

Kenneth R. Barton
30066 Sodaville Mtn Home Road
Lebanon, OR 97355
Phone (541) 258-3830

March 26, 2009

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

Dear Sirs,

Please find enclosed our application for new pond construction. We have included pictures to clarify the topographical considerations. None of the submitted articles need be returned.

Photo descriptions:

1. General orientation to house and the major source of water for the pond from a curtain drain
2. Course of run off from curtain drain to road-side ditch
3. Road-side ditch looking North
4. Road-side ditch looking South
5. The pond containment wall would run from where I am standing to the raised area to my right, and the top of the wall would be at the level of ground on which I am standing
6. A view "uphill" from the road-side ditch to clarify grade
7. A view with the top of the containment wall sketched in
8. A view "down hill" showing natural contour
9. This view is oriented toward the major source of run off from up a very wet hill behind the house
10. The various other channels feeding the run off (note 12" ruler in photo)

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I have included other documentation that may or may not be a part of the formal application. Please discard that which think is irrelevant.

Our primary consideration is that we are on the N/S flyway for migratory waterfowl and it is our desire to provide shelter, etc. It should be mentioned that all run off ceases about mid-July and we would not augment the water volume from our well. We have made arrangements with Mr. Tom Harrington of Harrington Rock Products and Construction to do the containment wall. He has had experience in such matters and has a quarry (across the street) to build a wall to your specifications. I could probably do it myself but I feel it is important to do it right the first time when considering holding a large amount of water.

Lastly, the pond would also augment our home fire protection. We are several miles from the nearest hydrant and having the volume of water I anticipate we will have, will be of great value if needed.

Thank you for your patience, and I look forward to answering any questions or providing additional supportive documentation as required.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth R. Barton', with a long horizontal flourish extending to the right.

Kenneth R. Barton

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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 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: Kenneth R. and Linda L. Barton
First Last
Mailing Address: 30066 Sodaville Mtn Home Rd
Lebanon OR 97355
City State Zip
Phone: 541-258-3830 n/a n/a
Home Work Other
*Fax: n/a *Email Address: bartonlinda@hotmail.com
*optional information

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2. LOCATION AND SOURCE

A. Reservoir Name: n/a

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: run-off Tributary to: n/a

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
13S	02W	01	n/a	1004

D. County of Use: Linn County

E. Dam: Maximum height of dam: 4 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: 1200

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 - aesthetics, fire protection, wildlife

App. No. R-87442 For Department Use
Permit No. _____ Date _____

Last updated: 11/24/2008

Application to Store Water in a Reservoir/1

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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 if you described your use as "Multipurpose" in #3 above)

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List Name and mailing addresses of all affected land owners:

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5. ENVIRONMENTAL IMPACT**RECEIVED**

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

B. Wetland: is the project in a wetland? ☐ Yes ☒ No ☐ Don't know

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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.

--

6. SIGNATURE

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

Kevin R. Barton Linda L. Barton March 26, 2009

Landowner Signature

Date

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.



R-87442

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: Ken + Linda Barton
 Mailing Address: 30066 Sodaville Mtn Home Rd
 City: Lebanon State: OR Zip: 97355 Day Phone: (541) 258-3830

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	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
13S	02W	01		1004	FF	☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

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B. Description of Proposed Use

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

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- ☒ 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 ☒ Surface Water (~~name~~) winter runoff

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 ☒ Other _____

Briefly describe: Aesthetics, wildlife, fire protection

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

For Local Government Use Only

SIGNED BY
COUNTY PLANNER
R-87442

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): 928.610(B)(17)

☐ 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:	
na		☐ 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

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.

Personal use only. Accessory to the existing dwelling.

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Name: Olivia Galantz Title: Assistant Planner
Signature: [Signature] Phone: 541-967-8846 Date: 4/10/09
Government Entity: Linn 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.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

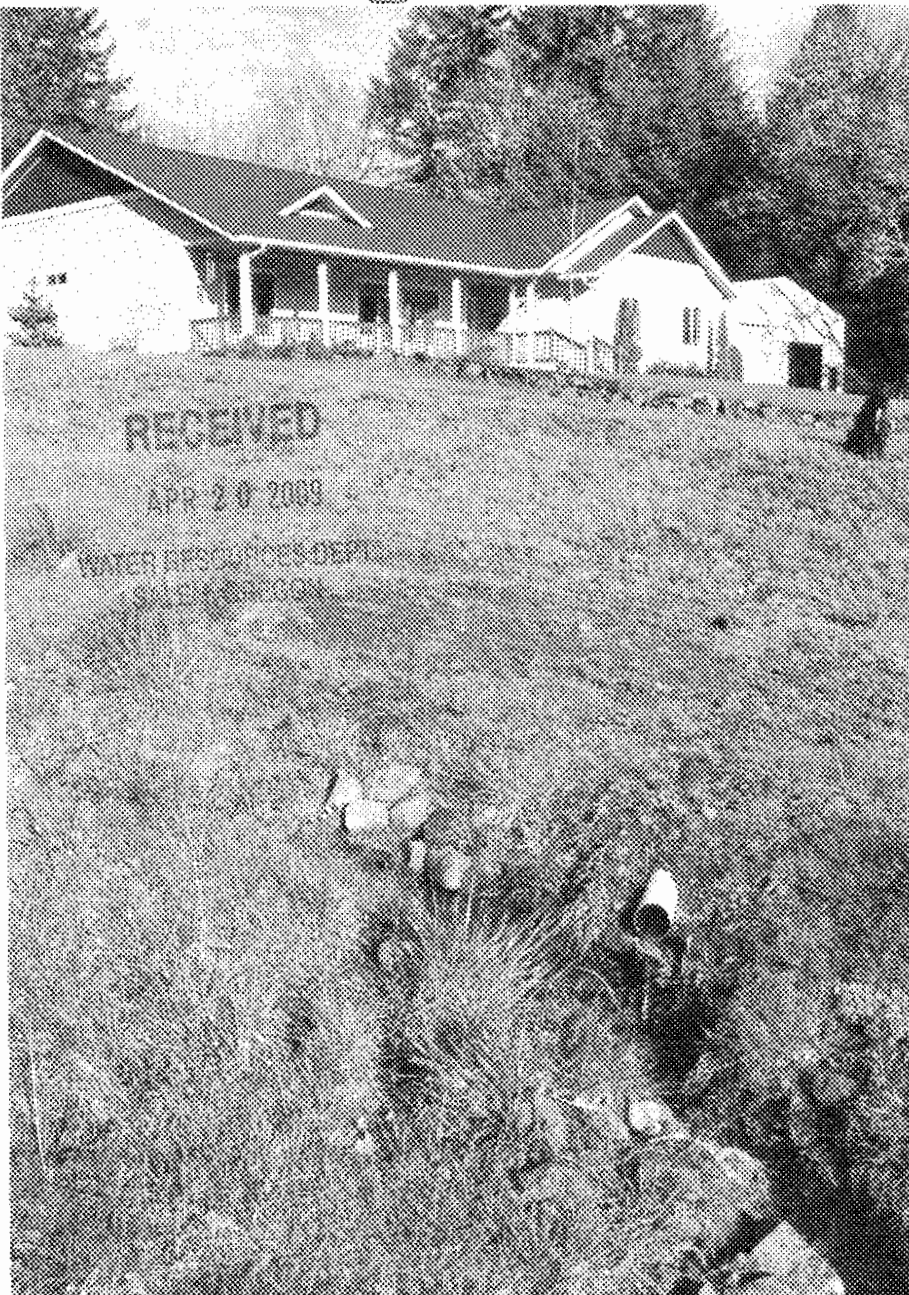
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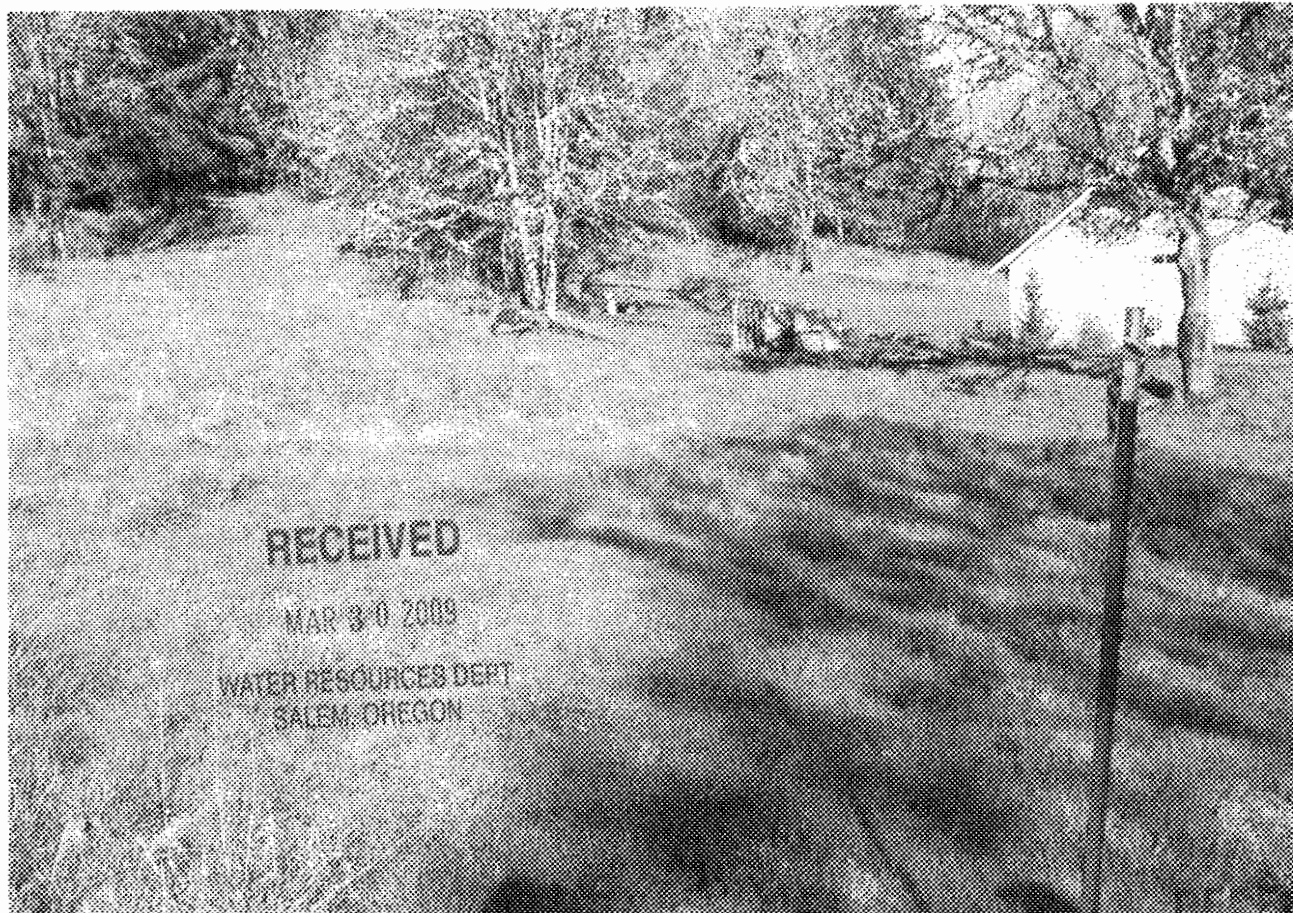
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