



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: Dan & Chad Hafner
First Last
 Mailing Address: PO Box 53
Lyons Or 97358
City State Zip
 Phone: 503 932 3617 Same Same
Home Work Other
 Fax: _____ E-Mail Address*: DHafner3617@gmail.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: _____
 Phone: _____
City State Zip
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.)

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3. LOCATION AND SOURCE

A. Reservoir Name: ✓ Pierruck
 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: Alder Creek, unnamed Tributary to: N. Santiam
ditch & surface runoff
 C. County in which diversion occurs: Marion

OWRD

App. No. <u>R-88191</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
9S	1E	9 & 10		100 & 200

E. Dam: Maximum height of dam: 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: 25

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

5. PROPERTY OWNERSHIP

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 274.009). (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:

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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 NA

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.

Dug pond with POD's located on Alder Creek & an unnamed ditch/drain tile. Water will be stored for future use of irrigation of adjacent land.

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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).

No Dam

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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.

WED 16:34

TICOR TITLE

FAX NO. 503 945 2157

P.03/05

Form No. 722-0001 (Rev. April 1999) (Not for Use in Oregon)

REGISTRATION NO. 1103000001

REEL 1008

PAGE 402

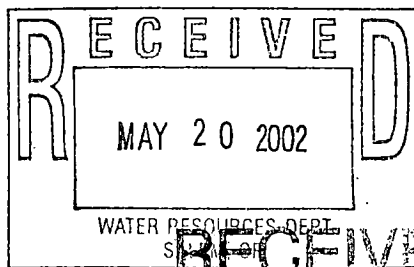
WARRANT AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That **DAN L. HAFNER AND WALTER HAFNER, DOING BUSINESS AS SILVER MOUNTAIN FARM**, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **DANIEL L. HAFNER AND CHRISTY L. HAFNER, husband and wife and WALTER F. HAFNER, unmarried**, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in anywise appurtenant, situated in the County of **Harrison**, State of Oregon, described as follows, to-wit:

See Legal Description Attached and Made a Part Hereof by Reference

20114979

Application No. R-85179
Permit No.



DEC 27 2017

TICOR

IF SPACE INSUFFICIENT CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$.....
However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The separator between the symbols \$, if not applicable, should be deleted. See ORS 91.002.)
In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.
In Witness Whereof, the grantor has executed this instrument this 20 day of OCTOBER 19 92.
If a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL 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 THE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Dan L. Hafner
DAN L. HAFNER
Walter F. Hafner
WALTER HAFNER

STATE OF OREGON, County of Harrison

This instrument was acknowledged before me on *October 18, 1992* by DAN L. HAFNER AND WALTER HAFNER.

This instrument was acknowledged before me on _____ by _____ of _____.

Patricia Ficklen
PATRICIA FICKLEN
NOTARY PUBLIC - OREGON
Notary Public for Oregon COMMISSION EXPIRES *12/21/98*

My commission expires _____

20116 * (5) 9 = 418

STATE OF OREGON, }
County of _____ } 181

I certify that the within instrument was received for record on the _____ day of _____ 19____ at _____ o'clock _____ M., and recorded in book _____ volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said County. Witness my hand and seal of County aforesaid.

By _____ Deputy

After recording return to (Printed address, if any)
Daniel Hafner
19484 Silver Falls Hwy.
Siskiyou, OR 97135

After recording change mail and/or commission to (Printed address, if any)
Dan Hafner
19484 Silver Falls Hwy.
Siskiyou, OR 97135

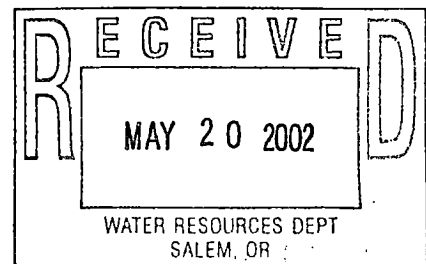
R-88491

Pietrook Place

Beginning at a point in the center of the County Road leading from Stayton to Mehama on the West boundary line of the East half of the Donation Land Claim of David Mulkey and wife in Township 9 South, Range 1 East of the Willamette Meridian in Marion County, State of Oregon, said beginning point being 16.58 chains South 30 21' East of the Northwest corner of said East half of said Claim; thence South 30 21' East along the boundary and division line 41.06 chains to the Southwest corner of C. C. Mulkey's land; thence South 86o 39' West 15.26 chains; thence North 6o East 43.65 to the center of the County Road; thence South 83o East 16 links to an angle in said road; thence South 82o East 6.38 chains to an angle in said road; thence South 71o East 2.00 chains to the place of beginning.

ALSO, Beginning at a point in the center of the County Road on the West boundary line of the East half of the Donation Land Claim of David Mulkey and Sarah Jane Mulkey, his wife, N0. 47, in Section 9, 16 and 17 in Township 9 South, Range 1 East of the Willamette Meridian, 15.58 chains South 30 21' East of the Northwest corner of said East half of the Claim; thence South 30 21' East along said boundary and division line 41.06 chains to the Southwest corner of C. C. Mulkey's land; thence North 86o39' East along said C. C. Mulkey's land, being also the Southwest corner of Mary E. Schell's land; thence North 6o East on the line between C. C. Mulkey and Mary E. Schell 32.25 chains to the center of the County Road, being the Northwest corner of said Mary E. Schell's land; thence North 61o West along the center of the County Road, 0.96 chains to an angle; thence North 71o West along the center of the County Road, 7.15 chains to the place of beginning.

Tax Lot No. 9-1E-16-100 92.06 Acres



Pietrocks

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: Dan & Chad Hafner
First Last

Mailing Address: PO Box 53
Lyons OR 97358 Daytime Phone: 503-932-3617
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:
9S	1E	9	SWSW	100		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
9S	1E	16	NW/NW	200		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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) Alder Creek & Unnamed Ditch

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 multiple purpose

Briefly describe:

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. →

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R-08491

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.

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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 land-use 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.

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): MCC 17.136

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

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

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

Name: Patty Dorr Title: Assistant Planner
 Signature: *Patty Dorr* Phone: 503-588-5038 Date: 6/12/17
 Government Entity: Marion County Public Works Planning

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

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Applicant name: _____
 City or County: _____ Staff contact: DEC 27 2017
 Signature: _____ Phone: OW/DP Date: _____

R-88491

P. rocks

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant:

Applicant Name/Address/Phone/Email: Dan & Chad Hafner

PO Box 53 Lyons OR 97358

Reservoir Name: _____ Source: Alder Creek & un-named ditch Volume (AF): 50

Twp Rng Sec QQ: 9S, 1E, 9&16 Basin Name: MOSE CREEK 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 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 _____ 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 30.

NATIVE MIGRATORY FISH COULD BE IMPACTED UNLESS INTAKE AND OUTLET FOR POND ARE SCREENED.

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)

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

R-8849

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: Date:

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

NOTE: This completed form must be returned to the applicant

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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)

fish self. written approval from ODFW after screens are in place, is not necessary but applicant should inform ODFW when both the intake and the pond outlet have been screened. Screen mesh should equal 3/32".

ODFW Signature: _____

Print Name: _____

ODFW Title: _____

Date: _____

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

Revised 10/4/12

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R-8819

Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

fishpass: As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

fishself: The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

fishapprove: The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

fishdiv33: If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

fishmay: Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

b52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.

b5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

b51a The period of use has been limited to _____ through _____.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

futile call: The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

riparian: If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

wq: The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

fence: The stream and its adjacent riparian area shall be fenced to exclude livestock.

blv: Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed _____ cubic feet per second per 1000 head of livestock.

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ODFPD

WED 16:34

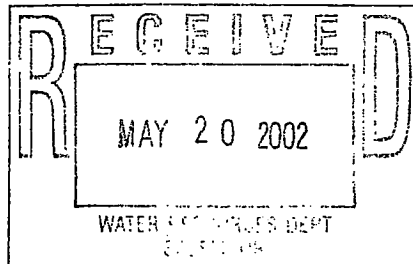
TICOR TITLE

FAX NO. 503 945 2157

P.03/05

KNOW ALL MEN BY THESE PRESENTS, That DAN L. HAFNER AND WALTER HAFNER, DOING BUSINESS AS SILVER MOUNTAIN FARM, hereinafter called grantor, for the consideration hereinafter stated, does hereby give, bargain, sell and convey unto DANIEL L. HAFNER AND CHELSEY L. HAFNER, husband and wife and WALTER F. HAFNER, unmarried hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging as in anywise appearing situated in the County of Marion, State of Oregon, described as follows, to-wit:

See Legal Description Attached and Made a Part Hereof by Reference



Application No. R-85179
Permit No.

AD 114474
TICOR

IF SPACE INSUFFICIENT CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantor and grantee's heirs, successors and assigns forever

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) (The symbol between the symbols D, if not applicable, should be deleted. See ORS 9.006.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

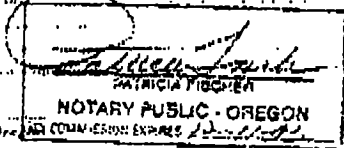
In Witness Whereof, the grantor has executed this instrument this 20 day of DECEMBER, 2002.

If a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR RECEIVING THIS INSTRUMENT, THE PERSON ACQUIRING BENEFIT TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Walter F. Hafner
DAN L. HAFNER
Walter F. Hafner
WALTER HAFNER
NOTARY

STATE OF OREGON, County of Marion,
This instrument was acknowledged before me on December 19, 2002
by DAN L. HAFNER AND WALTER HAFNER
This instrument was acknowledged before me on _____



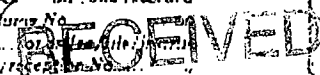
My commission expires _____

After recording return to (200) 462-0200, Ext. _____

Daniel Hafner
18465 Silver Falls Hwy
Salem, OR 97385

Walter Hafner
18465 Silver Falls Hwy
Salem, OR 97385

STATE OF OREGON,
County of _____
I certify that the within instrument was received for record on the _____ day of _____, 2002 at _____ o'clock _____ M. and recorded in book _____ of said County No. _____ page _____ of _____ instrument/microfilm recording No. _____ Record of Deeds of said County.
Witness my hand and seal of said County this _____ day of _____, 2002.



DEC 20 2017
OWRD

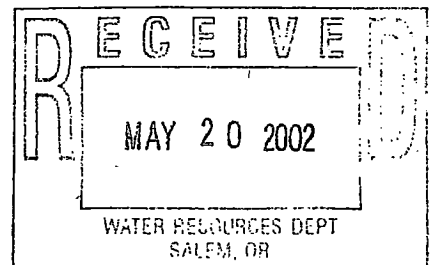
R-88491

Pietrok Place

Beginning at a point in the center of the County Road leading from Stayton to Mehama on the West boundary line of the East half of the Donation Land Claim of David Mulkey and wife in Township 9 South, Range 1 East of the Willamette Meridian in Marion County, State of Oregon, said beginning point being 16.58 chains South 3o 21' East of the Northwest corner of said East half of said Claim; thence South 3o 21' East along the boundary and division line 41.06 chains to the Southwest corner of C. C. Mulkey's land; thence South 86o 39' West 15.26 chains; thence North 6o East 43.65 to the center of the County Road; thence South 83o East 16 links to an angle in said road; thence South 82o East 6.38 chains to an angle in said road; thence South 71o East 2.00 chains to the place of beginning.

ALSO, Beginning at a point in the center of the County Road on the West boundary line of the East half of the Donation Land Claim of David Mulkey and Sarah Jane Mulkey, his wife, NO. 47, in Section 9, 16 and 17 in Township 9 South, Range 1 East of the Willamette Meridian, 15.58 chains South 3o 21' East of the Northwest corner of said East half of the Claim; thence South 3o 21' East along said boundary and division line 41.06 chains to the Southwest corner of C. C. Mulkey's land; thence North 86o39' East along said C. C. Mulkey's land, being also the Southwest corner of Mary E. Schell's land; thence North 6o East on the line between C. C. Mulkey and Mary E. Schell 32.25 chains to the center of the County Road, being the Northwest corner of said Mary E. Schell's land; thence North 61o West along the center of the County Road, 0.96 chains to an angle; thence North 71o West along the center of the County Road, 7.15 chains to the place of beginning.

Tax Lot No. 9-1E-16-100 92.06 Acres



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DEC 27 2017

OWRD

R-88471

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:

Date:

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

RECEIVED

DEC 27 2017

OWRD

NOTE: This completed form must be returned to the applicant

Pier track

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))

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The review of alternate reservoirs is limited to these criteria only.

Application #: R-

Applicant's Name: Dan & Chad Hafner

Reservoir Name: unnamed
Twp, Rng, Sec, QQ: 9S, 1E, 16, TL 100

Source: Alder Cr, ditch, runoff trib to N Santiam R
Basin Name: Santiam
off-channel Yes

Vol.(af):

1) Does the proposed reservoir have the potential to injure existing water rights? **YES**

Explain: **The season should be limited to water availability**

2) Can conditions be applied to mitigate the potential injury to existing water rights? **YES**

If YES, which conditions are recommended: **Limit season to Nov - Jun**

3) Did you meet with staff from another agency to discuss this application? **NO**

Who: Agency: Date:

Who: Agency: Date:

Watermaster signature:

Jeana Eastman, NW Region Assistant Watermaster

Date: 12/6/17

RECEIVED

DEC 27 2017

OWRD

WRD Contact: Caseworker:

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

NOTE: This completed form must be returned to the applicant

R-88491


Oregon Water Resources Department
Permit to Appropriate Surface Water for Storage - Alternate Reservoir Application:

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Wednesday, December 27, 2017

Base Application Fee for Storage of Surface Water.		\$410.00
Proposed Dam Height in feet.	0	
Proposed Reservoir volume in Acre Feet.	25	\$875.00
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.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,805.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

12-28-17