



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

RECEIVED

NOV 23 2009

WATER RESOURCES DEPT
 SALEM, OREGON

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: David A. & Kathryn S. Rogers
First Last

Mailing Address: 26366 Gap Road

Brownsville Oregon 97327
City State Zip

Phone: 541-466-5309 541-451-1538
Home Work Other

*Fax: _____ *Email Address: _____

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 see attached list

2. SOURCE OF WATER for the proposed use: see attached,
 a tributary of Courtney Creek.

Is the proposed use an enlargement of an existing dam/reservoir? Yes No

If the reservoir is not in channel of a stream, state how it is to be filled:

all reservoirs: natural runoff from fields, diversion from unnamed drainages, and 2 wells if necessary
 This application is for a period of use for storage being year round from the sources. If year round is not available, the application is for a period of time as long as possible. The crops to be grown necessitate the request.

For Department Use

App. No. R-87585 Permit No. _____ Date _____

3. DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 5.0 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:

all dams will be constructed similarly

4. PRIMARY OUTLET WORKS

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

6" PVC with gate valve at low point along dam axis

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:

all dams will be constructed off channel with outlet works

RECEIVED
NOV 23 2009
WATER RESOURCES DEPT
SALEM, OREGON

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

multi-purpose to include growing wild rice and similar crops in the reservoir area.

7. THE AMOUNT OF WATER to be stored is: see attached acre-feet.
The area submerged by the reservoir, when filled, will be see attached acres.

8. PROJECT SCHEDULE (List Month and Year)

Proposed date construction will begin: has begun

Proposed date construction will be completed: 5 years after permit issued

Proposed date beneficial water use will begin: 5 years after permit issued

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

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 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).

RECEIVED

NOV 23 2009

WATER RESOURCES DEPT
SALEM, OREGON

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*

NW Farm Credit
PO Box 72300
Eugene Oregon 97401

* 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.

RESERVOIR PERMIT APPLICATION
IN THE NAME OF DAVID & KATHRYN ROGERS
SOURCES OF WATER

From application for permit to store water in a reservoir:

#2) SOURCE OF WATER: natural runoff, unnamed drainages, and 2 wells if necessary tributary to Courtney Creek.

This application is for a period of use for storage being year round from the sources. If year round is not available, the application is for a period of time as long as possible. The crops to be grown necessitate the request.

RECEIVED

NOV 23 2009

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

RESERVOIR PERMIT APPLICATION

NOV 23 2009

IN THE NAME OF DAVID & KATHRYN ROGERS

WATER RESOURCES DEPT
SALEM, OREGON

Tabulation of reservoir proposed sizes

NAME	MAX. HEIGHT	MAX. H2O DEPTH	SURFACE AREA ACRE	AV. H2O DEPTH	STORAGE AC-FT
400-1	5.0'	3.0'	2.9	2.5	7.3
400-2	"	"	4.1	2.2	9.0
400-3	"	"	1.7	3.0	5.1
400-4	"	"	3.0	2.5	7.5
400-5	"	"	2.0	3.0	6.0
400-6	"	"	3.7	2.4	8.9
400-7	"	"	2.7	2.5	6.8
400-8	"	"	8.6	2.0	17.2
400-9	"	"	9.2	2.0	18.4
400-10	"	"	3.5	2.5	8.8
600-1	"	"	3.1	2.5	7.8
600-2	"	"	1.7	2.5	4.3
600-3	"	"	2.4	2.5	6.0
600-4	"	"	3.2	2.5	8.0
600-5	"	"	2.7	2.5	6.8
600-6	"	"	1.8	2.5	4.5
600-7	"	"	3.9	2.3	9.0
600-8	"	"	2.8	2.5	7.0
600-9	"	"	0.9	2.5	2.3
600-10	"	"	1.3	2.5	3.3
600-11	"	"	1.7	2.5	4.3
600-12	"	"	3.7	2.4	8.9
600-13	"	"	1.3	2.5	3.3
600-14	"	"	1.5	2.5	3.8

95°

79³
174³



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: David A. Rogers
First Last

Mailing Address: 26366 Gap Road

Brownsville Oregon 97327 Daytime Phone: 541-451-1538
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:
14S	2W	7		400, 600		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<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:

Linn County

RECEIVED
NOV 23 2009

B. Description of Proposed Use

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

WATER RESOURCES DEPT
SALEM, OREGON

- 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: 600 gpm
 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 multi-purpose

Briefly describe:

2 wells and 24 reservoirs will be used to irrigate and grow agriculture crops such as wild rice.

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): LC 928.310 (B)

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:	
EFU zone allows farm use outright, NO additional approval needed for this proposal.		<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.

RECEIVED
 NOV 23 2009
 WATER RESOURCES DEPT
 SALEM, OREGON

Name: Kate Foster Title: Assistant Planner

Signature: Kate Foster Phone: (541) 967-3816 Date: 11/19/09

Government Entity: Linn County Planning and Building Department

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: _____

Order No. 71315i

EXHIBIT "A"
Legal Description

PARCEL I:

Beginning at a point North 1°36' West 53.25 chains from the Southeast corner of the Donation Land Claim of Samuel Johnson and wife, Notification No. 2071, Claim 38 in Township 14 South, Range 2 West of the Willamette Meridian, Oregon, and being the Northwest corner of that certain tract conveyed to Albert H. Weber by deed recorded as Page 609 of Volume 82 of the Deed Records of Linn County, Oregon, and running from thence South 89°30' East 32.29 chains; thence South 1°22' East 15.51 chains; thence South 89°30' East to the West boundary of the Donation Land Claim of H.H. Spaulding and wife, Claim No. 56 in said Township and Range; thence North 26.34 chains, more or less, to a point 1.60 chains South of the Southeast corner of the Donation Land Claim of James Blakely and wife, Notification No. 2639, Claim No. 89 in said Township and Range; thence in a Westerly direction and in a direct line 59.40 chains, more or less, to a point in the West boundary of said Blakely Claim 1.50 chains North of the Southwest corner of said Blakely claim; thence South 4.37 chains to an interior corner in the East boundary of said Johnson claim; thence East 0.69 chains; thence South 1°36' East to the place of beginning.

PARCEL II:

A parcel of land situated in the County of Linn, State of Oregon, more particularly described as follows:

TRACT I:

Beginning at the Southeast corner of the Samuel Johnson, Donation Land Claim No. 38, Township 14 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence West along the South line of said Donation Land Claim No. 38, a distance of 2947.56 feet; thence North 1485.00 feet; thence East 2914.56 feet to a point in the center of a county road; thence Southerly 1485.00 feet to the point of beginning.

TRACT II:

Beginning at a point 1295.25 feet West of a point in the center of a county road on the East line of the Samuel Johnson Donation Land Claim No. 38, Township 14 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, which last named point in said road is 1485.00 feet North and 97 links West of the Southeast corner of said Donation Land Claim No. 38, said point of beginning being the Southwest corner of that tract conveyed by Linn County to F. B. Isom, et ux, by deed recorded September 11, 1943 in Book 162, page 70 Deed Records; thence West 1295.25 feet; thence North 1192.125 feet; thence East 1295.25 feet; thence South 1192.125 feet to the point of beginning.

TRACT III:

Beginning in the center of a county road which place is North 1485.00 feet and West 97 links from the Southeast corner of the Samuel Johnson Donation Land Claim No. 38, Township 14 South, Range 2 West of the

(Continued)

RECEIVED

NOV 23 2009

WATER RESOURCES DIVISION
 SALEM, OREGON

Order No. 71315i
Page -

Exhibit "A"
Legal Description

Willamette Meridian Linn County, Oregon; thence West 1295.25 feet; thence North 1192.125 feet; thence East 1295.25 feet to the center line of the said county road; thence South along the center line of the said road 1192.125 feet to the point of beginning.

EXCEPTING THEREFROM, the North 10 acres, more or less, of even width, as conveyed by Nan L. Isom to R. H. Harper, et ux, by deed recorded March 5, 1946 in Book 176, page 755 Deed Records.

RECEIVED
NOV 23 2009
WATER RESOURCES DEPT
SALEM, OREGON

VOL 0861 PAGE 353

tract of land in the county of Linn, State of Oregon, more particularly described as follows:

beginning at a point which is North 1°35' West 20.51 chains distant from the intersection of the North line of Section 18, Township 14 South, Range 2 West of the Willamette Meridian with the West line of the DLC of Wilson Blain and wife, Not. 194, Claim 41, in said Township and Range, and running from thence East to the half of an iron pick driven in the ground on the west line of said DLC 20.50 chains North of the intersection of the West line of said claim with the North line of said Section 18, thence easterly in a direct line to a hewed stone 7x8x15 inches set on the East line of said DLC 10 feet North of the Northwest corner of the DLC of John Findlay and wife, Not. 2630 and Claim No. 61 in said Township and Range, thence South 10 feet to the Northwest corner of said DLC of said John Findlay and wife, thence East along the North boundary of said DLC of said John Findlay 30.15 chains to a point in right line with the West boundary of the DLC of H.H. Spaulding, Claim No. 56 in said Township and Range, if projected South, thence North 17.28 chains to a point in the West boundary of said Claim No. 56, thence North 89°30' West 56.70 chains, to a point which is North 1°36' West 17.23 chains distant from the place of beginning, thence South 1°36' East 17.23 chains to the place of beginning,

EXCEPTING THEREFROM THE FOLLOWING: Beginning at a point which is North 1°36' West 51 chains distant from the intersection of the North line of Section 18 Township South, Range 2 West of the Willamette Meridian, with the West line of the DLC of Wilson Blain and wife, Not. 2494, Claim 41 in said Township and Range, and running thence East to the half of an iron pick driven in the ground on the West boundary of said claim 20.50 chains North of the intersection of the West line of said claim with the North line of said Section, thence Easterly in a direct line to a hewed stone 7x8x15 inches set on the East boundary of said Claim 10 feet North of the Northwest corner of the DLC of John Findlay and wife, Not. 2630, Claim 61 in said Township and Range, thence South 10 feet to said Northwest corner of said DLC of John Findlay and wife, thence East along the North boundary of said DLC of said John Findlay 30.15 chains to a point in the right line of West boundary of the DLC of H.H. Spaulding, Claim No. 56 in said Township and Range, if projected South, thence North 16 feet, thence Westerly in a direct line to a point 40 feet due East of said hewed stone on the East boundary of said Wilson Blain Claim, thence North 40 feet, thence West 40 feet to a point on the East boundary of said Claim of Wilson Blain 40 feet North of said hewed stone, thence Westerly in a direct line to a point on the West boundary of said Wilson Blain Claim 40 feet North of said iron pick, thence West to a point North 1°36' West of the place of beginning, thence South 1°36' East 40 feet more or less to the place of beginning.

EXCEPTING the following described property conveyed to Dick and Helga Ford by Warranty Deed recorded July 8, 1992 in Vol. 605, Page 027, Linn County film Records.

RECEIVED

NOV 23 2009

WATER RESOURCES DEPT SALEM, OREGON

8:30 O'clock a.m.

STATE OF OREGON County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records.

STEVE DRUCKENMILLER Linn County Clerk

By [Signature] Deputy

Handwritten initials and numbers

APR 07 1997

MP 861 PAGE 349