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Application for a Permit to Use Surface Water

JUN 17 2013
SALEM, OR



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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

SALEM, OR

NAME AL JUBITZ		PHONE (HM)	
PHONE (WK) 503-292-0046	CELL 503-799-8499	FAX 503-297-3172	
ADDRESS 5505 SW HEWETT BOULEVARD			
CITY PORTLAND	STATE OR	ZIP 97221	E-MAIL * ALJUBITZ@COMCAST.NET

Organization Information

NAME FRENCH HILL FARM		PHONE 503-292-0046		FAX 503-297-3172	
ADDRESS 15770 NE EILERS ROAD				CELL 503-799-8499	
CITY AURORA	STATE OR	ZIP 97002	E-MAIL * ALJUBITZ@COMCAST.NET		

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

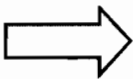
AGENT / BUSINESS NAME MATT JOHNSON / EQUINE FACILITY DESIGN		PHONE 503-650-1663		FAX	
ADDRESS 107 SE WASHINGTON STREET, SUITE 237				CELL 503-319-6580	
CITY PORTLAND	STATE OR	ZIP 97214	E-MAIL * OFFICE@EQUINEARCHITECTURE.COM		

Note: Attach multiple copies as needed

* 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.)

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.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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 cancelled.
- 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 (we) affirm that the information contained in this application is true and accurate.

	AL JUBITZ	6/13/13
Applicant Signature	Print Name and title if applicable	Date
_____	_____	_____
Applicant Signature	Print Name and title if applicable	Date

Revised	For Department Use		
	App. No. <u>S-87918</u>	Permit No. _____	Date _____

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SECTION 2: PROPERTY OWNERSHIP SALEM, OR

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Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

There are no encumbrances.

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

No

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 irrigation and/or domestic use only (ORS 274.040).

Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (attach additional sheets if necessary).

ALL ON APPLICANT'S LAND.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: FRENCH HILL RESERVOIR (PERMIT R-14939) Tributary to: _____

Source 2: _____ Tributary to: _____

Source 3: _____ Tributary to: _____

Source 4: _____ Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A above?

Yes.

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

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If all sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

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- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:
- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
 - A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
FRENCH HILL RESERVOIR	PASTURE IRRIGATION	MAY 15 - SEPTEMBER 15	10.25 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 8 Acres Supplemental: 0 Acres

List the Permit or Certificate number of the underlying primary water right(s): R-14939

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 8

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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What equipment will you use to pump water from your source?

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Pump (give horsepower and type): 15 HP CENTRIFUGAL PUMP

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Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

A HIGH HEAD CENTRIFUGAL PUMP WILL SUPPLY A DEDICATED SUBSURFACE PIPING NETWORK TO FIELD LOCATED HYDRANTS TO SERVE HARD HOSE TRAVELLERS.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

HIGH-PRESSURE SYSTEM WITH SPRINKLER DISCHARGE

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

THE AMOUNT OF WATER BEING REQUESTED IS NEEDED TO PROMOTE GROWTH AND PROVIDE NOURISHMENT FOR THE PASTURE GRASS. A TOTALIZING FLOW METER, OR OTHER SUITABLE MEASURING DEVICE AS APPROVED BY THE DIRECTOR, WILL BE INSTALLED AT THE RESERVOIR POINT OF DIVERSION, AND KEPT IN GOOD WORKING ORDER

SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: INSTALL SELF-CLEANING SCREENS ON INTAKE PIPE

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

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

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

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: JULY 30, 2012 SALEM, OR

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Date construction will be completed: AUGUST 27, 2012

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Date beneficial water use will begin: IMMEDIATELY FOLLOWING CONSTRUCTION COMPLETION, CONTINGENT ON PERMIT APPROVAL.

SECTION 8: 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

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

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Land Use Information Form

SALEM, OR



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

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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

SALEM, OR



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

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Applicant: Al Jubitz
First Last SALEM, OR

Mailing Address: 5505 SW Hewett Boulevard

Portland OR 97221 Daytime Phone: 503-292-0046
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	1/4	Tax Lot #	Plan Designation (e.g., Rural Residential RR-5)	Water to be:			Proposed Land Use:
3S	1E	19	NE 1/4 SW 1/4	31e19 00304	Exclusive Farm Use (EFU)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Clackamas County, Aurora

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) _____

Estimated quantity of water needed: 10.25 _____ 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:

Irrigation of horse pastures

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. →

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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.

SALEM, OR

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): *Sec. 401, Clackamas County Zoning & Development Ord.*
- 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:	
<i>N/A</i>		<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.

Use of pond for irrigation purposes for a farm use, e.g. stock watering, is a permitted primary use in EFD zoning district.

Name: *Trish McIntire* Title: *Sr. Planner*
 Signature: *Trish McIntire* Phone: *503-742-4516* Date: *7/19/13*
 Government Entity: *Clackamas County Planning & Zoning Div.*

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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Date _____ SALEM, OR

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____ RECEIVED BY OWRD
- SECTION 2: _____
- SECTION 3: _____ JUL 23 2013
- SECTION 4: _____ SALEM, OR
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- 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.
- Fees _____

MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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Property Information:

SALEM, OR

French Hill Farm
15770 NE Eilers Road
Aurora, OR 97002

Legal Description:

NE ¼ SW ¼, Section 19, Township 3 South, Range 1 East, W.M.

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NOTICE TO PERMITTEE

SALEM, OR

ASSIGNMENT OF PERMIT: Because OWS 537,230, this permit may be assigned to a party other than the permittee named herein. If the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for assignment forms are available from the Oregon Water Resources Department web site at <http://www.owrd.state.or.us>, or may be requested from the Department at 503-986-0800 or owrd@owrd.state.or.us. Oregon Secretary of Oregon Water Resources Department, 725 Summer Street, Salem, Oregon 97301.

REAL ESTATE TRANSFER: Pursuant to OWS 537,230, any transaction to the conveyance of real estate that includes any of the lands described in this permit, the seller of the real estate shall provide a written notice to purchaser of real estate, also inform the purchaser in writing whether any notice of approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing. If the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES: Activities that may involve resources involved in ground-disturbing activities should be aware of the requirements of cultural resources protection laws. ORS 308.920 prohibits excavation, construction or alteration of an archeological site or object, or removal of archeological objects, from public and private lands without an archeological permit issued by the State Historic Preservation Office, 16 U.S.C. 470, Section 106. National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take any action on a project of the undertaking that is included on, or eligible for inclusion on the National Register. For further information, contact the State Historic Preservation Office at 503-375-4158, extension 232.

Carefully review the appeal rights provided in the language of your final order. In some cases, if OWRD receives a request for reconsideration or petition for judicial review within 60 days of the date the final order is served, OWRD may take action to withdraw or modify the final order or issue a final order denying your application.

Signatures of Resource Center forms not on permit.

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Oregon Water Resources Department
Water Rights Section

SALEM, OR

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Water Rights Application
Number W-87908

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Final Order

SALEM, OR

Appeal Rights

This is a Final Order in an unopposed case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 10 day time period specified by ORS 183.484(1) pursuant to ORS 183.025 and ORS 183-094-038; you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days of the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights does not create a right to judicial review of this order. Judicial review is otherwise precluded by law. There are no protests have been made to a Proposed Final Order for a water right application and no protests have been filed during the protest period. The Final Order is not subject to judicial review.

Application History

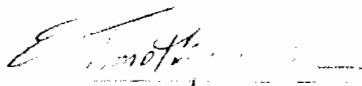
On March 23, 2011, Ed Gillet admitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 4, 2011. The protest period closed November 18, 2011, and no protest was filed.

The proposed rule will not be found to be detrimental to the public interest.

Order

Application W-87908, hereby is approved as proposed by the Proposed Final Order W-87908. Conditions are issued as stated by the conditions proposed by the Proposed Final Order.

DATED December 10, 2011


E. Matthew Wallin, Director, Oregon Water Resources Department
for D. L. L. C. Ward, Director, Oregon Water Resources Department

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This document was prepared by Kerry Kawamura. If you have any questions about any of the statements contained in this document I am most likely able to answer your questions. You can reach me at 503-986-0876.

If you have previously filed a protest against a business, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0811.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE, Ste A, Salem, OR 97301-3266, Fax: 503-986-0901.

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SALEM, OR

SALEM, OR

PERMIT TO CONSTRUCT A DAM AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY GRANTED

AT JOB SITE
5505 SW HERBERT BLVD
PORTLAND, OR 97221

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

APPLICATION FILE NUMBER: R-14939

SOURCE OF WATER: DAMAGED SECTION OF W. METU RIVER

STORAGE FACILITY: FRENCH CREEK RESERVOIR

PURPOSE OR USE OF THE STORED WATER: IRRIGATION, AESTHETICS, FISH
CULTURE, AND RECREATION

MAXIMUM STORAGE: 11.0 ACRE FEET PER YEAR

WATER MAY BE AFFECTED BY STORAGE DURING PERIOD: NOVEMBER 1
THROUGH APRIL 30

DATE OF DEED: MARCH 22, 1914

THE AREA SUBMERGED BY THE RESERVOIR IS APPROXIMATELY 21.3 ACRES. THE
MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 5.0 FEET.

DAM LOCATION: BEING SW 1/4, SECTION 15, T. 33 N., R. 12 E., DIST. 128 FEET SOUTH AND
792 FEET EAST FROM CORNER, SECTION

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SECTION 15
TOWNSHIP 33 SOUTH, RANGE 12 EAST, DIST.

Measurements contained on and around the dam shall

- 1. be measured and reported to the permittee at the permittee's expense and shall be subject to the permittee's review and approval. The permittee shall be responsible for providing suitable measuring devices and personnel. The dam shall be measured at each point of measurement with a surveying instrument or measuring device.

Application: 1-877-5 Water Resources Department

PLR-III R-14939

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- B. The permittee shall install the following water level measuring device in the reservoir: a water level measuring device, if needed, to be provided by the permittee at the reservoir site. The watermaster shall be notified of any change in the water level.
- C. The Director may require the permittee to keep and maintain a record of the amount of water stored, and may require the permittee to submit a report of storage on a periodic schedule as established by the Director. In addition, the Director may require the permittee to submit reports on the use information, the periods of water storage, the placement, nature of use of water under the permit.
- D. The Director may require the permittee to submit alternative proposals for storage for purposes for permit and application.

If the volume of the controlled reservoir is less than 100 acre feet or more and a dam is used to impound the water, the height of the dam shall be less than 16.0 feet.

The storage of water shall be in accordance with the following: a) The permittee shall maintain a minimum depth of 8" for any in-channel reservoir. This requirement shall be waived if the Department determines other means shall be used to maintain the water when necessary.

The permittee shall provide for flow outside the storage season described above.

The Director may require the permittee to monitor inflow and outflow, above and below the reservoir, and to report the data to the Department. If the flow is not impeded outside the reservoir, the permittee shall be notified and their implementation may be approved. If the flow is impeded, the Director may require that data be recorded and reported to the Department. The Department may require the permittee to provide a report of the data to the Department.

This permit allows an amount of water to be stored in excess of the specified volume. This permit does not provide for the storage of water for out-of-reservoir use, the release of water to the river, or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a separate permit shall be required. If any additional live flow is to be permitted, a permit for either the water level or a suitable freshwater condition shall be required. A permit is required.

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The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. Unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission, the permittee shall be required to contact an Oregon Department of Fish and Wildlife fish passage coordinator, before beginning construction of any in-stream structure.

Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that fish screens or other ween devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, remove or screen and/or by-pass devices to protect fish from the effects of proposed diversion and to provide adequate upstream passage for all fish.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restriction on the use, civil penalties, or cancellation of the permit.

In the riparian area in which a dam or project of diverting a portion of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with OWRD's Fish and Wildlife Habitat Mitigation Policy Goals. In addition, for purposes of mitigation, the OWRD's Fish and Wildlife Mitigation Goals and Standards, OAR 600-015, shall be followed.

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

This permit is for the beneficial use of water without waste. The water user is advised that any regulations they require the use of best practices, best management practices, or conservation practices to achieve this end.

By law, the water use authorized by this water use must be in compliance with statewide, local, and any local acknowledged land use plan.

The use of water authorized by this permit shall be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for water rights holders.

Application R-14939

Department Director

PERMIT R-14939

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009 14

SALEM, OR

Conservation and... be stored within five years of the... SALEM, OR... additional time... extension of time... application for... approval... result of the... application.

Within one year... submit a... of... prepared by a... Certified Water Right...

Issued December 1, 2012

E. Timothy Walker... for... Water Resources...

Application... 2013 14... 1790... 14...

S-87918

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

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SALEM, OR

- A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months. Signature must be an original "wet" signature. Copies cannot be accepted.*
- The map must meet all the minimum requirements of OAR 690-310-0050.
 - Township, Range, Section
 - Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - Place of use, 1/4, 1/4=s and tax lot clearly identified
 - Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.)
 - Location of **each** diversion point, well or dam by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs if existing.
 - Reference corner on map
 - North Directional Symbol
 - Number of acres per 1/4, 1/4, if for irrigation, nursery, or agriculture
 - Other _____

Fees: Amount of water requested 11 cfs

Base Fee \$ 400

Total Exam Fees \$ 675

1st CFS/AF 11 ac/ft @ \$25 ea. = \$275

Permit Recording Fees \$ _____

___ Addtnl CFS/ AF @ ___ = _____

Total Paid \$ 656.25

___ Addtnl POD/POA @ ___ = _____

Amount Due \$ 18.75

___ Addtnl Use @ ___ = _____

Amount Returned \$ 656.25

Reviewed by: Ann R.

Date : June 21, 2013

Groups\wr\Customer Service Group\templates\standard app checklist

8/8/2011 jks

5-87918