



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

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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 application for each reservoir**

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

**1. APPLICANT INFORMATION**

Applicant: RIK DeAngelo  
Mailing Address: Box 1450  
VENETA OR 97487  
Phone: 541 520 1578  
\*Fax: \_\_\_\_\_ \*E-Mail Address: 2deangelose@gmail.com  
\*optional information

**2. AGENT INFORMATION**

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

Agent: N/A  
Mailing Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
\*Fax: \_\_\_\_\_ \*E-Mail Address: \_\_\_\_\_  
\*optional information

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**3. LOCATION AND SOURCE**

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A. Reservoir Name: "POND"

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: DETERMINATION → Tributary to: HANAYA CREEK → Farm Ridge Res.  
C. County in which diversion occurs: LANE

App. No. R-88656

For Department Use  
Permit No. \_\_\_\_\_

Date \_\_\_\_\_

#### D. Reservoir Location

| Township<br>(N or S) | Range<br>(E or W) | Section | quarter/quarter | tax lot number |
|----------------------|-------------------|---------|-----------------|----------------|
| 17S                  | 6W                | 11      | NW 5/4          | 2803           |

E. Dam: Maximum height of dam: 4 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: .75 - 3/4 ACRE-FEET

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 (AT THIS TIME ONLY AESTHETICS)

#### 5. PROPERTY OWNERSHIP

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 (please provide a copy of the recorded deed(s))

☐ 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:

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#### 6. ENVIRONMENTAL IMPACT

A. Channel: Is the reservoir in-stream or off channel? IN STREAM

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? 20+ years.

WAS EXISTING POND FROM NATURAL CONDITIONS (INCLUDING BEAVER). ~~WAS~~ WATER LEVEL WAS RAISED BY 2' BY ADDING 3' TO EXISTING BURM.



**Oregon Water Resources Department**  
**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, August 8, 2018

|                                                                                                                                                                                                                                                                                            |   |                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-----------------------------|
| Base Application Fee.                                                                                                                                                                                                                                                                      |   | \$410.00                    |
| Proposed Dam Height in feet.                                                                                                                                                                                                                                                               | 4 |                             |
| Proposed Reservoir volume in Acre Feet.                                                                                                                                                                                                                                                    | 1 | \$35.00                     |
| 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. |   | <a href="#">Recalculate</a> |
| Estimated cost of Permit Application                                                                                                                                                                                                                                                       |   | \$965.00                    |

OWRD Fee Schedule

|                                   |
|-----------------------------------|
|                                   |
| Fee Calculator Version: B20170117 |

R-006876

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).

SEE DRAWINGS : - POND ELEVATION  
- CROSS SECTION OF DAM  
- ODFW PACKET OR DRAWINGS  
- LOW WATER FLOW DESIGN

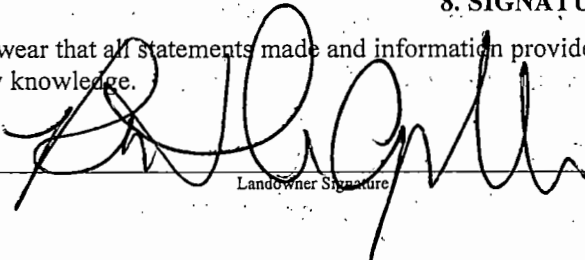
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#### 8. SIGNATURE

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

  
Landowner Signature

5-31-18

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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**FEE STRUCTURE:** The fee is based on the number of acre-feet proposed to be stored. The base fee is \$300. In addition, there is a fee of \$25 per acre-foot or fraction thereof. Example: 0.3 AF= \$325; 1.5 AF= \$350; 20.0 AF= \$800; 30.0 AF= \$1050. Plus a permit recording fee of \$400 (this fee is refunded if no permit is issued).

\$1965

R-00658

D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? ☒ Yes ☐ No ☐ Don't know  
If yes, how much? 0.5 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. ODFW - GREG ATKE - 503-931-4361

## 7. 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.

INCLUDED IS A PACKET CONTAINING ALL THE  
Paper work and designs for FISH PASSAGE.  
ALSO PAGE SHOWING APPROVAL OF DESIGNS  
by O.D.F.W.

THIS IS A NATURAL POND WHICH WAS ALTERED APPROX  
10 YEARS AGO. THE HIGH WINTER LINE WAS RAISED  
2' BY ADDING APPROX 3' TO EXISTING LOWER POND  
EDGE. THE NATURAL LOW-WATER FLOW WAS NOT  
ALTERED. EACH SUMMER THE POND NATURALLY  
DRAINS AND WATER CONTINUES TO FLOW DOWNSTREAM.

DETERMINATION CREEK IS A SEASONAL CREEK AND  
THERE HAS BEEN SUMMERS WHERE IT HAS DRIED UP  
COMPLETELY DURING DROUGHT.

THE HIGH WATER LEVEL (IN WINTER) WAS THE ONLY  
EFFECTED LEVEL. WE ARE WORKING WITH ODFW  
TO CONVERT OVERFLOW CREEK TO ALLOW BETTER  
FISH PASSAGE.

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# 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: Rick DeAngelo

1) Does the proposed reservoir have the potential to injure existing water rights?      ☐ NO      ☒ YES

Explain:

There exist a right (Certificate 9770) or record for irrigation below this proposed use.

2) Can conditions be applied to mitigate the potential injury to existing water rights?      ☐ NO      ☒ YES

If YES, which conditions are recommended:

Allow storage November 1 through June 15, of each year.

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

Who:      Agency:      Date:

Who:      Agency:      Date:

Watermaster signature: *Sanaya Blaskely*      Date: 7/17/2018

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**

# ODFW Alternate Reservoir Application Review Sheet

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

Applicant Name/Address/Phone/Email: RIK DEANGELO 541 520 1578  
90161 BAILEY RD. ELMIRA OR. 97437 2deangelos@gmail.com

Reservoir Name: POND Source: DETERMINATION CUM Volume (AF): 1  
2803

Twp Rng Sec QQ: 17S 6W 11 NWSE Basin Name: LONG TON ☒ in-channel  
☐ off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

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

1) Is the proposed project and AO<sup>1</sup> off channel? ..... ☐ YES ☒ NO  
 (if yes then proceed to #4; if no then proceed to #2)

2) Is the proposed project or AO located where NMF<sup>2</sup> are or were historically present?..... ☒ YES ☐ NO  
 (if yes then proceed to #3; if no then proceed to #4)

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3) If NMF are or were historically present:

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- a. Is there an ODFW-approved fish-passage plan?..... ☒ YES ☐ NO  
 b. Is there an ODFW-approved fish-passage waiver or exemption?..... ☐ YES ☐ NO

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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.

CUTHBERT TROUT, A STATE SENSITIVE SPECIES, IS IN THE  
GREEN BELOW THIS POND.

<sup>1</sup> AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

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

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)

MAINTAIN FLOW: ensure that the same amount of water is leaving the reservoir via the fish ladder, as is entering the reservoir, particularly from April 1st through October 31st.

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ODFW Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

ODFW Title: \_\_\_\_\_

Date: \_\_\_\_\_

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



# Oregon

Kate Brown, Governor

ALL ODFW Paperwork

~~Department of Fish and Wildlife~~

Fish Division

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6201

FAX (503) 947-6202

www.dfw.state.or.us/

May 25, 2018

Rick DeAngelo  
PO Box 1450  
90161 Baker Rd  
Veneta, OR 97487

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**Re: ODFW Fish Passage Approval PA-02-0220 – Determination Creek – Rick DeAngelo – Stream Simulation Bypass Channel**

Mr. DeAngelo,

The Oregon Department of Fish and Wildlife's (ODFW) Fish Passage Program staff have reviewed the design plans and drawings where you propose to construct a new stream simulation bypass channel around the existing instream diversion dam on your property. This in-channel dam presently impounds and stores stream flow from Determination Creek and is a complete upstream fish passage barrier. Determination Creek is a direct tributary to Hannavan Creek, a direct tributary to Fern Ridge Reservoir in the Long Tom River basin in Lane County, Oregon. As per the Oregon Water Resources Department (OWRD) water right requirement to certify this diversion dam on your property, you have submitted written plans to construct a new stream channel around the diversion dam with the goal to provide volitional passage to native migratory fish, as required by the state's fish passage law (ORS 509.580- .910).

This action has triggered the state's fish passage rules and regulations, administered by ODFW. As such, we have reviewed the project design plans you submitted on May 18, 2018 and we have determined these design plans are consistent with the state's fish passage design criteria, as defined in OAR 635-412-0035(1) and (3)(a) and therefore approve the project as required by Oregon fish passage law (ORS 509.585). Associated with this fish passage approval, ODFW issues a design exception, as permissible in OAR 635-412-0035(1)(d) for the proposed stream slope of 5.9% through the reconstructed stream channel. The average longitudinal slope of Determination Creek is 2-3%, but given the site specific constraints of the existing dam the adjacent property we agree the proposed slope of 5.9 is permissible and fish passage will not be compromised, particularly with the proposed channel roughness elements included in the design.

Please retain this correspondence as this documents ODFW's approval of fish passage for your proposed project (#PA-02-0220). Please provide this fish passage authorization to the Oregon Water Resources Department as you initiate a new water right for this existing diversion. This approval is solely for the purpose of fulfilling Oregon fish passage statutory requirements and responsibilities administered by the Oregon Fish and Wildlife Commission or the Department and does not satisfy any other Department, federal, state, or local laws, rules, or regulations, including but not limited to State or Federal Endangered Species Acts, any applicable water rights, approvals or other certificates administered by regulatory authorities.

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This ODFW fish passage approval (PA-02-0220) is contingent on specific operational provisions which include:

1. All in-water work, defined as work at or below the ordinary high water mark elevation of the project area, shall be complete during the appropriate ODFW in-water work period, or as otherwise defined by ODFW.
2. The ODFW Mid-Willamette Watershed District Fish Biologist (Elise Kelly) shall be contacted 2-weeks in advance and prior to the implementation of the project.
3. Fish salvage and rescue shall be performed prior to commencement of any in-water work, including work area isolation and temporary water management.
4. Temporary water management and work area isolation measures shall be implemented during the project. Downstream passage of native migratory fish shall be provided during construction.
5. Pursuant to OAR 635-412-0035 (10e), prior to in-stream construction activities, all fish must be safely collected, removed from the construction site or dewatered reach, and placed in the flowing stream by an authorized person in possession of a separate valid permit issued by ODFW. An Oregon Scientific Take Permit (OR-STP) from ODFW is required to conduct fish salvage in Oregon and other additional authorization may be needed from NMFS or USFWS if work is in ESA waters. OR-STP's can take up to 4-6 weeks for processing and can be applied for at: <https://apps.nmfs.noaa.gov/index.cfm> or if you have questions about OR-STP permitting, please contact [fish.research@state.or.us](mailto:fish.research@state.or.us)
6. As per ORS 509.601, you shall be responsible for all maintenance required such that the project provides adequate passage for native migratory fish. Adequate fish passage is defined as volitional fish passage of native migratory fish species between the fish passage design flows (5% to the 95% exceedence flows) for the project.
7. Failure to maintain fish passage at this location and for the duration of this approval shall constitute a violation of this approval and applicable fish passage laws (ORS 509.585 and 509.610).
8. Monitoring and reporting on the effectiveness of bi-directional volitional passage of native migratory fish is required for the project. This shall entail monitoring to determine whether or not the fish passage facility (new stream simulation channel) functions as it was designed to function. Fish passage monitoring reports shall report on channel bed stability of the new stream channel and the effectiveness of fish passage of native migratory fish at a variety of fish passage flows when these fish are migrating through the project area. Monitoring and reporting shall coincide with the time of the year when adult and juvenile fish species are migrating through the project area. Monitoring and reporting shall consist of a summary of the fish passage conditions and fish passage performance with particular emphasis on stream channel bed stability, flow velocities, water depths, and the volitional unimpeded passage of fish during the appropriate fish passage flows. Monitoring and reporting shall be based on visual observations, established photo points, or other means; particularly with regards to fish passage conditions and fish passage performance through newly constructed stream channel.
9. Monitoring reports shall be submitted to the ODFW Fish Passage Program Coordinator and the Mid-Willamette Watershed District Fish Biologist for a period of five years – post construction. These reports shall be submitted by January 31 of each year and shall report on the previous year's fish passage conditions at your project, or as otherwise determined by ODFW.
10. If monitoring, by you, your designee, or Department indicates that volitional fish passage is questionable or not provided, you in consultation with the Department, shall determine the cause and, during a work period approved by the Department, shall modify the structure to rectify fish passage problems as necessary. Failure to monitor fish passage for the duration of

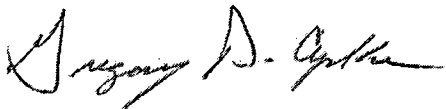
R-88626

the ODFW fish passage approval shall constitute a violation of this approval and applicable fish passage laws (ORS 509.585 and 509.610).

11. The ODFW shall be allowed to inspect the project at reasonable times for the duration of this approval. Unless prompted by emergency or other exigent circumstances, inspection shall be limited to regular and usual business hours, including weekends.
12. It is your responsibility to comply with all necessary and required local, county, state, and federal approvals and permits.
13. This approval in no way purports or authorizes take of a federally listed species.

Please retain this email correspondence for your records, as this documents ODFW's approval of fish passage at this project site. Again, please note that it is your responsibility to maintain the project as approved (ORS 509.610). Thank you for cooperation and patience as we worked through the fish passage issues at this project location. If you have any questions, please contact me at 503-947-6228.

Sincerely,



Greg Apke

ODFW - Statewide Fish Passage Program Leader

Cc Alan Ritchey, ODFW Screens and Passage Program Manager  
Greg Apke, ODFW Fish Passage Program Coordinator  
Kregg Smith, ODFW Assistant Fish Passage Program Coordinator  
Elise Kelley, ODFW Mid-Willamette Watershed District Fish Biologist  
Lanaya Blakely and Tim Wallin, Oregon Water Resources Department  
Danette Faucera, ODFW Water Policy Coordinator  
Project files (PA#-02-0220)

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# Land Use Information Form



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

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Applicant: RIUL First

DEAngelo Last

Mailing Address: Box 1430

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VENETA  
City

OR  
State

97487  
Zip

Daytime Phone: 541.520 1578

## 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:    |
|----------|-------|---------|------|-----------|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------|
| 17S      | 6N    | 11      | NWSE | 2803      |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | MULTI PURPOSE STORAGE |
|          |       |         |      |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used            |                       |
|          |       |         |      |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used            |                       |
|          |       |         |      |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used            |                       |

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

CANE County

3050 N DELTA Hwy 541.682.4651

## 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) DETERMINATION CREEK

Estimated quantity of water needed: 1 ☐ 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 STORAGE

Briefly describe:

MULTI PURPOSE STORAGE OF WATER

**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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## For Local Government Use Only

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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): 16.290(2)(+)- ACCESSORY TO EXISTING USE
- ☐ 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<br>(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<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><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.

CLASS 1 STREAM NEARBY TO PROPERTY, "UN-NAMED." IT IS OVER 400 FT. FROM THE EXISTING USES.

LANE COUNTY  
LAND MANAGEMENT DIVISION  
3050 NORTH DELTA HWY.  
EUGENE, OR 97408

Name: KEVIN GILBRIDE Title: PLANNER

Signature: [Signature] Phone: 541-682-4054 Date: 7-20-2018

Government Entity: LANE COUNTY LAND MANAGEMENT

**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: \_\_\_\_\_

Rick DeAngelo 541-320-1578  
90161 BALCON ROAD ELMIRA, OR, 97437

2803 out of 2-13-80 R1056  
17-6-11

Recorded by Transamerica Title  
3/1 5200 8007550 TA56-30765-1

WARRANTY DEED (INDIVIDUAL)

STEPHEN A. GUNN, JR. and BARBARA K. GUNN, husband and wife,  
hereinafter called grantor, convey to  
WILLIAM PETER HECKLER and ROSEMARIE SAVINELLI HECKER, husband and wife,  
all that real property situated in the County  
of Lane, State of Oregon, described as: 17 06 11 00 02800;

Beginning at the 5/8 inch iron rod marking the center of  
Section 11, Township 17 South, Range 6 West of the  
Willamette Meridian, said point being North 0° 07'  
10" West 2647.06 feet from the Brass Cap monument marking  
the South one-quarter corner of Section 11; thence  
South 89° 48' 10" East 680.51 feet to the True Point of  
Beginning, said point being marked by a 5/8 inch iron rod;  
thence South 89° 48' 10" East 642.29 feet to an existing  
found 5/8 inch iron rod; thence South 0° 03' 35" East  
854.23 feet to an existing found 5/8 inch iron rod; thence  
South 89° 52' 50" West 1321.89 feet to an existing found  
5/8 inch iron rod; thence North 0° 07' 10" West 30.00  
feet to a 5/8 inch iron rod; thence North 89° 52' 50"  
East 680.50 feet to a 5/8 inch iron rod; thence North  
0° 07' 10" West 827.77 feet to the True Point of  
Beginning, in Lane County, Oregon.

L 6 • H-MA-11-100035A

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except conditions  
restrictions, reservations and easements of record and Mortgage recorded Aug.  
4, 1976 under Recorder's Reception No. 79-39675 on Reel No. 806 in favor of  
and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 50,000.00 .  
Norman W. Whitlatch and Ruth Elaine Whitlatch

Dated this 12th. day of February, 1980.

Stephen A. Gunn, Jr.  
Barbara K. Gunn

STATE OF OREGON, County of Lane ) ss.  
February 12, 1980 personally appeared the above named  
Stephen A. Gunn, Jr. & Barbara K. Gunn and acknowledged the foregoing  
instrument to be their voluntary act and deed.

Notary Public for Oregon  
My commission expires: Nov 8, 1980

NOTARY PUBLIC  
STATE OF OREGON

The dollar amount should include cash plus all encumbrances existing against the property to which the  
property remains subject or which the purchaser agrees to pay or assume.  
If consideration includes other property or value, add the following: "However, the actual consideration  
consists of or includes other property or value given or promised which is part of the/the whole  
consideration." (Indicate which)

WARRANTY DEED (INDIVIDUAL)

8007550 Gunn  
TO  
Heckler

After Recording Return to: Grantees:  
25177 Cheney  
Veneta, Oregon 97487  
TAX STATEMENT: as above

STATE OF OREGON,  
Co  
on  
at  
on  
By

Seal of Oregon,  
County of Lane—ss.  
I, D.M. Penfield, Director of the Depart-  
ment of General Services, in and for the said  
County, do hereby certify that the within  
instrument was received for record at

13 FEB 63 10: 03

1056R  
Lane County OFFICIAL RECORDS  
D.M. Penfield, Director of the Department of  
General Services  
By Jerry A. McFall  
Clerk

RECEIVED

AUG 06 2018

OWRD

R-08686



# Oregon

Kate Brown, Governor

June 12, 2018

Rick DeAngelo  
P.O. Box 1450  
Veneta, Or. 97487

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

Dear Rick,

The Water Resources Department has received your application to use or store water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Revised Statutes (ORS 537.409).

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information, and this checklist, so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-986-0801.

Sincerely,

Edward P. Gosse  
Water Rights Customer Service

Cc: OWRD Fiscal

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AUG 06 2018

OWRD



R-88686

## Alternate Reservoir Application Completeness Checklist Minimum Requirements (ORS 537.409)

☒ Completed Watermaster review sheet signed and dated by Watermaster.

Will the reservoir injure an existing water right? ☐ YES ☐ NO

If YES, can conditions be applied to mitigate the injury? ☐ YES ☐ NO **If NO, return the application.**

Did the watermaster determine when water is available for the proposed use? ☐ YES ☐ NO

*The Watermaster review sheet must have been completed within the last 6 months.*

**If the watermaster determined that water is NOT available, return the application.**

☒ Completed ODFW review sheet signed and dated by ODFW representative.

Will the reservoir pose a significant detrimental impact to an existing fishery resource? ☐ YES ☐ NO

If YES, can conditions be applied to mitigate the impact? ☐ YES ☐ NO **If NO, return the application.**

*The ODFW review sheet must have been completed within the last 6 months.*

☒ Completed Land-Use Form or receipt signed by the appropriate planning department official enclosed?

*Does the use on land-use form match the proposed use on the application? Must be an original "wet" signature within the last 12 months.*

☒ Provide a Legal Description of all the property involved with this application. You may include a copy of your deed and sales contract or title insurance to meet this requirement.

☒ Acceptable map \*\* Indicates requirements of standards set forth by the Commission and causes fatal flaw if not provided by the applicant.

☐ Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s) \*\*

☐ Scale of the Map (not less than 1" = 1320') \*\*

☐ Reference corner on map

☐ North Directional Symbol \*\*

☐ 1/4's clearly identified

☐ Reservoir clearly identified \*\*

☐ Dam or POD (If off channel) Location coordinates referenced to a government land survey corner\* If no dam, use coordinates to center of reservoir. \*\*

☐ Fees enclosed\*\*?

**See enclosed fee schedule.**

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W/ CHECK - \$965

DEPT. OF RESOURCES

Hi Greg, enclosed you'll find drawings which describe the design of the new stream that will satisfy the criteria for fish passage around the dam.

The elevation plan is a detailed layout of the new stream that Lance designed while we were all here that day. I measured it off a reference line we strung up that day.

There are 2 pages of cross sections. 1 showing the dimensions of the stream and different layouts according to right or left bends. The other showing the composition of the stream bed using different size rock. These designs which I drew, were provided by Lance and Randy.

There are several pages describing the ability of the stream to handle a 50 year flood event. I got info off the dept of forestry guidelines and topo maps. I have a nephew who is a civil engineer and he is consulting me. Being here 30 years and witnessing the last big flood in 97, I am confident that this design will handle any amount of water. Even beyond the secondary spillway, the water would run over another area before it goes over the dam.

I am extremely confident in my ability to construct this stream properly. I propose to excavate in August and by the beginning of September start building the streambed. Once the first few feet of stream is completed, I will call you to inspect what I have done. Make any corrections and then continue.

I appreciate that you are trusting me and allowing me to correct this and I am committed to complying with the regulations to satisfy fish passage.

Thank you, Rick Deangelo

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