



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

(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. However, to obtain authorization for multiple reservoirs, multiple forms may be combined into one application if filed at the same time.**

*Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. 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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml)*

**1. APPLICANT INFORMATION:**

Applicant: Gary Martin  
First Last

Mailing Address: 1801 Marcy Loop

Grants Pass Oregon 97527  
City State Zip

Phone: 541-659-1282 541-476-4008  
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 Martin Reservoir

**2. SOURCE OF WATER** for the proposed use: Madams Creek  
 a tributary of Rogue River

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:

Diversion Dam in Madams Creek,  
150 feet of 8" PVC pipe conveys water to the reservoir.

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For Department Use

App. No. R-87742 Permit No. \_\_\_\_\_ Date \_\_\_\_\_

**3. DAM HEIGHT AND COMPOSITION**

The maximum height of the structure will be 11.6 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:

NA

**4. PRIMARY OUTLET WORKS**

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

8" CMP with in-reservoir control valve through dam on north side of reservoir.

*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:

12" CSP overflow pipe to Madams Creek on west side of reservoir.

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

Irrigation of pasture land.

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Storage Water/2

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7. THE AMOUNT OF WATER to be stored is: 15.3 acre-feet.  
The area submerged by the reservoir, when filled, will be 3.11 acres.

8. PROJECT SCHEDULE (List Month and Year)

Proposed date construction will begin: \_\_\_\_\_ } Reservoir has been  
Proposed date construction will be completed: \_\_\_\_\_ } in existence for  
Proposed date beneficial water use will begin: \_\_\_\_\_ } approximately 70 years

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).

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\*

|                                                                                                      |                                                                                                         |
|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Gary Martin<br>Successor Co-trustee, Martin Family Trust<br>1801 Marcy Loop<br>Grants Pass, OR 97527 | Diana Bossieux<br>Successor Co-trustee, Martin Family Trust<br>2083 Marcy Loop<br>Grants Pass, OR 97527 |
|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|

\* 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.

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Storage Water/3

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## REMARKS

This application is for the rights to store water in an existing reservoir (Martin Reservoir). It appears that this reservoir has been in existence for approximately 70 years. It does not appear on aerial photos dated 1939 but can be seen on the 1960 aerial photos. It is shown as an existing pond and dam on the map prepared for Application No. 19458 (Permit No. 15170) which was given a priority date of August 11, 1941 on Certificate No. 15476. The water stored in this reservoir is used to irrigate pasture land approved on Certificates No. 8600 (priority date January 31, 1922) and No. 15476.

In 1997, the NRCS prepared plans to repair the embankment along Madams Creek due to erosion from the previous winter's floods. Before construction could occur, the NRCS required that an application had to be made for a permit to construct a reservoir. A survey was done and an "as-built" drawing was submitted with Application No. R-83586. This drawing was supplemented with a "Map of Downstream Hazards" submitted April, 2000. Permit R-13035 was granted July 2001 with a priority date of October 17, 1997.

These permits were issued to the applicant, Mr. Dale Martin. Mr. Martin died in 2003 and the process stopped then. Mr. Gary Martin, Dale's son, was unfamiliar with the work that had been done and the end result was a cancellation of Permit No. R-13035. Consequently, the whole process is being started over again with this application.

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# Oregon Water Resources Department Land Use Information Form

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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: Gary Martin & Diana Bossieux, Co-Trustees of Dale Martin Trust

Mailing Address: 2083 Marcy Loop Road

City: Grants Pass State: OR Zip: 97527 Day Phone: 541-659-1282

### 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: |
|----------|-------|---------|------|-----------|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 36 S     | 7 W   | 14      | SWSE | 1101      | FR                                             | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used            | Farm               |
| 36 S     | 7 W   | 14      | SESW | 1101      | FR                                             | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used            | "                  |
| 36 S     | 7 W   | 23      | NWNE | 200       | FR                                             | <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                                  |                    |

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

### B. Description of Proposed Use

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

- Permit to Use or Store Water
- Allocation of Conserved Water
- Permit Amendment or Ground Water Registration Modification
- Water-Right Transfer
- Limited Water Use License
- Exchange of Water

Source of water: Reservoir/Pond  Ground Water  Surface Water (name) Madame Creek

Estimated quantity of water needed: 15.3  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: 15.3 ac-ft of stored water to be used for irrigation of pasture land.

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): See below.

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".**

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

Pre-existing off-channel pond for storage of irrigation water does not require review or permits by Planning Office.

Name: Valerie Montague Title: Planner  
 Signature: Valerie Montague Phone: 541474547 Date: 7/28/11  
 Government Entity: Josephine County Planning Office

**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**

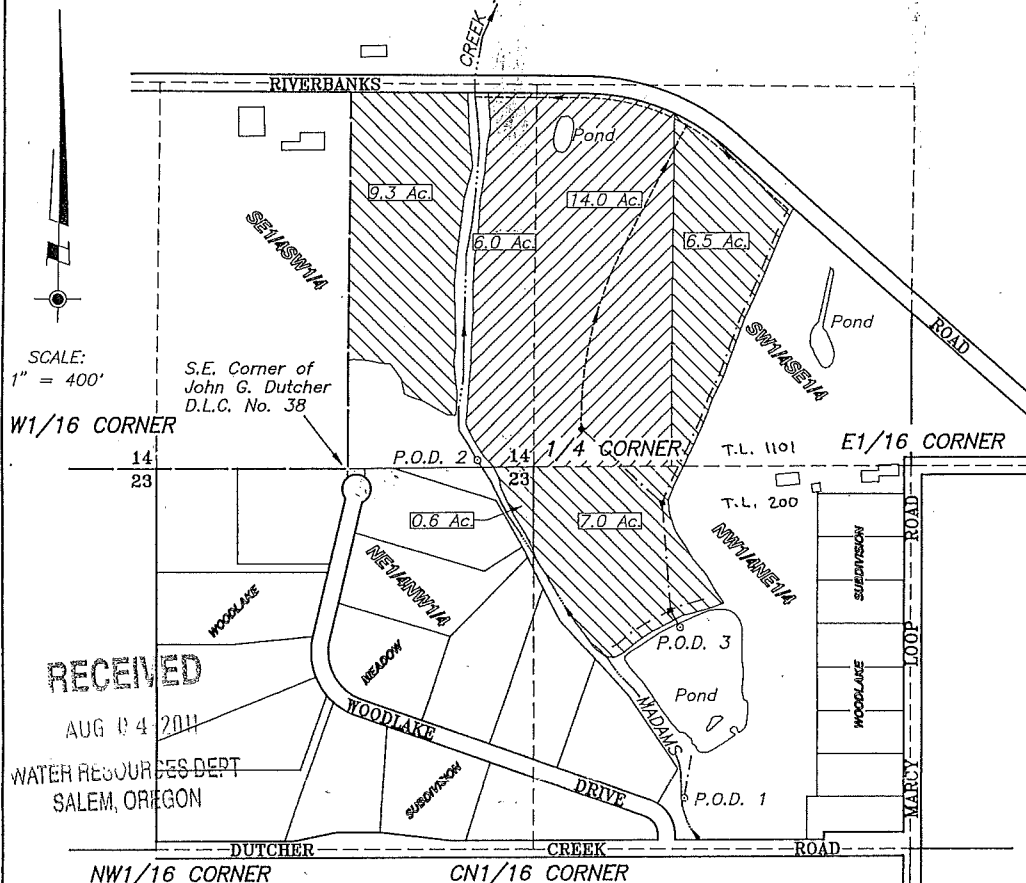
Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

R-87742

S1/2 Sec. 14 & N1/2 Sec. 23, T.36 S.,R.7 W.,W.M.



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**LEGEND:**

- Existing Place of Use per Certificate No. 15476 (Priority Date = August 11, 1941)  
7.0 Acres in NW1/4NE1/4 Sec. 23 (Rec. = 16.0)  
0.6 Acres in NE1/4NW1/4 Sec. 23 (Rec. = 7.5)  
9.3 Acres in SE1/4SW1/4 Sec. 14 (Rec. = 11)  
6.5 Acres in SW1/4SE1/4 Sec. 14 (Rec. = 6.0)
- Existing Place of Use per Certificate No. 8600 (Priority Date = January 31, 1922)  
6.0 Acres in SE1/4SW1/4 Sec. 14 (Rec. = 6)  
14.0 Acres in SW1/4SE1/4 Sec. 14 (Rec. = 14)
- Existing Building (Approximate location)
- 6" PVC Pipe
- Irrigation Ditch
- P.O.D. 1 Existing Point of Diversion per Certificate No. 15476, 1150'S & 523'E from the N1/4 Cor. Sec. 23, Being within the NW1/4NE1/4, Sec. 23, T.36S.,R.7W.,W.M. (Madams Creek)
- P.O.D. 2 Existing Point of Diversion (Transfer from), 23'N & 197'W from the S1/4 Cor. Sec. 14, Being within the SE1/4SW1/4, Sec. 14, T.36S.,R.7W.,W.M. (Madams Creek)
- P.O.D. 3 Proposed Supplemental Point of Diversion (Transfer to), 559'S & 510'E from the N1/4 Cor. Sec. 23, Being within the NW1/4NE1/4, Sec. 23, T.36S.,R.7W.,W.M.

The purpose of this application is to correct the areas shown on the map with Certificate No. 15476 and to transfer the point of diversion from P.O.D. 2 per Certificate No. 8600 to P.O.D. 3 as a supplemental point of diversion.

This plat was prepared for the purpose of identifying the location of the water right only. There is no intent to provide dimensions or locations of property ownership lines.

The area of use shown was digitized from an aerial photo dated June, 1995. The area is subject to any error which may be disclosed by an actual on-site survey.

PS \mortin\mortinr.dwg

|                           |  |
|---------------------------|--|
| PROJECT NO.<br>540-97-115 |  |
| DRAWING NO.<br>74-11.17   |  |
| DATE<br>4-7-00            |  |
| SCALE<br>1" = 400'        |  |

|                                                                                                                                       |                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <b>PLAT OF WATER RIGHTS APPLICATION</b><br>LOCATED IN<br>S1/2 Sec. 14 & N1/2 Sec. 23, T.36 S.,R.7 W.,W.M.<br>Josephine County, Oregon |                                                                                                                                     |
| PREPARED FOR:<br><b>DALE MARTIN</b><br>2083 Marcy Loop<br>Grants Pass, Oregon 97527<br>Tel. (541) 479-9543                            | PREPARED BY:<br><b>WICKS ENGINEERING &amp; SURVEYING</b><br>311 N.E. "D" Street<br>Grants Pass, Oregon 97526<br>Tel. (541) 479-3436 |



**For Local Government Use Only**

*Superseded*

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Government Entity: \_\_\_\_\_

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**Receipt for Request for Land Use Information**

**Josephine County Planning**  
700 NW Dimmick Street  
Suite C  
Grants Pass, OR 97526

Applicant name: Gary Martin

City or County: Josephine

Staff contact: James Black

Signature: [Signature]

Phone: 474-5421

Date: 7/28/2011

R-87742

92 DEC 18 PM 4:27

V152 P3102

92-27106

# BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That

DALE MARTIN and PEGGY M. MARTIN, Grantors,  
do grant, release, sell and transfer to

DALE MARTIN, Trustee  
PEGGY M. MARTIN, Trustee  
MARTIN FAMILY TRUST  
u/a/d December 17, 1992

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SALEM, OREGON

all right, title, and interest in and to the real property located in Josephine County, Oregon, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The true consideration for this conveyance is valuable, but not expressed in dollars; the conveyance is made to organize the estate of DALE MARTIN and PEGGY M. MARTIN for improved administration of the assets while alive and competent, and ease of transition thereafter.

THIS INSTRUMENT WILL 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 PERSONS ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USE.

Until a change is requested, all tax statements shall be sent to the following address:

Mr. and Mrs. Dale Martin  
2083 Marcy Loop  
Grants Pass, Oregon 97527

Dale Martin  
DALE MARTIN

Peggy M. Martin  
PEGGY M. MARTIN

STATE OF OREGON            )  
                                          )ss.  
County of Josephine        )

On December 17, 1992 personally appeared DALE MARTIN and PEGGY M. MARTIN who, being duly sworn, acknowledged the foregoing instrument to be their voluntary act and deed. Before me signed:

This Space Reserved for Recorder's Use

Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

James  
JAMES DONNETT  
NOTARY PUBLIC - OREGON  
Commission Expires 1-15-94

R-87742

EXHIBIT "A"

Lot 11 and the Southwest Quarter of the Southeast Quarter of Section 14, Township 36 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon.

LESS AND EXCEPT therefrom the following described parcel of land conveyed to C. G. Lind and Florence L. Lind, to-wit: Beginning at a point 555 feet North of the Southeast corner of the said Southwest Quarter of the Southeast Quarter of Section 14, and running thence 765 feet North to the Northeast corner of said Southwest Quarter of the Southeast quarter; thence West 835.8 feet; thence South 45° East, 1124.25 feet to the place of beginning. Also the Northeast Quarter of the Northwest Quarter of Section 23, Township 36 South, Range 7 West of the Willamette Meridian; Also the Northwest Quarter of the Northeast Quarter of said Section 23.

LESS AND EXCEPTING therefrom the following described parcel of land, to-wit:

Commencing at the Southeast corner of said Northwest Quarter of the Northeast Quarter of Section 23, and running thence West 300 feet; thence North 60 feet; thence East 300 feet; thence South to the place of beginning, Josephine County, Oregon.

ALSO LESS AND EXCEPTING that recorded 40 acre more or less subdivision known as WOODLAKE MEADOWS SUBDIVISION and that recorded 8 acre more or less subdivision known as WOODLAKE SUBDIVISION.

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92-27106

State of Oregon, ) ss. No. ....  
County of Josephine, )  
I, County Clerk and ex-officio Recorder of  
Conveyances, in and for said County, do here-  
by certify that the within instrument was  
received for record and recorded  
At Page 3103-3102 of Vol 152  
Book of Records, Josephine County, Oregon  
GEORGETTE BIRDSON, COUNTY CLERK  
B. M. [Signature] DEPUTY  
Fee \$ 30.00  
Hand Returned  Mailed  Hold