



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 Store Water in a Reservoir

(Alternate Review)

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.

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: BILL WILLIAM SLAVENS
First Last

Mailing Address: 24155 MOON CREEK ROAD

BEAVER OR 97108-9717
City State Zip

Phone: 503-398-5854
Home Work Other

*Fax: 503 398 2827 *Email Address: _____

**optional information*

RECEIVED
 OCT 21 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

2. LOCATION AND SOURCE

A. Reservoir Name: NA

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: UNNAMED CREEK Tributary to: MOON CREEK

C. Reservoir Location

| Township (N or S) | Range (E or W) | Section | quarter/quarter | tax lot number |
|-------------------|----------------|---------|-----------------|----------------|
| 3 S | 8 W | 29 | | 2100 |

D. County of Use: TILLAMOOK

E. Dam: Maximum height of dam: 9.0 feet. If excavated, write "excavated" or "0 feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity.

List quantity in Acre-Feet: .19

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

3. WATER USE

Indicate the proposed use(s) of the stored water. NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement. If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

MULTIPURPOSE USE

4. PROPERTY OWNERSHIP

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

- Yes (please check appropriate box below then skip to section 5)
There are no encumbrances
This land is encumbered by easements, 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 easement permitting access.
Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box is you described your use as "Mulitpurpose" in #3 above

List Name and mailing addresses of all affected land owners:

[Empty box for land owner information]

RECEIVED

OCT 21 2008

WATER RESOURCES DEPT SALEM, OREGON

5. ENVIRONMENTAL IMPACT

A. Channel: is the reservoir In Stream or off channel ?

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 from 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 this project.

[Empty box for agency information]

6. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

Landowner Signature [Handwritten Signature]

Date 9-26-08

Before you submit your application be sure you have:

- ? Answered each question completely.
? Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
? The map must meet map requirements to be accepted.
? Included a land use form or receipt stub signed by a local planning official.
? Included a check payable to Oregon Water Resources Department for the appropriate amount.

FEE STRUCTURE: The fee is based on the number of acre-feet proposed to be stored. The base fee is \$80. In addition, there is a fee of \$20 per acre-foot or fraction thereof. Example: 0.3 AF= \$ 100 ; 1.5 AF= \$ 120 ; 20.0 AF= \$ 480 ; 30.0 AF= \$ 680.



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: WILLIAM SLAVENS
Mailing Address: 24155 MOON CREEK ROAD
City: BEAVER State: OR Zip: 97108-9717 Day Phone: 503-398-5854

This application is related to a Measure 37 claim. [] Yes [x] 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.

Table with 8 columns: Township, Range, Section, 1/4 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use: (MULTIPURPOSE). Row 1: 3S, 8W, 29, 2100, Rural Residential/RR-5, [] Diverted [] Conveyed [x] Used, MULTIPURPOSE.

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

B. Description of Proposed Use

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

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

Source of water: [] Reservoir/Pond [] Ground Water [x] Surface Water (name) UNNAMED CREEK, TRIB OF MOON CREEK

Estimated quantity of water needed: [] cubic feet per second [] gallons per minute [] acre-feet

Intended use of water: [] Irrigation [] Commercial [] Industrial [] Domestic for household(s)
[] Municipal [] Quasi-municipal [] Instream [x] Other MULTIPURPOSE

Briefly describe:

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.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED
OCT 21 2008
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 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): F-1 zone is governed by state statutes as the County Comp plan & zoning ord. are out of date.
- 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 |
| | | <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.

No concerns related to land use.

RECEIVED

OCT 21 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

Name: VALERIE SOLIHAI, AICP Title: Coastal Resource Planner
 Signature: Valerie Solihai Phone: 503-842-3468 Date: 9/30/2008
 Government Entity: TILLAMOOK COUNTY DEPT. OF COMMUNITY DEVELOPMENT

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

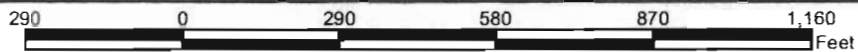
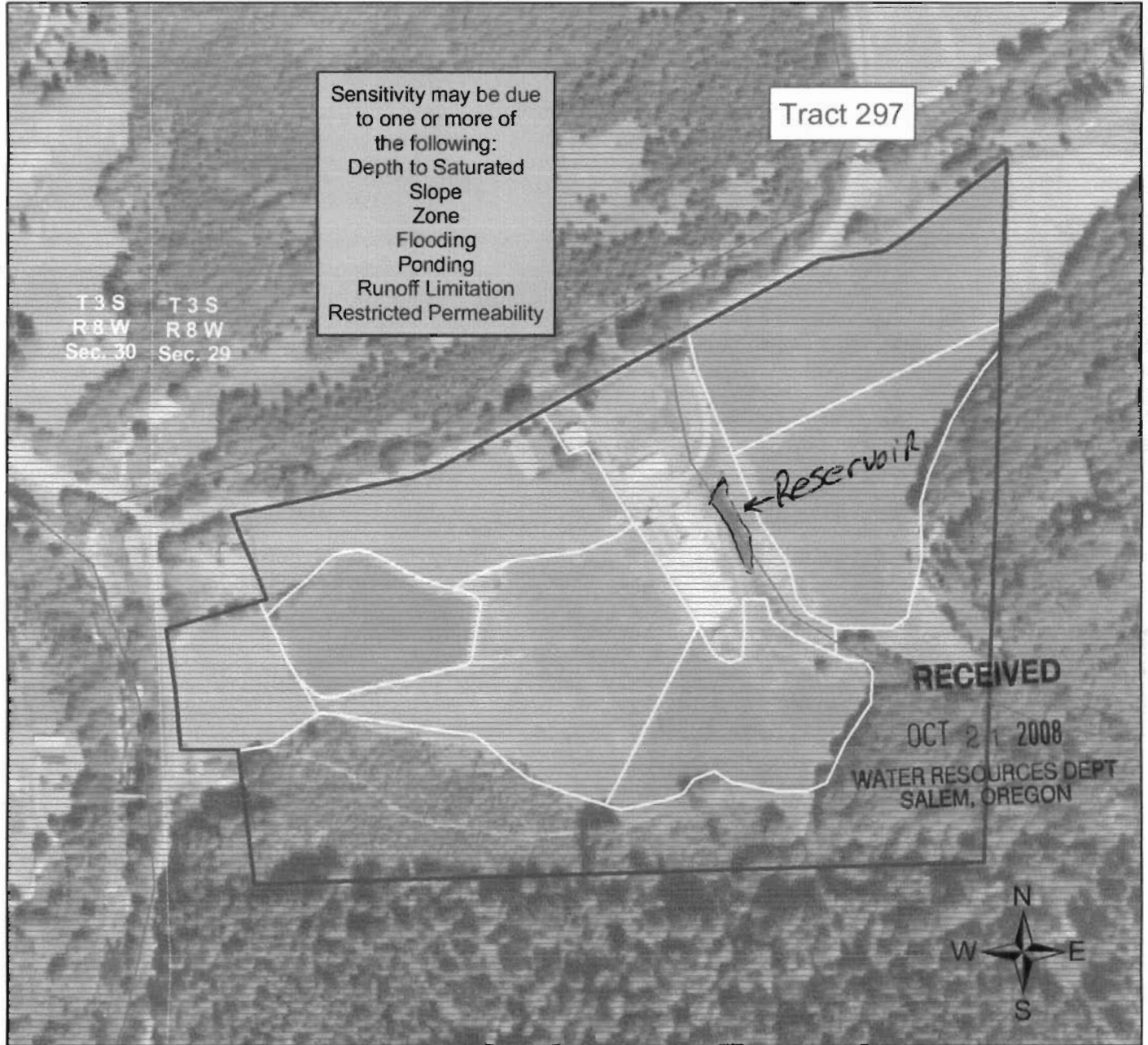
Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

Tillamook County SWCD
Approximate Acres: 45.9
Date: 11/10/2005

Flood Boundary Map 1 of 3

Sensitive Manure Application Area



| Legend | | |
|--------------------|---|--|
| Tract Boundary | Sensitive Manure Application Area (100 Yr. Flood Plain) | Winter Manure Application Area (Outside 500 Yr. Flood) |
| Planned Land Units | Undetermined Flood Plain | 500 Yr. Flood Plain |
| Public Land Survey | Open Water Course | |



STATE OF OREGON
COUNTY OF TILLAMOOK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **WILFORD FITCH** ⁷⁷¹⁰⁸
of **Beaver**, State of **Oregon**, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Moan Creek

a tributary of **Big Nestucca River** for the purpose of
irrigation of 31 acres

under Permit No. **26642** of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from **March 10, 1960**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.39 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the **NW 1/4 SW 1/4, Sec. 29, T. 3 S., R. 8 W., W.M.**

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be further limited to
a diversion of not to exceed **2 1/2** acre feet per acre for each acre irrigated during
the irrigation season of each year,

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

7.3 acres SE 1/4 NW 1/4
9.1 acres NE 1/4 SW 1/4
14.6 acres NW 1/4 SW 1/4
Section 29
T. 3 S., R. 8 W., W.M.

RECEIVED

OCT 21 2008

WATER RESOURCES DEPT
SALEM, OREGON

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this date. DECEMBER 3 1962

CHRIS L. WHEELER
State Engineer

Recorded in State Record of Water Right Certificates, Volume 22, page 30425

T-9042 Δ POU/APOD

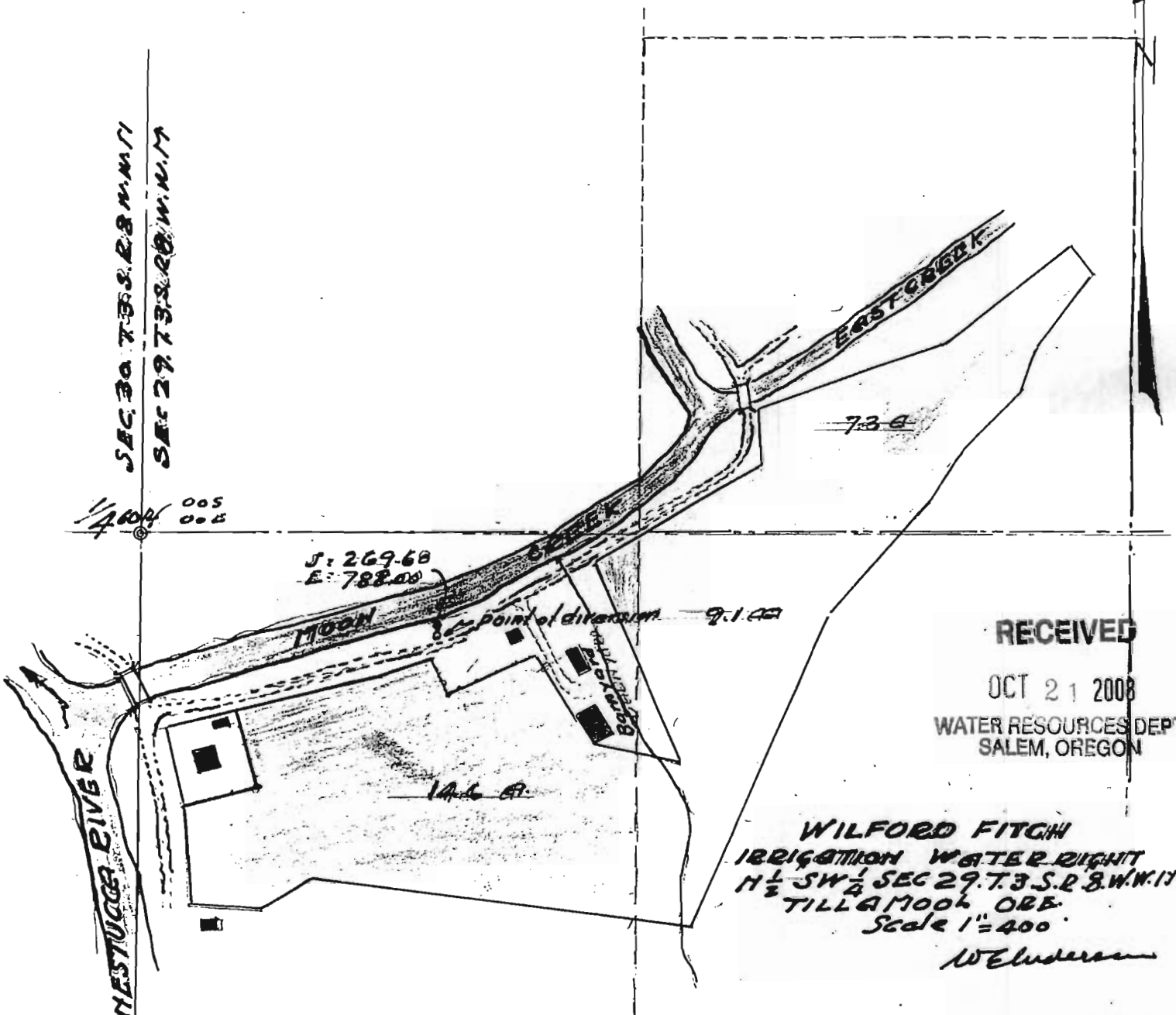
V/S

SURVEYORS CERTIFICATE

RECEIVED
 MAR 10 1960
 STATE ENGINEER

W. E. Anderson of Tillamook, Oregon do hereby certify that this map was made from notes taken during an actual survey made by me in February 1960 and that it correctly represents the works herein.

W. E. Anderson



RECEIVED

OCT 21 2008

WATER RESOURCES DEPT
 SALEM, OREGON

WILFORD FITCH
 IRRIGATION WATER RIGHT
 N 1/2 SW 1/4 SEC 29 T33S R28W N.W. 17
 TILLAMOOK ORE.
 Scale 1" = 400'

W. E. Anderson

Application No. 33709
Permit No. 26642

TAX LOT: 358-29-210

set forth herein:

Beginning at a 3/4 inch pipe which is North 390.45 feet and East 1986.89 feet from the West quarter section corner of Sec. 29, T 3 S., R 8 W, W.M.; thence South 53°28' West 321.00 feet to a 3/4" iron pipe; thence South 81°24' West, 130.48 feet to a 3/4" pipe on the apparent Southerly sideline of Hollett Co. Road; thence Northeasterly along the Southern and Easterly sideline of said road to the center line of East Creek; thence downstream, along the centerline of East Creek to the centerline of Moon Creek; thence downstream along the centerline of Moon Creek to the West boundary of Section 29; thence South along the West boundary of said Section to the Southwest corner of the North half of the Southwest quarter of said Section 29; thence Easterly along the South boundary of the North half of the Southwest quarter of said section to a point which is South of the Point of Beginning; thence North to the Point of Beginning. EXCEPTING, however, from the Northwest quarter of the Southwest quarter, the following tracts:

- (1) Tract conveyed to School District No. 27 by deed recorded August 26, 1920, in Book 40, Page 343, Deed Records;
- (2) Tract conveyed to J. S. Wilnot by deed recorded June 27, 1917, in Book 34 Page 237, Deed Records;
- (3) Tract conveyed to Earl R. Ayers and wife by deed recorded November 26, 1924, in Book 47 Page 58, Deed Records;
- (4) Tract conveyed to D. P. Exline and wife by deed recorded June 15, 1954, in Book 143 Page 28, Deed Records; and
- (5) Tract sold to Doris L. Moore by contract recorded November 17, 1970, in Book 221 Page 447 Deed Records.

AND FURTHER EXCEPTING (1) Approximately 1/4 acre lying between the school house and the road and the Nestucca River; and (2), Tract conveyed to Tillamook County as described in Book 128 Page 53, Deed Records.

SUBJECT, nevertheless, to:

- (1) Rights of the public to any portion of the premises lying within roads or roadways;
- (2) Possible future changes in the classification of the land as Zoned Farm Use Land;
- (3) Easement in favor of Tillamook People's Utility District under instrument recorded October 22, 1947, in Book 109 Page 178, Deed Records;
- (4) Easement in favor of Tillamook People's utility District under easement instrument recorded March 2, 1953 in Book 137 Page 380;
- (5) Easement or Easements created by instrument recorded January 9, 1974, in Book 235 Page 33, Deed Records; in favor of Ulus G. Garrison and others.

(Continued on reverse side)

RECEIVED

OCT 21 2008

WATER RESOURCES DEPT
SALEM, OREGON

The true and actual consideration for this conveyance is \$167,000.00. IN WITNESS WHEREOF said Grantors have hereunto set their hands this 9 day of March, 1983.

Ben A. King

Genevieve R King
Genevieve Ruth King

STATE OF OREGON)
County of Tillamook)

On this 9 day of March, 1983, personally appeared the above named Ben A. King (also known as Albern Benjamin King), and Genevieve Ruth King, and acknowledged that they executed the foregoing instrument as their free and voluntary act and deed.

Before me: William S. Slavens
Upon recording please return to:
William S. Slavens

[Signature]
Notary Public for Oregon
My Comm. Exp. 6-6-84

27255 Hwy 101 S.
Clóverdale, Oregon 97112

Future tax statements to be sent to:
Grantee as shown above

258270

State of Oregon, County of Tillamook
I hereby certify that the within instrument
was received for record at.



Tillamook County OFFICIAL Records.
Witness my hand and seal affixed.
JUNE WAGNER, County Clerk

L. Creech Deputy
Deed. 800