



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

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NOV 03 2011

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. 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

1. APPLICANT INFORMATION

Applicant: Irl M. First Davis Last

Mailing Address: 82859 Hwy 216

Tygh Valley City OR State 97063 Zip

Phone: 541-483-2405 Home (cell) 503-680-6384 Other

*Fax: _____ *E-Mail Address: irldavis@mac.com

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 Reservoirs 1, 2, 3.

2. SOURCE OF WATER for the proposed use: Springs 1, 2, 3,
 a tributary of Tygh 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:
 Each reservoir will be filled by its own spring. The water will be piped from each spring to the respective reservoir.

For Department Use		
App. No. <u>R-87763</u>	Permit No. _____	Date _____

3. DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be (See below) 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:

Reservoir 1- Existing concrete reservoir which can hold approximately 0.5 acre-feet. The structure is mostly below land surface. Approximately 1' of the structure is above land surface.

Reservoir 2- Earthen dam, no more than 10' in height. Total storage will be 9.0 acre-feet.

Reservoir 3- Existing concrete reservoir, which can hold approximately 0.50 acre-feet. The structure is mostly below land surface, with about 2' being above land surface.

4. PRIMARY OUTLET WORKS

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

Reservoir 1- 1 1/4" Pipe which feeds to the Place of Use.

Reservoir 2- 8" pipe with control valve will be installed.

Reservoir 3- 2" pipe which feeds to Place of Use.

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:

Reservoir 1- no emergency spillway present, but there is an overflow that feeds to some troughs for wildlife and then to a nearby drainage. Flow to the reservoir is controlled by pipe valve and can be shut off if necessary.

Reservoir 2- Flow to the reservoir will be controlled by a pipe from the spring and can be shut off if necessary.

Outlet pipe will be sized to allow evacuation of stored water if necessary. We are proposing 8" pipe for the outlet.

Reservoir 3- no emergency spillway present, but there is an overflow that is piped to a nearby drainage. Flow to the reservoir is controlled by a valve that can be shut off if necessary.

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

Reservoir 1- multipurpose

Reservoir 2- multipurpose

Reservoir 3- multipurpose

Storage Water/2

R-07763

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SALEM, OREGON

7. **THE AMOUNT OF WATER** to be stored is: 10.0 acre-feet.

The area submerged by the reservoir, when filled, will be Res 1= .10, Res 2= 4.0, Res 3= .10 acres.

8. PROJECT SCHEDULE: (List Month and Year)

Proposed date construction work will begin: Summer, 2012

Proposed date construction work will be completed: October, 2017

Proposed date water use will be completed: October, 2017

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 an 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 irrigation 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:

Rick Harvey
84033 Hwy 216
Tygh Valley, OR 97063

(We will be requesting domestic use from Reservoir 3 for a house that Rick Harvey owns.)

* 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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11. 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 certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Applicant: _____

Neil McQuinn
Signature (If more than one applicant, all must sign.)

11-2-2011
Date

Before you submit your application be sure to:

- Answer each question completely.
- Attach a legible map that includes township, range, section, quarter/quarter and tax lot.
- Include a Land Use Information Form or receipt stub signed by a local official.
- Include the legal description of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance policy to meet this requirement.
- Include 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.

R-87763

Storage Water/4

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WATER RESOURCES DEPT
SALEM, OREGON

Land Use Information Form



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

Applicant: IRL M First DAVIS Last

Mailing Address: 82859 HWY 216

TIGH VALLEY City OR State 97063 Zip Daytime Phone: 503-680-6384

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
3S	13E	33		100/400		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
3S	13E	0		2700		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
3S	13E	0		4200		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
4S	13E	0		500		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	

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

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

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) SPRING 1, 2 & 3

Estimated quantity of water needed: 10.0
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for 1 household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

SPRING WATER will be stored for irrigation AND DOMESTIC USE for one household

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): allowed outright

Land uses to be served by the 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:	
		<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.

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Name: Jeanette Montour Title: Senior Planner
 Signature: [Signature] Phone: (541) 506-2540 Date: 11/2/11
 Government Entity: Wasco 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: _____

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

TYGH RIDGE RANCH, L.L.C.
8-A South County Road
Tygh Valley, OR 97063

After recording, send to:

Joseph M. Gaffney
Foster Pepper & Shefelman
1111 Third Ave., #3400
Seattle, WA 98101

QUIT CLAIM DEED

IRL DAVIS, JR. and ORLENA M. DAVIS, GRANTORS, convey and quit claim to TYGH RIDGE RANCH, L.L.C., a Washington Limited Liability Company, GRANTEE, the following real property located in Wasco County, Oregon, described as follows:

This Quit Claim Deed is being re-recorded to correct the legal description.
See Exhibit "A" attached.

The true consideration for this conveyance is \$ None.
(Exchange for LLC membership interest).

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 PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 30 day of December, 1996.

Microfilm No. **970481 (c)**

FILED WASCOTY
THE CLERK OF
COUNTY CLERK

FEB 3 11 47 AM '97

Wasco County
COUNTY CLERK

STATE OF OREGON, }
County of Wasco, } SS

I certify that this document was received
and recorded in the

DEED

Karen Lehnman, County Clerk

AT ~~2~~ LC 10 Recording 20

IRL DAVIS, JR.
IRL DAVIS, JR.

Orlena M. Davis
ORLENA M. DAVIS

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Page 1 -- QUIT CLAIM DEED

970481(b)

~~970028(k)~~

STATE OF Oregon)
)ss.
County of Yamhill)

December 30, 1996

Personally appeared the above named IRL DAVIS, JR. and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

[Signature]
Notary Public for Oregon
My commission expires: 5-23-2001



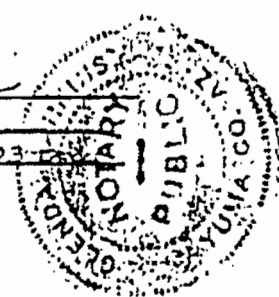
STATE OF Oregon)
)ss.
County of Yamhill)

December 30, 1996

Personally appeared the above named ORLENA M. DAVIS and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

[Signature]
Notary Public for Oregon
My commission expires: 5-23-2001



Grantor's names and address:

Irl Davis, Jr. and Orlena M. Davis
8-A South County Road
Tygh Valley, OR 97063

Grantee's name and address:

Tygh Ridge Ranch, L.L.C.
8-A South County Road
Tygh Valley, OR 97063

970481(k)

~~970028(k)~~

EXHIBIT "A"

That certain real property, commonly known as the "Home Ranch," legally described as follows:

PARCEL 1: The following described real property in Township 3 South, Range 13 East of the Willamette Meridian:

- Section 21: That portion of the Southeast quarter lying southerly and easterly of State Highway 197;
- Section 22: That portion of the Northwest quarter of the Southwest quarter and that portion of the West one-half of the Northwest quarter lying southerly and easterly of State Highway 197.

PARCEL 2: The following described real property in Township 3 South, Range 13 East of the Willamette Meridian:

- Section 22: Southwest quarter of the Southwest quarter, East half of Southwest quarter; Southeast quarter;
- Section 23: West 825 feet of East half of Northwest quarter, Southwest quarter of Northwest quarter; West half of Southwest quarter; Northeast quarter of Southwest quarter; Southeast quarter of Southwest quarter; South 961.5 feet of Northwest quarter of Southeast quarter; South half of Southeast quarter; EXCEPTING the East 495 feet of the North 358.5 feet of the Northeast quarter of the Southwest quarter;
- Section 24: South half of Southwest quarter;
- Section 25: Northwest quarter of Northwest quarter;
- Section 26: North half of the North half;
- Section 27: All
- Section 28: Northeast quarter of Southeast quarter; South half of Southeast quarter;
- Section 33: East half of East half; Northwest quarter of Northeast quarter;
- Section 34: Northeast quarter of Northeast quarter; West half of Northeast quarter; West half; Northwest quarter of Southeast quarter.
EXCEPTING COUNTY ROAD

PARCEL 3: The following real property located in Township 3 South, Range 13 East of the Willamette Meridian:

- Section 25: Northwest quarter Southwest quarter; Southwest quarter Northwest quarter;
- Section 26: South half North half; South half;
- Section 35: North half North half.

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EXHIBIT A - PAGE 1 OF 4

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PARCEL 4: The following real property located in Township 3 South, Range 13 East of the Willamette Meridian:

Section 28: East half Northeast quarter; West half Northeast Quarter; East half of Northwest quarter and Northeast quarter Southwest quarter lying East of The Dalles-California Highway; Northwest quarter of Southeast quarter; EXCEPTING HIGHWAY.

PARCEL 5: The following real property located in Township 3 South, Range 13 East of the Willamette Meridian:

Section 28: Southeast quarter of Southwest quarter lying east of the Dalles-California Highway;

Section 33: Southwest quarter Northeast quarter; Northwest quarter; North half of Southwest quarter lying East of the Dalles-California Highway; West half of the Southeast quarter;

EXCEPTING therefrom a parcel of real property described as: Beginning at a point which is 1523 feet East and 832 feet South of the Northwest corner of Section 33, Township 3 South, Range 13 East of the Willamette Meridian, Wasco County, Oregon, thence South 9°33' - East 218 feet; thence South 81°44' East 132.2 feet; thence North 8°16' East 375 feet; thence South 81°44' East 600 feet; thence South 8°16' West 800 feet; thence North 81°44' West 600 feet; thence North 8°16' East 375 feet; thence North 81°44' West 167.8 feet; thence 9°33' West 120 feet; thence North 11°26' East 145.6 feet to the point of beginning; ALSO EXCEPTING HIGHWAY.

PARCEL 6: The following real property located in Township 4 South, Range 13 East of the Willamette Meridian:

Section 4: West half Northeast quarter lying North of North right-of-way of the Dalles-California Highway.

Tax Lot Nos.: 2900-35 13 - 2351.69 acres
 2501-35 13 - 88.00 acres
 3400-35 13 - 236.10 acres
 3301-35 13 - 720.00 acres
 3500-35 13 - 262.10 acres
 791-45 13 - 45.24 acres

7006077.1

EXHIBIT A - PAGE 2 OF 4

970481(u)

That certain real property, commonly known as the "Hunter Ranch," legally described as follows:

The following real property located in Township 3 South, Range 14 East of the Willamette Meridian:

Section 6: South half;
Section 7: All, EXCEPTING the West 22 feet of lots 3 and 4;
EXCEPTING COUNTY ROAD.

Tax Lot No.: 1100 of 35 14 - 852.48 acres

That certain real property, commonly known as the "Brown Ranch," legally described as follows:

PARCEL 1: The following real property located in Township 3 South, Range 14 East of the Willamette Meridian:

Section 28: Southwest quarter of southwest quarter;
Section 29: East half of East half;
Section 32: North half of Northeast quarter; Southeast quarter Northeast quarter;
Section 33: West half Northwest quarter; North half Southwest quarter;
EXCEPTING PUBLIC USAGE ROAD.

PARCEL 2: The following real property located in Township 3 South, Range 14 East of the Willamette Meridian:

Section 29: West half Northeast quarter; Northeast quarter Northwest quarter; Northwest quarter Southeast quarter.

Tax Lot Nos.: 3400 of 35 14 - 474.94 acres
3700 of 35 14 - 160.0 acres

That certain real property, commonly known as the "Head Raach," legally described as follows:

Section 20: The West half of the Northeast quarter, the Southeast quarter of the Northeast quarter; the East half of the Northwest quarter; the Northwest quarter of the Southeast quarter.
Township 3 South, Range 14 East of the Willamette Meridian.
Section 21: The South half of the South half, Township 3 South, Range 14 East of the Willamette Meridian.
Section 28: The North half, the Northwest quarter of the Southwest quarter, Township 3

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EXHIBIT A - PAGE 3 OF 4

970481(u)

South, Range 14 East of the Willamette Meridian.

EXCEPTING the county road.

ALSO, the North half of the Southeast quarter, the Southwest quarter of the Southeast quarter, Township 3 South, Range 14 East of the Willamette Meridian.

Section 33: The Northwest quarter of the Northeast quarter, Township 3 South, Range 14, East of the Willamette Meridian.

SUBJECT TO AND EXCEPTING The rights of the public in and to the portion thereof included within the boundaries of roads and highways; The usual reservation as contained in patents issued by the United States of America, Public utility easements, if any shall be found to exist on the premises; Reservation in deed from the state of Oregon to Anna Cook in Book 108 at Page 20 as follows: Reserving, however, to the State of Oregon all the coal and other minerals in said above described premises, together with the right to prospect for, mine, and remove the same, and also subject to the right-of-way for ditches, canals and reservoir sites for irrigation purposes, constructed, or which may be constructed, by authority of the United States or otherwise, which right-of-way is hereby expressly reserved"; Access Road Easement, Robert P. Head and Rita T. Head to the United States of America, dated August 10, 1967, recorded October 4, 1967, Micro-Film No. 67-1504, Wasco County Records (Affects the Southeast quarter, the Southwest quarter, Section 21, and the Northwest quarter of the Northwest quarter Section 28, all in Township 3 South, Range 14 East of the Willamette Meridian; As disclosed for tax-roll the premises herein described have been zoned or classified for farm use and at any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties or interest; Unpatented mining claims; Reservations or exceptions in patents or in Acts authorizing the issuants thereof.

Tax Lot Nos.: 2600 of 35 14 - 240 acres
 2800 of 35 14 - 514.66 acres
 3500 of 35 14 - 158.62 acres

7003072.1

EXHIBIT A - PAGE 4 OF 4

970481(b)

- MULTI PURPOSE USE NOT ALLOWED
ON STANDARD RES. APP.

- PRELIMINARY PLANS & SPEC'S ?
- ARE THEY NEEDED

- LEGAL MILLING.



Oregon

Water Resources Department

Watermaster - District 3

2705 E 2nd St.

The Dalles, OR 97058

(541) 506-2650

Fax: (541) 506-2651

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WATER RESOURCES DEPT
SALEM, OREGON

November 2, 2011

To Whom It May Concern:

I assisted Mr. Davis with his water right applications and maps. If you have any questions, feel free to contact me to discuss.

Robert Wood
Watermaster, District 3

R-87763