



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: SHARON L. LINEBERRY
First Last
Mailing Address: 4957 GLEN ECHO WAY
CENTRAL PT. OREGON 97502
City State Zip
Phone: 541 727 7001 773 3413 941 0029
Home Work Other
Fax: 541 776 7514 E-Mail Address*: SHARON@HALLETAGENCY.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.)

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3. LOCATION AND SOURCE

A. Reservoir Name: KENO SEP 28 2015
B. Source: Provide the name of the water body or other source from which water will be diverted. SAN MEADOW
of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.
Source: RUN OFF Tributary to: KANE CREEK
C. County in which diversion occurs: TWO SEASONAL CREEKS EVERY WINTER FLOW JACKSON DOWN HILL.

App. No. R-88136

For Department Use

Permit No. _____ Date _____

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
37 S	3 W	1	NW-NE	2500

E. **Dam:** Maximum height of dam: 0 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 Acre feet

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,

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:

N/A

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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? _____ 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	N/A		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.

ALREADY HAVE outlet pipe
TO ALLOW WATER TO PASS

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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: Sharon Lineberry 37S-3W-1-NW/NE-Tax Lot 2500

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

☒ NO ☐ YES

Explain: Water is available from Dec-April. Proposed source is winter run-off

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

☐ NO ☐ YES

N/A

If YES, which conditions are recommended: N/A

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

☒ NO ☐ YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:



Date: 8-13-2015

WRD Contact:

Caseworker:

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

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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: SHARON LWEBER
4957 GLEN ECHO WAY CENTRAL PT, OR 97102 541 941 0029
 Reservoir Name: KENO Source: UNNAMED TRIB - KANECREEK Volume (AF): 1-2
 Twp Rng Sec QQ: 37S-3W-1-NW NE Basin Name: ROGUE ☐ 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 Apr. 1 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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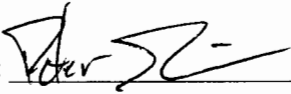
¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

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

Kane Creek provides high value summer steelhead (state sensitive species) habitat for spawning, rearing, and migration. Therefore, ODFW requests the storage period on this application be limited to December through March to protect redds from de-watering, and to provide the necessary late spring flow for juvenile steelhead to migrate out of Kane Creek to the Rogue River. In addition, the proposed reservoir should not be allowed to store water if Instream Water Right (cert 59706) is not being met.

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)

b.51 a. The period of use has been limited to December through March.

ODFW Signature: 

Print Name: Peter Samarin

ODFW Title: Asst District Fish Biologist

Date: 9/11/2015

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

Revised 8/2/11

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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

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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SALEM, OR

R-00136

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: SHARON LINDBERRY
First Last

Mailing Address: 4957 GLEN ECHO WAY
CENTRAL PT OR 97502 Daytime Phone: 541 941-0029
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 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
37S	3W	1	NW 1/4	2500		☒ Diverted	☒ Conveyed	☒ Used	POND
						☐ 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:

JACKSON

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 TRIB-KANE CREEK

Estimated quantity of water needed: _____ ☐ 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 POND

Briefly describe:

BUILDING POND TO CAPTURE WINTER RAIN RUN OFF

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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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): 4.2-1
- ☐ 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.

Ag use (Multi use - Livestock) is allowable in EFU zoning per chapter 4.2-1

Name: Youngsook Kim Title: Planner I
 Signature: Youngsook Kim Phone: 541-774-6946 Date: 8/13/15
 Government Entity: Jackson 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: SEP 28 2015

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SALEM, OR
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JACKSON COUNTY DEVELOPMENT SV
10 S Oakdale Ave
Medford, OR 97501
541-774-6927

JACKSON COUNTY DEVELOPMENT SERVICES

10 S Oakdale Ave, Room 100

Medford, OR 97501

Phone: 541-774-6927

Transaction Receipt

Record Number: 439-15-01067-ZON

Receipt Number: 230367

Sale

JCBuilding@jacksoncounty.org

XXXXXXXXXX3902
VISA

Entry Method: Swiped

AL POINT, OR

Receipt Date: 8/13/15

Total: \$ 118.00

08/13/15 11:09:37

Inv #: 000000010 Appr Code: 070914

Approved: Online

Fee Items Paid

Customer Code

Trans: 1000

ACCOUNT CODE

3701040000.45105.1300

AMOUNT PAID

\$118.00

\$118.00

Payment Summary

PAYMENT METHOD	PAYER	COMMENTS	AMOUNT PAID
Credit Card- Authorization Code: 10	Sharon L. Lineberry	kimys	\$118.00

\$118.00

Card Holder Signature: _____

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SEP 28 2015

SALEM, OR

R-88136



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301
(503) 986-0900
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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: SHARON L. LINEBERRY
Mailing Address: 4957 GLEN ECHO WAY
CENTRAL PT. OREGON 97502
Phone: 541 727 7001 773 3413 941 0029
Fax: 541 776 7514 E-Mail Address*: SHARON@HALLETTAGENCY.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: _____
Mailing Address: _____
Phone: _____
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

OCT 02 2015

A. Reservoir Name: KENO SALEM, OR
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: run off Tributary to: KANE CREEK
C. County in which diversion occurs: TWO SEASONAL CREEKS EVERY WINTER FLOW JACKSON DOWN HILL

App. No. R-0016

For Department Use
Permit No. _____

Date _____

96-39166

WARRANTY DEED

AFTER RECORDING RETURN TO:

Amertina 720895-LS

5-
16-
20-

SCOTT DOUGLAS DOWNING and LINDA LOU DOWNING, husband and wife,
Grantor(s) hereby grant, bargain, sell and convey to:
DANNY JOE VARNER,
Grantee(s) and grantee's heirs, successors and assigns the following described
real property, free of encumbrances except as specifically set forth herein in
the County of JACKSON and State of Oregon, to wit:

PARCEL NO. 2 OF PARTITION PLAT NO. P-127-1990 OF THE RECORDS OF
JACKSON COUNTY, OREGON; FILED NOVEMBER 6, 1990, INDEX VOLUME 1, PAGE 127,
COUNTY SURVEY NO. 12276.

SUBJECT TO: all those items of record and those apparent upon the land, if
any, as of the date of this deed and those shown below, if any;
and the grantor will warrant and forever defend the said premises and every
part and parcel thereof against the lawful claims and demands of all persons
whomsoever, except those claiming under the above described encumbrances.

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 for this conveyance is \$ 134,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the
following address: 4957 GLEN ECHO WAY, CENTRAL POINT, OR 97502

Dated this 18th day of November, 1996

SCOTT DOUGLAS DOWNING

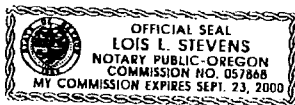
LINDA LOU DOWNING

NOTARY ACKNOWLEDGEMENT

STATE OF Oregon SS. November 18 1996
COUNTY OF Jackson

Personally appeared the above named Scott Douglas Downing
Linda Lou Downing

and acknowledged the foregoing instrument to be their voluntary act.



(seal)

Before me:

Lois L. Stevens

Notary Public for Oregon

My commission expires 9-23-00

ESCROW NO. AP720895LS

Return to:
DANNY JOE VARNER
4957 GLEN ECHO WAY
CENTRAL POINT, OR 97502

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

NOV 21 1996

2:20 PM
Spencer S. O'Neil
County Clerk

RECEIVED

OCT 2 2015

WATER RESOURCES DEPT
SALEM, OREGON

R-88136

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SEP 28 2015

SALEM, OR

Permit to Appropriate Surface Water for Storage - Alternate Reservoir Application

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Thursday, August 13, 2015

Base Application Fee for Storage of Surface Water.		\$350.00
Proposed Dam Height in feet.	0	
Proposed Reservoir volume in Acre Feet.	2	\$60.00
Permit Recording Fee. ***		\$450.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$860.00

Check to
OWRD

[Return to Fee Calculator Options page](#)

[OWRD Fee Schedule](#)

Fee Calculator Version: B20130709

ODF & W 541-826-8774
1495 E. Gregory

R-88136