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2137 19<sup>th</sup> Avenue  
Forest Grove, OR 97116

**COOS BAY - FOREST GROVE - DALLAS - BROOKINGS**

April 9, 2008

Oregon Water Resources  
Water Rights Application Section  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

To whom it may concern:

On behalf of Kenton Gregory, we are submitting these water rights applications for construction of two "alternate review" reservoirs and for the use of surface and stored water on his property located on Williams Canyon Road in Yamhill County.

Note that we are the applicant's representative for these water rights applications. **Please send correspondence (or copies of correspondence) regarding this application to:**

**William Kness  
2137 19<sup>th</sup> Avenue  
Forest Grove, OR 97116  
503-357-5717  
503-357-5698 (fax)**

503 804 3157

The following items are enclosed and labeled in the following order:

1. Land Use Information Form
2. Application for Permit to Store Water in a Reservoir – Alternate Review [Cascade View]
3. Application for Permit to Store Water in a Reservoir – Alternate Review [Twin Oaks]
4. Water Rights Application Map
5. Application for a Permit to Use Surface Water
6. Form I for Irrigation Water Use
7. Deed and legal description for property
8. Tax assessor map of Section 8, T2S, R4W, WM

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9. Check for Application Fees

<i>To Appropriate Surface Water for STORAGE: [Alternate Review - Cascade View Reservoir]</i>				
Category	Units / Description		Rate	Amount
Base	1	fee	\$80.00	\$80.00
Each af or fraction thereof	10	af	\$20.00	\$200.00
			<b>Subtotal:</b>	<b>\$280.00</b>

<i>To Appropriate Surface Water for STORAGE: [Alternate Review - Twin Oaks Reservoir]</i>				
Category	Units / Description		Rate	Amount
Base	1	fee	\$80.00	\$80.00
Each af or fraction thereof	8	af	\$20.00	\$160.00
			<b>Subtotal:</b>	<b>\$240.00</b>

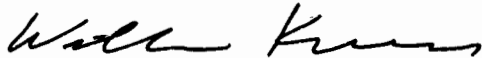
<i>To Appropriate Surface Water:</i>				
Category	Units / Description		Rate	Amount
Base	1	POD & Irrigation use	\$500.00	\$500.00
1st cfs or fraction thereof	1	cfs	\$200.00	\$200.00
Each add'l. cfs or fraction thereof	0	cfs	\$100.00	\$0.00
Each add'l. use, POD, or well after the 1st	1	add'l Point of Diversion	\$200.00	\$200.00
Each add'l. use, POD, or well after the 1st	1	reservoir maintenance use	\$200.00	\$200.00
Each add'l. use, POD, or well after the 1st	1	wildlife use	\$200.00	\$200.00

<i>To Appropriate Stored Water under the same Application:</i>				
Each af or fraction thereof up to 20 af	10	af	\$20.00	\$200.00
Each add'l af or fraction thereof	0	af	\$1.00	\$0.00
			<b>Subtotal:</b>	<b>\$1,500.00</b>

**Total Fee: \$2,020.00**

- Notes: 1) "Base" fees include the first Point of Diversion (POD) or first well and first "use".  
 2) cfs = cubic feet per second  
 3) af = acre foot  
 4) Permit Recording Fees of \$300 per application are not included in calculations.

Sincerely,  
 Stuntzner Engineering & Forestry, LLC



William Kness, PE, PLS

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

Application for a Permit to Use
Surface Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

I. APPLICANT INFORMATION

A. Individuals

Applicant: Kenton Gregory
First Last
Mailing address: 3737 SW Council Crest Drive
Portland OR 97239
City State Zip
Phone: N/A 503-201-2109
Home Work Other
\*Fax: \*E-Mail address: kentongregory@msn.com

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: N/A
Name and title of person applying:
Mailing address of organization:
City State Zip
Phone: Day Evening
\*Fax: \*E-Mail address:

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\* Optional information

For Department Use
App. No. 5-87175 Permit No. Date

**2. SOURCE AND PROPERTY OWNERSHIP**

**A. The Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Sheet Flow to Cscd View Tributary to: Unnamed Creek  
Source 2: Cascade View Reservoir Tributary to: Unnamed Creek  
Source 3: Sheet Flow to Twin Oaks Tributary to: Unnamed Creek  
Source 4: Twin Oaks Reservoir Tributary to: Unnamed Creek

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name). Concurrent reservoir applications are being submitted for Cascade View & Twin Oaks.

**B. Applications to Use Stored Water**

*Complete this section if any source listed in item 2A above is stored water.*

Do you, or will you, own the reservoir(s) described in item 2A above?

- Yes.
- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 2A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:
- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
  - A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

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**C. Property Ownership**

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

- Yes (*Skip to section 3 "Water Use."*)
- No (*Please check the appropriate box below.*)
  - I have a recorded easement or written authorization permitting access.
  - I do not currently have written authorization or easement permitting access.
  - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

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.

List the names and mailing addresses of all affected landowners.

N/A

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**3. WATER USE**

*Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.*

**A. Type(s) of Use(s)**

*See list of beneficial uses provided in the instructions.*

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: \_\_\_\_\_
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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**B. Amount of Water**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

*(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)*

Source	Type of use	Amount	Amount		
Sheet Flow to Cscd View	Irrigation and Reservoir Maintenance	0.3	<input checked="" type="checkbox"/> cfs	<input type="checkbox"/> gpm	<input type="checkbox"/> af
Cascade View Reservoir	Irrigation	9.1	<input type="checkbox"/> cfs	<input type="checkbox"/> gpm	<input checked="" type="checkbox"/> af
Sheet Flow to Twin Oaks	Irrigation and Reservoir Maintenance	0.2	<input checked="" type="checkbox"/> cfs	<input type="checkbox"/> gpm	<input type="checkbox"/> af
Twin Oaks Reservoir	Irrigation	9	<input type="checkbox"/> cfs	<input type="checkbox"/> gpm	<input checked="" type="checkbox"/> af

**C. Period of Use**

Indicate the time of year you propose to use the water: March 1-October 31  
*(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)*

**D. Acreage**

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 91.9 acres  
*(This number should be consistent with your application map.)*

**4. WATER MANAGEMENT**

**A. Diversion**

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): 3 H.P. electric centrifugal
- Head-gate (give dimensions): \_\_\_\_\_
- Other means (describe): \_\_\_\_\_

**B. Monitoring**

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- Weir
- Meter
- Periodic Sampling
- Other means (describe): Staff gage in reservoir

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**C. Transport**

How will you transport water to your place of use?

Ditch or canal (give average width and depth):

Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined?  Yes  No

Pipe (give diameter and total length):

Diameter \_\_\_\_\_ 4" pvc \_\_\_\_\_ Length \_\_\_\_\_ Main line ~ 3000 ft. (system not designed yet.)

Other (describe) \_\_\_\_\_

**D. Application/Distribution Method**

What equipment will you use to apply water to your place of use? Drip irrigation for vineyards. Low pressure sprinklers for cover crops/ landscaping.

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe \_\_\_\_\_

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

**E. Conservation**

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

We will use drip irrigation for vines only when needed. Low pressure sprinklers will be used occasionally only as needed.

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5. RESOURCE PROTECTION

**A. Protection Practices**

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions: N/A No streams or intermittent streams located on site.

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Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: No stream channel, banks, or riparian area exists.

Borrow material to be taken "upstream" of dam. Construction area will be seeded and mulched.

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Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: Dam construction will be done in dry season when there is minimal chance of runoff from the site.

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Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: Permittee will obtain a 1200-C erosion control permit, if required. Silt fences, straw bale dikes, seeding and mulching and other erosion control measures will be used as needed to minimize erosion.

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Other: \_\_\_\_\_

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**6. PROJECT SCHEDULE**

*Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.*

Proposed date construction will begin: May 2008

Proposed date construction will be completed: October 2018

Proposed date beneficial water use will begin: May 2009

**7. REMARKS**

*If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.*

Applicant expects relatively low amounts of water needed compared to typical irrigation  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. MAP REQUIREMENTS**

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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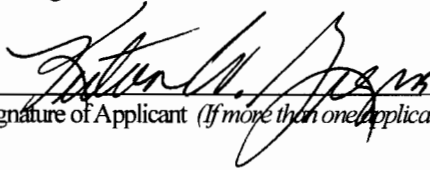
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**9. SIGNATURE**

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 use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



Signature of Applicant (If more than one applicant, all must sign.)

5-1-08

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached 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 the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

WRD on the web:  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

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