

POND #2



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

Application for a Permit to Store Water in a Reservoir (Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less 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: Donovan F & Patricia A. Hampton,
Mailing Address: P.O. Drawer K
La Grande Oregon 97850
Phone: 541-963-5362 541-963-3633
Fax: E-Mail Address\*:

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

2. AGENT INFORMATION

The agent is authorized to represent the applicant in all matters relating to this application.

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Agent: Greg Blackman
Mailing Address: 126 Ridge Drive
La Grande Oregon 97850
Phone: 541-963-6771
Fax: E-Mail Address\*:

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\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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3. LOCATION AND SOURCE

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A. Reservoir Name: Pond # 2
B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring. Source: Snow Melt, and Rain Tributary to: eventually the Grande Ronde Riv
C. County in which diversion occurs: Union County

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For Department Use
App. No. 2-07668 Permit No. Date

**D. Reservoir Location**

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
3 S	36 E	12	SW, NE	TL 300

**E. Dam:** Maximum height of dam: 0 feet. If excavated, write "zero feet".

**F. Quantity:** Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 6 Ac. Ft

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

**4. WATER USE**

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Stock Water, Wildlife

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**5. PROPERTY OWNERSHIP**

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Please provide a copy of the recorded deed(s).

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 5)

There are no encumbrances

This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

**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). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

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### 6. ENVIRONMENTAL IMPACT

- A. Channel:** Is the reservoir:  in-stream or  off channel?
- B. Wetland:** Is the project in a wetland?  Yes  No  Don't know
- C. Existing:** Is this an existing reservoir?  Yes  No  
If yes, how long has it been in place? \_\_\_\_\_ years.
- D. Fish Habitat:** Is there fish habitat upstream of the proposed structure?  Yes  No  Don't know  
If yes, how much? \_\_\_\_\_ miles.
- E. Partnerships:** Have you been working with other agencies?  Yes  No  
Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

Reservoir will be built entirely by the Owners.

### 7. WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

### 8. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

The reservoir is to be dug out and is not on a stream. There will be a 2 foot channel around the lower "Dam" or pushed up material to allow for water to escape and prevent overfilling. The intent of the pond is to try to keep the cattle and wildlife in an area of feed, so that the areas around water and streams are not overgrazed. The original plans for this reservoir is to be approximately 209'x208' and about 6 to 8' in depth. The actual dimentions will depend on the immediate topography of the area of construction.

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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

There will be ~~no~~ dam. The material from the pond will be placed on the downhill side of the pond.

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9. SIGNATURE

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I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

Donovan Hampton Patricia A. Hampton Jan 25, 2013  
Landowner Signature Date  
Co-Trustees of the Hampton Family Trust

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Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

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**FEE STRUCTURE:** The fee is based on the number of acre-feet proposed to be stored. The base fee is \$300. In addition, there is a fee of \$25 per acre-foot or fraction thereof. Example: 0.3 AF= \$325; 1.5 AF= \$350; 20.0 AF= \$800; 30.0 AF= \$1050. Plus a permit recording fee of \$400 (this fee is refunded if no permit is issued).

# WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

**The review of alternate reservoirs is limited to these criteria only.**

Application #: R-

Applicant's Name:

*Donovan & Patricia Hampton*

*Pond #2*

1) Does the proposed reservoir have the potential to injure existing water rights?

NO  YES

Explain:

2) Can conditions be applied to mitigate the potential injury to existing water rights?

NO  YES

*N/A*

If YES, which conditions are recommended:

3) Did you meet with staff from another agency to discuss this application?

NO  YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

*Shad Hampton*

Date: *2/5/13*

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WRD Contact:

Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901

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**NOTE: This completed form must be returned to the applicant**

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# ODFW Alternate Reservoir Application Review Sheet

**This portion to be completed by the applicant.**

Applicant Name/Address/Phone/Email: Donna Jean & Patricia Hampton

P.O. Drawer K, LaGrande, OR 97850

Reservoir Name: Pond 2 Source: Snowmelt, Rain Volume (AF): 6

Twp Rng Sec QQ: 3S 36E, Section 12 Basin Name: Grande Ronde  in-channel  
SW NE  off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

**This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.**

1) Is the proposed project and AO<sup>1</sup> off channel? .....  YES  NO  
 (if yes then proceed to #4; if no then proceed to #2)

2) Is the proposed project or AO located where NMF<sup>2</sup> are or were historically present?.....  YES  NO  
 (if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan?.....  YES  NO
- b. Is there an ODFW-approved fish-passage waiver or exemption?.....  YES  NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?.....  YES  NO  
 Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

- Any diversion or appropriation of water for storage during the period \_\_\_\_\_ through \_\_\_\_\_ poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

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<sup>1</sup> AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

<sup>2</sup> NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

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If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

NO (explain)

YES (select from Menu of Conditions on next page)

651a October 1 - ~~April~~ 14

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ODFW Signature: Timothy D. Bailey

Print Name: Timothy D. Bailey SALEM, OR

ODFW Title: District Fish Biologist

Date: 2-13-13

NOTE: This completed form must be returned to the applicant.

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Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

**fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

**fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

**fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**fishdiv33:** 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 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**fishmay:** Notwithstanding 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.

**b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.

**b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

**b51a** The period of use has been limited to \_\_\_\_\_ through \_\_\_\_\_.

**b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

**b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

**futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the \_\_\_\_\_ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

**riparian:** 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 635-415, shall be followed.

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**wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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**fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.

**blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The flow of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

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# 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

## 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 jurisdiction(s) 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. Please be aware that your application will not be approved without land use approval.

**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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying 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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# 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: THE Hampton Family Trust  
DONNOVAN E. <sup>ANN</sup> Patricia A Hampton, Co-Trustees  
First Last

Mailing Address: P.O. Drawer K Trustees  
LA GRANDE OR 97850 Daytime Phone: \_\_\_\_\_  
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), 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:
35	36	12	SWSW	<del>200</del> 303	A-4	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
35	36	12	SUNE	300	A-4	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
35	37	7	SENEW	1000	A-4	<input checked="" type="checkbox"/> Diverted	<input 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, and/or used or developed:

Union County

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## B. Description of Proposed Use

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

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- 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) \_\_\_\_\_

Estimated quantity of water needed: 6 Ac ft for each pond   
 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 State & wildlife

Briefly describe:

**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): \_\_\_\_\_

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:	
Ministerial Review	UCZPSO section 24.01	<input checked="" 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: Scott Hartell Title: Associate Planner  
 Signature: Scott Hartell Phone: 541963 1014 Date: 12-6-12  
 Government Entity: Union County Planning

**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: \_\_\_\_\_

ES

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Donnovan F. and Patricia A. Hampton, Co-Trustees  
P.O. Drawer K  
La Grande, OR 97850

STATE OF OREGON,  
County of \_\_\_\_\_ } ss.

Donnovan F. and Patricia A. Hampton, Co-Trustees  
P.O. Drawer K  
La Grande, OR 97850

I certify that the within instrument was received for recording on \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ and/or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Records of this County.

SPACE RESERVED FOR RECORDER'S USE

Witness my hand and seal of County affixed.

After recording, return to (Name, Address, Zip):  
Donnovan F. and Patricia A. Hampton  
P.O. Drawer K  
La Grande, OR 97850

NAME TITLE

Until requested otherwise, send all tax statements to (Name, Address, Zip):  
Donnovan F. and Patricia A. Hampton, Co-Trustees  
P.O. Drawer K  
La Grande, OR 97850

By \_\_\_\_\_, Deputy.

20063851

BARGAIN AND SALE DEED - STATUTORY FORM

Donnovan F. Hampton and Patricia A. Hampton, Co-Trustees of The Hampton Family Trust as created by agreement Dated 1/24/91, Grantor, conveys to Donnovan F. Hampton and Patricia A. Hampton, Co-Trustees of The Hampton Family Trust U/A/D 1/24/91, Grantee, the following real property situated in Union County, Oregon, to-wit:

SEE ATTACHED EXHIBIT FOR PARCEL 3

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(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The true consideration for this conveyance is \$ 0 (Here, comply with the requirements of ORS 93.030.)

DATED July 27, 2006; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

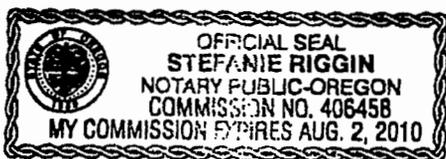
Donnovan F. Hampton Co-Trustee  
Patricia A. Hampton Co-Trustee

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STATE OF OREGON, County of Union ) ss.

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This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
This instrument was acknowledged before me on July 27, 2006 SALEM, OR  
by Patricia A. Hampton and Donovan F. Hampton  
as Co-Trustees  
of The Hampton Family Trust



Stephanie Riggan  
Notary Public for Oregon  
My commission expires August 2, 2010

R-87868

**Parcel 3**  
**Unsurveyed Partition**

(Donnovan F. Hampton and Patricia A. Hampton)

A parcel of land situated in the South half of Section 1, the North half of Section 12, Township 3 South, Range 36 East of the Willamette Meridian, and in the West half of Section 7 and the Northwest quarter of Section 18, Township 3 South, Range 37 East of the Willamette Meridian, Union County, Oregon, being more particularly described as follows,

**Township 3 South, Range 36 East of the Willamette Meridian**

**SECTION 1:**

Commencing at a point 13.50 chains South of the Northwest corner of the Southwest quarter of the Southeast quarter of said Section 1; running thence North  $62^{\circ}$  West, 22 chains; thence South  $40^{\circ}$  West, 3 chains; thence South  $13^{\circ}30'$  West, 8.85 chains; thence South  $28^{\circ}$  East, 9.50 chains to the South line of said Section 1; thence East on said Section line to the center of the channel of the Grande Ronde River where the said river crosses the South line of the Southwest quarter of the Southeast quarter of said Section 1; thence Northwesterly along the center of the channel of said Grande Ronde River to the intersection of said line of said channel with the quarter section line running North and South through said Section 1; thence running South on said quarter section line to the place of beginning.

**SECTION 12:**

That part of the Northwest quarter of the Northwest quarter of said Section 12 lying South and East of the center of the channel of the Grande Ronde River and North of the South right of way line of Oregon State Highway Number 244;

That portion of the Northeast quarter of the Northwest quarter lying North of the South right of way line of Oregon State Highway Number 244, and that portion of the Northeast quarter of the Northwest quarter lying South of the South right of way line of Oregon State Highway Number 244 and East of a line 2075 feet

East and parallel with the West line of said Section **RECEIVED BY OWRD**  
All that portion of the Northwest quarter of the Northeast quarter lying South of the center of the channel of the Grande Ronde River; FEB 19 2013

The South half of the Northeast quarter;

That portion of the Southeast quarter of the Northwest quarter **SALEM, OR**  
lying East of a line 2075 feet East and parallel with the West line of said Section 12;

EXCEPTING the following described parcel;

Beginning at a point in the centerline of the Grande Ronde River where said river meets the Northerly line of State Highway No. 244 in said Northwest quarter of the Northeast quarter of said Section 12; thence following the centerline of said river

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SALEM, OR

**Parcel 3**

**Unsurveyed Partition (Cont.)**

(Donnovan F. Hampton and Patricia A. Hampton)

upstream in a Northwesterly direction a distance of 1020 feet to a point; thence in a straight line in a Southwesterly direction to a point on the Northerly line of said State Highway No. 244 which is 1000 feet Westerly (when measured along said Highway) from the point of beginning; thence Easterly along the Northerly line of said Highway 1000 feet to the point of beginning.

ALSO EXCEPTING the strip of land of variable width conveyed to the State of Oregon for the Starkey Secondary Highway across the Northwest quarter of the Northwest quarter, the Northeast quarter of the Northwest quarter and the Northwest quarter of the Northeast quarter of Section 12, Township 3 South, Range 36 East of the Willamette Meridian, by deed dated July 24, 1950, recorded in book 122 of deeds at Page 464, records of Union County, Oregon.

**Township 3 South, Range 37 East of the Willamette Meridian**

**SECTION 7:**

Government Lot Two (2) (commonly called the Southwest quarter of the Northwest quarter), Government Lot 4 (commonly called the Southwest quarter of the Southwest quarter), the Southeast quarter of the Northwest quarter and the East half of the Southwest quarter.

**SECTION 18:**

Government Lot One (1) (commonly called the Northwest quarter of the Northwest quarter), and the Northeast quarter of the Northwest quarter.

Said tract containing approximately 472 acres, including road rights of way.

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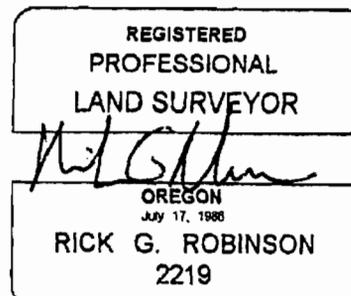
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SALEM, OR

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SALEM, OR



Renewal Date: December 31, 2006

R-87868

## Total Partition

(Donnovan F. Hampton and Patricia A. Hampton)

A parcel of land situated in the South half of Section 1, Section 12 and the Northeast quarter of Section 13, Township 3 South, Range 36 East of the Willamette Meridian, and in the West half of Section 7 and the Northwest quarter of Section 18, Township 3 South, Range 37 East of the Willamette Meridian, Union County, Oregon, being more particularly described as follows,

### Township 3 South, Range 36 East of the Willamette Meridian

#### SECTION 1:

Commencing at a point 13.50 chains South of the Northwest corner of the Southwest quarter of the Southeast quarter of said Section 1; running thence North  $62^{\circ}$  West, 22 chains; thence South  $40^{\circ}$  West, 3 chains; thence South  $13^{\circ}30'$  West, 8.85 chains; thence South  $28^{\circ}$  East, 9.50 chains to the South line of said Section 1; thence East on said Section line to the center of the channel of the Grande Ronde River where the said river crosses the South line of the Southwest quarter of the Southeast quarter of said Section 1; thence Northwesterly along the center of the channel of said Grande Ronde River to the intersection of said line of said channel with the quarter section line running North and South through said Section 1; thence running South on said quarter section line to the place of beginning.

#### SECTION 12:

The entire South half; the East half of the Northwest quarter; that part of the West half of the Northwest quarter of said Section 12, lying South and East of the center of the channel of the Grande Ronde River; the South half of the Northeast quarter; and all that portion of the Northwest quarter of the Northeast quarter lying South of the center of the channel of the Grande Ronde River.

EXCEPTING the following described parcel;

Beginning at a point in the centerline of the Grande Ronde River where said river meets the Northerly line of State Highway No. 244 in said Northwest quarter of the Northeast quarter of said Section 12; thence following the centerline of said river upstream in a Northwesterly direction a distance of 1020 feet to a point; thence in a straight line in a Southwesterly direction to a point on the Northerly line of said State Highway No. 244 which is 1000 feet Westerly (when measured along said Highway) from the point of beginning; thence Easterly along the Northerly line of said Highway 1000 feet to the point of beginning.

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R-87868

**Total Partition (Cont.)**

(Donnovan F. Hampton and Patricia A. Hampton)

ALSO EXCEPTING the strip of land of variable width conveyed to the State of Oregon for the Starkey Secondary Highway across the West half of the Northwest quarter, the Northeast quarter of the Northwest quarter and the Northwest quarter of the Northeast quarter of Section 12, Township 3 South, Range 36 East of the Willamette Meridian, by deed dated July 24, 1950, recorded in book 122 of deeds at Page 464, records of Union County, Oregon.

**SECTION 13:**

The North half of the Northeast quarter.

**Township 3 South, Range 37 East of the Willamette Meridian**

**SECTION 7:**

Government Lot Two (2) (commonly called the Southwest quarter of the Northwest quarter), Government Lots 3 and 4 (commonly called the West half of the Southwest quarter), the Southeast quarter of the Northwest quarter and the East half of the Southwest quarter.

**SECTION 18:**

Government Lot One (1) (commonly called the Northwest quarter of the Northwest quarter), and the Northeast quarter of the Northwest quarter.

Said tract subject to right of way for Union County Road Number 2 (Rankin Road) across the West side of the above described tract, and easements of record, or as they exist.

Said tract containing approximately 966 acres, including road rights of way.

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SALE

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Rick G. Robinson*  
OREGON  
July 17, 1986  
RICK G. ROBINSON  
2219

Renewal Date: December 31, 2006

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SALEM, OR

R-87869

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SALEM, OR

STATE OF OREGON

County of Union

} SS

I certify that this instrument was received and recorded in the book of records of said county.

R. NELLIE BOGUE HIBBERT,  
Union County Clerk

by: R. Chura Deputy.

DOC#: 20063851  
RCPT: 118942 52.00  
8/01/2006 4:20 PM  
REFUND: .00

R-87000

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SALEM, OR

# Alternate Reservoir Application Completeness Checklist

This is the checklist used by WRD staff

Application \_\_\_\_\_ County \_\_\_\_\_  
Priority Date \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Taxlot \_\_\_\_\_  
Use \_\_\_\_\_ Caseworker \_\_\_\_\_  
Amount (AF) \_\_\_\_\_ Watermaster \_\_\_\_\_

## Minimum Requirements (ORS 537.409)

- Completed Watermaster review sheet** signed and dated by Watermaster.  
Will the reservoir injure an existing water right?  YES  NO  
If YES, can conditions be applied to mitigate the injury?  YES  NO **If NO, return the application.**  
Did the watermaster determine when water is available for the proposed use?  YES  NO  
*The Watermaster review sheet must have been completed within the last 6 months.*  
**If the watermaster determined that water is NOT available, return the application.**
- Completed ODFW review sheet** signed and dated by ODFW representative.  
Will the reservoir pose a significant detrimental impact to an existing fishery resource?  YES  NO  
If YES, can conditions be applied to mitigate the impact?  YES  NO **If NO, return the application.**  
*The ODFW review sheet must have been completed within the last 6 months.*
- Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?  
*Does the use on land-use form match the proposed use on the application? Must be an original "wet" signature within the last 12 months.*
- Landowner Name, Mailing Address** and Telephone Number.
- Source** and tributary listed. **NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE !!**
- Reservoir Location**- Township, Range, Section, Quarter Quarter, Taxlot
- Dam height**, if applicable
- Total Quantity** of Storage Requested: \_\_\_\_\_
- Proposed Use of the water**....Cannot accept application for use of this stored water at the same time (E2)
- Property ownership indicated?** If applicant does not own all the land is the affected landowner's name and mailing address listed? (Including: lands not owned by applicant, upon which the source is located .....or..... that are crossed by the diversion works. This includes any roads or rights-of-way.)
- Provide 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 to meet this requirement
- Environmental Impact** section completed?
- Application signed by the landowner(s)?** All parties noted as applicants must sign the application.  
*Must be an original "wet" signature.*
- Acceptable map \*\* Indicates requirements of standards set forth by the Commission and causes fatal flaw if not provided by the applicant.**
- Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)\*
- Scale of the Map (not less than 1" = 1320') \*\*
- Reference corner on map
- North Directional Symbol \*\*
- 1/4's clearly identified
- Reservoir clearly identified \*\*
- Dam or POD (If off channel) Location coordinates referenced to a government land survey corner\* If no dam, use coordinates to center of reservoir.\*\*
- Fees enclosed\*\*?

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Total Paid \$ \_\_\_\_\_ Total Fees \$ \_\_\_\_\_  
Completeness Check by: \_\_\_\_\_ Date: \_\_\_\_\_

R-87000

SALEM, OR