



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.

1. APPLICANT INFORMATION

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A. Applicants

Applicant: Michael D. Kaiser **WATER RESOURCES DEPT**
First Last **SALEM, OREGON**

Mailing Address: 52560 East Sylvan Drive
Sandy Oregon 97055
City State Zip

Phone: 503-622-5223
Home Work Other

*Fax: _____ *Email Address: _____

B. Organizations

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

Name of Organization: _____

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

For Department Use

App. No. S-87514 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: <u>Nine Reservoirs</u>	Tributary to: <u>NA</u>
Source 2: _____	Tributary to: _____
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

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).

Source of water is nine reservoirs under Certificate 73461 (attached)

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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.

C. 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 3 'Water Use')

☒ 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).

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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.

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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**

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
Stored Water	Irrigation	28.5 ☐ cfs ☐ gpm ☒ af
		☐ cfs ☐ gpm ☐ af
		☐ cfs ☐ gpm ☐ af
		☐ cfs ☐ gpm ☐ af

C. Period of Use

Indicate the time of year you propose to use the water: April 1 - September 30
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 11.40 acres
 (This number should be consistent with your application map.)

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SALEM, OREGON**4. WATER MANAGEMENT****A. Diversion**

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

- ☒ Pump (give horsepower and pump type): 5HP; Portable with 2" Suction/Discharge
- ☐ 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): _____

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 6-18" _____ Length _____ interconnecting between reservoirs 1-3, 5-10 and out of 4

☐ other, describe: _____

D. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Well pump in a pressurized system will feed sprinklers for irrigation

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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.

N.A.

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:

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- ☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions:

- ☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe:

- ☐ Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:

- ☒ Other:

NA - water is to be diverted from nine reservoirs

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: N.A.

Proposed date construction will be completed: Completed 1992

Proposed date beneficial water use will begin: As soon as permitted

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

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 intends to irrigate 11.4 acres of land for landscaping and upkeep of grounds used as a picnic area. The water will be diverted from several reservoirs under Certificate 73461

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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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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

Michael O'Leary

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

8-13-09

Date

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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 or call (503) 986-0900.

WRD on the web:

www.wrd.state.or.us



Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

☒ **Primary** ☐ **Supplemental**

If Supplemental, please indicate the number of acres that will be irrigated for each type of use

Primary: 11.40 Acres

Supplemental: _____ Acres

List the permit or certificate number of the primary water right: No. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

1. Irrigation of 11.40 acres ☒ **Full Season** ☐ **Partial Season** (from: 4/01 to 10/01)

2. _____ ☐ **Full Season** ☐ **Partial Season** (from: _____ to _____)

3. _____ ☐ **Full Season** ☐ **Partial Season** (from: _____ to _____)

4. _____ ☐ **Full Season** ☐ **Partial Season** (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

0.025 _____ acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

☐ Daily during daytime hours

☐ Daily during nighttime hours

☐ Two or three times weekly during daytime

☐ Two or three times weekly during nighttime

☐ Weekly, during daytime hours

☐ Weekly, during nighttime hours

☒ Other, explain: As needed, day time hours

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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: Michael D. Kaiser
First Last
 Mailing Address: 52560 East Sylvan Drive
Sandy Oregon 97055 Daytime Phone: 503-622-5223
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:
2S	6E	19		1700		☒ 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:

Clackamas

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) _____

Estimated quantity of water needed: 5.61 _____ ☐ 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:

Applicant will divert water from water stored under Certificate 73461 to irrigate 11.40 acres for irrigation

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

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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): 200 § 406.04 (J)
- ☐ 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".

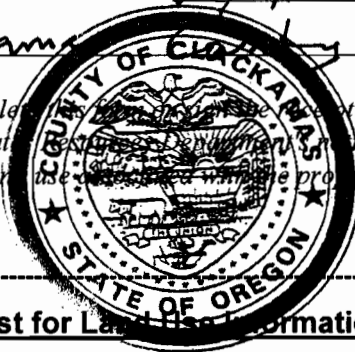
Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
<u>NA</u>		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ 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.

Irrigation in conjunction w/ farm use is allowed per 200.

Name: Steve Koper Title: Planner
 Signature: [Signature] Phone: 503/442-4531 Date: 8-12-09
 Government Entity: Clatsop

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



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Receipt for Request for Land Use Information

Applicant Name: _____
 City or County: _____ Staff Contact: _____
 Signature: _____ Phone: _____ Date: _____

**WATER RESOURCES DEPT
SALEM, OREGON**

S-87514

400

WARRANTY DEED - STATUTORY FORM
(Individual or Corporation)

DEE FARR

Grantor, conveys and warrants to ... MARTHA R. KAISER and MICHAEL D. KAISER, wife and husband ...

Grantee, the following described real property free of encumbrances except as specifically set forth herein:
Part of the Southwest one-quarter of the Southwest one-quarter of Section 19, in Township 2 South, Range 6 East, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at a point on the Section line, North 4° 35' East, 388.3 feet from the Southwest corner of said Section 19; thence North 4° 35' East along the Section line, 896.3 feet, more or less, to the Northwest corner of the Southwest one-quarter of the Southwest one-quarter of Section 19; thence South 85° 31' East, 1190.9 feet to the Northwest corner of Barlow Trail Homes as platted and recorded in Clackamas County, Oregon; thence South 3° 31' West along the Westerly boundary of said Barlow Trail Homes, 482.4 feet; thence South 84° 56' West, 156.78 feet; thence South 19° 35' East, 290.51 feet; thence South 52° 51' East, 244.19 feet; thence leaving the Westerly boundary of said Barlow Trail Homes and running North 85° 43' West and parallel with the South section line, 1359.4 feet to the place of beginning.

Encumbrances: rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Whiskey Creek; easement recorded 6-11-68, Fee No. 68-10826; easement recorded 1-21-70, Fee No. 70-1308; unpaid balance of 1979-80 taxes; tax deferral under the provisions of ORS 311.666 to ORS 311.700 which are subject to future collection; Notice of Tax Lien for Tax Deferred Properties for real property taxes, plus interest in favor of Oregon Dept. of Revenue, recorded 1-20-82, Fee No. 82-21913, \$110,000.00. (Here comply with the requirements of ORS 95.030). However the true consideration consists of or includes other property of value given or promised which is part of the consideration.
Dated this ... day of ... November ... 1982; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Dee Farr

STATE OF OREGON,)
County of Multnomah) ss.
November 18, 1982)

STATE OF OREGON, County of) ss.
12)

Personally appeared the above named ...
Dee Farr ...
and acknowledged the foregoing instrument to be his voluntary act and deed

Personally appeared ... and who, being duly sworn each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of the ... a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be its voluntary act and deed

Before me:
[Signature]

Before me:

Notary Public for Oregon
My commission expires 10-13-84

Notary Public for Oregon
My commission expires

* If the consideration consists of or includes other property or value, add the following:
"The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which):"

FARR

Grantor's Name and Address

KAISER

Grantee's Name and Address

After recording return to
Martha R. Kaiser
18160 SE Foster
Portland, OR 97236
Name, Address, Zip

Until a change is requested all tax statements shall be sent following address:
to address as shown above

Name, Address, Zip

L-203-Oregon 6-1-76

STATE OF OREGON)
County of Clatsop) ss.
I, George D. Poppen, County Clerk, Ex-Officio
Recorder of Deeds, and Ex-Officio Clerk
of the County of Clatsop, Oregon, do hereby
certify that the foregoing instrument was
recorded in the records of said county of

82 NOV 22 P 3:31

Witness my hand and official seal
George D. Poppen
County Clerk
Recording Certificate
62 32037
CDP-14

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