

NOV 02 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: Blair Virl or Sheryl Lyn Nash
First Last
Mailing Address: 14700 Northbank Rd
Roseburg OR 97470
City State Zip
Phone: 541-580-3286 541-459-5450 580-391-3143
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.)

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: Sheri's 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: UN NAMED Stream Tributary to: N. Umpqua River

C. County in which diversion occurs: Douglas

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App. No. R-88147

For Department Use

Permit No. _____ Date _____

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D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
26 S	4 W	10	NW NW	202

E. Dam: Maximum height of dam: 18 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: 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.

Multi purpose

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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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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	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.

Earth fill 3/1 Slope Upstream 2.5/1 Slope downstream
8" PVC Pipe Outlet

Concrete Wier to pass water to Spillway

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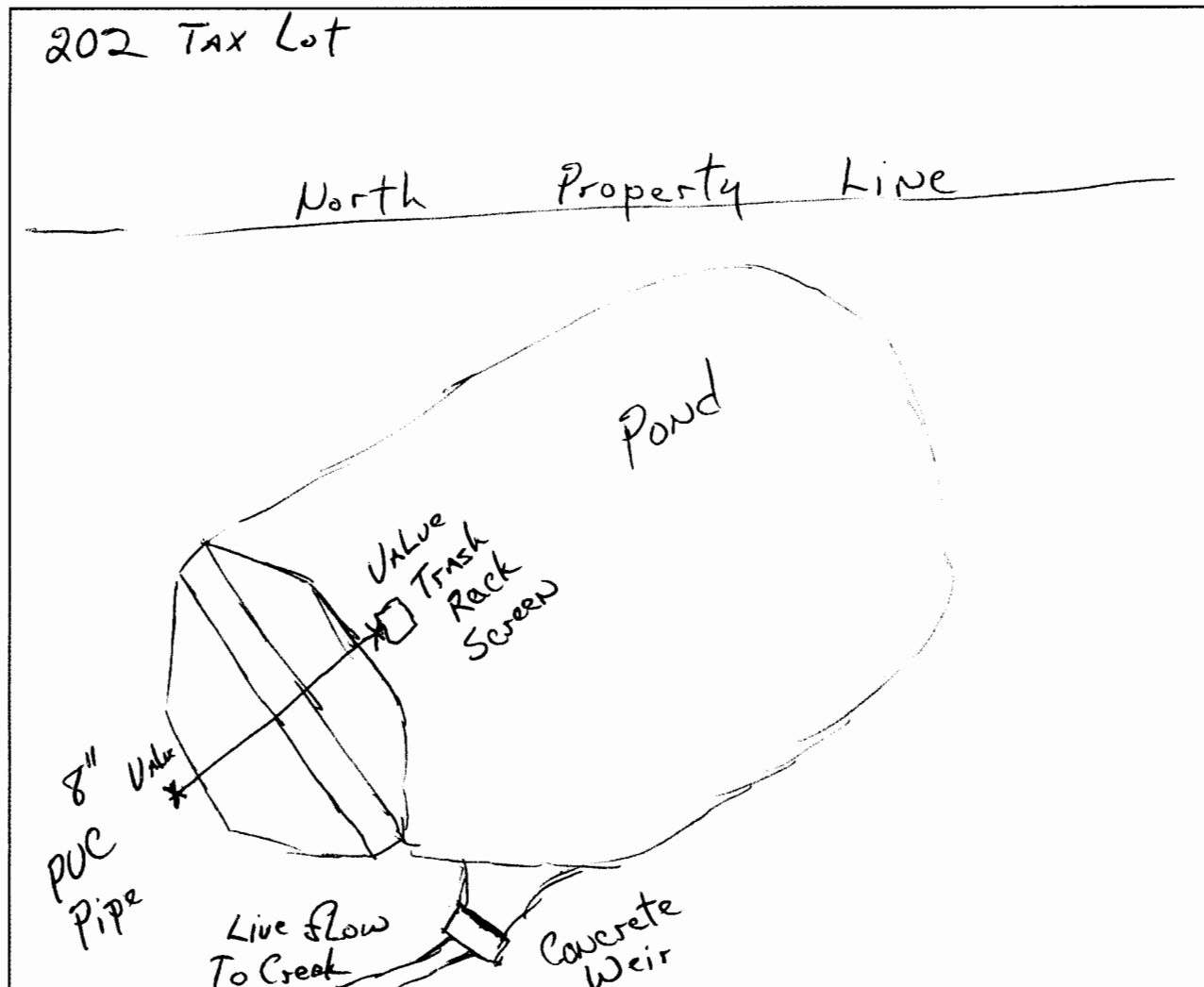
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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means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

[Signature]
 Landowner Signature

10-10-15
 Date

[Signature]

- 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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BOOK 1624 PAGE 843

RETURN RECORDED DOCUMENT TO:

Umpqua Title & Escrow Services
PO Box 1409
Roseburg, OR 97470
Escrow No. 40247

SEND TAX STATEMENTS TO:
GRANTEE:

14700 NORTH BANE ROAD
ROSEBURG, OR 97470
STATE OF OREGON | SS
COUNTY OF DOUGLAS |
DOYLE SHAVER JR., COUNTY CLERK AND
RECORDER OF CONVEYANCES, DO HEREBY CERTIFY
THAT THIS INSTRUMENT WAS RECORDED

WARRANTY DEED - STATUTORY FORM

99 JUN 15 PM 1:44

GRANTOR:
CHARLES R. MAURER.

DOYLE SHAVER JR.
DOUGLAS COUNTY CLERK
IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

GRANTEE:
BLAIR VIRL NASH and SHERYL LYN NASH, husband and wife

BY Vinny R. Davenport
DOUTY 23
LITE FEE 38

Grantor conveys and warrants to Grantee the following described real property free of encumbrances except as specifically set forth herein situated Douglas County, Oregon, to wit:

Parcel 2, of LAND PARTITION PLAT NO. 1996-18, Surveyors Records of Douglas County, Oregon, Recorder's Instrument No. 96-04298.

EXCEPTING THEREFROM that portion described in Deed to Douglas County Instrument No. 96-05577, records of Douglas County, Oregon.

The said property is free from encumbrances except SPECIAL ASSESSMENT FOR TAXES, RIGHTS OF THE PUBLIC, WAIVER OF OBJECTION TO ASSESSMENTS, STATE OF OREGON WELL OWNERSHIP INFORMATION, EASEMENTS AND RIGHTS OF WAY OF RECORD

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 consideration for this conveyance is \$205,000.00** (Here comply with the requirements of ORS 93.030) ** a portion paid by an Accommodator pursuant to a 1031 tax deferred exchange

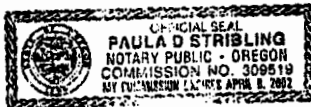
Dated this 12 day of June, 1999

Charles R. Maurer
CHARLES R. MAURER

State of OREGON, County of Douglas) ss.

This instrument was acknowledged before me on June 12, 1999, by CHARLES R. MAURER.

Paula D Stribling
Notary Public for OREGON
My commission expires 4.8.02



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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:

BLAIR SHERYL NASH

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:

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:

David S. Williams 9-15-2015

WRD Contact:

Caseworker:

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

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Water Availability Analysis

N UMPQUA R > UMPQUA R - AT MOUTH
UMPQUA BASIN

Water Availability as of 9/15/2015

Watershed ID #: 71174 ([Map](#))

Exceedance Level: 50%

Date: 9/15/2015

Time: 10:59 AM

Water Availability

Limiting Watersheds

Complete Water Availability Analysis

Water Availability

Select any Watershed for Details

	Nesting Order	Watershed ID #	Stream Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
Select	1	368	UMPQUA R> PACIFIC OCEAN- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Select	2	73350	UMPQUA R> PACIFIC OCEAN- AB LITTLE MILL CR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Select	3	31630301	UMPQUA R> PACIFIC OCEAN- AB WOLF CR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Select	4	71174	N UMPQUA R> UMPQUA R- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	Yes

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Blair Nash/ 14700 North Bank Road, Roseburg,
OR 97470

Reservoir Name: _____ Source: _____ Volume (AF): _____

TwP Rng Sec QQ: _____ 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 reservoir pose any other significant detrimental impact to an existing fishery resource?.....

..... ☒ 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 waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

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

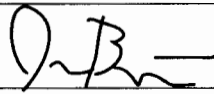
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If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?
☐ NO (explain) ☒ YES (select from Menu of Conditions on next page)

A fish presence/absence survey was performed on this stream by ODFW personnel in 2010 and fish presence was found to end below the location of the proposed pond. However, pond construction and operation may impact downstream water quality (e.g. temperature and turbidity) which may in turn impact downstream fish and wildlife resources. The applicant should contact Oregon DEQ for information on possible water quality impacts and ways to mitigate for potential negative impacts. Condition "fishdiv33" is also recommended to help mitigate for riparian impacts from pond construction, but fish screening will only be necessary if the applicant plans to stock the pond at a future time.

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ODFW Signature:  Print Name: Jason Brandt
ODFW Title: Assistant District Biologist Date: 8/12/15

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

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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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Land Use Information Form



WS15-0775 165-
RCPT # P21486
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: BLAIR NASH
First Last
Mailing Address: 14700 Northbank Road
Roseburg Or 97470 Daytime Phone: 541-580-3286
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:
26	4	10		202	AGG	☒ Diverted	☒ Conveyed	☒ Used	
26	4	9		103	AGG	☒ Diverted	☒ Conveyed	☒ Used	
26	4	9		103	AGG	☒ Diverted	☒ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

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 Stream

Estimated quantity of water needed: 5 ☐ 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 Livestock Water

Briefly describe:

5 Acre foot Mult. Purpose Pond

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

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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): 3.3.050
- ☐ 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.

FG #R40832
R40744 + R121062
DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470

Name: Kelly N. White Title: Planning Tech
 Signature: Kelly N. White Phone: 541-440-4289 Date: 9-15-15
 Government Entity: Douglas 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: _____ NOV 12 2015
 Signature: _____ Phone: _____ Date: _____
 SALEM, OR

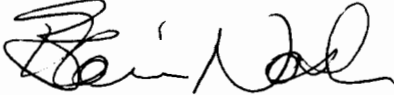
Dear Jeffrey,

11-10-2015

Please find enclosed a copy of the deed as well as a Plat map from the title company showing the property.

My wife Sheryl has also signed the application.

Thank you

A handwritten signature in black ink, appearing to read "Blair Nash", written in a cursive style.

Blair Nash

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Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

November 2, 2015

Blair Nash
14700 Northbank Rd.
Roseburg, OR 97470

Dear Blair:

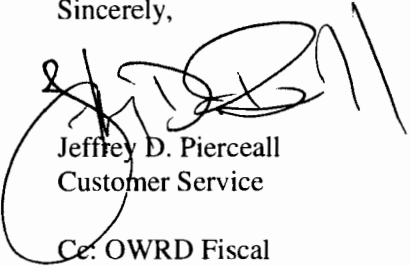
The Water Resources Department has received your application to use or store water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information, and this checklist (on back), so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact Customer Service at the address above or by telephone at 503-986-0801.

Sincerely,



Jeffrey D. Pierceall
Customer Service

Cc: OWRD Fiscal

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All applicants or the applicant's authorized agent (include title or authority if for an organization or corporation), must sign the application in ink. *Signature must be an original "wet" signature. Copies cannot be accepted.*

You must include a Legal description of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.