

RECEIVED

JUL 11 2022

Application for a Permit to

Store Water in a Reservoir

(Standard Review)

OWRD



Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

503-986-0900

www.oregon.gov/OWRD

You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

SECTION 1: APPLICANT INFORMATION AND SIGNATURE**Applicant**

NAME Shelly Miller			PHONE (HM)
PHONE (WK) 541-682-4888	CELL		FAX
ADDRESS 1820 Roosevelt Blvd.			
CITY Eugene	STATE OR	ZIP 97402	E-MAIL * SMiller@eugene.or.gov

Organization

NAME City of Eugene			PHONE 541-682-4800	FAX
ADDRESS 1820 Roosevelt Blvd			CELL	
CITY Eugene	STATE OR	ZIP 97402	E-MAIL * SMiller@eugene-or.gov	

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

AGENT / BUSINESS NAME Tim Fassbender			PHONE 541-682-2704	FAX
ADDRESS same as above			CELL	
CITY	STATE	ZIP	E-MAIL * TFassbender@eugene-or.gov	

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally store water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.



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

Shelly A Miller
Applicant Signature

Shelly A Miller
Print Name and Title if applicable

4/29/22
Date

JUL 11 2022

Applicant Signature

OWRD

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- ☒ YES, there are no encumbrances.
☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
☐ NO, I have a recorded easement or written authorization permitting access.
☐ NO, I do not currently have written authorization or easement permitting access.
☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all the owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

NONE

Legal Description: You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Reservoir Name: Reservoirs are labeled in the model provided.

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 source is run-off, seepage, or an unnamed stream or spring.

Source 1: Surface Runoff	Tributary to: Amazon Creek
TRSQQ of POD: 17S,R5W, sec 1, sw/sw, nw/sw, ne/sw, se/sw, Lot 3,4,5,6 & Hays DLC & sec 12, nw/nw	
Source 2:	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? ☒ Yes ☐ No ☐ Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? ☐ Yes ☒ No
- Is the proposed reservoir in-channel of a stream or off-channel: ☐ In-channel ☒ Off-Channel
- If the reservoir is proposed to be in-channel, is the stream: ☐ Perennial ☐ Intermittent ☐ Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present?
☐ Yes ☐ No ☐ Don't know
- Is the reservoir in the 100-year floodplain? ☒ Yes ☐ No ☐ Don't know

- If the reservoir is not in the channel of a stream, state how it is to be filled: Seasonal rain runoff over the surface of the property.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, refer to the map shown on Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements prior to diversion or use of water under any permit issued pursuant to this application.

RECEIVED

JUL 11 2022

OWRD

For Department Use: App. Number: _____

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

☒ Yes ☐ No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

☐ Yes ☒ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

☒ Yes ☐ No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T&E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

- a) The use of the impounded water will be: Wetland enhancement for wetland mitigation bank. See attached Water Use Table.
- b) The amount of water to be stored is: 55 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 40 acres.

RECEIVED

JUL 11 2022

OWRD

SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 2 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height, 2) width, 3) crest width, 4) surface area and 5) preliminary fish passage design.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department's Dam Safety Section prior to storage of water.

The dam will be (check one): ☒ Earthfill ☐ Concrete ☐ Flash board ☐ Other

If "other," provide the description: _____

RECEIVED

JUL 11 2022

OWRD

SECTION 7: PRIMARY OUTLET WORKS

- a) Describe the location and the dimensions of the outlet conduit through the dam:

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

Constructed vernal pools with an earth embankment will have an rock armoured spillway that will be 3 feet wide. Vernal pools will be no deeper than 2 feet in depth. The spillway location will be at the deepest part of the pool.

- b) How and when will the outlet be operated?

Spillway will be self operated since the pool depth is no deeper than 2 feet.

- c) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?

No fish will be in vernal pools

SECTION 8: EMERGENCY SPILLWAY

- a) Describe the location and the dimensions of the spillway channel.

None of the vernal pools are located within a stream. The spillway will be located at the deepest part of the pool which will be no deeper than 2 feet. The width of the spillway will be 3 feet. the depth of the spillway will be 0.5 feet.

- b) How will the emergency spillway be designed to prevent erosion?

The vernal pools will be constructed to be shallow in depth with rock-armored outlets (spillways) installed. Slopes will be covered with jute matting a seeded with native wetland species to control erosion. No emergency spillways are needed due to the low profile of the embankments, shallow depth of pools, and flat topography. If surface runoff fills pools and outlets (spillways) were blocked the water would merely flow around the embankment without any erosion issues.

- c) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?)

The vernal pools being varying in contained acre feet but also very small in capacity. In the event of a flood event the flows would be so slight it would be nearly impossible to calculate such a small flow rate.

SECTION 9: WATER QUALITY

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.
The water within the vernal pool being seasonal would not have to be managed in the traditional manner a typical reservoir would be. The runoff water retained would capture nutrients and sediments from surface water as it flows across the site.
- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.
Dense native wetland vegetation will be established on the embankments and across the site. A primary goal of the project is to enhance wetland function, including trapping sediments and reducing nutrient load as water leaves the site.
- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.
We do not anticipate any ground disturbance after construction. Any maintenance of vernal pools will be during the dry season when no water is within the pool.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

- a) Proposed date construction work will begin: July 2021
(Fish passage approval is necessary prior to construction.)
- b) Proposed date construction work will be completed: September 2024
- c) Proposed date water use will be completed: November 2024

RECEIVED

JUL 11 2022

OWRD

SECTION 11: WITHIN A DISTRICT

- ☒ Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name JUNCTION CITY WATER CONTROL DISTRICT	Address 95282 HWY 99E	
City JUNCTION CITY	State OR	Zip 97448

SECTION 12: REMARKS

Use this space to clarify any information you have provided in the application.

The Junction City Water Control District has a maintenance easement on the east side of the property that is aligned with Amazon Creek. This easement is located outside of proposed construction, and this project will not divert water from this section of Amazon Creek.

WATER USE TABLE

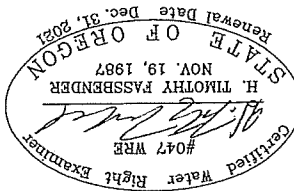
RECEIVED

JUL 11 2022

OWRD

VERNAL POOL (VP) NAME	VP DEPTH (IN)	VP DEPTH (FT)	SUBMERGED AREA (ACRE)	VOLUME STORED (ACRE FEET)
A1	8	0.67	0.61	0.41
A2	18	1.50	0.3	0.45
A3	18	1.50	0.3	0.45
A4	10	0.83	1.26	1.05
A5	12	1.00	1.16	1.16
A6	16	1.33	0.47	0.63
A7	12	1.00	2.2	2.20
A8	19	1.58	1.94	3.07
A9	19	1.58	1.39	2.20
A10	16	1.33	2.88	3.84
A11	16	1.33	0.93	1.24
A12	22	1.83	1.48	2.71
A13	16	1.33	2.72	3.63
A14	22	1.83	0.8	1.47
A15	15	1.25	0.58	0.73
A16	22	1.83	1.46	2.68
A17	20	1.67	0.82	1.37
A18	18	1.50	0.45	0.68
A19	18	1.50	1.64	2.46
B20	12	1.00	1.79	1.79
B21	12	1.00	1.57	1.57
B22	22	1.83	0.89	1.63
B23	14	1.17	1.75	2.04
B24	21	1.75	1.01	1.77
B25	16	1.33	0.5	0.67
B26	20	1.67	1.51	2.52
B27	12	1.00	3.85	3.85
B28	17	1.42	0.68	0.96
B29	22	1.83	1.09	2.00
B30	14	1.17	0.6	0.70
B31	22	1.83	1.36	2.49
B32	17	1.42	0.65	0.92
TOTALS			40.64	55.32

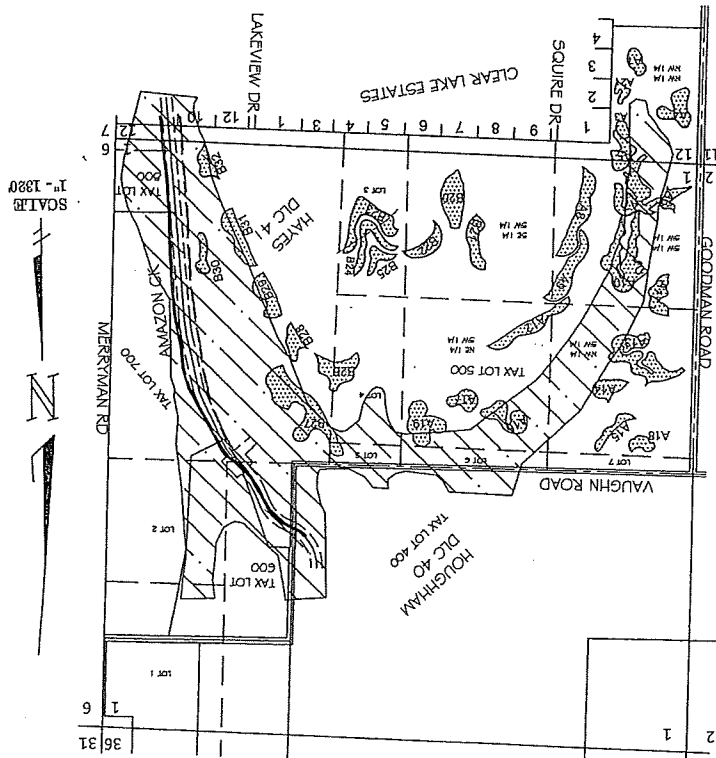
H. TIMOTHY FASSBENDER, PLS., OWNER
 99 E. BROADWAY SUITE 400
 EUGENE, OR. 97401
 BY
 641-682-4888
 EUGENE, OR. 97401
 1880 ROOSEVELT BLVD
 CITY OF EUGENE
 FOR
 AND
 STORE WATER IN A RESERVOIR MAP
 SURFACE WATER APPLICATION MAP



NOTE:
 THE PREPARATION OF THE MAP WAS
 FOR THE PURPOSE OF IDENTIFYING THE
 LOCATION OF THE WATER RIGHT ONLY.
 IT IS NOT INTENDED TO PROVIDE
 LOCATION NOR DIMENSION OF PROPERTY
 OWNERSHIP LINES.

- INTERNAL POOL LOCATIONS FROM SW COR. SEC. 1
- A1 - 583°44'48"W 4764'
 - A2 - 586°26'13"W 4579'
 - A3 - 589°55'36"W 4630'
 - A4 - 588°28'50"W 4918'
 - A5 - 585°49'05"W 4536'
 - A6 - 582°49'01"W 4590'
 - A7 - 581°09'02"W 4580'
 - A8 - 579°20'45"W 4294'
 - A9 - 572°44'26"W 4298'
 - A10 - 573°42'22"W 4650'
 - A11 - 574°08'18"W 5009'
 - A12 - 564°51'54"W 4170'
 - A13 - 565°35'38"W 4856'
 - A14 - 562°04'03"W 4845'
 - A15 - 559°20'44"W 5152'
 - A16 - 554°35'18"W 4166'
 - B1 - 546°01'26"W 1517'
 - B2 - 535°54'26"W 1426'
 - B3 - 542°16'43"W 1942'
 - B4 - 538°39'22"W 2482'
 - B5 - 535°39'47"W 3490'
 - B6 - 543°32'46"W 3031'
 - B7 - 533°00'34"W 2608'
 - B8 - 532°15'22"W 2482'
 - B9 - 527°32'34"W 2347'
 - B10 - 525°53'38"W 3037'
 - B11 - 523°25'35"W 3295'
 - B12 - 523°08'20"W 3200'
 - B13 - 517°19'51"W 3758'
 - B14 - 519°23'46"W 5385'
 - B15 - 512°08'14"W 3819'
 - B16 - 509°33'53"W 816'

- AIRBAS
 SEC 12
 NW/4W = 3.28 AC
 SW/4W = 10.06 AC
 NE/4W = 5.04 AC
 SE/4W = 4.55 AC
 LOT 3 = 3.33 AC
 LOT 4 = 1.12 AC
 LOT 5 = 0.26 AC
 LOT 6 = 0.01 AC
 HAYS DLC = 8.46 AC
 DENOTES AREA OF VERNAL POOL
 DENOTES WATER RESERVOIR
 FLOOD AREA



TOWNSHIP 17 SOUTH, RANGE 5 WEST, W.M.

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

RECEIVED

JUL 11 2022

OWRD

RECEIVED

JUL 11 2022

Attachment 2: Land Use Information Form

Land Use Information Form

OWRD



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

Applicant

NAME Shelly Miller c/o City of Eugene			PHONE (HM)		
PHONE (WK) 541-682-4800		CELL		FAX	
ADDRESS 1820 Roosevelt Blvd					
CITY Eugene		STATE OR	ZIP 97402	E-MAIL* smiller@eugene-or.gov	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
17S	5W	1	00	500	E40/AS	☐ Diverted	☐ Conveyed	☒ Used	wetland mitigation on bank
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Lane

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 40 AF ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for ____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other Wetland enhancement

Briefly describe:

Surface water runoff to be captured into vernal pools for wetland enhancement as a function of a wetland mitigation bank.

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Lane Code 16.212(3)(1.5)
- ☒ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
type 1 application- Floodplain Fill or Removal	LC 16.244	☐ Obtained ☐ Denied	☒ Being Pursued ☐ Not Being Pursued
JPA through U.S Army Corps of Eng	DSL ODEQ to address potential riparian issues	☐ Obtained ☐ Denied	☒ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

All work in the "Riparian Area" of Amazon Creek is subject to the requirements of
LC 16.253

NAME <u>Chloe Trifillo</u>		TITLE: <u>Land Management Tech.</u>	
SIGNATURE <u>[Signature]</u>	PHONE: <u>541-682-2007</u>	DATE: <u>4/6/2021</u>	
GOVERNMENT ENTITY <u>Lane County- Land management</u>			

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: RECEIVED Staff contact: _____

Signature: JUL 11 2022 Phone: _____ Date: _____

OWRD

Land Use Information Form

Page 1 of 3

Attachment 2: Land Use Information Form

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

RECEIVED

JUL 11 2022

OWRD



LAND MANAGEMENT DIVISION

Date Received:

MAR 26 2021

TYPE I APPLICATION Zoning Determination Application

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # 509-PA21-05295 FEE: \$143

Applicant (print name): Shelly Miller, Eugene Parks and Open Space

Mailing address: 1820 Roosevelt Blvd.; Eugene, OR 97402

Phone: 541-682-4888 Email: SMiller@eugene-or.gov

Applicant Signature: Shelly Miller

PROPERTY LOCATION

17-05-01-00-00500
Assessor's Map and Tax Lot

98601 Goodman Road, Junction City, OR 97448
Site address

RECEIVED

JUL 11 2022

OWRD

The Zoning Determination Application (ZD) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

We are requesting the County's review and signature on two water right applications through the Oregon Water Resources Department. The project in question is a wetland restoration project as part of a wetland mitigation bank on 329 acres of city-owned land located at the above referenced address. The project will involve the excavation of shallow pools which will seasonally hold water. Separate applications have been submitted to the County, DSL and the Corps for fill and removal.



Lane County Clerk
Lane County Deeds & Records

2019-004149

02/01/2019 10:06:42 AM

RPR-DEED Cnt=1 Stn=1 CASHIER 05 4pages
\$20.00 \$11.00 \$10.00 \$61.00

\$102.00

CITY FILE NO.
APPROVED AND ACCEPTED BY
CITY OF EUGENE, OREGON
DATE: 1-31-19
[Signature]
Deputy City Recorder

TITLE NO. 0308919
ESCROW NO. EU18-1879 MB
TAX ACCT. NO. 0489060
MAP/TAX LOT NO. 17 05 01 #500

GRANTOR

CLARA G. VAUGHAN IRREVOCABLE TRUST UTA December 29, 1972, PEGGY M. GORACKE, DANIEL L. GORACKE, TERRY R. GORACKE, THOMAS P. GORACKE, GRACE K. VILAGI, PAUL R. GORACKE and BETTY GORACKE OLGUIN

GRANTEE

CITY OF EUGENE, A MUNICIPAL CORPORATION

100 W. 10th Ave, Ste. 400
Eugene, OR 97401

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

RECEIVED

JUL 11 2022

OWRD

WARRANTY DEED -- STATUTORY FORM

JENSEN

DANIEL L. GORACKE and CYNTHIA A. CASE, Successor Co-Trustees of the CLARA G. VAUGHAN IRREVOCABLE TRUST UTA December 29, 1972, PEGGY M. GORACKE, DANIEL L. GORACKE, TERRY R. GORACKE, THOMAS P. GORACKE, GRACE K. VILAGI, PAUL R. GORACKE and BETTY GORACKE OLGUIN, Grantor,

conveys and warrants to

CITY OF EUGENE, A MUNICIPAL CORPORATION, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The true consideration for this conveyance is \$1,700,000.00 AS PAID BY/TO AN ACCOMMODATOR PURSUANT TO IRC 1031.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), 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 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:

Covenants, Conditions, Restrictions, Easements and Rights of Way of record, if any.

Dated this 29 day of Jan, 2019.

CLARA G. VAUGHAN IRREVOCABLE TRUST UTA
December 29, 1972

BY: Daniel L. Goracke
DANIEL L. GORACKE, SUCCESSOR CO-
TRUSTEE

BY: Cynthia A. Jensen
CYNTHIA A. JENSEN, SUCCESSOR CO-
TRUSTEE

Daniel L. Goracke
DANIEL L. GORACKE

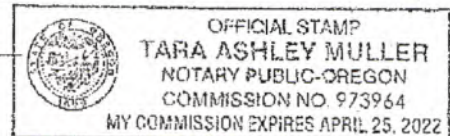
Thomas P. Goracke
THOMAS P. GORACKE

Paul R. Goracke
PAUL R. GORACKE

State of Oregon
County of Lane

This instrument was acknowledged before me on Jan 29, 2019 by DANIEL L. GORACKE and CYNTHIA A. JENSEN, Successor Co-Trustees of the CLARA G. VAUGHAN IRREVOCABLE TRUST UTA December 29, 1972, PEGGY M. GORACKE, DANIEL L. GORACKE, TERRY R. GORACKE, THOMAS P. GORACKE, GRACE K. VILAGI, PAUL R. GORACKE and BETTY GORACKE OLGUIN.

Tara Ashley Muller
(Notary Public for Oregon)
My commission expires 4/25/22



CITY OF EUGENE, A MUNICIPAL CORPORATION, HEREBY ACCEPTS AND APPROVES THIS
CONVEYANCE, PURSUANT TO ORS 93.808

CITY OF EUGENE, A MUNICIPAL CORPORATION

BY: Philip S. Richardson
NAME: Philip S. Richardson
TITLE: Landscape Architect

RECEIVED

JUL 11 2022

OWRD

Exhibit A

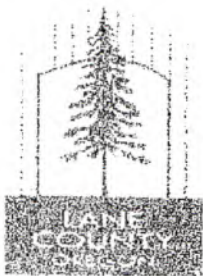
Beginning at the intersection of the South line of the Moses Houghman and wife Donation Land Claim No. 40 with the West line of Section One in Township 17 South, Range 5 West of the Willamette Meridian; and running thence South along Section line 60.55 chains; thence East 12.50 chains; thence North 16.00 chains; thence East 61.00 chains, more or less, to the center of Clear Lake; thence Northerly along center of said lake to the intersection with the South line of said Moses Houghman Claim No. 40; and thence West along said South line 59.09 chains to the place of beginning, in Lane County, Oregon.

ALSO: Beginning at the Northeast corner of the above described tract, in the center of Clear Lake and in the North line of the tract of land conveyed to Peter Gering by C. W. Washburne and wife; and running thence West 30 rods; thence North 46 rods; thence East 13 rods; and thence Southeasterly to the place of beginning, in Lane County, Oregon.

RECEIVED

JUL 11 2022

OWRD



Certification of Charges Paid
(2015 Oregon Laws Chapter 96)

All of the charges against the real property have been paid that is the subject of the deed between:

Account #

0489060

Grantor:

Clara G. Vaughan Irrevocable Trust, Peggy M. Goracke, Daniel L. Goracke, Terry R. Goracke, Thomas P. Goracke, Grace K. Vilagi, Paul R. Goracke, Betty G. Olguin

Consideration Amount:

\$1,700,000

Grantee:

City of Eugene

Deed Signed on Date:

2/1/19

Assessor's Signature
(or representative):

A handwritten signature in cursive script, likely belonging to the Assessor, written over a horizontal line.

Date:

2/1/19

RECEIVED

JUL 11 2022

OWRD

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following sections are completed. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Source of Water
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Dam Height and Composition
- ☒ SECTION 7: Primary Outlet Works
- ☒ SECTION 8: Emergency Spillway
- ☒ SECTION 9: Water Quality
- ☒ SECTION 10: Project Schedule
- ☒ SECTION 11: Within a District
- ☐ SECTION 12: Remarks

RECEIVED

JUL 11 2022

OWRD

Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: \$ 7529
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Map must be prepared by a Certified Water Rights Examiner
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North directional symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference public-land survey corner on map
 - ☒ Location of each dam by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Please note that a secondary application is required if there are out-of-reservoir uses associated with this application.

For Department Use: App. Number: _____

Oregon Water Resources Department Standard Reservoir Application

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

Today's Date: Wednesday, April 20, 2022

Base Application Fee.		\$1,090.00
Number of acre feet to be diverted for Storage.	55	\$869.00
Number of reservoirs.	32	\$4,960.00
Subtotal:		\$6,919.00
Permit Recording Fee. ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$7,529.00

RECEIVED

JUL 11 2022

OWRD