SOUTHWORTH BROS. INC.

Jack & Teresa Southworth
PO Box 9
Seneca, OR 97873
541 542 2558
jksouthw@centurytel.net

April 27, 2015

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APR 30 2015

Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301

SALEM, OR

Dear Water Resources Department,

Please find enclosed three Applications for a Permit to Store Water in a Reservoir (Alternate Review). I've included the permit payment with each application.

Sincerely,

Jack Southworth, President Southworth Bros. Inc.

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

Application for a Permit to

APR 3 0 2015

Store Water in a Reservoir

SALEM, OF

(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: Southworth Bros. Inc		
Mailing Address: PO Box 9		Last
Seneca	OR	97873
Phone: 541 542 2558	State 541 542 2558	Zip
Home	Work	Other
Fax:	E-Mail Address*: jksouthw@	
* By providing an e-mail address, consen electronically. (paper copies of the final of	order documents will also be m	
The agent is authorized to repre	2. AGENT INFORMATION esent the applicant in all matt	ers relating to this application.
Agent: Jack	Southwor	th
Mailing Address: PO Box 9		Last
Seneca	OR	97873
City Phone: 541 542 2558	State 541 542 2558	Zip
Home	Work	Other
Fax:	E-Mail Address*: jksouthw@	
* By providing an e-mail address, consen electronically. (paper copies of the final of		
3.	LOCATION AND SOURCE	
A. Reservoir Name: Lower Shirttail Res	ervoir	
B. Source: Provide the name of the water of the stream or lake it flows into. Indica Source: Shirttail Creek		
C. County in which diversion occurs: _	Grant	
App. No. & 98079	For Department Use Permit No	Date

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
178	31E	7	SE1/4 of SE1/4	1200

E. Dam: Maximum height of dam: 10 feet. If excavated, write "2	zero feet".
F. Quantity: Amount of water to be stored in the reservoir at maximum capacity acre-feet:	y. List volume in
Is this project fully or partially funded by the American Recovery and Reinvestm dollars) Yes No	ent Act? (Federal stimulus
4. WATER USE	
Indicate the proposed use(s) of the stored water. NOTE: You may wish to consuse" for your reservoir. Multipurpose use does not limit the types of future Multipurpose covers all uses including: stockwater, fish and wildlife, aesthet agriculture, fire protection and pollution abatement. If any use will be out of the type of storage listed, a secondary application must be filed to appropriate the	uses for the stored water. cics, domestic, irrigation, reservoir use, regardless of
Multipurpose.	
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5. PROPERTY OWNERSHIP	AFR JU ZUIS
Please provide a copy of the recorded deed(s).	SALEM, OR
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 acce	ess.
Written authorization or an easement is not necessary, because the only a state-owned submersible lands, and this application is for irrigated and/or domest	tic use only (ORS 274.040).
(Do not check this box if you described your use as "Multipurpose" in #3 above.)	/

6. ENVIRONMENTAL IMPACT

	No ars	□ No □ Don't know				
 D. Fish Habitat: Is there fish habitat upstream of the proposed structure? ✓ Yes No Don't know If yes, how much? 1/2 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. 						
Have visited with Dave Banks of Burns, OR office of ODFW regarding possible mitigation of possible reduction of fish passage.						
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.

Proposal is to build alternate reservoir on Shirttail Creek to extend irrigation period on flood irrigated hay meadows with an existing water right.

Dam will be constructed by a bulldozer using existing adjacent material. An 18-inch diameter culvert will be installed in the bottom of dam with a controllable headgate. There will be a rocked overflow on one end of dam to provide non-erosive overflow of excess water when reservoir above the dam is full. Rock will be hauled in by truck from landowner's property and spread as necessary at the site of the overflow.

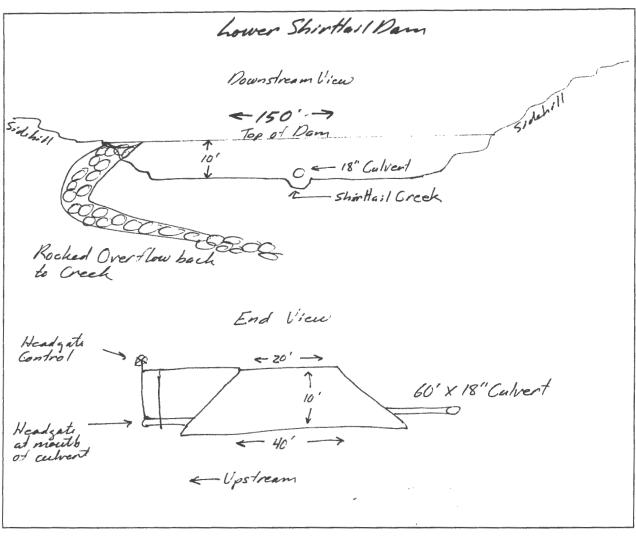
Meadows below the dam will be irrigated with overflow early in the season. Once Shirttail Creek stops flowing headgate will be opened as necessary to provide additional water. Headgate will be left open through the summer and fall and closed in early winter to again capture runoff.

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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).



9. SIGNATURE

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

Southworlds Bors In by Jan Southwort April 15, 2015

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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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- Application	ant's Name:				
1) Does the proposed reservoir have the potential to injure existing water rights? NO YES Explain: The applicant already has rights to the water. They will be able to manage the water better without expanding their right. No one else has water rights on this part of Shirt rail creek. 2) Can conditions be applied to mitigate the potential injury to existing water rights? NO YES NA					
If YES, which conditions are reco	ommended:				
3) Did you meet with staff from a Who: Who:	another agency to discuss this application? Agency: Agency:	Date:			
Watermaster signature: WRD Contact: Caseworker:	Water Rights Division, 503-986-0900 / Fax 503-98				
		APR 30 2015			
NOTE: This completed for	rm must be returned to the applicant				
		SALEM, OR			

ODFW Alternate Reservoir Application Review Sheet
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This portion to be completed	by the applicant.	APR 30 201
Applicant Name/Address/Phone	e/Email:	
		SALEM, OF
Reservoir Name:	Source:	Volume (AF):
Twp Rng Sec QQ:	Basin Name:	☐ in-channel ☐ off-channel
	e able to complete this form while you wait, no to provide any necessary clarifications. See p	
This portion to be completed l	by Oregon Department of Fish and	Wildlife (ODFW) District staff.
Is the proposed project and AO (if yes then proceed to #4; if r	off channel?	YES YNO
Is the proposed project or AO lo (if yes then proceed to #3; if r	cated where NMF ² are or were historic to then proceed to #4)	cally present?XYES □ NO
	present: d fish-passage plan? d fish-passage waiver or exemption?	
ward with the application. If res	RS 509.580 through .910, then either 3(sponses to 3(a) and 3(b) are "No", then assage Law and shall not be constructe	the proposed reservoir does not meet
ally or downstream?	e any other significant detrimental imp	YES XNO
through (For example, if diversion detrimental impact to an exist NMF fish are present at	poses a significant detrimentation of water for storage during a certain time disting fishery resource, then ODFW shows the project site or point of water diversion t with screening criteria will be required.	al impact to existing fishery resources. e period would cause a significant uld recommend conditions or limitations.
Dam. ODFW has determine	ervoir contemplates impounding water in the data additional diversions of water in the resources during the period April 15 through	this area pose a significant detrimental
ODFW & Landown	or are working together to lowing construction	- L develop miligation
	1 / 1/	

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)

If YES, can conditions be appl	ed to mitigate the signific	
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		RECEIVED BY OWF
		APR 30 2015

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

Revised 10/4/12

Land Use Information Form

Department.



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

	City			State	97873 Zip	Daytime Phone	5413	542	2558
A. Land	and Loca	ıtion							
Please incluand/or used	ude the follo	owing info ed. Appli	cants for mu	nicipal use, o	here water will be div r irrigation uses with on requested below.				
Township	Range	Section	1/4 1/4	Tax Lot#	Plan Designation (e.g., Rural Residential/RR-5		Water to be:		Proposed Land Use:
175	31 E	7	SESE	1200	EFU	Diverted	Conveyed	Used	Irrigation
						Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	Conveyed	Used	
								, , , , ,	3 0 2015
	indian of	Duamas						SALI	EM, OR
2 Doccri	puon or			D					-111, 011
B. Descri	liantian to	de illea w		r Kesources L Right Transfer		nit Amendment o	r Ground Wat	ter Registra	tion Modification
Type of app	olication to to Use or St d Water Use	ore Water		tion of Conserv		nange of Water			
Type of app Permit Limited	to Use or St	ore Water License	Alloca	-		nange of Water			
Type of app Permit Limited	to Use or St d Water Use	ore Water License eservoir/Po	Alloca	tion of Conserv	ved Water	nange of Water (name)			
Type of app Permit Limited Source of w	to Use or Stone di Water Use	ore Water License eservoir/Po water need	Alloca ond G led: 8	tion of Conserv	ved Water	nange of Water (name) r second		nute 🔀 a	cre-feet

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

See bottom of Page 3. \rightarrow

10

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 be	ow and provide the requested info	rmation	
Land uses to be served by the proposed water your comprehensive plan. Cite applicable or	uses (including proposed construction) are a dinance section(s):	llowed outright	or are not regulated by
	cumentation of applicable land-use approvals mpanying findings are sufficient.) If approva	which have alr	eady been obtained.
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	I-Use Approval:
permits, etc.)		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
Name: Shannon Spri) Signature: Shannop	roger Title: ASSIS	stant	Planner
	Phone: 541-5 Planning	75-15191	Date: 4 -20 - 15
Note to local government representative: Ple sign the receipt, you will have 30 days from the Information Form or WRD may presume the lar plans.	ase complete this form or sign the receipt belowater Resources Department's notice date to	return the compatible	pleted Land Use le with local comprehensive
	or Request for Land Use Informa		
Applicant name:			
City or County:	Staff contact	t:	
Signature:	Phone:		Date:

R-08079

Prox of Payment of Property Taxes for Tx Lot 1200 ▲ Tear Here PLEASE RETURN THIS PORTION WITH YOUR PAYMENT Tear Here 114 TO JUNE 30, 2015 REAL GRANT CHIPTY SAR ACCOUNT NO: Full Payment Enclosed Due: 491.BE BV 11/15/2014 331. 2 BY 11/15/2014 or 2/3 Payment Enclosed Due: BY 1 /15/E014 169.01 or 1/3 Payment Enclosed Due: **Mailing address Enter Payment Amount DISCOUNT IS LOST & INTEREST APPLIES AFTER DUE DATE** change on back MAKE PAYMENT TO: EDITHUCKTH ERCTHERS, INC GRANT COUNTY F 0 BUX 9 ASSESSOR/TAX COLLECTOR SEMEDA, UR 97573 P 0 B0% 10 CANYON CITY, OR 97820 150-553-008 (Rev. 06-14) 17531 1200 300 SOUTHWORTH BRO SBI 152 TO AST -- DATE: 17/13/2014 SEANT COURTY, DESEM PROPERTY LAX RECEIPTE 3/26-28 56P MAP/LDT 17531 DATE 11/17/2014 CAY PACD TALLER LAND DESCRIPTION TO 16-21 DRIV RECEIPT BIRES THE THE THE PROPERTY OF THE PR CHECKE SUADO BLE BALANCE A91.82 AMOUNT PAIN 1010 TOTAL DUL CHAMIT . 10 10

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APR 30 2015

SALEM, OR R-98079

SOUTHWORTH BROS. INC.

Jack & Teresa Southworth
PO Box 9
Seneca, OR 97873
541 542 2558
jksouthw@centurytel.net

Lower Shirttail Reservoir

Alternate Reservoir Permit Payment:

-	Examination fee:	\$350
-	8 Acre Feet X \$30	\$240
_	Permit recording fee	\$450

- Total Payment due OWRD \$1,040

RECEIVED BY OWRD

APR 30 2015

SALEM, OR

R-89079

SOUTHWORTH BROS. INC.

Jack & Teresa Southworth
PO Box 9
Seneca, OR 97873
541 542 2558
jksouthw@oregonvos.net

May 11, 2015

Mr. Jeffrey D. Pierceall Oregon Water Resources Department 725 Summer Street NE, Suite A Salem Oregon 97301

Hello Jeffrey;

Please find enclosed:

- Three copies of the deed describing the location of our proposed reservoirs in Tax Lot 1200. Please insert a copy into each of our three applications for Lower, Middle and Upper Shirttail reservoirs and,
- A signed signature page with sketches of the Middle Shirttail diversion. Please insert this page into the Middle Shirttail application.

Thank you very much, Jeffrey, for your patience and assistance in getting these forms filled out correctly. Let me know if you have any further questions or see anything else that needs correcting.

Sincerely,

Jack Southworth, President Southworth Bros. Inc.

RECEIVED BY OWRD

MAY 13 2015

SALEM, OR

STEVENS NESS LAW . MICROFILMS ...

KNOW ALL MEN BY THESE PRESENTS, That JOHN W. SOUTHWORTH and JOSEPHINE SOUTHWORTH, as husband and wife, and as co-partners doing hereinatter called grantor, for the consideration hereinatter states, does hereby grant, bargain, sell and convey unto SOUTHWORTH BROS., INC., an Oregon Corporation INC., an Oregon corporation

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County , State of Oregon, described as follows, to-wit:

All property owned by Grantor in Grant County, including the following:

In Township 16 S; Range 31 E, W.M.: Section 9: the Northeast 1/4 of the Northeast Section 10: the West 1/2 and the Southeast 1/4. Section 15: the North 1/2 of the Northwest 1/4 and the East 1/2. Section 22: the Northeast 1/4; the North 1/2 of the Northwest 1/4; the East 1/2 of the Southeast 1/4; the Northwest 1/4 the Southeast 1/4. Section 23: the South 1/2 of the Southeast 1/4. Section 24: the Southwest 1/4 of the Southwest Section 25: the Northwest 1/4 of the Northwest 1/4. Section 26: the North 1/2; the North 1/2 of the Southeast 1/4; the North 1/2 of the Southwest 1/4; (Continued on reverse side)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0 However, the actual consideration consists of or includes other property or value given or promised which is ole consideration (indicate which). (The sentence between the symbols), it not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 250 day of formula if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

for the Southwart Josephine Southword

(If executed by a corporation, offix corporate seal) STATE OF OREGON. County of Multnomah , 19 78 January 25 Personally appeared the above named John W. Southworth and Josephine Southworth and acknowledged the foregoing instrument to be their - ... voluntary act and deed, Belore me: OFFICIAL DA QENOCO

SEAL) Notary Public for Oregon My commision expires 101:13 STATE OF CREGON, County of

Personally appeared ..

who, being duly sworn,

each for himself and not one for the other, did say that the former is the president and that the latter in the secretary of ..

and that the seal allixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed. Before me

EGGSO STATE OF OREGON.

SEAL)

Notary Public for Oregon My commission expires:

OURT, GRANT

SPACE RESERVED

GRANTOR'S NAME AND ADDRESS

After recording return to:

Timothy W. Heltzel 3100 1st National Bank Tower 97201 Portland, Oregon

Until a change is requested all tax statements shall be sen to the following address

John W. Southworth Box 9

Seneca, Oregon

STATE OF OUR

County of Shant I certify that the within instrument was received for record on the 30 day of paragraf, 19 78, at 10:05 o'clock A.M., and recorded in book 118 on page 716:7 or as

file reel number

Witness my hand and seal of Record of Deeds of said county. County affixed.

JOHN LIVEIRA

Recording Officer By Judy abbe

M. OR

Description continued

the Southwest 1/4 of the Southwest 1/4. Section 27: the East 1/2 of the Northeast 1/4; the Southeast 1/4; the East 1/2 of the Southwest Section 28: the Northwest 1/4. Section 29: the Northeast 1/4; the East 1/2 of the Northwest 1/4; the Northwest 1/4 of the Northwest 1/4. Section 30: the Northeast 1/4 of the Northeast 1/4; the West 1/2 of the Northeast 1/4; the East 1/2 of the Northwest 1/4. Section 33: the East 1/2; the East 1/2 of the Southwest 1/4. Section 34: the North 1/2; the Southwest 1/4. Section 35: the East 1/2; the Southeast 1/4 of the Northwest 1/4; the Northwest 1/4 of the Northwest 1/4 lying west of Highway 395. Section 36: the South 1/2

2) In Township 17 S; Range 31 E, W.M.: Section 1: the Southeast 1/4 of the Northeast 1/4; the East 1/2 of the Southeast 1/4; the Southwest 1/4 of the Southeast 1/4; the South 1/2 of the Southwest 1/4. Section 2: Lots 1 and 2, the Southeast 1/4 of the Southeast 1/4. Section 3: Lots 3 and 4, the South 1/2 of the North 1/2; the South 1/2 Section 4: Lots 1 and 2, the South 1/2, Northeast 1/4; the Southeast 1/4; the East 1/2 and the Southwest 1/4; the Southwest 1/4 of the Southwest 1/4. Section 5: the South 1/2 of the Southeast 1/4, the East 1/2 of the Southwest 1/4. Section 7: Lots 3 and 4, the East 1/2 of the Southwest 1/4; the Southeast 1/4. Section 8: the East 1/2; the East 1/2 of the North-West 1/4; the Southwest 1/4, Section 9: All of Section 9. Section 10: the Northwest 1/4; the West 1/2 of the Northeast 1/4; the Northeast of the Northeast 1/4; the West 1/2 of the Southwest 1/4. Section 11: the East 1/2 Section 12: All of Section 12. Section 13: the North 1/2 of the North 1/2. Section 14: the Northeast 1/4; the East 1/2 of the Northwest 1/4; the North 1/2 of the Southeast 1/4. Section 15: the Northwest 1/4 of the Northwest 1/4. Section 16: the Northwest 1/4; the West 1/2 of the Northeast 1/4; the Northeast 1/4 of the Northeast 1/4; the Northwest 1/4 of the Southwest 1/4. RECEIVED BY OWRD Section 17: the Northeast 1/4; the North 1/2 of the Southeast 1/4. MAY 13 2015