



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

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

Standard Review Process (ORS 537): You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

Use a separate form for each reservoir. However, to obtain authorization for multiple reservoirs, multiple forms may be combined into one application if filed at the same time.

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. 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: CITY OF EUGENE
 Shelly Miller
First Last

Mailing Address: 1820 Roosevelt Blvd.
Eugene OR 97402
City State Zip

Phone: 541-682-4888
Home Work Other

Fax: _____ E-Mail Address*: shelly.a.miller@ci.eugene.or.us

* 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.)

I(We) make application for a permit to construct a reservoir and store the following described waters of the State of Oregon. The name of the reservoir is Coyote Prairie North Wetland Mitigation Bank.

2. SOURCE OF WATER for the proposed use: seasonal surface waters RECEIVED BY OWRD
 a tributary of Coyote Creek

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Is the proposed use an enlargement of an existing dam/reservoir? Yes No

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If the reservoir is not in channel of a stream, state how it is to be filled:

The upper (east) end of an agricultural ditch was regraded to create Coyote Swale and the lower end of the ditch was filled. Material excavated to construct and stabilize Coyote Swale was used to construct a 3' high embankment berm with two flashboard riser outlets in the northwest region of the site. Water from Coyote Swale flows across the surface of revegetated wetland prairie to emulate historic patterns of cross-site hydrology with newly constructed vernal pools. Water is stored seasonally in the shallow vernal pools and a large pool created by the embankment berm prior to exiting the site into a roadside ditch at the outlets.

For Department Use		
App. No. <u>R-08313</u>	Permit No. _____	Date _____

3. DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 3 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including dam height, width, crest width and surface area.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved prior to storage of water.

The dam will be (check one): Earthfill Concrete Flash board Other

If "other" give description:

4. PRIMARY OUTLET WORKS

Describe the location and the dimensions of the outlet conduit through the dam:

Outlet is two 18" diameter culverts with flashboard risers installed in the embankment berm near the northwest corner of the property. Water exits the site into a roadside ditch on the south side of Cantrell road and then flows .8 mile to Coyote Creek.

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

5. EMERGENCY SPILLWAY

Describe the location and the dimensions of the spillway channel:

The embankment berm is constructed with an overflow at the east end of the berm which would release water to the roadside ditch.

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6. THE USE(s) of the impounded water will be:

Wetland restoration for the Coyote Prairie North Wetland Mitigation Bank.



Today's Date: Tuesday, October 18, 2016

Base Application Fee.		\$800.00
Number of acre feet to be diverted for Storage.	19.5	\$600.00
Number of reservoirs.	12	\$1,375.00
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		\$3,225.00

OWRD Fee Schedule

Fee Calculator Version: B20130709

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R-88313

7. THE AMOUNT OF WATER to be stored is: 19.5 acre-feet.
The area submerged by the reservoir, when filled, will be 16 acres.

8. PROJECT SCHEDULE: (List Month and Year)

Proposed date construction work will begin: Construction completed in October, 2015

Proposed date construction work will be completed: _____

Proposed date water use will be completed: _____

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) **No**

9. PROPERTY OWNERSHIP

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 10)

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

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 an easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

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List the names and mailing addresses of all affected landowners:

No affected landowners

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11. WITHIN A DISTRICT

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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

11. MAP REQUIREMENTS The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section and quarter/quarter section of the proposed reservoir location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

12. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Applicant:  9/30/16
Signature (If more than one applicant, all must sign.) Date

Before you submit your application be sure to:

- Answer each question completely.
- Attach a legible map that includes township, range, section, quarter/quarter and tax lot.
- Include a Land Use Information Form or receipt stub signed by a local official.
- Include the legal description of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance policy to meet this requirement.
- Include a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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SALEM, OR

R-84313

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



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

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law.our). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$225. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

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6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- | | |
|---|---|
| <input checked="" type="checkbox"/> SECTION 1: applicant information | <input checked="" type="checkbox"/> SECTION 7: the amount of water to be stored |
| <input checked="" type="checkbox"/> SECTION 2: source of water | <input checked="" type="checkbox"/> SECTION 8: project schedule |
| <input checked="" type="checkbox"/> SECTION 3: dam height and composition | <input checked="" type="checkbox"/> SECTION 9: property ownership |
| <input checked="" type="checkbox"/> SECTION 4: primary outlet works | <input checked="" type="checkbox"/> SECTION 10: within a district |
| <input checked="" type="checkbox"/> SECTION 5: emergency spillway | <input checked="" type="checkbox"/> SECTION 11: map requirements |
| <input checked="" type="checkbox"/> SECTION 6: the use of the impounded water | <input checked="" type="checkbox"/> SECTION 12: signature |

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property on which the water is to be stored, and (2) any property crossed by the proposed ditch, canal or other work
- Fees - Amount enclosed: \$ 3,225
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Preliminary plans and specifications including dam height, width, crest width and surface area for each reservoir

Provide a map and check that each of the following items is included:

- Map must be prepared by Certified Water Rights Examiner
- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (examples: 1" = 400 ft, 1" = 1320 ft.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference public-land survey corner on map
- Location of each dam if applicable, by reference to a recognized public-land survey corner (distances north/south and east/west)
- Indicate the area of use by Quarter/Quarter and tax lot identified clearly
- Number of acres per Quarter/Quarter and hachuring to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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***Please note a secondary application is necessary if there will be out-of-reservoir uses associated with this application.**



LAND MANAGEMENT DIVISION

Date Received: RECEIVED SEP 01 2016

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-PA16-05719 FEE: 130.00 BF

Applicant (print name): Paul Gordon (City of Eugene)
Mailing address: 1820 Roosevelt Blvd

Phone: 541.510.8420 Email: paul.gordon@ci.eugene.or.us

Applicant Signature: Paul Gordon

PROPERTY LOCATION

18 05 01 00 00100
Township Range Section Taxlot Subdivision/partition lot/parcel block

SE of Kenneth Nielsen + Cantrell Rds
Site address

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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. SEP 14 2016

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

Please complete the Land Use Information Form attached to the OWRD Application for a Permit to Use Surface Water.

The project described in the OWRD application was implemented in 2015 for wetland enhancement - including the regrading of an agricultural ditch, the construction of shallow (vernal) ponds, and the construction of an embankment berm with an outlet to a roadside ditch.

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Version 1/2013
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SALEM, OR

R-22713

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: CITY OF EUGENE
First Last

Mailing Address: 1820 ROOSEVELT BLVD

EUGENE OR 97402 Daytime Phone: 541-682-4888
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	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
18S	51W	1	NW	100	E40/KAS	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	WETLAND
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

LANE COUNTY

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B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) Recontoured ditch Coyote Swale (on site)

Estimated quantity of water needed: 19.5 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 WETLAND ENHANCEMENT

Briefly describe:

Existing ditch was recontoured to create Coyote Swale. Embankment berm and shallow vernal pools were created to enhance wetland 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.

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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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): Lane code 16.211(3)(F)

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

OK per planning LC 16.211(3)(F).

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SEP 14 2016

Name: Eric Forsell Title: Planner SALEM, OR
 Signature: [Signature] Phone: 541 682 4054 Date: 9.1.16
 Government Entity: LANECOUNTY

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____



EXHIBIT A

PROPERTY DESCRIPTION

A parcel of land lying in Section 1, Township 18 South, Range 5 West of the Willamette Meridian, said parcel being more particularly described as follows: Beginning at the East one-quarter corner of said Section 1; thence North 00° 10' 57" East 1327.60 feet to a 5/8 inch iron rod; thence North 89° 38' 05" West 510.22 feet to a 5/8 inch iron rod; thence South 89° 30' 22" West 567.06 feet to the true point of beginning; thence South 89° 30' 22" West along a fence line 51.14 feet to a 5/8 inch iron rod; thence South 89° 23' 50" West along a fence line 1367.07 feet to a 5/8 inch iron rod; thence South 00° 00' 28" East along a fence line 766.59 feet to a point; thence South 00° 20' 49" East along a fence line 1349.96 feet to a 5/8 inch iron rod; thence South 88° 43' 04" West along a fence line 831.48 feet to a 1/2 inch iron pipe; thence South 89° 09' 39" West along a fence line 129.90 feet to a 5/8 inch iron rod; thence North 31° 04' 53" West along a fence line 1519.55 feet to a 5/8 inch iron rod; thence North 41° 41' 59" West along a fence line 962.58 feet to a 5/8 inch iron rod; thence North 80° 22' 39" West along a fence line 400.15 feet to a 5/8 inch iron rod; thence North 00° 02' 21" East 1745.91 feet to a 5/8 inch iron rod set in the Southerly margin of County Road No. 323 (Cantrell Road); thence along said Southerly margin run North 89° 54' 28" East 2770.80 feet to a 5/8 inch iron rod; thence continuing along said margin run North 89° 49' 45" East 880.95 feet; thence South 289.76 feet to a 5/8 inch iron rod; thence South 52° 50' 58" East 231.69 feet to a 5/8 inch iron rod, thence East 352.74 feet; thence South 1258.41 feet to the true point of beginning, all in Lane County, Oregon.

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SALEM, OR

R-88713

CT 248895
RETURN TO CASCADE TITLE CO.
EUGENE-0162 SV
18-05-d #100

Approved for Recording
by City of Eugene

Date: 2-2-06
Kiki Stewart
Deputy City Recorder

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City of Eugene
Attn: Russ Royer
858 Pearl Street
Eugene, OR 97401

Division of Chief Deputy Clerk
Lane County Deeds and Records

2006-007672



\$36.00

00776208200600076720030038

02/02/2006 02:35:57 PM

RPR-DEED Cnt=1 Stn=15 CASHIER 08
\$15.00 \$11.00 \$10.00

General Warranty Deed

THE GRANTOR, THE NATURE CONSERVANCY, whose address 4245 North Fairfax Drive, Suite 100, Arlington, Virginia 22203, as owner, conveys and warrants to the **CITY OF EUGENE**, an Oregon municipal corporation, whose address is 858 Pearl Street, Eugene, OR 97401, ("**GRANTEE**"), the following described real property, free of encumbrances except as specifically set forth herein, situated in the County of Lane, State of Oregon:

See attached Exhibit A, incorporated herein by reference.

SUBJECT TO Covenants, Conditions, Encumbrances, and Restrictions of record, or which would be apparent from a physical inspection of the Property.

WITH WARRANTY COVENANTS.

The Property is conveyed to the City of Eugene at no cost. The true consideration for this conveyance is \$0.00.

TO HAVE AND TO HOLD the said property, with its appurtenances, unto the Grantee, its successors and assigns forever.

Grantor covenants and warrants that it is lawfully seized and possessed of the real property aforesaid and has the full right, power and authority to execute this conveyance, and that said real property is free and clear of all liens, claims or encumbrances, except as shown above, and that Grantor will defend the title to the real property conveyed herein and quiet enjoyment thereof against the lawful claims and demands of all persons.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND

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SEND TAX STATEMENTS TO:

CITY OF EUGENE
858 PEARL STREET
EUGENE, OR 97401

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SALEM, OR

R-88213

