

Application for a Permit to Use Surface Water



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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME DEOLINDA A. COELHO REVOCABLE LIVING TRUST, DAVID M. COELHO, TRUSTEE		PHONE (HM)	
PHONE (WK) 503-931-6026	CELL	FAX	
ADDRESS 25325 SW PERRYDALE ROAD			
CITY AMITY	STATE OR	ZIP 97101	E-MAIL * DAVE@COELHOWINERY.COM

Organization Information

NAME		PHONE	FAX
ADDRESS		CELL	
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME JEANNE BOATWRIGHT		PHONE 503-363-9225	FAX 503-363-1051
ADDRESS BOATWRIGHT ENGINEERING, INC. 2613 12TH STREET SE		CELL	
CITY SALEM	STATE OR	ZIP 97302	E-MAIL * JEANNE@BOATWRIGHTENGR.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.)

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By my signature below I confirm that I understand:

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- 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.

Applicant Signature

David M. Coelho, trustee
Print Name and title if applicable

Date

App. No. 2-00030	For Department Use	Permit No.	Date
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SECTION 2: PROPERTY OWNERSHIP

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

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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*).

SECTION 3: SOURCE OF WATER

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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: Unnamed Reservoir Tributary to: Ash Swale
- 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

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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.)

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.

9b 10-30-14

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
Unnamed Reservoir	Irrigation	March 1-Oct 31	3.4 <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: 3.7 Acres Supplemental: 0 Acres

List the Permit or Certificate number of the underlying primary water right(s): _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 3.4

- 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

A. Diversion and Conveyance

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

Pump (give horsepower and type): 0.5 Hp

Other means (describe): _____

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

Pump inside 48" manhole section at edge of pond, PVC pipe to irrigation area

B. Application Method

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

Rainbird sprinklers, garden sprinklers

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.

Water will be used for irrigation of lawn and garden to reduce the use of potable water from the Perrydale Domestic Water Association. Since the supply is limited to 3.4 acre-feet, water will be applied conservatively as landscaping requires and without any waste. No public use of surface waters will be affected by this use. Water use will be metered.

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: **Not Applicable, no fish screens required by ODFW letter dated May 28, 2014**
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: **Reservoir and diversion are already constructed. Riparian area already restored. No additional disturbance required.**
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: **No Aquatic life expected to be in this pond. Pump is already within a concrete wet well.**
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: **Water will be applied in area well away from source; no erosion anticipated from lawn and garden.**

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: Construction completed

Date construction will be completed: Construction already completed

Date beneficial water use will begin: Permit date, or the following irrigation season

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.

The reservoir exists under Permit R-12390 for 3.0 acre feet. Construction of the reservoir resulted in storage of 6.4 acre feet. An application is being filed, simultaneously to this one, for the additional 3.4 acre feet of stored water. The 3.4 acre feet will be for multipurpose and used under this permit for irrigation. The original 3.0 acre feet was permitted for livestock, recreation and wildlife, and will remain so.

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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~~ 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

S-88030

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 Stn=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
David M. Coelho

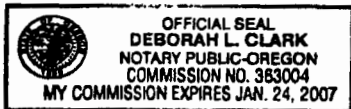
Deolinda A. Coelho
Deolinda A. Coelho

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



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TICOR Title Insurance Company

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.

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 Daytime Phone: 503-931-6026
City State Zip

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

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) _____

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 _____

Briefly describe:

Use of stored water from the onsite reservoir to irrigate lawn and garden

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. →
 Surface Water/1

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 7C20
- 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: P. D. Ken Friday Title: PDM.
 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: _____