



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: Alldevale Properties, LLC

First Last

Mailing Address: 25571 South Barlow Road

Canby Oregon 97013

City State Zip

Phone: _____ (503) 263-6405 (503) 710-1486

Home Work Other

*Fax: _____ *Email Address: willamette@canby.net

**optional information*

2. LOCATION AND SOURCE

JUN 30 2009

A. Reservoir Name: Betty's Pond

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 Stream Tributary to: Rock Creek

C. Reservoir Location

SS	1E	18	SWNE	700
SS	1E	18	SENE	700

D. County of Use: Clackamas

E. Dam: Maximum height of dam: 9.9 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: 13.0

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

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

For Department Use

App. No. R-87488 Permit No. _____ Date _____

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

List Name and mailing addresses of all affected land owners:

N/A

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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? +/- 20 years

D. Fish Habitat: Is there fish habitat upstream from the proposed structure? Yes No Don't know

If yes, how much? _____ miles

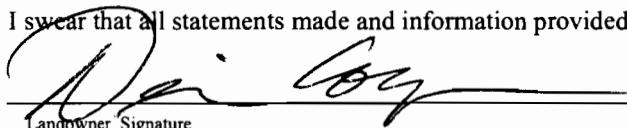
E. Partnerships: Have you been working with other agencies? Yes No

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

N/A

6. SIGNATURE

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



6-29-09

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.



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: Alldevale Properties, LLC

First

Last

Mailing Address: 25571 South Barlow Road

Canby Oregon 97013 Daytime Phone: (503) 263-6405

City

State

Zip

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:
5S	1E	18	SWNE	700	Agriculture EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
5S	1E	18	SENE	700	Agriculture EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Clackamas County

JUN 30 2009

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
 Exchange of Water
 Allocation of Conserved Water
 Limited Water Use License
 Permit Amendment of Ground Water Registration Modification

Source of water: Reservoir/Pond Ground Water Surface Water (name) Unnamed Stream

Estimated quantity of water needed: 13.0 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 will be stored in a reservoir for multiple uses.

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

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): _____.

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:	
<i>None</i>	<i>Sec. 401/2 zoning & Dev. Ord. primary purpose nursery irrigation</i>	<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.

JUN 30 2009

WATER RESOURCES DEPARTMENT
SALINAS COUNTY CALIFORNIA


Name: *Rick McIntire* Title: *Sr. Planner*
 Signature: *Rick McIntire* Phone: *503-742-4516* Date: *6/29/09*
 Government Entity: *Clackamas County Planning Div.*

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: _____

Clackamas County Official Records 2007-011814
 Sherry Hall, County Clerk



01069870200700118140060069 \$51.00
 02/09/2007 02:45:58 PM
 D-D Cnt=1 Stn=6 BEVERLY
 \$30.00 \$11.00 \$10.00

30
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10
68



After Recording Return To:
 Ticor Title
 580 Glatt Circle, Suite B
 Woodburn OR 97071

Send Tax Statements To:
 Devin M. Cooper
 Allison A. Cooper
 32011 South Barlow Road
 Canby OR 97013

Title Order No.
 Escrow No. 200613038
 Tax Account No.

WARRANTY DEED
 (ORS 93.850)

Randy L. Bremer and Jean E. Bremer, Warren William Bremer and Darlene A. Bremer, ,
 Grantor, conveys and warrants to Barlow Oaks, LLC, an Oregon Limited Liability Company
 Barlow Ponds, LLC, an Oregon Limited Liability Company Aldevale Properties, LLC, an
 Oregon Limited Liability Company, Grantee, the following described real property free of
 encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE
 SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR
 FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF
 NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is \$960,000.00.

Dated this 6 day of February, 2007
Randy L. Bremer
 Randy L. Bremer

Jean E. Bremer
 Jean E. Bremer

Warren William Bremer
 Warren William Bremer

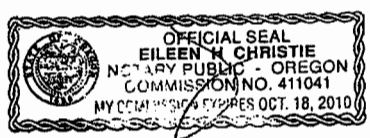
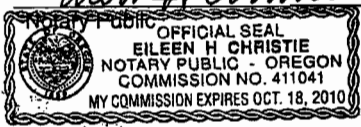
Darlene A. Bremer
 Darlene A. Bremer

State of OR, County of Mason)ss.

This instrument was acknowledged before me on 2/06, 2007
 by Randy L. Bremer

Eileen H. Christie

My commission expires: 10-18-2010



CBB-1404 Recorded By TICOR TITLE

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 WATERBURY COUNTY
 BUREAU OF RECORDS

State of OR, County of Marion)ss.

This instrument was acknowledged before me on 2/06, 2007
by Jean E. Bremer.

Eileen H Christie
Notary Public

My commission expires: 10-18-2010



State of OR, County of Marion)ss.

This instrument was acknowledged before me on 2/06, 2007
by Warren William Bremer.

Eileen H Christie
Notary Public

My commission expires: 10-18-2010



State of OR, County of Marion)ss.

This instrument was acknowledged before me on 2/06, 2007
by Darlene A. Bremer.

Eileen H Christie
Notary Public

My commission expires: 10-18-2010



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2

PARCEL 1: A tract of land situated in the Southwest one-quarter of the Northeast one-quarter of Section 18, Township 5 South, Range 1 East, of the Willamette Meridian, and being more particularly described as follows:

Beginning at the Southeast corner of that certain tract of land conveyed to Warren A. and Darlene A. Bremer, by deed recorded in Book 458, Page 628, Deed Records of Clackamas County, said beginning point being 26.05 chains West of the East one-quarter corner of said Section 18, and being on the centerline of Schneider Road, County Road No. 628; thence East along the centerline of the County Road and the center of section line, 197.0 feet to a point which is 1552.0 feet West of said East one-quarter corner of Section 18, to the true point of beginning; thence North 0° 54' 15" West parallel with the East line of Section 18, a distance of 165 feet; thence East parallel with and 165 feet from the center of Schneider Road, County Road No. 628, a distance of 270.5 feet to a point, said point being 1281.5 feet West and 165.0 feet North 0° 54' 15" West of the East one-quarter corner of Section 18; thence South 0° 54' 15" East 165.0 feet to the center of Schneider Road, County Road No. 628; thence West along the center of said Schneider Road 270.5 feet to the true point of beginning.

PARCEL 2: All of that part of the following bounded and described real property, and lying Easterly of the centerline of the established Barlow-Monitor County Road located on and over said real property on the date of this conveyance, to-wit:

Beginning 18 chains 72 links (1235.52 feet) West of the half mile post between Sections 17 and 18, Township 5 South, Range 1 East, of the Willamette Meridian; thence North 42 chains 74 links (2820.84 feet); thence West 7 chains 33 links (483.78 feet); thence South 42 chains 74 links (2820.84 feet); thence East 7 chains 33 links (483.78 feet) to the point of beginning, and being a part of the Northeast one-quarter of Section 18, also a fractional part of the South side of Section 7, in said township and range.

ALSO beginning 2 chains 74 links (180.84 feet) North and 26 chains 5 links (1749 feet) West from the corner stake between Sections 7, 8, 17 and 18, Township 5 South, Range 1 East, of the Willamette Meridian; thence West 18 chains 95 links (1250.70 feet); thence South 21 chains 37 links (1410.42 feet); thence East 18 chains 95 links (1250.70 feet); thence North 21 chains 37 links (1410.42 feet) to the place of beginning.

EXCEPTING THEREFROM the following described tract:

A tract of land situated in the Southwest one-quarter of the Northeast one-quarter of Section 18, Township 5 South, Range 1 East, of the Willamette Meridian, and being more particularly described as follows:

Beginning at the Southeast corner of that certain tract of land conveyed to Warren A. and Darlene A. Bremer, by deed recorded in Book 458, Page 628, Deed Records of Clackamas County, said beginning point being 26.05 chains (1749 feet) West of the East one-quarter corner of said Section 18, and being on the centerline of Schneider Road, County Road No. 628; thence East along the centerline of the County Road and the center of section line, 197.0 feet to a point which is 1552.0 feet West of said East one-quarter corner of Section 18; thence North 0° 54' 15" West parallel with the

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JUN 30 2009

East line of Section 18, a distance of 10 rods; thence West parallel with the East-West center of section line, 197.0 feet to the East line of the Warren A. Bremer deed line; thence South 0° 54' 15" East parallel with the East line of Section 18, a distance of 10 rods to the point of beginning.

EXCEPT PARCEL 1 above.

ALSO EXCEPT: Beginning at a 3/4" iron pipe at the Northwest corner of that certain tract of land conveyed to John H. Hammond, Jr. and Susan K. Hammond by deed recorded as Clackamas County Clerk's No. 85-25157, located in the Northeast one-quarter of Section 18, Township 5 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, and running thence North 15° 18' 00" East along the Easterly line of Market Road No. 9 a distance of 51.33 feet to a 5/8 inch iron rod; thence South 87° 35' 00" East, a distance of 359.26 feet to a 5/8 inch iron rod; thence South 15° 28' 33" West, a distance of 238.81 feet to a 5/8 inch iron rod; thence North 87° 35' 00" West, a distance of 120.74 feet to the Southeast corner of said Hammond tract; thence North 15° 18' 33" East along the East line of said Hammond tract, a distance of 187.49 feet to a 3/4" iron pipe; thence North 87° 35' 00" West along the North line of said Hammond tract, a distance of 238.51 feet to the point of beginning.

AND beginning at the Northeast corner of that certain tract of land conveyed to Boni S. Halton by deed recorded as Clackamas County Clerk's Fee No. 96-080398, located in the Northeast one-quarter of Section 18, Township 5 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, and running thence South 87° 35' 00" East, a distance of 120.74 feet to a 5/8 inch iron rod; thence South 15° 28' 33" West, a distance of 238.78 feet to a 5/8 inch iron rod; thence North 87° 35' 27" West, a distance of 362.83 feet to a 5/8 inch iron rod on the Easterly line of Market Road No. 9 at a point on a 11551.09 foot radius curve to the left; thence along said curve to the left, the chord of which bears North 16° 45' 29" East 51.61 feet, and having a central angle of 0° 15' 22", a distance of 51.61 feet to the Southwest corner of said Halton tract; thence South 87° 35' 27" East along the South line of said Halton tract, a distance of 240.90 feet to a 3/4 inch iron pipe; thence North 15° 28' 33" East along the East line of said Halton tract, a distance of 187.47 feet to the point of beginning.

PARCEL 3: Part of Section 18, Township 5 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, to-wit:

Beginning at the Southwest corner of a tract of land conveyed to Minnie J. Sacry by deed recorded December 12, 1898, in Book 66, Page 427, Deed Records, said point being 26.05 chains West of the one-quarter section corner between Sections 17 and 18, in said township and range; thence North tracing the West line of said Sacry tract 21.108 chains; thence West 18.95 chains, more or less, to the East line of a tract conveyed to Silas A. Yoder, et ux, by deed recorded November 6, 1919, in Book 155, Page 287, Deed Records; thence South tracing the East line of said Yoder tract and the East line of a tract conveyed to Milford White, et ux, by deed recorded March 13, 1945, in Book 362, Page 510, Deed Records, 21.108 chains to the one-quarter section line running East and West through the center of said Section 18; thence East on said one-quarter section line 18.95 chains, more or less, to the place of beginning.

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CLACKAMAS COUNTY CLERK
CLACKAMAS, OREGON

SUBJECT TO:

Any improvement located upon the insured property which is described or defined as a mobile home under the provisions of Chapters 803 and 820, OREGON REVISED STATUTES, and is subject to registration as provided therein as to Parcel 3, Tax Lot No. 01705053.

Any adverse claim based upon the assertion that:

- A) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the unnamed creeks or has been formed by accretion or reliction to any such portion.
- B) Some portion of said property has been created by deposit of artificial fill.
And Excepting;
- C) The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the premises herein described, lying below the high water line of the unnamed creeks.
- D) The right, title and interest of the State of Oregon in and to any portion lying below the high water line of unnamed creeks.

Rights of the public in and to that portion lying within streets, roads and highways.

Easement, including the terms and provisions thereof,

From: Warren W. Bremer and Helen E. Bremer, wife
To: Portland General Electric Company, a corporation of Oregon
Recorded Date: May 2, 1953
Recording Number: 41913, Book 468, Page 465

Oil and Gas Lease, including the terms and provisions thereof,

From: Warren W. Bremer and Darlene A. Bremer, his wife, Lessor
To: TransOcean Oil, Inc., Lessee
Dated: August 20, 1979
Recorded Date: January 21, 1980
Recording Number: 80 2171
Records of: Clackamas County

Assignment, including the terms and provisions thereof,

From: Mobil-Transocean Company
To: Mobil Oil Corporation
Amount: \$100.00
Recorded Date: March 9, 1981
Recording Number: 81 8088

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The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

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SALEM, OREGON

6

BEFORE THE STATE ENGINEER OF OREGON
Clackamas County

IN THE MATTER OF THE ACCEPTANCE)
OF APPLICATIONS FOR PERMITS TO)
APPROPRIATE WATER FROM ROCK)
CREEK AND ITS TRIBUTARIES)

ORDER
TO REJECT CERTAIN
FUTURE APPLICATIONS

This order covers the waters of Rock Creek and its tributaries, which drain parts of Township 4 South, Range 1 East; Township 5 South, Range 1 East; Township 5 South, Range 2 East; Township 6 South, Range 1 East; and Township 6 South, Range 2 East, W. M. Rock Creek flows into Pudding River in the south half of Section 25, Township 4 South, Range 1 West, W. M.

Investigations made August 2, 1951, by a representative of the State Engineer indicate that there is not sufficient water flowing in the stream in question and its tributaries, during the irrigation season, to satisfy existing rights, and it appears that the approval of any more applications proposing use of the direct flow of this stream or its tributaries would conflict with existing rights.

THEREFORE, IT IS HEREBY ORDERED that no more applications for permits to appropriate water from Rock Creek as described above, or its tributaries, be accepted, unless the applications are for storage and the appropriation of stored water.

Dated at Salem, Oregon, this 13th day of August, 1951.

Chas E Stricklin
CHAS. E. STRICKLIN
State Engineer

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WATER DIVISION
SALEM, OREGON