0	0	0	0	0	MAXIMUM
Status								
1	.00	.00	.00	.00	.00	.00	.00	.00
2	.00	.00	.00	.00	.00	.00	.00	.00
3	.00	.00	.00	.00	.00	.00	.00	.00
4	.00	.00	.00	.00	.00	.00	.00	.00
5	.00	.00	.00	.00	.00	.00	.00	.00
6	.00	.00	.00	.00	.00	.00	.00	.00
7	.00	.00	.00	.00	.00	.00	.00	.00
8	.00	.00	.00	.00	.00	.00	.00	.00
9	.00	.00	.00	.00	.00	.00	.00	.00
10	.00	.00	.00	.00	.00	.00	.00	.00
11	.00	.00	.00	.00	.00	.00	.00	.00

RECEIVED

SYSTEM
OPERATIONS
DIVISION

5	173.62	832.05	16.64	1.45	.04	.54	2.45	.00	1030.00
6	75.28	922.43	33.28	1.22	.04	.54	2.43	.00	1040.00
7	22.85	475.51	33.28	1.22	.04	.53	2.32	.00	536.00
8	11.46	263.67	33.28	1.22	.04	.53	2.32	.00	313.00
9	7.82	185.60	33.28	1.22	.04	.53	2.32	.00	231.00
10	7.63	43.95	16.64	1.45	.04	.54	2.79	.00	73.00
11	30.28	.00	16.64	1.45	.04	.54	2.81	.00	51.80
12	89.94	.00	16.64	1.45	.04	.54	2.81	.00	111.00

RECEIVED

APR 25 2001

WATER RESOURCES DEPT.
SALEM, OREGON

DETAILED REPORT OF ISWRs

Stream: POWDER R > SNAKE R - AB EAGLE CR

Basin: POWDER

Watershed ID Number: 72193

Time: 09:38

Date: 04/12/2001

-----ISWRs-----									
APP #	72193A	0	0	0	0	0	0	0	MAXIMUM
Status	Cert.								
1	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
2	70.00	.00	.00	.00	.00	.00	.00	.00	70.00
3	80.00	.00	.00	.00	.00	.00	.00	.00	80.00
4	80.00	.00	.00	.00	.00	.00	.00	.00	80.00
5	80.00	.00	.00	.00	.00	.00	.00	.00	80.00
6	80.00	.00	.00	.00	.00	.00	.00	.00	80.00
7	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
8	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
9	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
10	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
11	60.00	.00	.00	.00	.00	.00	.00	.00	60.00
12	60.00	.00	.00	.00	.00	.00	.00	.00	60.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: POWDER R > SNAKE R - AB GOOSE CR

Basin: POWDER

Exceedance Level: 50

Watershed ID Number: 72192

Time: 09:38

Date: 04/12/2001

Month	Natural	CU + Stor	CU + Stor	Expected	Reserved	Instream	Net
-------	---------	-----------	-----------	----------	----------	----------	-----

DETAILED REPORT OF ISWRs

Stream: POWDER R > SNAKE R - AB GOOSE CR

Basin: POWDER

Watershed ID Number: 72192

Time: 09:38

Date: 04/12/2001

-----ISWRs-----								
APP #	72192A	0	0	0	0	0	0	MAXIMUM
Status	Cert.							
1	50.00	.00	.00	.00	.00	.00	.00	50.00
2	60.00	.00	.00	.00	.00	.00	.00	60.00
3	70.00	.00	.00	.00	.00	.00	.00	70.00
4	70.00	.00	.00	.00	.00	.00	.00	70.00
5	70.00	.00	.00	.00	.00	.00	.00	70.00
6	70.00	.00	.00	.00	.00	.00	.00	70.00
7	50.00	.00	.00	.00	.00	.00	.00	50.00
8	50.00	.00	.00	.00	.00	.00	.00	50.00
9	50.00	.00	.00	.00	.00	.00	.00	50.00
10	50.00	.00	.00	.00	.00	.00	.00	50.00
11	50.00	.00	.00	.00	.00	.00	.00	50.00
12	50.00	.00	.00	.00	.00	.00	.00	50.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: POWDER R > SNAKE R - AB UNN STR

Basin: POWDER

Exceedance Level: 50

Watershed ID Number: 72191

Time: 09:38

Date: 04/12/2001

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	108.00	65.20	1.78	41.00	.00	25.00	16.00
2	158.00	84.40	1.96	71.60	.00	30.00	41.60
3	308.00	168.00	2.16	138.00	.00	40.00	97.70
4	702.00	321.00	4.43	376.00	.00	40.00	336.00
5	1040.00	816.00	8.12	216.00	.00	40.00	176.00
6	884.00	944.00	7.10	-67.10	.00	40.00	-107.00
7	271.00	482.00	1.51	-212.00	.00	25.00	-237.00
8	136.00	265.00	1.44	-130.00	.00	25.00	-155.00
9	89.70	192.00	1.42	-104.00	.00	25.00	-129.00

RECEIVED

3	40.00	.00	.00	.00	.00	.00	.00	40.00
4	40.00	.00	.00	.00	.00	.00	.00	40.00
5	40.00	.00	.00	.00	.00	.00	.00	40.00
6	40.00	.00	.00	.00	.00	.00	.00	40.00
7	25.00	.00	.00	.00	.00	.00	.00	25.00
8	25.00	.00	.00	.00	.00	.00	.00	25.00
9	25.00	.00	.00	.00	.00	.00	.00	25.00
10	25.00	.00	.00	.00	.00	.00	.00	25.00
11	25.00	.00	.00	.00	.00	.00	.00	25.00
12	25.00	.00	.00	.00	.00	.00	.00	25.00

RECEIVED

APR 25 2001

WATER RESOURCES DEPT.
SALEM, OREGON

1

Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

WATERMASTER DIVISION 33 APPLICATION WORK SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species,
OAR 690-33-310 through 340.

Date: 4/13/01 21 day Deadline Date: 5/11/01 Application # R 84681

Applicant's Name: Robbins

SOURCE OF WATER: ☐ GROUNDWATER ☒ SURFACE WATER ☐ STORAGE

DESCRIPTION OF THE SOURCE: 2 creeks and unnamed springs
(A spring, well, sump, exempt pond, unnamed stream, etc.)

1) If from surface water, does the water at the proposed diversion location flow into another water body?

☐ YES ☐ NO ☒ SOMETIMES

If sometimes, describe the time period, Between: Feb and May

2) Does the source ever go dry in the area of the proposed diversion?

☒ YES ☐ NO

3) To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?

☒ YES ☐ NO

If YES, please explain: We usually regulate at least once on
Hubbard creek and Dougan Gulch

4) Is there sufficient flow at the proposed point of diversion to satisfy all existing water rights and provide the quantity of water requested under this application?

☒ YES ☐ NO

5) Did you meet with staff from another agency to discuss this application?

☒ YES ☐ NO

Who: Tim Walters Agency: ODPW Date: 5-9-2001

6) Is mitigation an option?

☐ YES ☒ NO

If YES, please explain: I don't believe it is necessary

Comments: Standard Res conditions plus, a mmt device(s)
to measure water in and out of the reservoir. and
a staff gage tied to area capacity table for reservoir
contents record keeping, plus outlet conduit to pass live
flow. Make sure they understand they need a secondary
to irrigate from the reservoir.

Name: Rich Husk Date: 5-9-2001 Title: ARNgr, Eastern Region

WRD Contact: Kerry Lefever, Acting Interagency Coordinator, Water Rights Division
1-800-624-3199 ext: 276 / Fax: 503-378-6203 / e-mail: Kerry.A.LEFEVER@wrdr.or.state.us

RECEIVED

MAY 11 2001

WATER RESOURCES DEPT.
SALEM, OREGON

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Date: 4/13/01 21 day Deadline Date: 5/11/01 Application # R 84681

Bck

Applicant's Name:

Robbins

A) Will the proposed use occur in an area that may affect the essential habitat of a SENSITIVE fish species?

NO / YES

IF ANSWER TO QUESTION (A) IS YES, FILL OUT SECTION I.

YES - REDBAND RAINBOW

B) Will the proposed use occur in an area that may affect the essential habitat of a THREATENED OR ENDANGERED fish species? [690-33-330(1)] NO / YES Species: Bull Trout Status: Threatened, Endangered

IF ANSWER TO QUESTION (B) IS YES, FILL OUT SECTION II.

NOTE: Bull Trout have been found in Salmon Creek, but not the tributaries mentioned

C) What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

IF ANSWER IS NO TO BOTH QUESTIONS, FILL OUT PUBLIC INTEREST REVIEW SHEET (PAGE 2)

SECTION I:

1) Will the proposed use result in a NET LOSS in the habitat of a SENSITIVE SPECIES? [690-33-330(2)(a)]

2) Can conditions be applied to mitigate the impact to the essential habitat of a SENSITIVE species?

NO / YES [690-33-330(3)]

Which conditions are recommended?

54m - may be required to install... screening devices

(Try to select conditions from the Menu of Conditions)

3) If conditions cannot be identified to offset impacts to the essential habitat of SENSITIVE species, would the proposed use harm the species?

NO / YES [690-33-330(4)]

If YES, please explain:

SECTION II:

1) Is the proposed use consistent with the Columbia River Basin Fish and Wildlife Program?

NO / YES [690-33-120(1)]

If NO, please explain:

2) If NO, can the proposed use be conditioned to achieve consistency with the Fish and Wildlife Program?

NO / YES [690-33-120(1)]

If YES, please explain:

ODFW RECOMMENDATION:

☒ Approval with fishery conditions.

☐ Approval without fishery conditions.

☐ Denial.

ODFW Representative: Name: Timothy R. Walters

Date: 5-9-01

WRD Contact: Kerry Lefever, Acting Interagency Coordinator, Water Rights Division

1-800-624-3199 ext: 276 / Fax: 503-378-6203 / e-mail: Kerry.A.LEFEVER@wrdd.state.or.us

Revised: 02/23/01

RECEIVED

MAY 11 2001

WATER RESOURCES DEPT.
SALEM, OREGON

ODFW PUBLIC INTEREST REVIEW SHEET

Page 2

Application # _____ Applicant's Name: _____

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

NO / YES Species: _____

Other: _____

What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

2) Will the proposed use result in a loss of habitat? NO / YES

3) Can conditions be applied to mitigate the impact to the loss of habitat? NO / YES

Which conditions are recommended? _____

(Try to select conditions from the Menu of Conditions)

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species?

NO / YES

If YES, please explain: _____

ODFW RECOMMENDATION:

_____ Approval with conditions.

_____ Approval without conditions.

_____ Denial.

ODFW Representative: Name: _____ Date: _____

WRD Contact: Kerry Lefever, Acting Interagency Coordinator, Water Rights Division
1-800-624-3199 ext: 276 / Fax: 503-378-6203 / e-mail: Kerry.A.LEFEVER@wrdd.state.or.us

Form 1 - Upper Columbia

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Bck

Date: 4/13/01 day Deadline Date: 5/11/01 Application # R 84681

Applicant's Name: Robbins

A) Will the proposed use occur in an area that may affect the essential habitat of a SENSITIVE fish species?

~~NO~~ YES IF ANSWER TO QUESTION (A) IS YES, FILL OUT SECTION I.

YES - REDBAND RAINBOW

B) Will the proposed use occur in an area that may affect the essential habitat of a THREATENED OR ENDANGERED fish species? [690-33-330(1)] NO / YES Species: Bull Trout Status: Threatened, Endangered

IF ANSWER TO QUESTION (B) IS YES, FILL OUT SECTION II.

NOTE: Bull Trout have been found in Selman Creek but not the tributaries mentioned!

C) What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

IF ANSWER IS NO TO BOTH QUESTIONS, FILL OUT PUBLIC INTEREST REVIEW SHEET (PAGE 2)

SECTION I:

1) Will the proposed use result in a NET LOSS in the habitat of a SENSITIVE SPECIES? [690-33-330(2)(a)]

2) Can conditions be applied to mitigate the impact to the essential habitat of a SENSITIVE species?

NO / YES [690-33-330(3)]

Which conditions are recommended?

54m - may be required to install screening devices

(Try to select conditions from the Menu of Conditions)

3) If conditions cannot be identified to offset impacts to the essential habitat of SENSITIVE species, would the proposed use harm the species?

NO / YES [690-33-330(4)]

If YES, please explain:

SECTION II:

1) Is the proposed use consistent with the Columbia River Basin Fish and Wildlife Program?

NO / YES [690-33-120(1)]

If NO, please explain:

2) If NO, can the proposed use be conditioned to achieve consistency with the Fish and Wildlife Program?

NO / YES [690-33-120(1)]

If YES, please explain:

ODFW RECOMMENDATION:

☒ Approval with fishery conditions.

☐ Approval without fishery conditions.

☐ Denial.

ODFW Representative: Name: Timothy R. Walter

Date: 5-9-01

WRD Contact: Kerry Lefever, Acting Interagency Coordinator, Water Rights Division
1-800-624-3199 ext: 276 / Fax: 503-378-6203 / e-mail: Kerry.A.LEFEVER@wrdd.state.or.us

Revised: 02/23/01

TELEFAX TRANSMITTAL

DATE: 5/9/01

TO: Kerry LeFever - OWRD

FROM: Tim Walters - ODFW

NO. OF PAGES TO FOLLOW: 1

OTHER INFORMATION/INSTRUCTIONS:

TRANSMITTED BY:

OREGON DEPARTMENT OF FISH & WILDLIFE
NORTHEAST REGION 4
107 20TH STREET
LA GRANDE, OR 97850
PHONE (541) 963-2138
FAX (541) 963-6670



503-378-6203

Plat Card Report for: Township: 9S, Range: 39E Section: 9

Page 1 of 3

Application	Permit	Certificate	Status lot/dlc	NE				NW				SW				SE				Gov't Lot	dlc
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
12/31/1869	D 3983	<u>3983</u>																			
	*	-																			
	<u>D 3983</u>	<u>3983</u>			16.000 IR	16.000 IR															
	*	-																			
12/31/1864	D 3983	<u>3983</u>																			
	*	-			MI	MI															
	D 3985	<u>3985</u>	Cncld					40.000 IR	19.000 IR	30.000 IR	40.000 IR	20.000 IR					1.000 IR				
	*	-						Cncld	Cncld	Cncld	Cncld	Cncld					Cncld				
12/31/1864	D 4305	<u>4305</u>	Cncld														10.000 IR				
	*	-															Cncld				
12/31/1864	D 4305	<u>36458</u>															10.000 IR				
	*	-																			
12/31/1875	<u>D 4574</u>	<u>4574</u>				5.000 IR															
	*	-																			
	D 4305A	<u>4305A</u>		40.000 IR			30.000 IR														
	*	-																			
T 6282	D 3985	<u>63839</u>								24.600 IR	29.250 IR	20.000 IR					1.000 IR				
		-																			
G 8268 7/13/1977	G 7689	<u>58405</u>		27.600 IR (s)			3.900 IR (s)														
		-																			

Go to 9S, 39E, 9 page: 1 2 3 Next >>

Return to Plat Card Search Page.

NOTE: Please read the disclaimer before using this information. Frequently asked questions are discussed in our Plat Card FAQ.

Plat Card Report for: Township: 9S, Range: 39E Section: 9

Page 2 of 3

Application	Permit	Certificate	Status lot/dlc	NE				NW				SW				SE				Gov't Lot	dlc
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
S 42368 6/17/1966	S 32261	56706					DS														
S 45133 7/3/1968	S 33722	37499		37.900 IR (s)	14.900 IR	10.400 IR	25.700 IR (s)	- no conflict.													
S 59380 10/1/1979	S 46426	67815						40.000 IR (s)	18.000 IR (s)	3.600 IR (s)	4.700 IR (s)										
S 70034 8/14/1989	S 51732							8.700 IR													
S 70034 8/14/1989	S 51732	*						8.700 IR													
R 77096 1/1/1993	R 102113	70902				LV						Applicant - Robbins HB 2153 - '95 - no permit issued.									
R 77096 1/1/1993	R 102113	70902				RC															
P 82088 1/29/1997				LV		LV	LV					Applicant - Robbins HB 2376 - '97 - Notice of exempt reservoir.									
P 82088 1/29/1997	*			RC		RC	RC														
R 84681 3/5/2001		subject file				ST															

Go to 9S, 39E, 9 page: <<Previous 1 2 3 Next >>

Return to Plat Card Search Page.

NOTE: Please read the disclaimer before using this information. Frequently asked questions are discussed in our Plat Card FAQ.

Plat Card Report for: Township: 9S, Range: 39E Section: 9

Page 3 of 3

Application	Permit	Certificate	Status lot/dlc	NE				NW				SW				SE				Gov't Lot	dlc
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
S 84682 3/5/2001		secondary		40.000 IR	40.000 IR	35.000 IR	40.000 IR														

Go to 9S, 39E, 9 page: <<Previous 1 2 3

Return to Plat Card Search Page.

NOTE: Please read the disclaimer before using this information. Frequently asked questions are discussed in our Plat Card FAQ.

Analysis for Application: R84681

Location: 9.00 S-39.00 E-9-swne

Uses: ST 0.000 (P)

Basins

BASIN_NUM	BASIN_NAME
9	Powder

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
8	E

Records Found: 1

WAB

BASIN	WID	LINK_1
9	72191	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Baker	41001

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

UPPER COLUMBIA

Note to Support: Complete top portion of Division 33 Review Forms —
Date Sent, Due Date (28 days after date sent), application number and name —
and staple form to front of copy packet for the following:

- 1) Watermaster
- 2) ODFW
- 3) DEQ (if indicated below)

Review Forms completed and Copies Mailed By: <u>DS</u> (SUPPORT STAFF) on: <u>9/13/01</u> (DATE)

Mail copies of Application, Map, Water Availability, Basin Map
to the following:

1. WRD - Watermaster # 8 + Watermaster Form
2. ODFW Biologist District: ~~9~~ Benton + ODFW Form 1 (Upper Columbia)
3. Columbia River Intertribal Fish Commission
4. US Fish & Wildlife
5. NW Power Planning Council
6. NMFS: Marc Liverman
7. DEQ: Region Dick Nichols + DEQ Form
8. DOA (Salem): Steve Applegate

Jeff Zaackle

After mailing copies, route to Division 33 Coordinator for
database tracking

Enter in Div 33 tracking database _____

**ALTERNATE REVIEW PROCESS
FOR RESERVOIRS STORING LESS THAN 9.2 ACRE-FEET *
OR WITH A DAM LESS THAN 10 FEET HIGH**

The Alternate Review Process was created so that a final order approving or denying a permit to store water is issued approximately 180 days after the application has been accepted by the Department. **This process applies only to the application to store water.**

To apply under the Alternative Review Process the following information must be completed:

- OK 1. Landowner name, mailing address and telephone number.
- OK 2. The source of water to be stored. If the source is to be a well, you cannot apply under the Alternate Review Process.
- OK 3. Reservoir location, by Township, Range Section, Quarter-quarter Section and Tax Lot. You must indicate if the Township is North or South and the Range East or West.
- OK 4. Dam height. If an excavated pond, indicate excavated.
- OK 5. ^{20 AF} Quantity of water to be stored in a single storage period. List the quantity in Acre-feet. **One acre foot is equal to an area one acre in size, one foot deep. One acre-foot is equal to 325,851 gallons or 43,560 cubic feet.**
- OK 6. ^{IRRIGATION} The use of the water. Note: if any water is to be pumped or released from the reservoir, a secondary surface water application is required. File the secondary application concurrently with the application to store water.
- OK 7. Water rights section, if applicable.
- OK 8. The Environmental Impact section. Please circle in-stream or off-channel on Section 4A.
- OK 9. Sign the application, in ink.

Only one pond, reservoir or other storage method per application. Multiple ponds on a single property require multiple applications.

A legible map showing the Township, Range, Section, Quarter-quarter section and Tax Lot number with the location of the reservoir indicated must be submitted

with the application.

The map must follow the criteria set forth under OAR 690-310-050. A copy of an assessors plat map is a very good map to use as it shows most all map requirements. The Department *will not accept* aerial photos, U.S.G.S. Quad maps or title insurance company maps. Hand drawn maps *are* acceptable.

Maps submitted for the Alternate Review Process must contain the following:

- OK • The map must be drawn in ink. Do not use highlighter pens or multiple colors of ink. If the map is larger than 11"X 17", four copies must be submitted, or it must be drawn on tracing linen, tracing velum or Mylar.
- OK • The scale of the map must be a standard, even scale of not less than 4 inches to a mile, and must be indicated on the map. (Examples of acceptable scale are: 1 inch = 200 feet , 1 inch = 400 feet , 1 inch = 1320 feet.)
SEE Surface Water App Map
- ! • The North directional symbol must be indicated on the map.
- OK • The location of each diversion point or dam must be referenced to a recognized public land survey corner; **do not measure from property lines unless they are part of the public land survey lines.** The locations may be shown by distance and bearing or by coordinates (EX: "400 feet south and 350 feet west of the Northeast corner of section 27").
- OK • The location of the reservoir identified by **tax lot, township, range, section and nearest quarter-quarter section.** Please show tax lot boundaries.

A completed Land-use Information form or receipt *signed by the local planning department* must also be submitted with the application.

The fee for the Alternate Review Process is based upon the quantity of water to be stored. Fees are \$10 per acre foot up to a maximum of \$100. For example, for a pond storing 4.5 acre-feet, the fee would be \$45. If the total storage for a single reservoir is greater than 10 acre-feet, the maximum fee is \$100.

For more information about the application process and water rights, please call the Water Rights Information Group at (503)378-8455 extension 201, or toll-free in Oregon at (800)624-3199 extension 201

* One acre-foot is equal to an area one acre in size, one foot deep

ALTERNATE REVIEW PROCESS
RESERVOIRS STORING LESS THAN 9.2 ACRE-FEET*
OR WITH A DAM LESS THAN 10 FEET HIGH

The **Alternate Review Process** was created so that a final order approving or denying a permit to store water is issued **180 days after the application has been accepted** by the Department. This process applies **only** to applications to store water. ***One acre-foot equals an area one acre in size, one foot deep.**

NOTE: Only one pond, reservoir or other storage method per application. Multiple ponds on a single property require multiple applications.

To apply under the Alternative Review Process the following information must be provided:

1. **Landowner name, mailing address and telephone number.**
2. The **source of water** to be stored.
3. **Reservoir location, by Township, Range Section, Quarter-quarter Section and Tax Lot.**
4. **Dam height.** (If an excavated pond, indicate excavated.)
5. **Quantity of water to be stored each year.**
6. The **use of the water.** Note: if any water is to be pumped or released from the reservoir, a secondary surface water application is required. (Secondary application time-lines may differ and prolong the issuance of your "Alternate" Reservoir Final Order.)
7. **Water rights section, if applicable.**
8. The **Environmental Impact section.**
9. **Sign the application, in ink.**
10. A **legible map showing the Township, Range, Section, Quarter-quarter section and Tax Lot number with the location of the reservoir identified** must be submitted along with the application.
The map must be drawn in ink. *A copy of an assessors plat map is a very good map to use as it shows all map requirements.*
11. A **completed Land-use Information form signed by the local planning department** must also be submitted with the application.

For more information about the application process and water rights, please call the Water Rights Information Group at (503)378-8455 ext. 201, or toll-free in Oregon at (800)624-3199 ext. 201.

FEE WORKSHEET FOR ALTERNATE RESERVOIRS

The Alternate Review Process Reservoir Application fee is based upon the proposed quantity of water (in acre-feet) to be stored in your reservoir.

Fees are: **\$10 per acre-foot, up to a maximum of \$100.** If the total storage for a single reservoir is greater than 10 acre-feet, the maximum fee is \$100.

FEE CALCULATION: 20 acre-feet multiplied by \$10 = \$100⁰⁰ **TOTAL FEE.**

(Example: 6.5 acre-feet stored water x \$10 = \$65 total)

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **124688**

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

INVOICE # _____

RECEIVED FROM: Denzil L Robbins; Kathryn
BY: J Robbins; Ranch Account

APPLICATION	<u>See below</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 1776 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 400.00

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	<u>46111</u>	\$ <u>*R-84681 ← 2 @ \$200.00</u>
0410 RESEARCH FEES		\$ <u>S-84682</u>
0408 MISC REVENUE: (IDENTIFY)		\$
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME		\$

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
LANDOWNER'S PERMIT			0220 \$

0200 OTHER (IDENTIFY) COBU \$ 400.00

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 (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **124688**

DATED: 9-20-17 BY: Chwick

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

$$1'' = 400'$$

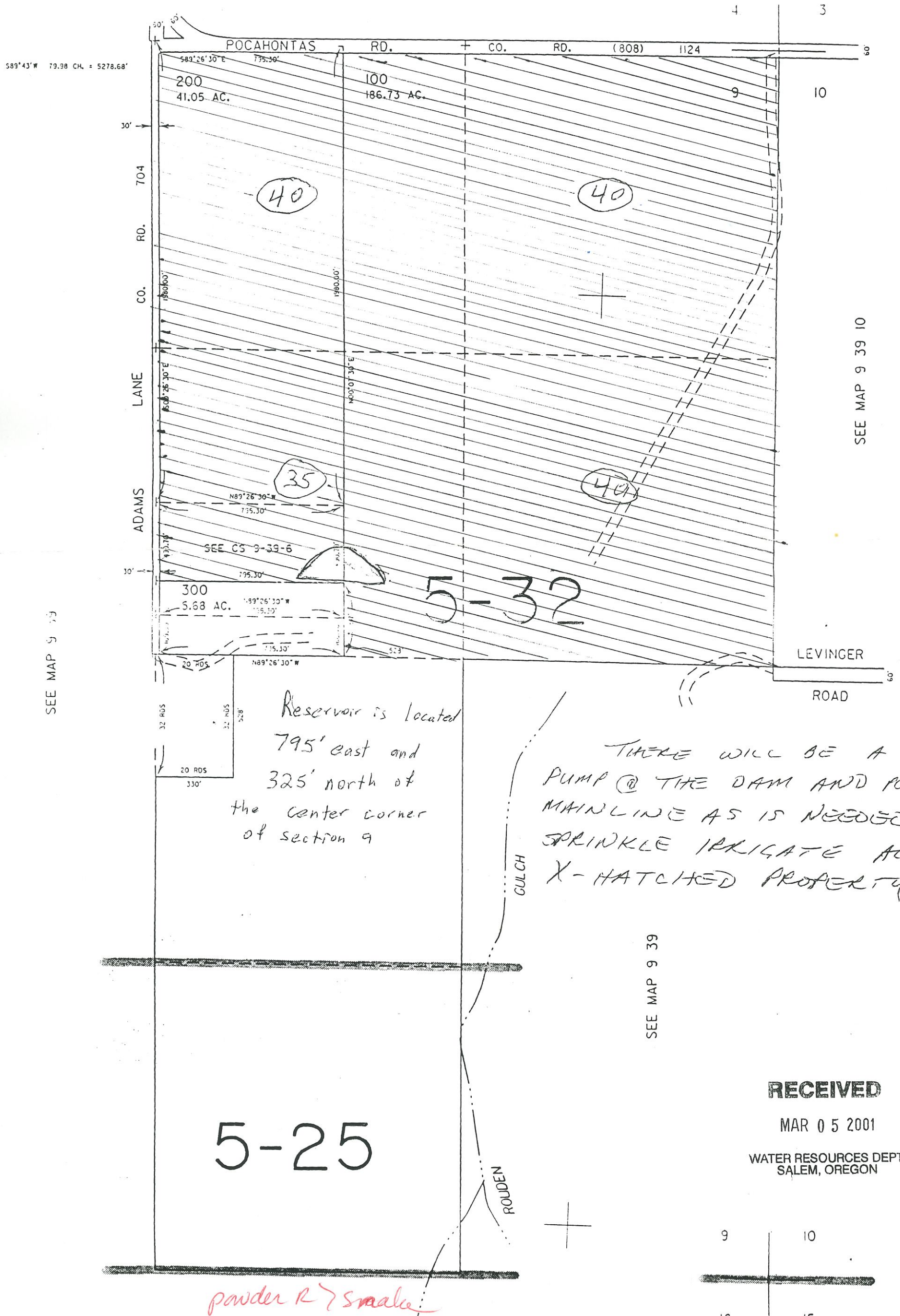
9 39 9

JAN 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 9 39 4

39



$$1'' = 400'$$

9 39 9

RECEIVED

JAN 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 9 39 4



Sect 9 T. 9 S. R. 39 E. Wm.

Baker County

Llewellyn & Denzil Robbins
41416 Picachentus Rd
Baker City, Or 97814

42395 Adams Lane
Baker City, Or 97814

SW 1/4 of NE 1/4

Tax lot no 100 & 200

RECEIVED

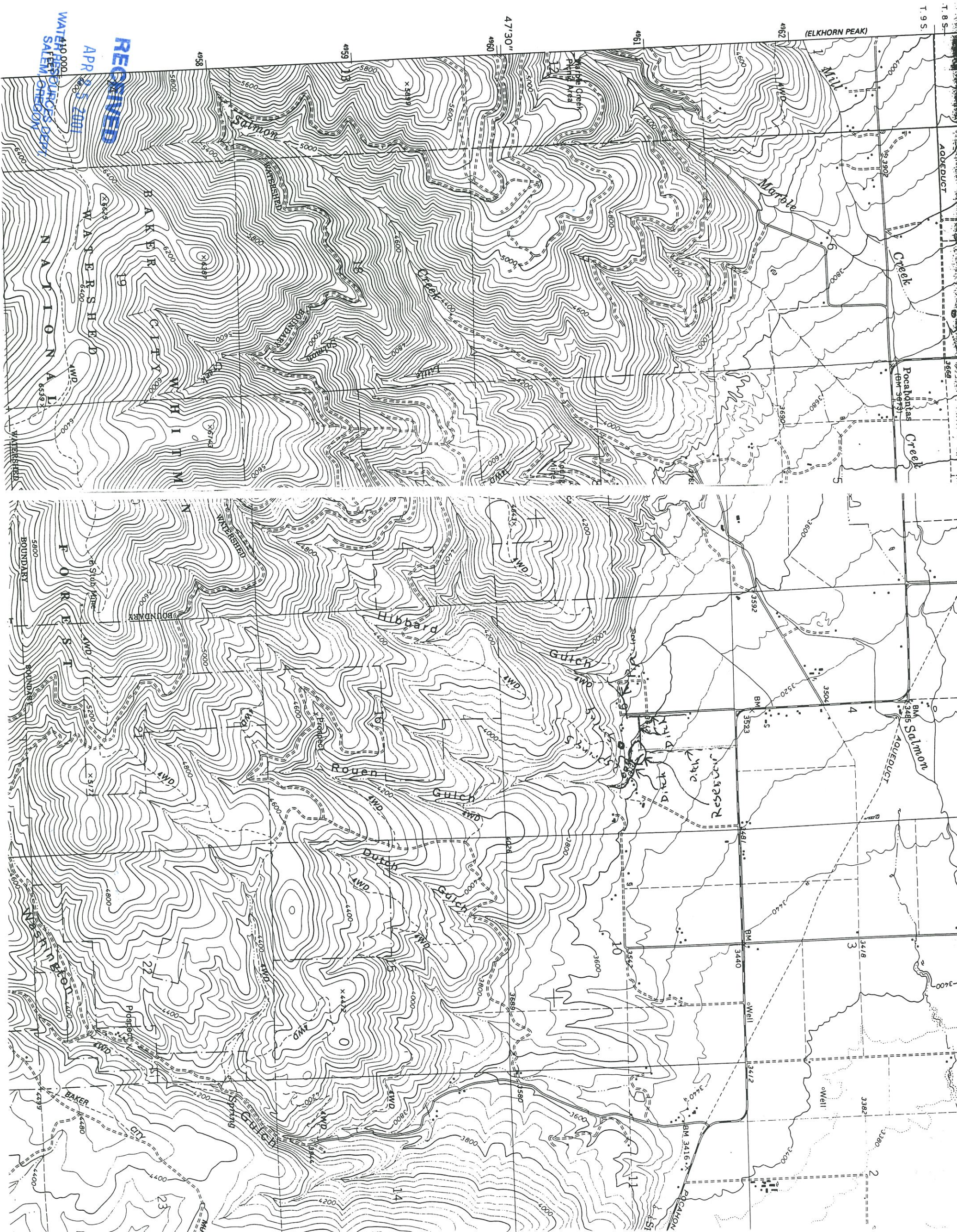
JAN 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 05 2001

WATER RESOURCES DEPT.
SALEM, OREGON



SECTION 9 T.9S. R.39E. W.M.
BAKER COUNTY
1" = 400'

9 39 9

RECEIVED

JAN 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 9 39 4

0 0 33



SEE MAP 9 39 10

SEE MAP 9 39

SEE MAP 9 39

RECEIVED

MAR 05 2001

WATER RESOURCES DEPT.
SALEM, OREGON

5-25