

Land Use Information Form: Permits, Hydroelectric Licenses,  
Water Uses in Addition to Classified Uses

RECEIVED

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

DEC 20 1994  
WATER RESOURCES DEPT.  
SALEM, OREGON

Applicant's Name: ACE & MARIAN Adams  
Address: 301 HOLMESTEAD P.O. Box 268  
City: WILLIAMS State: OR Zip: 97544 Day Phone: 503-846-7506

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING Rural Residential/RR-5)	(e.g.)	WATER DIVERTED	WATER CONVEYED	WATER USE
39-05-02 704	RR-5				
39-05-02 704 39-05-02 713	RR-5				

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

Application No. 82-15041  
Permit No.

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.  
Cite applicable ordinance section(s); 61.020 (A). Go to section b) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

Receipt for Request for Land Use Information

WRD Applicant Name: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date of Information Request: \_\_\_\_\_

(for Local Use Continued)

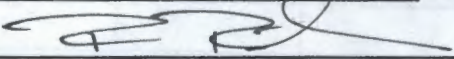
(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

b) Please provide printed name and written signature.

Name: RICHARD W. RICKER Date: 15 DEC 94


Title: PLANNING ASST. Phone: 474-5421

Signature: 

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

Additional Comments:

THE PONDS ARE PRIVATE PONDS USED FOR  
AGRICULTURAL PURPOSES, IRRIGATION, +  
PRIVATE RECREATION. NO COMMERCIAL USE.  
A PERMITTED USE - PRIVATE USES.

 12-15-94

## MONAGON Dawn L

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**From:** SMITH Kathy A  
**Sent:** Wednesday, January 07, 2015 9:36 AM  
**To:** MONAGON Dawn L  
**Subject:** Application R75641

Hi Dawn,  
For application R75641, there is no location on the certificate in terms of quarter quarter. Can you see if there is anything in the file? Thanks.

Kathy Smith  
Watermaster, District 14  
541-479-2401  
Fax: 541-479-2404

January 16, 1996

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WATER  
RESOURCES  
DEPARTMENT

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Dear **Applicant**,

The 1995 Legislature passed House Bill 2376, a law which requires the Department to issue water right certificates on reservoirs applied for under House Bill 2153 (1993 Ponds Bill).

**Our staff is preparing to issue your certificate(s). However, we need a map showing the location of the use, such as the house or area irrigated, and an indication as to the number of acres irrigated.**

In order to expedite the processing of your certificate(s), we request that you submit the additional information listed above by **January 31, 1996**. A copy of your original application map is enclosed.

Should you have any questions please feel free to call the Water Rights Information Group at 1-800-624-3199, extension 499.

Sincerely,



Gerry Clark  
Completeness Team



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Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

STATE OF OREGON  
COUNTY OF Josephine

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

ACE ADAMS  
ADAMS, MARIAN  
PO BOX 268  
WILLIAMS, OR 97544

confirms the right to store the waters of  
RUNOFF, A TRIBUTARY OF EAST FORK WILLIAMS CREEK IN AN UNNAMED  
RESERVOIR  
for AGRICULTURE AND LIVESTOCK.

The right to store and use these waters was perfected under Reservoir Application R-75641.  
The date of priority is January 1, 1993. The amount of water entitled to be stored and  
used each year under this right is not more than 1.44 ACRE-FEET

Located as follows:

1/4 1/4 SECTION 2, TOWNSHIP 39 SOUTH, RANGE 5 WEST WM.

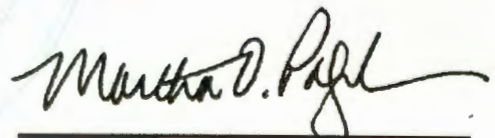
ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife (ODFW). If the subject pond is in-channel and fish are present, the certificate holder is directed to contact the ODFW Fish Passage Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

If water is to be diverted from an in-channel pond where fish are present, the certificate holder shall install, maintain and operate fish screening and by-pass devices as required by ORS 498.306 through ORS 498.346 and approved by ODFW. Contact the ODFW Fish Screening Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

WITNESS the signature of the Water Resources Director, affixed **FEBRUARY 27, 1996.**



Martha O. Pagel

PRE-TR APPLICATION PROCESSING OUTLINE

Application File #

R 75641

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

12/10/94  
[Handwritten scribbles]

[Handwritten scribbles]

- Name and mailing address of applicant
- Source of water
- Quantity of water
- Map showing location of POD & POU
- Use of water
- Names and addresses of legal owners
- Signature of applicant
- Oath
- Application date stamped per money receipt date
- Land use approved  pending
- If reservoir < 5 AF \$ 50, if > 5 AF \$ \_\_\_\_\_
- HB 2153/HB 2107 APPLICATION -- SEE REVERSE
- Route to Data Center (Unless 2153/2107)

DATA CENTER

Stream Code \_\_\_\_\_  
Entered into WRIS

SUPPORT SERVICES

3/13/95

[Handwritten signature]

- Stamp contents with application number
- Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file
- Place label on file and calender card

APPLICATION SECTION

Stream Indexed Basin # \_\_\_\_\_  
 Plat Carded and copy made YES NO  
 If dam is over 10 feet or storage exceeds 9.2  
 AC-FT, route file to Dam Safety Section

TR CASEWORKER

TR Checklist complete YES NO  
 Within Irrigation District \_\_\_\_\_  
 District Notified \_\_\_\_\_  
 District excerpt received \_\_\_\_\_

TR Mailed DATE \_\_\_\_\_

Public Interest Checklist complete \_\_\_\_\_

Management Codes \_\_\_\_\_

REMARKS: \_\_\_\_\_

MINIMUM APPLICATION REQUIREMENTS TO FILE:

**HB 2153 - existing, small, EXEMPT ponds**

\_\_\_\_\_  
(date & initials) NOTICE OF EXEMPT RESERVOIR form (or letter if prior to April 8, 1994).

\_\_\_\_\_  
Appropriate map (see item 1 on form).

\_\_\_\_\_  
Evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation).

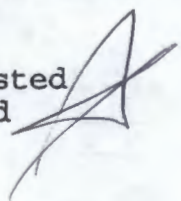
\_\_\_\_\_  
Items 2, 3, 4, 5, and 6 are completed.

\_\_\_\_\_  
Signature (and title, if applicable)

**HB 2153 - non-exempt existing ponds (large, on-channel)**

Complete Minimum Requirements to File on reverse, except before routing to Data Center, change priority date to 1/1/1993. Also, confirm the following:

\_\_\_\_\_  
Receipt of evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation)



**HB 2107 - wetland, stream restoration and storm water management**

Complete Minimum Requirements to File on reverse EXCEPT DO NOT ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the following:

\_\_\_\_\_  
Name/address of adjacent property owner within 1/4 mile

\_\_\_\_\_  
Map with scale not less than 2 in.=1 mi.

\_\_\_\_\_  
CWRE map if > 10 feet dam or > 9.2 AF

\_\_\_\_\_  
Description of proposed use

\_\_\_\_\_  
Condition addressed

\_\_\_\_\_  
Resulting benefits

\_\_\_\_\_  
Public notices (circle) #1 #2

RECEIVED

JAN 30 1995

WATER RESOURCES DEP.  
SALEM, OREGON

January 29, 1995

WaterWatch of Oregon, Inc.  
921 S. W. Morrison #438  
Portland, OR 97205

Water Resources Department  
158 12th St. N. E.  
Salem, OR 97310

RE: Application for Permit #R75641, Ace Adams  
E. Fk. Williams Cr., Josephine Co., Ag & Livestock

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions, and concerns:

Is there unappropriated water available for this proposed use? Does the Department have adequate data to accurately determine the 50% and 80% exceedence levels?

What effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation, and a healthy aquatic system?

This water source may suffer from water quality problems. Has the Department consulted with the Department of Environmental Quality to determine the effect this proposed withdrawal will have on water quality?

If this water source provides habitat to native fish during any phase of their life cycle, WaterWatch requests that the Department include conditions requiring the installation and maintenance of fish screening and bypass devices prior to any diversion of water.

Will this proposed diversion require a dredge & fill permit from the U. S. Army Corps. of Engineers, a fill and removal permit from the Division of State Lands, or a 401 certificate from the Department of Environmental Quality?

Will this proposed use be compatible with Goal 5 elements of the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

This is apparently an existing illegal use. Will the continued use without a permit cause harm to existing water rights and the public interest?

Please send WaterWatch a copy of the department's technical review of this application.

Sincerely,



Jim Myron



## NOTE TO LOCAL GOVERNMENTS

RECEIVED

DEC 20 1994

WA  
SALEM, OREGON

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, 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 both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.



### Description of Water Use

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: ACE G. ADAMS  
Address: 301 HOLMESTEAD (PO BOX 268)  
WILLIAMS OR 97544  
Phone: 503-846-7506

39-5-2 TL 704.713

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): \_\_\_\_\_
- Livestock (type of livestock, feedlot, slaughterhouse): Sheep, cow, horse
- Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- Institutional (i.e., school, library, etc.): \_\_\_\_\_
- Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_
- Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- Other (Name and list key characteristics): \_\_\_\_\_

Application No. R-75641  
Permit No.

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input checked="" type="checkbox"/> Surface Water Name sources: _____ _____	_____ Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
<input checked="" type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

Application No. R-75641



State of Oregon  
WATER RESOURCES DEPARTMENT

Application for a ~~Permit to Construct~~ <sup>existing</sup> a Reservoir

Applicant(s) ACE & MARIAN ADAMS  
(Please print or type - use dark ink)

Mailing Address: P.O. Box 268  
WILLIAMS, OR 97544 503-846-7506  
City State Zip Daytime Phone No.

I (We) make application for a permit ~~to construct~~ <sup>of existing</sup> pond ~~reservoir~~ and store the following described waters of the State of Oregon:

1. SOURCE OF WATER for the ~~proposed~~ <sup>existing</sup> use: GROUND & SURFACE,  
a tributary of \_\_\_\_\_  
If not in channel of a stream, state how it is to be filled: \_\_\_\_\_

2. THE DAM: The maximum height of the structure ~~will be~~ <sup>15</sup> 6' feet above stream bed or ground surface at the centerline.  
The dam ~~will be~~ <sup>15</sup> (check one)  earthfill, \_\_\_\_\_ concrete, \_\_\_\_\_ flashboard, \_\_\_\_\_ other.  
If "other" give description: \_\_\_\_\_

Give the location, description, and dimensions of the outlet conduit: SEASONAL overflow

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water ~~will be~~ <sup>15</sup> AGRICULTURE & LIVESTOCK

4. THE AMOUNT OF WATER ~~to be~~ stored is: 1.44 acre-feet.  
The area submerged by the reservoir, when filled, ~~will be~~ <sup>is</sup> \_\_\_\_\_ acres,  
and the maximum depth of water will be <sup>15</sup> 6-8' feet.

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam. OVER / SEASONAL

6. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin existing

Proposed date construction work will be completed \_\_\_\_\_

Proposed date water use will be completed \_\_\_\_\_

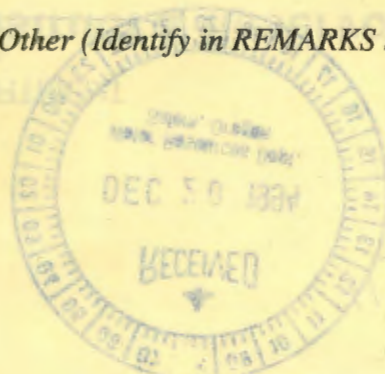
NOTE: Prior to issuance of a permit, it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

Applicant     CWRE     Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

Applicant     CWRE     Other (Identify in REMARKS section)



8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS: 2 ponds, existed prior to ownership  
1990. ARE GROUND FED AND RETAIN WATER YEAR ROUND  
SEASONAL WEATHER WILL FILL TO OVERFLOW CAPACITY  
AND FILL POND BELOW OUR PROPERTY

I/We 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:

Signature

Signature

Date

Date

12-15-94

12-15-1994

**RECEIVED**  
**DEC 20 1994**  
WATER RESOURCES DEPT.  
SALEM, OREGON

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**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

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-----  
In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

RECEIVED  
DEC 2 1944  
MAY 17 1944  
MAY 17 1944

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 20 day of December, 1944, at 8:00 o'clock, A M.

APPLICATION NO: R-75640