

\$ 400 check



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

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DEC 12 2016

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

SALEM, OR

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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

**1. APPLICANT INFORMATION**

Applicant: Samantha Kopp  
First Last

Mailing Address: 126 Oak Way

Roseburg OR 97471  
City State Zip

Phone: \_\_\_\_\_ (511) 900-9233  
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: NONE

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: Umpqua River

C. County in which diversion occurs: DOUGLAS

App. No. <u>R-88344</u>	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
24	7	250	SW	502

**E. Dam:** Maximum height of dam: ~~0~~ 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: ~~1~~ 1

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.

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**5. PROPERTY OWNERSHIP**

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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:

SAMANTHA KOOP  
 126 OAK WAY ROSEBURG OR 97471

**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 <i>W</i>	Address	
City <i>V</i>	State	Zip

**8. DESCRIPTION**

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

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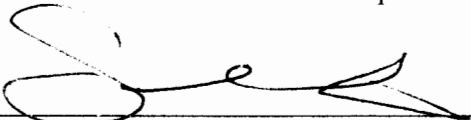
SALEM, OR

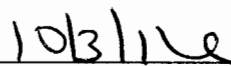
If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

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**9. SIGNATURE**

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

  
\_\_\_\_\_  
Landowner Signature

  
\_\_\_\_\_  
Date

**Before you submit your application be sure you have:**

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

# 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:

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:

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

NO     YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

*Susan Douthett*                      Date: 10/5/2016

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

SALEM, OR

Douglas County Official Records  
Patricia K. Hitt, County Clerk

2014-013013

10/02/2014 11:36:52 AM

DEED-BS Cnt=1 Str=2 BRANDY  
\$15.00 \$11.00 \$10.00 \$20.00

\$56.00

## DOUGLAS COUNTY CLERK



# CERTIFICATE PAGE

**DO NOT REMOVE THIS PAGE FROM ORIGINAL  
DOCUMENT**

**THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED**

First American Title  
1700 NW Garden Valley Blvd. #204  
Roseburg, OR 97471

2313409 KB

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R-88344



After recording return to:  
Samantha Kopp  
214 Oak Way  
Roseburg, OR 97471

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Samantha Kopp  
214 Oak Way  
Roseburg, OR 97471

File No.: 7391-2313409 (KB)  
Date: September 23, 2014

THIS SPACE RESERVED FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

**Dylan T. Lynch, Keenan P. Lynch and Brian J. Lynch**, Grantor, conveys and warrants to **Samantha Kopp**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**LEGAL DESCRIPTION:** Real property in the County of Douglas, State of Oregon, described as follows:

**Parcel 1 of Land Partition No. 2001-0099, as recorded in "Record of Partition Plats", records of Douglas County, Oregon.**

**Subject to:**

1. 2014/2015 Property Taxes, a lien not yet payable
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$120,000.00**. (Here comply with requirements of ORS 93.030)

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# ODFW Alternate Reservoir Application Review Sheet

**This portion to be completed by the applicant.**

Applicant Name/Address/Phone/Email: SAMANTHA KOPP  
126  
~~126~~ OAK WAY ROSEBURG, OR 97471 (541) 900-9233

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 AO<sup>1</sup> 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 NMF<sup>2</sup> are or were historically present? .....  YES  NO  
 (if yes then proceed to #3; if no then proceed to #4)
- 3) If NMF are or were historically present:
  - a. Is there an ODFW-approved fish-passage plan? .....  YES  NO
  - b. Is there an ODFW-approved fish-passage waiver or exemption? .....  YES  NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

- 4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream? .....  YES  NO  
 Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

Any diversion or appropriation of water for storage during the period \_\_\_\_\_ through \_\_\_\_\_ poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 15.

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<sup>1</sup> 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)

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

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Lined area for text entry.

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)

Lined area for text entry.

ODFW Signature: Eric Himmelreich Print Name: Eric Himmelreich  
ODFW Title: Fish Habitat Restoration Biologist Date: 9/13/16

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

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Revised 10/4/12

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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

Applicant: SAMANTHA Kopp  
First Last

Mailing Address: 126 OAK WAY  
ROSEBURG OR 97471 Daytime Phone: (541)900-9233  
City State Zip

WS16-0732

## 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:
26	7	25D		502	RCL	<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	
						<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:

## 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) \_\_\_\_\_

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:

CONTAIN WATER / SPRING

**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. RECEIVED BY OWRD

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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): 3.8.150

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
	RECEIVED BY OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	DEC 12 2016	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	SALEM, OR	<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.

R121022

WS16-0732

**DOUGLAS COUNTY PLANNING DEPARTMENT**  
**ROOM 106, JUSTICE BUILDING**  
**DOUGLAS COUNTY COURTHOUSE**  
**ROSEBURG, OR 97470**

Name: Thomas McIntosh Title: DP

Signature: [Signature] Phone: 541-440-4289 Date: 10-3-16

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: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

R-88344



**DOUGLAS COUNTY PLANNING & BUILDING**

Room 106, Justice Building  
Douglas County Courthouse, Roseburg, Oregon 97470  
Planning - (541) 440-4289  
Building - (541) 440-4559

Date Printed:  
**10/3/2016**  
**10:42 am**

**Permit Number: RCPT16-1666**

Job Address: ,

Receipt: P24658

<b>Fee Description</b>	<b>Fee Amount</b>
LAND USE COMPATABILITY STATEMENT	\$165.00
<b>Total Fees Paid:</b>	<b>\$165.00</b>

Date Paid: **10/3/2016**

Paid By: **SAMANTHA KOPP**

Pay Method: **CREDIT CARD 024234**

Received By: **KENDALL M. BENTLEY**

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R-88344



# Douglas County

## Planning and Sanitation Pre-Application Worksheet

### OTHER ACTION

Worksheet Number <b>WS16-0732</b>	Applicant <b>KOPP, SAMANTHA</b> 214 OAK WAY ROSEBURG, OR 97471 (541) 900-9233	Owner <b>KOPP, SAMANTHA</b> 214 OAK WAY ROSEBURG, OR 97471
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#### SITE INFORMATION

Site Address <b>126 OAK WAY ROSEBURG, OR 97471</b>	MTL <b>26-07W-25D-00502</b>	Property ID Number (Primary) <b>R121022</b>	Size (Acres) <b>5.00</b>
Improvement <b>LUCS FOR WATER RES. DEPT.</b>	Proposed Use <b>Land Use Compatibility Statement</b>		
Existing Structures (Number and Type) <b>NA</b>	Distance of Building Site from River, Creek, or Stream Bank <b>NA</b>		
Directions <b>NA</b>			

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As, for, or on behalf of, all property owners: **SALEM, OH**

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

#### PLANNING DEPARTMENT INFORMATION

Zoning <b>5R</b>	Overlays
---------------------	----------

#### SETBACKS (Rural Residential - 5 Acre)

Front Property Line of Right of Way <b>30 Feet</b>	Rear Line <b>10 Feet</b>	Side Line <b>10 Feet</b>	Exterior Side Line <b>NA</b>
Sign Code <b>NO SIGN PROPOSED - N/A</b>	Special Setback <b>NA</b>	Riparian Setback <b>50 FEET</b>	
Parking Spaces Required <b>NA</b>	Building Height <b>45 Feet</b>	Flood Plain <b>No</b>	Floor Height Above Ground <b>NA</b>

Conditions of Approval  
**LUCS FOR OREGON WATER RESOURCES DEPARTMENT TO CONTAIN WATER/SPRING. NO STRUCTURAL DEVELOPMENTS AUTHORIZED. MUST MEET ZONE/SETBACK REQUIREMENTS.**

Sanitation <b>N/A</b>	Sanitary District	Water <b>N/A</b>	Access Permit Required? <b>NO</b>
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Report Codes  
**NONSTRUCTURAL N/A N/A COUNTY ACCESS STATE COMPAT.**

Refer To

Approved By: <b>TJM</b>	Date: <b>10/3/2016</b>	Receipt #:	Amount: <b>\$ 0.00</b>	Expiration Date: <b>10/3/2017</b>
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#### SANITATION INFORMATION

SE#	STP#	Existing System	System:    Approved ___ Denied ___
Remarks			
By:	Date:	CSC Date:	

**R-08344**

**Laura A. Duncan**

---

**From:** Kendall M. Bentley  
**Sent:** Monday, October 03, 2016 10:56 AM  
**To:** Laura A. Duncan  
**Subject:** Kopp  
**Attachments:** SKMBT\_42316100310510.pdf

Here is what she left in our office. It will be in the basket for her to come back to pick up.

Thank you,

Kendall Bentley

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## Appendix A

Developing your water right often entails grading trenching or other types of construction within waterways, riparian areas, and wetlands. Permits from local, state or federal agencies may be required. A good first step is to check with your local city or county planning office. The following information was provided by the Oregon Division of State Lands.

### **Activities in Wetlands and Waterways are Regulated by:**

- The Division of State Lands (DSL) under the State Removal-Fill Law
- The U.S. Army Corps of Engineers (Corps) under the Federal Clean Water Act and Rivers and Harbors Act
- The State Department of Forestry under the Forest Practices Act
- The U.S. Natural Resource Conservation Service (NRCS) under the Food, Agriculture, Conservation and Trade Act
- Some City and County land use ordinances

### **What Areas are Regulated?**

- Rivers streams and most creeks
- Estuaries and tidal marshes
- Lakes and some ponds
- Permanent and seasonal wetlands
- Regulations apply to all lands, public or private
- A wetland does not have to be mapped by the state or otherwise 'designated' to fall under the regulations
- If you are uncertain if there are regulated wetlands on your property, contact DSL for assistance.

### **What Activities are Regulated?**

- Placement of fill material
- Alteration of stream bank or stream course
- Ditching and draining
- Plowing/disking non-farmed wetlands
- Excavation or dredging of material
- In-water construction (may also require a lease from DSL)
- For some activities, joint application forms can be obtained from DSL or the Corps

### **What Activities are Exempt**

- Some routine maintenance activities
- Established, ongoing agricultural activities and grazing
- Some minor projects involving small amounts of fill or removal

### **How are Laws Enforced?**

The best enforcement is to prevent illegal wetland alterations through information and education. However, when violations do occur, a variety of enforcement tools may be used, including restoration orders, fines of up to \$10,000 per day (DSL), civil and/or criminal charges.

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