

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.

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	1. APPLICANT INFORMATION	MAR 0 5 2010 WATER RESOURCES DEPT SALEM, OREGON
A. Individuals		
Applicant:ACK	- Ferri	5
Mailing address: 3350	07 S. Mpridigu	Re
L)Doc/Suri	n Or	97071
Phone:	503 561 5542	Zip /
Home	Waak	Other
*Fax:	*E-Mail address:	
	nerships, joint stock companies, cooperatives, public c Firin Farms	• • •
Name and title of person applying	g:	
Mailing address of organization:		
City	State	Zip
Phone:		
Day	Evening	
*Fax:	*E-Mail address:	
* Optional information		

For Department Use		
App. No. 5-87588	Permit No.	Date

#### 2. SOURCE AND PROPERTY OWNERSHIP

#### A. The Proposed Source of Water

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	sed name of the water body from when water will be diverted, and the name of
	vs into. If unnamed, say so: SALEM, OREGON
Source 1: <u><u><u></u><u><u></u><u><u></u><u></u><u></u><u><u></u><u></u><u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u></u></u></u></u></u></u>	amed Tributary to:
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).

#### **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 (Skip to section 3 "Water Use.") No (Please check the appropriate box below.)

1 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).

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.
Frank Spies Trust & Louraine Duda
14143, Waysugen RONE
htt Auge/ Or 97362

### <u>3. WATER USE</u>

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

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#### 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
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Source	Type of use		Amount	
Pouc	inightion	4	🔳 cfs 🔳 gpm	af
RECEIVED	7		🗖 cfs 🔲 gpm	🔲 af
MAR 0 5 2010			🖾 cfs 🔳 gpm	🔲 af
WATER RESOURCES DEPT			🔲 cfs 🔛 gpm	🔲 af
SALEM, OREGON				

#### C. Period of Use

Indicate the time of year you propose to use the water:  $\frac{M_{ay} 1 - Sept 30}{(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)}$ 

#### **D.** Acreage

'acves

#### 4. WATER MANAGEMENT

#### A. Diversion

What method will you use to divert water from the source?
Pump (give horsepower and pump type):
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):		· · · · · · · · · · · · · · · · · · ·

Surface Water/4

C. Transport				RECEIVED
How will you transport water to	your place of us	se?		MAR 0 5 2010
📓 Ditch or canal (give ave	erage width and	depth):		WATER RESOURCES DEPT SALEM, OREGON
Width	I	Depth		
Is the ditch or canal to	be lined? 🚺	Yes	🖾 No	
Pipe (give diameter and				
Diameter <u>4</u>	μ Ι	Length	500'	
Other (describe)				
D. Application/Distribution Me What equipment will you use to Whee//	apply water to y			2
Flood	🖪 High-press	sure sprink	ler	Low pressure sprinkler
Drip	Drip Water cannons Center pivot system		Center pivot system	
Hand lines				
Siphon tubes or gated pip	e with furrows			
Other, describe				
Distribution method				
Direct pipe from source	Hin-line stor	rage (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.

a separate sheet. $We$	have	NRCS	monitoring	water	we
			/		

,

## 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.

SCVPPE

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

this is a mightion pond gheady Non structed

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

40 equipment m

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

\_\_\_\_\_

\_\_\_\_\_

is maintaine OUR How Pipe

Other: \_\_\_

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### 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:		A	/
Proposed date construction will be completed:	Alveady	Confeted	
Proposed date beneficial water use will begin:	May 1	, 20/0	_
	. /		

# <u>7. REMARKS</u>

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.

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## 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.

#### 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 to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

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

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

3-1-10 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. Supplemental **Primary** If Supplemental, please indicate the number of acres that will be irrigated for each type of use RECEIVED MAR 05 2010 7 \_ Acres Primary: WATER RESOURCES DEPT SALEM, OREGON Supplemental: Acres List the permit or certificate number No. \_\_ of the primary water right: 2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season: 1. <u>grass + Putur</u> Full Season Dertial Season (from: <u>May</u> to <u>Sept</u>) Full Season Partial Season 2. (from:\_\_\_\_\_ to \_\_\_\_\_ ) 🗌 Full Season Partial Season (from:\_\_\_\_\_ to \_\_\_\_\_ ) 3. 4. 🗌 Full Season (from: \_\_\_\_\_ to \_\_\_\_\_ ) Partial Season 3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season: \_\_\_\_\_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 Two or three times weekly during nighttime during daytime Weekly, during daytime hours Weekly, during nighttime hours Other, explain:



# 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:	v		Pervin	
Mailing Address: 33507	First Ma	ridian Rd	Last	
Woodfurn	<u> </u>	97071 Zip	Daytime Phone: 503 961 5542	2

# 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:
55	IW	24		1100		Diverted Conveyed Vsed	
						Diverted Conveyed Used	
						Diverted Conveyed Used	
						Diverted Conveyed Used	

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

, conveyed, or used: **RECEIVED** 

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# 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

		U	
Source of water: 😿 R	eservoir/Pond Г	Ground Water	Surface Water (name)
Estimated quantity of w	ater needed:	4.0	□ cubic feet per second □ gallons per minute Kacre-feet
Intended use of water:	K Irrigation	Commercial	☐ Industrial ☐ Domestic for household(s)

Briefly describe:

Ture Ø

**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.

□ Municipal □ Quasi-municipal □ Instream □ Other \_\_\_\_\_

# Receipt for Request for Land Use Information



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





Water Resources Department North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

# NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you.

# NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.



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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

- f 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): 401.01
- 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:		
		Obtained Denied	Being pursued	
			Not being pursued	
		Obtained Denied	Being pursued	
		Obtained Denied	Being pursued	
		Obtained Denied	Not being pursued 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.

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	anner
-Signature: Ander huis Phone: D3-742-4	1570
Government Entity: Clackamas 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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#### STATE OF OREGON

## COUNTY OF CLACKAMAS

# PERMIT TO CONSTRUCT A RESERVOIR AND STORE PUBLIC WATERS

## THIS PERMIT IS HEREBY ISSUED TO:

JOHN JACK F. PERRIN 33507 S MERIDIAN ROAD WOODBURN OR 97071

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SALEM, OREGON

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87180

# SOURCE OF WATER: RUNOFF, TRIBUTARY TO DRESCHER CREEK

STORAGE FACILITY: A POND

MAXIMUM VOLUME: 4.0 ACRE FEET

DATE OF PRIORITY: MAY 8, 2008

WATER MAY BE APPROPRIATED DURING THE PERIOD: NOVEMBER 1 THROUGH MAY 31 USE: STORAGE

#### Dam Location/Authorized Point of Diversion:

Тwp	Rлg	Mer	Sec	Q-Q	Measured Distances
5 S	1 W	WM	24	NW SW	1000 FEET SOUTH AND 950 FEET EAST FROM
					W1/4 CORNER SECTION 24

#### The Area To Be Submerged:

Twp	Rng	Mer	Sec	Q-Q
5 S	1 W	WM	24	NW SW

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a staff gage or other suitable measuring device(s) as approved by the Department. If the Director notifies the permittee to install a measuring device(s), the permittee shall install such devices within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the devices in good working order and shall allow the Watermaster access to the devices. The Director may provide an opportunity for the permittee to submit alternative measurement procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

R-87180.jme

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Permit R-14704

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water RECEIVED to satisfy prior downstream rights.

MAR 0 5 2010

The permittee shall pass all live flow outside the storage season described above.

WATER RESOURCES DEPT The permittee shall not construct, operate or maintain any dam or artificial obstruction SOUTEM passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any inchannel obstruction.

This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is used for out-of-reservoir purposes, or any live flow is appropriated to maintain either the water level or a suitable freshwater condition, a secondary water right is required.

Not withstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish-screening and by-pass devices to prevent fish from entering the proposed diversion, and to provide adequate upstream and downstream passage for fish.

## STANDARD CONDITIONS

- 1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
- 2. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
- 3. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
- 4. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
- 5. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.
- 6. The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- 7. If the volume of the completed reservoir is 9.2 acre feet or more and a dam is used to impound the water, the height of the dam shall be less than 10.0 feet.
- 8. Construction shall be completed and up to the permitted volume of water shall be stored within five years of the date of permit issuance.

- 9. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.
- 10. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.
- 11. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
  - a. the dimensions of the reservoir;
  - b. the maximum capacity of the reservoir in acre-feet; and
  - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued DECEMBER 18, 2008.

Timothy Wall.

for Phillip C. Ward, Director Water Resources Department

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Permit R-14704

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### MAY 1 2 2008

## WATER RESOURCES DEPT SALEM, OREGON

SCHEDULE A

Amount: \$124,000.00

Date: April 10, 1987

At: 3:47 P.M.

INSURED

---JOHN F. PERRIN, JR. and CYNTHIA G. PERRIN---

The estate or interest referred to herein is, at the date hereof, vested in:

EUGENE SHREYER---

The estate or interest in the land described in this schedule is:

The fee simple estate ---

The land referred to in this policy is described as:

Beginning at the Southeast corner of the Thomas Chase Donation Land Claim No. 46 in Township 5 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon; thence North 39° West in the center of Butte Creek 5.50 chains; thence North 66° West still down the center of the said creek 6.33 chains; thence North 3°4' East 52.96 chains to a plowshear; thence South 89°43' East 6.40 chains; thence South 1°15' East 29 links to an angle in said claim; thence South along the East line of said claim 59.46 chains to the point of beginning in the Thomas Chase Donation Land Claim No. 46.

ALSO an undivided one-half (1/2) interest in and to the following described property:

Beginning at the most Easterly Southeast corner of the above described Donation Land Claim; thence North 89°43' West 26.18 chains to an angle in the East line of said claim; thence North 1°15' 25 links; thence South 89°43' East 26.18 chains to the East line of said claim; thence South 25 links to the point of beginning.---



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