



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: Casey First Aschim Last
Mailing Address: 7007 N.E. Mineral Springs Rd.
Carlton City OREGON State 97111 Zip
Phone: 503-550-5694 Home Work Other
Fax: 503-852-7740 E-Mail Address*: Casey120-3@yahoo.com
* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

2. AGENT INFORMATION

The agent is authorized to represent the applicant in all matters relating to this application.

Agent: _____ First _____ Last _____
Mailing Address: _____
City _____ State _____ Zip JUN 22 2017
Phone: _____ Home _____ Work _____ Other SALEM, OR
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: N/A
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: Unnamed Stream Tributary to: Hawn Creek
C. County in which diversion occurs: Yamhill

App. No. <u>R-88420</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
35	4W	35		R3435

E. **Dam:** Maximum height of dam: 9' 6" 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.

"Multipurpose USE"

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?

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☒ **Yes** (please check appropriate box below then skip to section 5)

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☐ 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:

JERRY FOUTS and JOAN LUK

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.

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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.

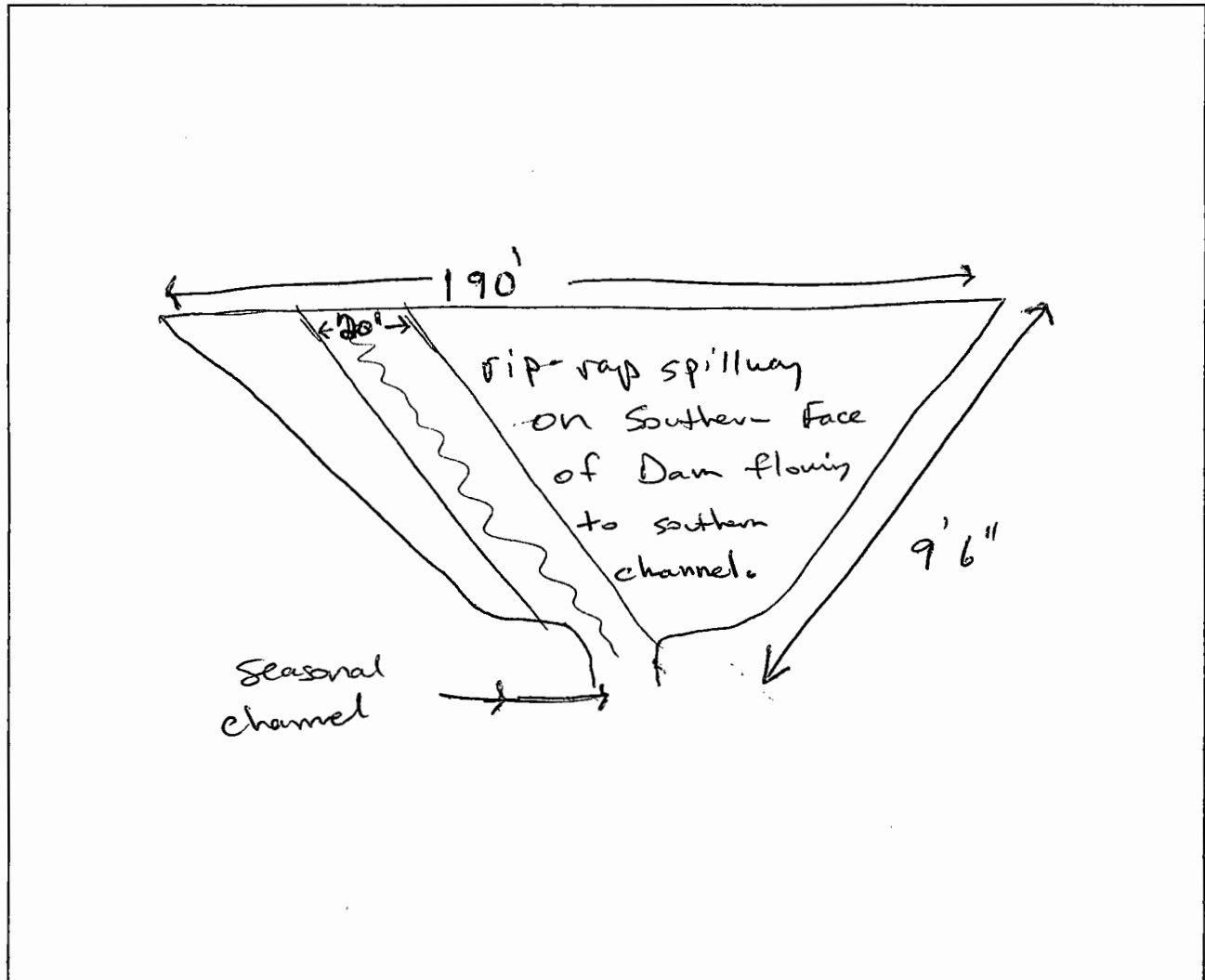
Irrigation District Name	Address	
City	State	Zip

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.

I will use excavated dirt from the South-West End of the reservoir location to build an earthen Dam 190' in length and back water in the natural canal on my property. It will be 9'6" tall and should roughly hold about 5 acre feet of water in its entirety. The length of the reservoir is 420' running East to West, with an average width of 2160'. The spillway will consist of a rip-rap waterway on the Southern face for high flow times.

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.

Casen L. Arch
Landowner Signature

4/20/17
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.

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GRANTOR: Casey L. Aschim and Jaclyn D. Aschim

GRANTEE: Casey L. Aschim and Jaclyn D. Aschim

SEND TAX STATEMENTS TO:
Casey L. Aschim and Jaclyn D. Aschim
7295 NE Mineral Springs Road
Carlton, OR 97111

AFTER RECORDING RETURN TO:
Casey L. Aschim and Jaclyn D. Aschim
7295 NE Mineral Springs Road
Carlton, OR 97111

Escrow No: 471814036779-TTMIDWIL36

SPACE ABOVE THIS LINE FOR RECORDER'S USE

BARGAIN AND SALE DEED – STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Casey L. Aschim and Jaclyn D. Aschim, as tenants by the entirety, Grantor, conveys to Casey L. Aschim and Jaclyn D. Aschim, as tenants by the entirety, Grantee, the following described real property, situated in the County of Yamhill, State of Oregon,

See Legal Description Attached hereto as Exhibit 'A'

This conveyance is made solely as an adjustment of common boundary between adjoining properties, and does not create a separate parcel that can be conveyed independently of adjacent land, pursuant to Yamhill County Planning Docket L-03-15. (See ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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471814036779-TTMIDWIL36
Deed (Bargain and Sale – Statutory Form)

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R-88420

EXHIBIT 'A'

EXPIRES 31 DECEMBER 2016

Leland MacDonald & Assoc.
3765 Riverside Drive
McMinnville, OR 97128
Phone: 472-7904
Fax : 472-0367



26 March 2015

Description of Real property for: JACKI ASCHIM - Tax Lot 3435 -
~~00500~~ after adjustment, 41.54 acre tract.
00300

A tract of land located in Section 35, Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows:

Commencing at an iron pipe and brass disk marking the northeast corner of the Joel J. Hembree Donation Land Claim Number 69, said disk being a point on the centerline of MINERAL SPRINGS ROAD; thence South 05°18'49" East 1158.34 feet along said centerline to the most easterly southeast corner of that tract of land described in deed to DAVID J. FOUTS and JOAN I. LUSK, recorded October 19, 1988 in Film Volume 226, Page 2120, Deed Records of Yamhill County, Oregon; thence WEST 515.89 feet to a point on the south line of said tract, and the POINT OF BEGINNING ; thence South 00°09'00" West 511.52 feet to a point on the south line of that tract of land described in deed to DONALD PEKKOLA and ELI PEKKOLA, recorded January 19, 1959 in Film Volume 3, Page 221, Deed Records of Yamhill County, Oregon; thence North 89°51'00" West 2231.32 feet to the southwest corner of said PEKKOLA tract; thence NORTH 522.19 feet to a 3/4 inch iron pipe marking the northwest corner of said PEKKOLA tract being the southwest corner of that tract of land described in deed to DONALD PEKKOLA and ELI PEKKOLA, recorded December 6, 1961 in Film Volume 163, Page 790, Deed Records of Yamhill County, Oregon; thence NORTH 270.80 feet to a 1-inch iron pipe marking the northwest corner of last said PEKKOLA tract; thence EAST 2721.83 feet to the northeast corner of last said PEKKOLA tract, being a point in the centerline of said road; thence South 05°18'49" East 271.97 feet along said centerline to an iron pipe marking the southeast corner of last said PEKKOLA tract, being the northeast corner of said FOUTS and LUSK tract; thence WEST 975.52 feet to an iron rod marking the southeast corner of that tract of land described in deed to DAVID J. FOUTS and JOAN I. LUSK-FOUTS, recorded March 20, 2015 in Instrument No. 201503532, Deed Records of Yamhill County, Oregon;

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thence North 13°55'39" East 75.01 feet to an iron rod marking the north east corner of last said tract; thence North 89°05'55" West 106.06 feet to an iron rod marking the northwest corner of last said tract; thence South 09°09'41" West 75.44 feet to an iron rod marking the southwest corner of last said tract, being a point on the south line of last said PEKKOLA tract; thence WEST 229.93 feet to a point on said south line being the northwest corner of said FOUTS and LUSK tract (Film Volume 226, Page 2120); thence along the west and south lines of said FOUTS and LUSK tract the following courses and distances: South 05°00'00" West 93.43 feet; thence South 82°07'00" East 105.40 feet; thence South 54°30'00" East 120.30 feet; thence South 62°13'00" East 31.40 feet; thence South 73°30'00" East 30.70 feet; thence South 81°41'00" East 139.80 feet; thence North 51°07'00" East 60.60 feet; thence North 34°07'00" East 66.20 feet; thence North 40°27'00" East 69.60 feet; thence North 55°47'00" East 30.00 feet; thence South 89°32'00" East 55.40 feet; thence North 77°35'00" East 56.80 feet; thence North 65°27'00" East 60.20 feet; thence North 80°15'00" East 29.50 feet; thence EAST 52.38 feet to the POINT OF BEGINNING, containing 41.54 acres of land, more or less, as shown by Exhibit "___B___".

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Exhibit " B " for : Jacki Aschim

LOCATION: NORTH HALF OF SECTION 35 OF TOWNSHIP 3 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN,
A PORTION OF THE JOEL J. HEMBREE DONATION LAND CLAIM NUMBER 69,
YAMHILL COUNTY, OREGON

TAX LOT: R3435 - 00300 & 00500

DATE: 25 March 2015

LEGEND

- O = SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "L. MACDONALD & ASSOC." SET WITHIN 0.2' OF SURFACE
- = MONUMENT FOUND WITHIN 0.2' OF SURFACE IN GOOD CONDITION UNLESS OTHERWISE STATED ORIGIN STATED IF KNOWN
- ✕ = FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED, "MATT DUNKEL & ASSOC.", SET IN CS-12386, IN GOOD CONDITION
- () = DATA OF RECORD AS NOTED
- * = DENOTES THAT MEASURED DATA MATCHES THAT OF CS-12386

Scale: 1"=300'

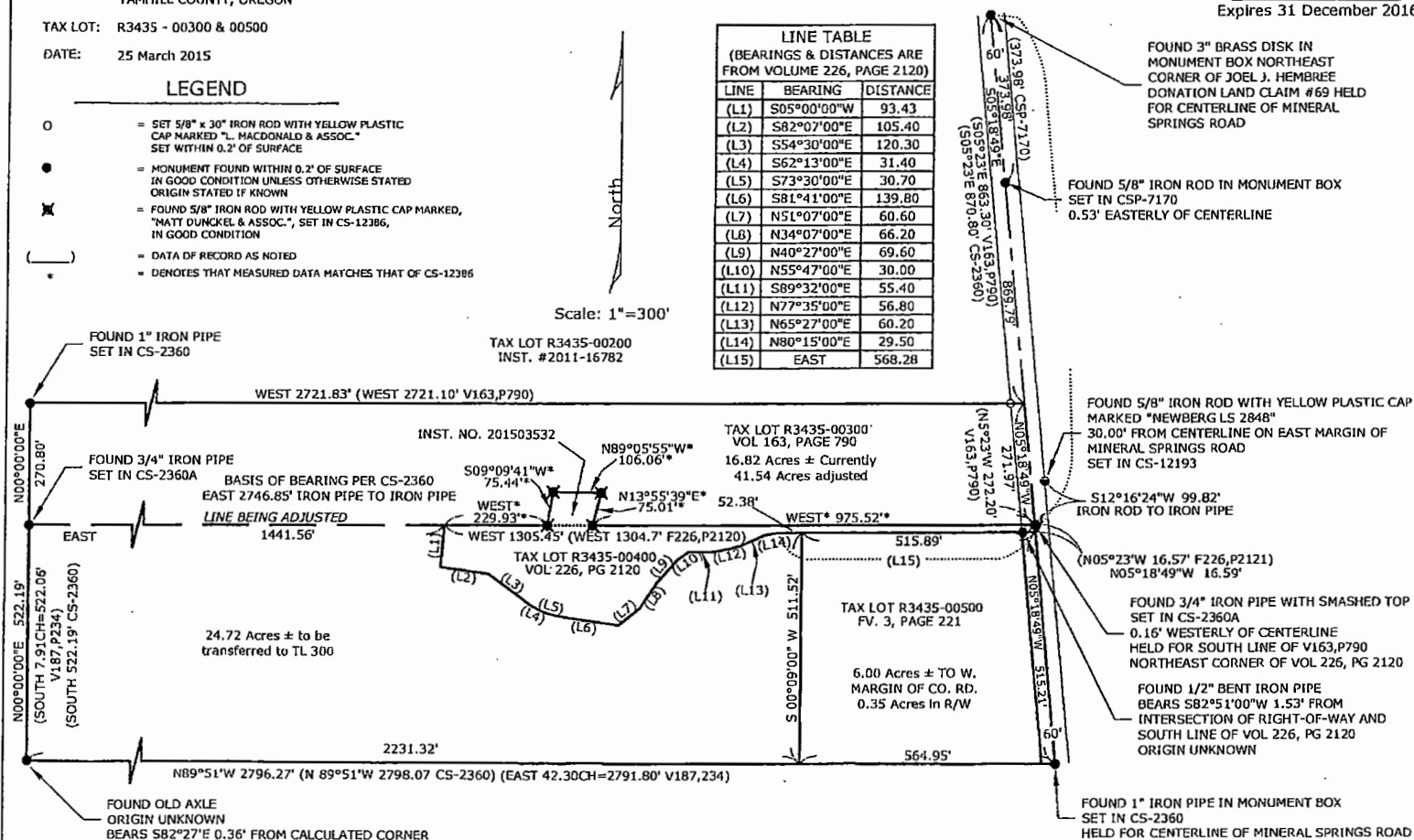
LINE TABLE (BEARINGS & DISTANCES ARE FROM VOLUME 226, PAGE 2120)		
LINE	BEARING	DISTANCE
(L1)	S05°00'00"W	93.43
(L2)	S82°07'00"E	105.40
(L3)	S54°30'00"E	120.30
(L4)	S62°13'00"E	31.40
(L5)	S73°30'00"E	30.70
(L6)	S81°41'00"E	139.80
(L7)	N51°07'00"E	60.60
(L8)	N34°07'00"E	66.20
(L9)	N40°27'00"E	69.60
(L10)	N55°47'00"E	30.00
(L11)	S89°32'00"E	55.40
(L12)	N77°35'00"E	56.80
(L13)	N65°27'00"E	60.20
(L14)	N80°15'00"E	29.50
(L15)	EAST	568.28

LELAND MACDONALD & ASSOC., LLC
FORMERLY DBA MATT DUNKEL & ASSOC.
3765 RIVERSIDE DRIVE
MCMINNVILLE, OREGON 97128
PHONE: 503-472-7904
FAX: 503-472-0367
EMAIL: LEE@MACDONALDSURVEYING.COM

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
January 16, 2002
LELAND A. MACDONALD
53226

Expires 31 December 2016



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#7932

EASEMENT

This Easement is executed by DAVID A. FOUTS and JOAN I. LUSK ("Grantors") and JACLYN ASCHIM and CASEY ASCHIM ("Grantees").

Recitals

Grantors own fee title to the parcel of land described in Exhibit A (the "Grantor Tract"). Grantees owns fee title to an adjoining tract of land described in Exhibit B (the "Grantees Tract"). In connection with the development and use of the Grantees Tract, Grantees has requested an easement over a portion of Tract A the benefit of the Grantees Tract.

Grant

Therefore, in consideration of \$1.00, the premises herein and other valuable consideration, the receipt and sufficiency of which are acknowledged, Grantors and Grantees agree as follows:

1. Grant of Easement. Grantors grants to Grantees, for the benefit of the Grantees Tract, a private, perpetual, nonexclusive easement (the "Easement") over and across the strip of land situated on the Grantor Tract described in Exhibit C (the "Easement Area"). The Easement will be used solely for the purposes of providing vehicular and pedestrian access and utilities to and from the Grantees Tract; the Easement may be used for such ingress and egress purposes only by (i) Grantees, its successors in ownership of the Grantees Tract, and the tenants, invitees, agents, and employees of Grantees and such successors, and (ii) utility providers providing services to the Grantees Tract (collectively, the "Users"), such use to be in common with use of the Easement Area by the owner of the Grantor Tract and its tenants, invitees, agents, employees, successors, and assigns. No above-ground structures, barriers, fences, buildings, or other improvements of any kind will be installed in the Easement Area other than roadway surfaces and improvements. Grantor reserves the right to use the Easement Area, together with the right to grant to third parties the right to use the Easement Area so long as such use does not unreasonably interfere with Grantees' permitted uses of the Easement. The grant of the Easement is made subject to all exceptions to title on file or of record in the Official Records of Yamhill County, Oregon.

2. Nature of Easement. The Easement granted herein will be appurtenant to, and for the benefit of, the Grantees Tract. Any conveyance of fee title to the Grantees Tract [or any portion that is a legal lot within the Grantees Tract] will include a conveyance of the Easement, regardless of

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whether the Easement is specifically identified in the instrument of conveyance.

3. Maintenance. The owners of the Grantor Tract and the Grantees Tract agree to maintain the easement in good state of repair. During the existence of this easement, the costs of repair and maintenance shall be the responsibility of the owners of the Grantor Tract and of the Grantees Tract equally. In the event that either of the owners of the Grantor Tract, or of the Grantees Tract, causes harm to the Easement not as a result of ordinary usage, such owner shall be solely responsible for repairing any damage so caused. Should any owner fail to correct any deficiency in its compliance with such repair obligation (an "Uncured Deficiency") prior to the expiration of thirty (30) days after the effective date of notice of such Uncured Deficiency from the other owner, or to pay that owner's share of the cost of such repair or maintenance, then the other owner, at its option (without any obligation to do so), may correct the Uncured Deficiency for the account of the other owner, who will reimburse the owner who incurs such expense in curing such default, together with interest thereon at the rate of nine percent (9%) per annum from the date expended until the date reimbursed to owner.

4. No Dedication. Nothing contained herein will be deemed to be a gift or dedication of any portion of the Easement Area to the general public, for the general public, or for any public use or purpose whatsoever.

5. Successors. This Easement will be binding on, and inure to the benefit of, the owners of the Grantor Tract and the Grantees Tract and their respective heirs, successors, and assigns.

6. Amendment. This Agreement may only be amended by written instrument executed by the then current owners of the Grantor and Grantees Tracts.

7. No Partnership. None of the terms or provisions of this Easement will be deemed to create a partnership between or among the parties, nor will it cause them to be considered joint venturers or members of any joint enterprise. This Agreement is not intended nor will it be construed to create any third-party beneficiary rights in any person who is not an owner of the Grantees or Grantor Tract.

8. Consents. Whenever the consent or approval of a party is required to be given hereunder, such consent or approval will not be unreasonably withheld, delayed, or conditioned unless the provision in question expressly stipulates another standard of approval.

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9. Notices. Any notice required or permitted by this Easement must be in writing and given by delivering the same in person to the recipient or by sending the same by registered or certified mail, return receipt requested, with postage prepaid, to the address of the owner of the Grantor Tract or Grantees Tract, as applicable, as shown on the current records of the tax assessor for Yamhill County, Oregon, with respect to the Tract in question.

Executed to be effective as of the 31st day of March, 2015.

Exhibits:

"A" Grantor Tract, "B" Grantees Tract, and "C" Easement Area

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GRANTORS:

David J. Fouts
Joan I. Lusk

DAVID J. FOUTS and JOAN I.
LUSK By: *DAVID J. FOUTS & JOAN I. LUSK*
Name:
Title: GRANTORS

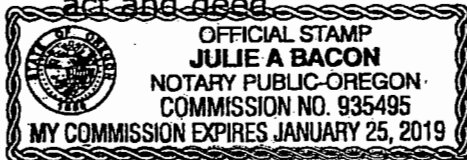
GRANTEES:

Casey Aschim
Jaclyn Aschim

JACLYN ASCHIM and CASEY
ASCHIM By:
Name: *Jaclyn and Casey Aschim*
Title: Grantees

STATE OF Oregon)
) ss.
County of Yamhill)

This instrument was acknowledged before me this 26 day of March,
2015, by DAVID J. FOUTS and JOAN I. LUSK, Grantors, as their voluntary
act and deed.



Julie A. Bacon
Notary Public for Oregon
My commission expires: January 25, 2019

STATE OF Oregon)
) ss.
County of Yamhill)

This instrument was acknowledged before me this 31st day of March,
2015, by JACLYN ASCHIM and CASEY ASCHIM, Grantees, as their voluntary
act and deed.



M. Teresa Smith
Notary Public for Oregon
My commission expires:

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LEGAL DESCRIPTION

-----BEGINNING at a point in the center of County Road, which is South 5°23' East, 1135.5 feet from the Northeast corner of the Donation Land Claim of Joel J. Hambree and wife, Notification No. 1527, Claim No. 69 in Section 35, Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and is also the Northeast corner of a certain tract of land described in Deed on Page 367 of Volume 81 of the Book of Deeds in Yamhill County, Oregon; and running thence West, 1304.7 feet to a stake; thence South 5°00' West, 93.43 feet to a stake; thence South 83°07' East, 105.4 feet to a stake; thence South 54°30' East, 120.3 feet to a stake; thence South 62°13' East, 31.4 feet to a stake; thence South 73°30' East, 30.7 feet to a stake; thence South 81°41' East, 139.8 feet to a stake; thence North 51°07' East 60.6 feet to a stake; thence North 34°07' East, 66.2 feet to a stake; thence North 40°27' East, 69.6 feet to a stake; thence North 55°47' East, 30.0 feet to a stake; thence South 89°32' East, 55.4 feet to a stake; thence North 77°35' East, 56.8 feet to a stake; thence North 65°27' East, 60.2 feet to a stake; thence North 80°15' East, 29.5 feet to a stake; thence East, 567.5 feet to a point in the center of the County Road; thence North 5°23' West, 16.57 feet to the point of beginning.-----

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EXHIBIT A
PAGE 1 OF 1

88-61-01

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: Casey Aschim 3S 4W 35

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: na

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

☒ NO ☐ YES

Who:

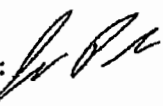
Agency:

Date:

Who:

Agency:

Date:

Watermaster signature: 

Date: 4-25-17

WRD Contact: Caseworker:

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

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NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Casey Aschim
7007 NE Mineral Springs Road, Carlton, OR 97111
503-550-5694 casey120_3@yahoo.com

Reservoir Name: N/A Source: Hawn Creek tributary Volume (AF): 5.0

Twp Rng Sec.QQ: 4S 4W 36 SE of NE Basin Name: Palmer Creek, S. Yamhill ☐ 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

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

- 1) Is the proposed project and AO¹ off channel? ☐ YES ☒ NO
(if yes then proceed to #4; if no then proceed to #2)
- 2) Is the proposed project or AO located where NMF² are or were historically present?..... ☐ YES ☒ NO
(if yes then proceed to #3; if no then proceed to #4)
- 3) If NMF are or were historically present:
- a. Is there an ODFW-approved fish-passage plan?..... ☐ YES ☐ NO
 - b. Is there an ODFW-approved fish-passage waiver or exemption?..... ☐ YES ☐ NO

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

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

- ☒ Any diversion or appropriation of water for storage during the period June 1st through October 31st 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)

As more water is appropriated to reservoirs in the Yamhill watershed, it will further limit the availability of cool, clean water downstream, which is critical to the survival of the native, migratory fish species (ESA-listed winter steelhead, coho salmon, Pacific lamprey, Western brook lamprey and cutthroat trout) all of which inhabit and spend their most sensitive life stages in the Yamhill basin. All of these species rely on cold, oxygenated water and healthy stream flows for migration and survival. Once water temperatures rise above 18 degrees centigrade, it can have significant impacts on their ability to survive. Holding water in reservoirs affects downstream habitat by increasing water temperatures, decreasing water availability (by evaporation as well as use) and dissolved oxygen concentrations, and raising concentrations of water quality limiting pollutants. The Yamhill River, to which the waters of this reservoir would lead, has exceeded water quality standards and been listed as a water quality limited (303 (d)) stream by the Department of Environmental Quality for the following: dissolved oxygen (January 1 – May 15), E.Coli (fall – spring), iron (year-round), manganese (year-round) and temperature (year-round). The water also exceeds healthy chlorophyll-a concentrations year-round. Additionally, permitted water use in the lower Yamhill currently exceeds average, natural flow rates through the months of July, August and September.

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)

Wq/riparian: Water should only be diverted dammed to fill the reservoir when state and water quality standards are met. At all other times, once the reservoir is full, all live flow should be bypassed, preferably in a manner that does not impact water quality.

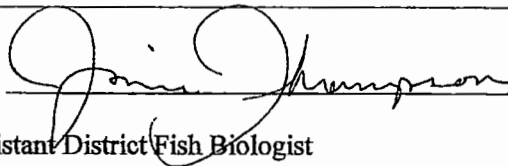
B51a: The period of use has been limited to November through May.

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ODFW Signature:



Print Name: Josie Thompson

ODFW Title: Assistant District Fish Biologist

Date: 6/6/17

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

Revised 10/4/12

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: Casey Aschim
First Last

Mailing Address: 7007 NE MINERAL SPRINGS RD.

Carlton OR 97111 Daytime Phone: (503) 550-5694
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:
35	4W	35		300	EF-80(AFLH)	☐ Diverted	☐ Conveyed	☒ Used	MULTI
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Yamhill.
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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) unnamed

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 _____

Briefly describe:

I want to store water from field drainage by constructing a small (9'6") dam in channel of the unnamed stream on my property. I will use the water to irrigate my young hazelnut orchard.

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. →

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): 402.02 of the YCZO
- ☐ 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.

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SALEM, OR

Name: Stephanie Armstrong Title: Associate Planner

Signature: [Signature] Phone: 503.434.7516 Date: 4/18/17

Government Entity: Yamhill 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: _____