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150.00 10AF
90.00 90AF
*740.00



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for a Permit to Store Water in a Reservoir (Standard Review)

Standard Review Process (ORS 537): You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

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 return it to you. If any requested information does not apply, insert "n/a". 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.

1. APPLICANT INFORMATION

Applicant: Victor Schneider, Jr
Mailing Address: 37485 S. Highway 213
Mt. Angel Oregon 97362
Phone: (503) 829-9986 (503) 710-0128
*E-Mail Address: schnevi@molalla.net

*Optional Information

I(We) make application for a permit to construct a reservoir and store the following described waters of the State of Oregon. The name of the reservoir is Remembrance Lake.

2. SOURCE OF WATER for the proposed use: 1) Surface Run-off 2) Butte Creek,
a tributary of 1) Butte Creek 2) Pudding River.

Is the proposed use an enlargement of an existing dam/reservoir? YES NO **RECEIVED**

If the reservoir is not in channel of a stream, state how it is to be filled: AUG 27 2008
The surface run-off will run directly from the upland field into the reservoir. WATER RESOURCES DEPT
The water from Butte Creek will be pumped from an existing point of diversion site SALEM, OREGON

used for other, previous water rights.

For Department Use
App. No. _____ Permit No. _____ Date _____

3. DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 29.3 feet above streambed or ground surface at the centerline of the crest of the dam.

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 prior to storage of water.

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

If "other" give description: _____

4. PRIMARY OUTLET WORKS

Describe the location and the dimensions of the outlet conduit through the dam: _____

8" N-12 outlet to 18" N-12 through centerline of dam at southwest corner. 24" N-12 trickle-tube intersects outlet at transition from 8" to 18".

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

5. EMERGENCY SPILLWAY

Describe the location and the dimensions of the spillway channel: _____

12' bottom width, 2' feet deep, with 3:1 side slopes. Concrete lined. Located near the east end of the south line of the reservoir.

6. THE USE(s) of the impounded water will be: _____

Multipurpose

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7. THE AMOUNT OF WATER to be stored is: 100 acre-feet.

The area submerged by the reservoir, when filled, will be 7.3+/- acres.

8. PROJECT SCHEDULE: (List Month and Year)

Proposed date construction work will begin: September 2008

Proposed date construction work will be completed: October 2009

Proposed date water use will be completed: Permit date + 3 years

9. PROPERTY OWNERSHIP

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

Yes (Please check appropriate box below then skip to section 10)

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

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 an easement permitting access to lands not under my ownership.

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).

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:

* Attach additional sheet(s) if necessary.

10. 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 reservoir location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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11. 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 certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Applicant: Victor Schmiedeknecht Jr 8-12-08
Signature (If more than one applicant, all must sign.) Date

Before you submit your application be sure to:

- Answer each question completely.
- Attach a legible map that includes township, range, section, quarter/quarter and tax lot.
- Include a Land Use Information Form or receipt stub signed by a local official.
- Include the legal description of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance policy to meet this requirement.
- Include 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 or call (503) 986-0900.

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Oregon Water Resources Department Land Use Information Form

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 ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Victor Schneider, Jr.
Mailing Address: 37485 S. Highway 213
City: Mt. Angel State: OR Zip: 97326 Day Phone: 503-829-9986

This application is related to a Measure 37 claim. Yes No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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: |
|----------|-------|---------|-------|-----------|--|--|--------------------|
| 6S | 1E | 8 | NE,NE | 6S1E8-400 | EFU | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Reservoir |
| | | | NW,NE | 6S1E8-400 | '' | <input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Reservoir |
| | | | SW,NE | 6S1E8-400 | '' | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Reservoir |
| | | | SE,SE | 6S1E8-400 | '' | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Reservoir |

List all counties and cities where water is proposed to be diverted, conveyed, or used. Clackamas County

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B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) Surface Run-off & Butte Creek

Estimated quantity of water needed: 100 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 Multipurpose

Briefly describe: Water from upland surface run-off and water pumped from Butte Creek will be used to fill an off-channel reservoir.
Water from the reservoir will be used to irrigate 293.4 acres of vegetable crops - 10 acres of primary and 293.4 acres of supplemental rights.

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

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 704.

- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

| Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Land-Use Approval: | |
|---|---|--|--|
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| See Attached SF | 8/25/08 | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |

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

ZDO 704 - Requires that construction be setback a minimum of 100' from the Mean High Water line from Blatte Creek.

FIRM Panel 41005C 0725D shows that a portion of the property is covered by a floodway. No construction of the reservoir with the floodway.

ZDO - 40104(0) - primary use - irrigation-water.

Name: Sandy Ingalls Title: Planner II
 Signature: Sandy Ingalls Phone: 503 353 4500 Date: 8/25/08
 Government Entity: Clatsop County

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.

RECORDED IN CLACKAMAS COUNTY
JOHN KAUFFMAN, COUNTY CLERK

2000-055637



\$31.00

08/28/2000 11:46:32 AM

DD - 1 - 2 TRISH
\$10.00 \$11.00 \$10.00

CLACKAMAS COUNTY RECORDING DEPT. CERTIFICATE PAGE



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**This page must be included
if document is re-recorded.**

Do Not remove from original document.

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After Recording Return to:
ALAN J. BELL, P.C.
P. O. Box 497
Stayton, OR 97383

Send Tax Statements to:
No Change

BARGAIN AND SALE DEED

PHYLLIS SCHNEIDER, Grantor, hereby grants, bargains, sells and conveys to VICTOR H. SCHNEIDER, Trustee of the VICTOR H. SCHNEIDER FAMILY TRUST, Grantee, that certain real property situated in Clackamas County, Oregon, more particularly described as follows:

See Exhibit A, attached hereto and made a part hereof as though fully set forth.

The true and actual consideration for this conveyance is \$1.00 and other good and valuable consideration.

This instrument will 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 approved use.

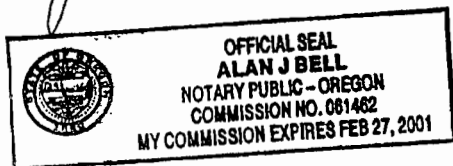
The property described in this instrument may not be within fire protection district protecting structures. The property is subject to land use laws and regulations, which, in farm or forest zones, may not authorize construction or siting of a residence. Before signing or accepting the instrument, a person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and existence of fire protection for structures.

DATED this 8 day of August, 2000.

Phyllis Schneider
Phyllis Schneider

STATE OF OREGON)
County of Marion) ss.

This instrument was acknowledged before me on the 8 day of August, 2000, by Phyllis Schneider.



Alan J. Bell
Notary Public for Oregon

**EXHIBIT A
(BL)**

Beginning at a point on the east line of the Jeremiah Jack and wife D. L. C. No. 41, in T. 6 S., R. 1 E., of the W. M., which point is 1023.00 feet South of the Northeast corner of said claim; running thence North 89° 31' West 2992.57 feet; thence South 1091.44 feet; thence South 89° 34' East 2794.57 feet; thence South 622.00 feet to the center of the Oregon City and Silverton Road; thence North 43° 22' East along the center of said Road 289.9 feet to the East line of said Claim No. 41; thence North along the east line of said Claim No. 41, a distance of 1499.9 feet to the place of beginning.


EXCEPTING THEREFROM that portion lying within public roads.

SUBJECT TO: Easement, including the terms and provisions thereof, in favor of Portland General Electric Company, a corporation of Oregon, recorded May 2, 1953, in Book 468, Page 443, Fee No. 5806, Deed Records.

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