# Application for a Permit to Use

# Surface Water



DEC 2 2 2017

# SECTION 1: APPLICANT INFORMATION AND SIGNATURE

PAUL H. HUTTER OR BRENDA Y. LAMB		-		PHONE (HM) 503-400-0450
PHONE (WK)	CELI			FAX
971-224-1226		_		
ADDRESS		_		
4215 SHORELINE DR. N	<del>-                                    </del>	Т=		
CITY Keizer	STATE OR	ZIP 97303	E-MAIL * HAZARD.PAUL.1019	@GMAIL COM
KEIZEK	OR	1 77303	TIAZARD.I AUC. 1012	WOMAIL.COM .
Organization Information				
NAME			PHONE	FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL *	
<b>Agent Information</b> – The agent is a	uthorized to	represe	nt the applicant in al	l matters relating to this applicatio
AGENT / BUSINESS NAME			PHONE	FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL *	
electronically. (Paper copies of the	final order	docume	-	
By my signature below I confirm the  I am asking to use water spece Evaluation of this application I cannot legally use water une The Department encourages of any proposed diversion. A  If I begin construction prior to the legal permit, I must not we have use must be competed to get water to which they are	final order  hat I under  cifically as a will be ba til the Wate all applicar cceptance of to the issuar vaste water. use is not ac atible with s a permit, e entitled.	docume  rstand:  describe sed on it er Resou ats to wa of this ap according local cor I may ha	d in this application.  If the application provided reces Department issuit for a permit to be application does not go permit, I assume all to the terms of the proper to stop using war are to stop u	in the application packet.  ues a permit to me.  issued before beginning construction  uarantee a permit will be issued.  risks associated with my actions.  permit, the permit can be cancelled

### SECTION 2: PROPERTY OWNERSHIP

conveyed, and used.	lands associated with the proje	ect from which the water is to be div	
∑ Yes		ber .	RECEIV
☐ There are no encumb	rances. cred by easements, rights of wa	y, roads or other encumbrances.	DEC 22 2-20
□ No			OWR
I have a recorded eas I do not currently have Written authorization own are state-owned domestic use only (C	submersible lands, and this app	ement permitting access.  ry, because the only affected lands I plication is for irrigation and/or	I do not
List the names and mailing addre	sses of all affected landowners	(attach additional sheets if necessa	ıry).
USAA Mortgage			
-	l ditch, canal or other work, an	m which the water is to be diverted, ad 3 Any property on which the wa	
A. Proposed Source of Water			
Provide the commonly used namestream or lake it flows into. If un		n water will be diverted, and the nan	ne of the
Source 1: Willamette River F	roject Reservoir	Tributary to: <u>Columbi</u>	ia River
Source 2:	Tributary to:		
Source 3:	Tributary to:		
Source 4:	Tributary to:		
		or a water right permit, certificate, on s, list the volume, page and/or decre	
B. Applications to Use Stored V	Vater		
Do you, or will you, own the rese	ervoir(s) described in item 3A a	bove?	
Yes.			
	• • •	ion to the operator of the reservoir o dy mailed or delivered to the operat	-

Revised 7/1/2017 Surface Water/4 WR

			application using the expedited e instruction booklet for more
standard proce	ess outlined in ORS 537.	ng that the Department process 150 and 537.153, rather than the order the standard process, you	he expedited process provided by
		ntract or other agreement with ter you propose to use in this a	the owner of the reservoir (if not application.
A copy of to you.	your written agreement	with the party (if any) deliveri	ng the water from the reservoir
SECTION 4: WATER U	SE		
gallons-per-minute (gpm).	If the proposed use is fro	om each source, for each use, i om storage, provide the amou is 325,851 gallons or 43,560 c	
SOURCE	USE	PERIOD OF USE	AMOUNT
Willamette River Project Reservoir	Lawn & garden irrigation	March – October	1.25 ☐ cfs ☐ gpm ☒ af
	,		cfs gpm af
			cfs gpm af
			☐ cfs ☐ gpm ☐ af
For irrigation use only: Please indicate the number	of primary and supplem	nental acres to be irrigated.	
Primary: 0.5 Acres	Supplemental:	Acres	
If supplemental Acres is li	sted, provide the Permit	or Certificate number of the u	nderlying primary water right(s):
Indicate the maximum tota	al number of acre-feet yo	u expect to use in an irrigation	n season: <u>1.0</u>
-	l or quasi-municipal, at		RECEIVEL
	indicate the number of h	ouseholds: <u>l</u> ; mined and the method(s) o	DEC 6 9 2047
if the use is mining,	describe what is being	, infined and the method(s) o	a caudotton.
			OWRD

## **SECTION 5: WATER MANAGEMENT**

<b>A.</b>		on and Conveyance quipment will you use to pump water from your source?
	N Pun	np (give horsepower and type):
	Oth	er means (describe):
		e a description of the proposed means of diversion, construction, and operation of the on works and conveyance of water.
В.	What e	ation Method quipment and method of application will be used? (e.g., drip, wheel line, high-pressure er) Sprinkler
C.		describe why the amount of water requested is needed and measures you propose to: prevent measure the amount of water diverted; prevent damage to public uses of affected surface
<u>be</u>	asured in	ate lawn and garden from March through October, consumption to be less than 1.25 af, water to be a gallon using a meter on the pump outlet, appropriate fish screens will be used on the inlet, timer will start and stop pump, pumping for short durations one to two times a day, with use based on n.
SE	CTION	6: RESOURCE PROTECTION
car	eful con sible pe	permission to use water from a stream or lake, the state encourages, and in some instances requires, trol of activities that may affect the waterway or streamside area. See instruction guide for a list of rmit requirements from other agencies. Please indicate any of the practices you plan to undertake to er resources.
	$\boxtimes$	Diversion will be screened to prevent uptake of fish and other aquatic life.  Describe planned actions: The pump inlet is 1.5 inch pvc meeting ODFW fish screen requirements.
		Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: No excavation or clearing will be completed, only laying of the line in the river
		Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: The only piece of equipment in the water will be the pvc inlet and fish screen, the pump will be located on land
		Water quality will be protected by preventing erosion and run-off of waste or chemical products.  Describe: None are used, the garden is organic
		QEC-N-D

DEC 23 2017

OWRD

SECTION 7: PROJECT SCHEDULE		
Date construction will begin: March 2018		
Date construction will be completed: March 2019		
Date beneficial water use will begin: May 2019		
SECTION 8: WITHIN A DISTRICT  Check here if the point of diversion or place of u other water district.	se are located within or se	rved by an irrigation or
Irrigation District Name	Address	
City	State	Zip

## **SECTION 9: REMARKS**

Use this space to clarify any information you have provided in the application. PECEIVED POD – N44.985808 & W123.037190

DEC 22 2017



DEC 2 2 2017

# Land Use Information Form



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

# NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

#### This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

# NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain landuse information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

# Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE. Suite A
Salem 773 1 66/
(503) 986 1 700
www.wrd.state.or.us
DEC 2 2 2017

Applicant:	Paul		First		<del></del>	_Hutter	Last	WA	D_
Mailing Ad	ldress:42	215 Shoreli				<u>-</u>	Casi		
_Keizer	City			ORState	97303	Da	aytime Phone:	_503-400	0-0450
A. Land	and Loca	ition			· ·			•	
(transporte	d), and/or u	sed or deve	loped. Ap	plicants for	s where water will be d municipal use, or irrig es for the tax-lot inform	ation uses w	ithin irrigation		
Township	Range	Section	1/4 1/4	Tax Lot#	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
7 S	3 W	3	SW/S E	073W03 DC0270 0	N44.985808 & W123.037190	Diverted	☐ Conveyed	☑ Used	Lawn & garden
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	Used	
						☐ Diverted	☐ Conveyed	Used	
Marion C	County & (	ity of Ke							
B. Descr	iption of	Propose	ed Use						
Permit to	olication to Use or Stor Water Use L	e Water	☐ Water	Right Transfe	es Department: er		r Ground Wate	r Registrati	on Modifica
Source of v	vater: 🛭 R	.eservoir/Po	nd 🗌	Ground Wat	er Surface Wate	er (name)	<del></del>		
Estimated of	quantity of	water need	ed:less t	than 1:25	Cubic feet p	er second	gallons per	minute [	☑ acre-feet
Intended us	se of water:		tion [	☐ Commerc ☐ Quasi-Mt			Domestic for Other		
Briefly des	cribe:								
Irrigation	of 0.59 a	cres of lav	vn and ga	ırden					
L		<del></del>			c				

# 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 be	low and provide the requested	d informat	ion DEC 22 2 2017
☐ Land uses to be served by the proposed wate	r uses (including proposed construction	ı) are allowe	<b>-</b> - · · · ·
regulated by your comprehensive plan. Cite	applicable ordinance section(s):		
☐ Land uses to be served by the proposed wate	r uses (including proposed construction	n) involve dis	scretionary land-
use approvals as listed in the table below. (P	lease attach documentation of applicab	le land-use a	pprovals which
have already been obtained. Record of Action approvals have been obtained but all appears.			
Type of Land-Use Approval Needed		The parage	
(e.g., plan amendments, rezones,	Cite Most Significant. Applicable Plan	Lan	d-Use Approval:
conditional-use permits, etc.)	Policies & Ordinance Section References	☐ Obtained	☐ Being Pursued
		☐ Denied	☐ 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
Name: Nate Brown	Title: Community	Dev D	٠٢.
Signature: The Stozon	Title: Community  Phone: 503 856	3437	Date: (1) 27 17
Government Entity: City of Kaiza			
Note to local government representative: Ple applicant. If you sign the receipt, you will have completed Land Use Information Form or WRI compatible with local comprehensive plans.	30 days from the Water Resources Dep	partment's no	tice date to return the
Receipt for Re	equest for Land Use Informa	ation	
Applicant name: TALL H. Herresc			
City or County: Kerrer	Staff contact: 🖊	VATE BA	LOUN BENTAMW COS
Signature:	Phone (50) 856-5	3437 Da	ate: 1/27/17
Revised 7/1/2017	Surface Water/12		WR

Surface Water/12

5-88488

## CONTRACT DATA SHEET



U.S. Bureau of Reclamation Attn: PN-3324 1150 North Curtis Road Boise, ID 83706-1234 208-378-5344

RECEIVED

DEC 22 2017

			managing rates in the rest
١.	App	plica	ant Information:
	A.	La	andowners
			Name of landowner(s):
		2)	Address: 4215 Shoreline Dr. North, Keizer, OR 97303
	,	3)	Mailing Address (if different):
		4)	Taxpayer Identification Number(s):  (Social Security Number or Employer Identification Number)  1.
		5)	Do you own all of the land where you propose to divert and make use of water?
	В.		ater User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User

Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

Name of Organization:

Name & Title of Applicant:

Mailing Address of Organization:

5) Please provide the following information:

(Social Security Number or Employer Identification Number)

Taxpayer Identification Number:

- (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
- (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of Water (name of stream, river): Willamette River Project Reservable 1. Proposed point of diversion: N44 985808 and W feet 37190 and feet of corner of Section SW-SE S, & Swiship 75 , Range 3W,

Willamette Meridian.

- 4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: Application submitted to OWRD in process
- 5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].

		2/2006						
6.	Do If y	you currentlyes, what is/a	y hold a rig re the priori	nt to natural fity date(s)?	lows for irrigating th	ne property des	scribed herein?	CEVEL
7.	То	tal quantity o	of water from	n storage requ	nested: <u>1.25</u>		i) <b>4 B</b> z	DEC 3 2 2017
				ated in each 4				
		TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRR	IGATED CROP
		75	3W	3	SE	0.59	lawn	& garden
					1000000			
9.		•	een tilled); p		fied above? [farming re or other (please sp	•	cultivated lan	d); <i>native</i> (appears
10			tified above	currently bein	ng irrigated?	If yes, what	t is the source?	? (natural flows,
11.					otake of fish and oth meet all state and fe			n(s) to comply wit
	_							<del></del>
12	. Te	lephone num	ber where y	ou can be rea	ched during the day:	503-4	00-045	50
	- 1	following:	•	d Contract Data	Sheet to the address pro	vided on page 1,	please check that	you have done the

- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE <sup>2</sup>, MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION
- 1. Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.
- <sup>2.</sup> The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

RECORDING REQUESTED BY: Fidelity National Title

1433 SW 6th Avenue Portland, OR 97201

**GRANTOR'S NAME:** Melvin David Daniel

**GRANTEE'S NAME:** Brenda Y. Lamb and Paul H. Hutter

AFTER RECORDING RETURN TO: Brenda Y. Lamb and Paul H. Hutter 4215 Shoreline Drive N Keizer, OR 97303

SEND TAX STATEMENTS TO: Brenda Y, Lamb and Paul H. Hutter 4215 Shoreline Drive N Keizer, OR 97303

APN: R53995 R25518

073W03DC02600 Map: 073W03DC02700

3931 PAGE 227 REEL MARION COUNTY BILL BURGESS, COUNTY CLERK 11:43 am. 04-04-2017 Control Number 453431 Instrument 2017 00017294

RECEIVED

DEC 2 2 2017

POD - GAS N44.985808

W 123, 037190

- Owld intentup - Croogle Earth

SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### STATUTORY WARRANTY DEED

Melvin David Daniel, Grantor, conveys and warrants to Brenda Y. Lamb and Paul H. Hutter, not as tenants in common but with the rights of survivorship, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

#### PARCEL 1:

Lot 5, Block 6, MANBRIN GARDENS ANNEX NO. 1, in the City of Keizer, Marion County, Oregon.

SAVE AND EXCEPT: Beginning at the Southwest corner of Lot 4, Block 6 of MANBRIN GARDENS ANNEX NO. 1, Township 7 South, Range 3 West of the Willamette Meridian, in the City of Keizer, Marion County, Oregon; thence North 25 deg. 40' West 32 feet; thence North 69 deg. 25' East to the Intersection with the West line of said Lot, Block 6, MANBRIN GARDENS ANNEX NO. 1; thence South 36 deg. 23'30" West along the Westerly line of said Lot 4, Block 6, MANBRIN GARDENS ANNEX NO. 1 to the point of beginning.

### PARCEL 2:

Beginning at the Southwest corner of Lot 6, Block 6, MANBRIN GARDENS ANNEX NO. 1, in the City of Keizer, Marion County, Oregon; thence South 69 deg. 25' West to the low water mark of the Willamette River; thence Southerly following the low water mark of the said Willamette River to a point on the North line of a tract of land conveyed to F. N. Young in Volume 516, Page 50, Deed Records for Marion County, Oregon; thence Easterly along the North line of said F. N. Young land to a point on the West line of Lot 5, Block 6, MANBRIN GARDENS ANNEX NO. 1, said point also being the Northeasterly corner of said Young's tract; thence Northwesterly along the West line of Lot 5 of said Block 6, 100.00 feet, more or less, to the point of

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FOUR HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (\$430,000.00). (See ORS 93.030).

#### Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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.

Deed (Statutory Warranty), Legal ORD1368.doc / Updated: 02.08.17

OR-FSLM-01520.473001-60221700110



Today's Date: Wednesday, November 22, 2017

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	1.25	\$70.00
Permit Recording Fee. ***		\$520.00
*** 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		\$1,110.00

**OWRD Fee Schedule** 

Fee Calculator Version: B20170117

RECEIVED
DEC 2 2 2017
OWRD