

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
6S	4W	6	NW-SE	6 4 06 300

E. Dam: Maximum height of dam: 16.3 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: See No. 8, Below

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.

Multipurpose

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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:

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? 18 (1996) 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.

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 exists under Permit R-12390 issued in 1997. When a topographic survey was made of the reservoir in the summer of 2013 as part of the preparation of the Claim of Beneficial Use, it was found to hold more than the 3.0 acre-feet authorized by the permit.

This application is being filed to permit storage of the additional 3.4 acre-feet. (total pool = 6.4 acre-feet).

The dam is 16.3 feet high. There is an 8-inch conduit with a gate valve which can pass live flow outside of the authorized storage season. The reservoir is filled by seasonal surface run-off from the upstream farmed fields so little, to no, out of season water flows into the pool.

There is a 24-inch diameter trickle tube overflow to a 16-inch diameter pipe through the dam. The spillway around the dam is on the west side.

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R-8804

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).

SEE ATTACHED DRAWING OF RECORD FOR THIS DAM AND RESERVOIR

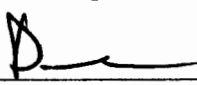
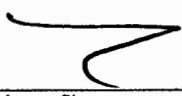
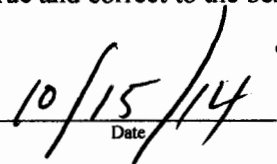
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9. SIGNATURE

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

  Trustee 

Landowner Signature Date

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.

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).

R-88020

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: DEOLINDA A. COELHO REVOCABLE LIVING TRUST
David M. Coelho, trustee
First Last

Mailing Address: 25325 SW Perrydale Road

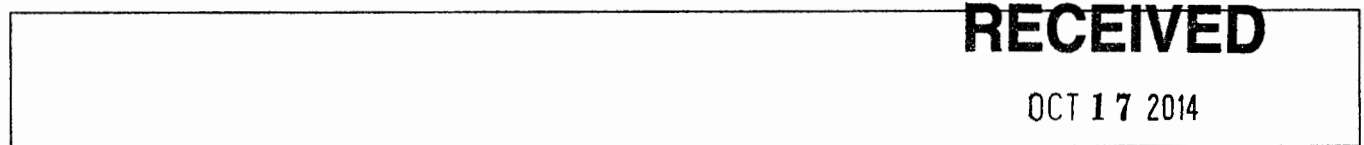
Amity OR 97101 503-931-6026
City State Zip

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:
6S	4W	6	NW-SE	6 4 06 300	AFLH, EF-80	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
						<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:



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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) Unnamed tributary of Ash Swale

Estimated quantity of water needed: 3.4
 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 Multipurpose

Briefly describe:

This is an existing reservoir that holds 6.4 acre feet of water where a 1997 storage permit allows 3.0 acre feet. This application seeks a permit for the additional storage quantity.

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.

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): 402 of the YCZO
- 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: Ken Friday Title: P.D.M.
 Signature: [Signature] Phone: 503 434-7516 Date: 9/29/14
 Government Entity: Yamhill Co.

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: _____

ODFW Alternate Reservoir Application Review Sheet

DEOLINDA A. COELHO REVOCABLE LIVING TRUST

Applicant Name/Address/Phone/Email: David M. Coelho, trustee 503-931-6026
25325 SW Perrydale Rd. Amity, OR 97101 dave@coelhowinery.com

Reservoir Name: Unnamed **Source:** trib Ash Swale **Volume (AF):** 3.4

Twp Rng Sec QQ: 6s4w6 NW/SE **Basin Name:** WILLAMETTE BASIN in-channel off-channel
COAST RANGE SUBBASIN

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.

- 1) Is the proposed project and AO¹ 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 NMF² 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 June through November 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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¹ 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)

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



Oregon

John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife

Northwest Region

17330 SE Evelyn Street

Clackamas, OR 97015-9514

(971) 673-6000

(971) 673-6070

May 28, 2014

David M. Coelho
25325 SW Perrydale Rd.
Amity, Oregon 97101



RE: ~~Permit R-80384~~ Application
R-12390 Permit JB

Permit R-12390 JB

I am writing this letter in reference to ^{Application} ~~Permit R-80384~~ ^v in the name of David Coelho. ODFW has determined that native migratory fish are not currently nor were historically present at the point of diversion for the reservoir. Therefore, ODFW does not require fish screening for this reservoir.

Please let me know if you have any questions or need any further clarification.

Sincerely,

Ben Walczak
Assistant District Fish Biologist
North Willamette Watershed District

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Cc: Tom Murtagh, ODFW, Clackamas Office
Jeanne Boatwright, Boatwright Engineering, Salem, Or

- MR WALCZAK CONFUSED THE APPLICATION NO. FOR THE PERMIT NO.

JEANNE BOATWRIGHT

R-8000

BARGAIN AND SALE DEED – STATUTORY FORM

THIS SPACE RESERVED FOR RECORDER'S USE

Grantor: Deolinda A. Coelho and David M. Coelho
Grantee: Deolinda A. Coelho Revocable Living Trust

Until a change is requested, all tax statements shall be sent to the following address:
David M. Coelho
Deolinda A. Coelho

25325 SW Perrydale Rd
Amity OR 97101

After Recording return to:
David M. Coelho
Deolinda A. Coelho

25325 SW Perrydale Rd
Amity OR 97101

Escrow No. 804224 DLC
Title No. 804224

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK



\$31.00

200320336

3:28:44 PM 8/12/2003

DMR-DDMR Cnt=1 Str=3 SUSAN
\$10.00 \$10.00 \$11.00

DAVID M. COELHO AND DEOLINDA A. COELHO, AS TENANTS BY THE ENTIRETY, Grantor, conveys to DEOLINDA A. COELHO AND DAVID M. COELHO TRUSTEES of the DEOLINDA A. COELHO REVOCABLE LIVING TRUST DATED MAY 12, 1998, Grantee, the following described real property situated in Yamhill County, Oregon, to wit:

See Attached Legal Description.

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.

The true and actual consideration paid for this transfer is other value given or promised. (Here comply with the requirements of ORS 93.030).

Dated this 7th day of August, 2003.

David M. Coelho

Deolinda A. Coelho

State: OR
County: Yamhill

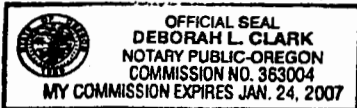
The foregoing instrument was acknowledged before me this 7th day of August, 2003 by:

David M. Coelho and Deolinda A. Coelho

Deborah L Clark

Notary Public

My Commission Expires: 01-24-2007



Revised

BEGINNING at an iron rod at the intersection of the centerline of Perrydale Road and the line between Polk and Yamhill Counties, said rod being 40.613 chains North 89°57' East and 1457.70 feet North 32°10' East from the Southwest corner of the Stephen McKinney Donation Land Claim No. 38, Notification No. 253, in Section 6, Township 6 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; and running thence North 32°10' East along the center of Perrydale Road, 800.69 feet to an iron pipe; thence South 89°58'47" East 2296.99 feet to an iron pipe at the Northeast corner of Parcel 1 of that tract of land conveyed to Marvin L. Fast and Paula Ann Fast in instrument recorded in Film Volume 123, Page 1131, Deed and Mortgage Records of Yamhill County, Oregon; thence South 00°32'23" East along the East line of said Fast tract 696.15 feet to an iron rod on the line between said Polk and Yamhill Counties; thence North 89°35'53" West 2729.89 feet to the Point of Beginning.

TOGETHER WITH a 10 foot wide easement for the maintenance and repair of the existing well, wellhouse and waterline, being 5 feet on either side of the following described centerline:

Beginning at a point which is 40.613 chains North 89°57' East and 847.50 feet North 32°10' East and 36.00 feet South 57°50' East from the Southwest corner of the Stephen McKinney Donation Land Claim, Notification No. 253, Claim No. 38 in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and running thence North 46°58'30" East 782.27 feet to the South line of the above described parcel which is 277.50 feet South 89°35'53" East from the Southwest corner thereof.