

Dear Customer Service Group :

This application has received our assistance here in Watermaster District 2.

by Michael Mettick Phone # 541-232-7260.
(Name)

Please let us know if there is anything else that might be needed.

Assistance was provided in the preparation of the:

- ☒ Application
- ☒ Map
- ☐ Other

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JUL 16 2015

SALEM, OR



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

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

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: Chuck SWENSON
First Last
Mailing Address: 82813 BEAR CREEK RD.
CRESWELL OREGON 97426
City State Zip
Phone: 541-895-5299 541-686-9946 541-953-1181
Home Work Other
Fax: _____ E-Mail Address*: chuckandmarla@yahoo.com

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

2. AGENT INFORMATION

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

Agent: _____
First Last
Mailing Address: _____

City State Zip
Phone: _____
Home Work Other
Fax: _____ E-Mail Address*: _____

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

3. LOCATION AND SOURCE

A. Reservoir Name: SWENSON POND

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.

Source: Runoff Tributary to: _____

C. County in which diversion occurs: _____

App. No. P-99000

For Department Use
Permit No. _____

Date JUL 16 2015

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D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
19S	2W	18	SE 1/4 SE 1/4	2700

E. Dam: Maximum height of dam: 8 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: 2.5

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.

Fish & wildlife, aesthetics, Multipurpose

5. PROPERTY OWNERSHIP

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

Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (please check appropriate box below then skip to section 5)

☒ There are no encumbrances

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

☐ No (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

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R-08100

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? 8 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.

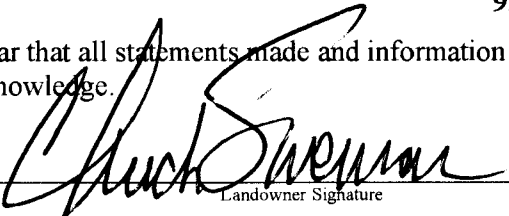
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R-8800

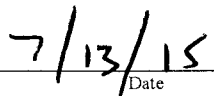
If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

9. SIGNATURE

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



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.

R-00000

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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-

Applicant's Name: *Chuck Swenson*

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

☒ NO ☐ YES

Explain:

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

☐ NO ☒ YES

If YES, which conditions are recommended:

*if necessary
year round storage - OK*

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

☒ NO ☐ YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

Mulan J. Muthiah Date: *7-13-2015*

WRD Contact:

Caseworker:

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

NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: CHUCK SWENSON (541) 895-5299, 953-1181
82813 BEAR CREEK RD Creswell OR 97426 chuckandmarla@yahoo.com

Reservoir Name: SWENSON POND Source: _____ Volume (AF): 2

Twp Rng Sec QQ: 19S - 2W - 18 - SE 1/4 - SE 1/4 Basin Name: _____ ☐ in-channel
☐ off-channel

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

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

1) Is the proposed project and 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 _____ through _____ poses a significant detrimental impact to existing fishery resources.
(For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)
 If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.
- ☐ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

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

R-88100

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?
☐ NO (explain) ☐ YES (select from Menu of Conditions on next page)

ODFW Signature: [Signature]

Print Name: Shannon E. Richardson

ODFW Title: STEP Biologist/ Assistant District
Fish Biologist

Date: 6/30/15

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

Revised 10/4/12

R-88100

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9665703

GORDON EDWARD TEMPLEMAN, an estate in fee simple

conveys and warrants to

CHARLES A. SWENSON and MARLA J. SWENSON, husband and wife

the following described real property situated in

LANE

County

OR

free of encumbrances except as specifically set forth herein, to-wit:

Beginning at the Westerly Northwest corner of the Sidney Saylor Donation Land Claim No. 59, in Township 19 South, Range 2 West of the Willamette Meridian; and running thence North 19° 35' West 1184.74 feet; thence South 63° 22' West 1212.23 feet to the centerline of County Road No. 696; thence on the centerline of said road as follows: South 46° 12' East 345.0 feet, South 38° 22' East 697.6 feet, and South 49° 06' East 146.65 feet; thence North 65° 48' East 750.56 feet to the point of beginning, in Lane County, Oregon.

This conveyance is subject to and excepts: RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS, COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS OF RECORD, AND SUBJECT TO 1996-7 REAL PROPERTY TAXES, A LIEN NOT YET PAYABLE.

8982SEP.27'96H06REC 5.00
 8982SEP.27'96H06PFUND 10.00
 8982SEP.27'96H06A&T FUND 20.00

The true consideration for this conveyance is \$ 190,000.00

"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."

Dated: 09/25/96

GORDON EDWARD TEMPLEMAN

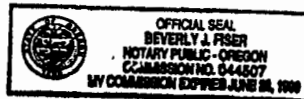
State of Oregon
 County of Lane — ss.
 I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

27 SEP 96 2:57

2220R

Recd
 Lane County OFFICIAL Records
 Lane County Clerk

By: David J. Smith
 County Clerk



STATE OF OREGON

County of LANE

This instrument was acknowledged before me on 9-26-96 by GORDON EDWARD TEMPLEMAN

Notary Public for Oregon
 My commission expires: 6-28-99

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Until a change is requested, all tax statements shall be sent to the following address:

2682 Terrace View Drive, Eugene, Oregon 97405

After recording return to: Western Pioneer Title Co., P.O. Box 10146, Eugene, Oregon 97440

R-88108



LAND MANAGEMENT DIVISION

Date Received:

RECEIVED JUN 24 2015

LAND USE APPLICATION - ADMINISTRATIVE
Land Use Compatibility Statement

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE #

509-PA15-05417

FEE:

\$ 130.00

Applicant (print name): CHUCK SWENSON

Mailing address: 82813 BEAR CREEK RD CRESWELL OR 97426

Phone: 541 895-5299

Email: chuckandmarla@yahoo.com

Applicant Signature:

Chuck Swenson

PROPERTY LOCATION

19-02-18-40 - 02700

Township

Range

Section

Taxlot

Subdivision/partition

lot/parcel

block

82813 BEAR CREEK RD CRESWELL OR 97426

Site address

The Land Use Compatibility Statement (LUCS) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

SEE Attached.

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SALEM, OR

Version 1/2013

R-00100

Land Use Information Form



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

Applicant: Chuck First Swenson Last

Mailing Address: 82813 BEAR CREEK RD

Creswell City OR State 97426 Zip Daytime Phone: 541 953-1181

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:
19S	2W	18	SE ¼ SE ¼	2700	EFU	☐ Diverted	☐ Conveyed	☒ Used	RECREATION
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

LANE

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) RAIN RUNOFF

Estimated quantity of water needed: 2 ☐ 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 RECREATION

Briefly describe:

1/3 ACRE EXISTING POND AVERAGE DEPTH OF 6' APPROX 2 ACRE FT. USED FOR CHILDREN TO FISH AND AESTHETICS, AND WILDLIFE HABITAT.

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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SALEM, OR

R-88108

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): LC 16.212 (3)(4) - ACCESSORY TO FARM
EXISTING DWELLING
- ☐ 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:	
		☐ 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

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.

N/A

Name: MARK RUST, AICP Title: ASSOCIATE PLANNER
 Signature: [Signature] Phone: 541-682-4541 Date: 6/24/15
 Government Entity: LANE COUNTY

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: _____ RECEIVED BY OWRD
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: JUL 16 2015
 SALEM, OR

R-88103



<http://www.lanecounty.org>

TRANSACTION RECEIPT

RECEIPT NO: LC15002301
TRANSACTION DATE: 06/24/2015
CASHIER: EGARLICK

LAND MANAGEMENT DIVISION
3050 N. Delta Hwy
Eugene, OR 97408
541-682-4065

lm.d.information@co.lane.or.us

RECORD NO: 509-PA15-05417

RECORD TYPE: Administrative Approval NA

SITE ADDRESS: 82813 BEAR CREEK RD, CRESWELL, OR 97426

PARCEL: 1902184002700

APPLICANT: Charles A. Swenson

DESCRIPTION OF WORK:

FEE ITEMIZATION FOR 509-PA15-05417

DESCRIPTION	ACCOUNT CODE	AMOUNT PAID
Land Use Compatibility Simple	570-3628010-426520	\$100.00
LMD Administrative Fee (15% of applicable fees)	570-3628040-466605	\$15.00
Long Range Planning Surcharge (13% of applicable fees)	570-3628015-466606	\$13.00
LMD Technology Assessment (2% with \$100 max of applicable fees)	570-3628042-466604	\$2.00
TOTAL PAID:		\$130.00

PAYMENT SUMMARY FOR 509-PA15-05417

PAYMENT TYPE	PAYOR	COMMENTS	AMOUNT PAID
Check 6201	Chuck Swenson		\$130.00

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R-88100