



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

RECEIVED

FEB 08 2019

OWRD

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 JRAW farm LLC

Applicant: Allan Josh Wooster Rossini
First Last

Mailing Address: 85106 territorial Hwy-1

Eugene OR 97402
City State Zip
Phone: 541-501-3390
Home Work Other

Fax: E-Mail Address*: Wooster, Allan@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: Allan Wooster
First Last

Mailing Address: 85106 territorial Hwy-1

Eugene OR 97402
City State Zip
Phone: 541-501-3390
Home Work Other

Fax: E-Mail Address*: Wooster, Allan@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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Lifted 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: Cyote and Ronook Tributary to: Long Tom River

C. County in which diversion occurs: Lane

App. No. R-88699

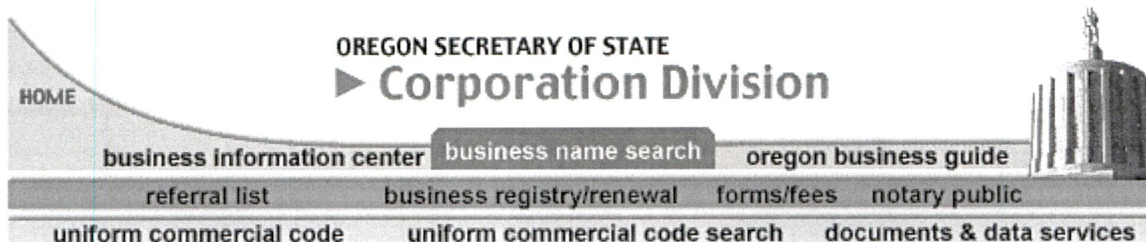
For Department Use
Permit No. _____

Date _____

RECEIVED

JAN 15 2019

OWRD



Business Name Search

[New Search](#) [Printer Friendly](#)

Business Entity Data

02-20-2019
09:25

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1318174-96	DLLC	ACT	OREGON	04-25-2017	04-25-2019	
Entity Name	JRAW FARM, LLC					
Foreign Name						

[New Search](#) [Printer Friendly](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	85106 TERRITORIAL HWY			
Addr 2				
CSZ	EUGENE	OR	97402	Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGTREGISTERED AGENT			Start Date	04-25-2017	Resign Date	
Of Record	305060-83	ROBERT G. BURT, P.C.					
Addr 1	1515 SW FIFTH AVE STE 600						
Addr 2							
CSZ	PORTLAND	OR	97201		Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	C/O ROBERT G. BURT, P.C.			
Addr 2	1515 SW FIFTH AVE STE 600			
CSZ	PORTLAND	OR	97201	Country UNITED STATES OF AMERICA

Type	MEM	MEMBER	Resign Date	
Name	ALLAN	R	WOOSTER	
Addr 1	PO BOX 777			
Addr 2				

CSZ	VENETA	OR	97487	Country	UNITED STATES OF AMERICA
------------	--------	-----------	-------	----------------	--------------------------

Type	MEM	MEMBER		Resign Date	
Name	JOSHUA	L	ROSSINI		
Addr 1	PO BOX 777				
Addr 2					
CSZ	VENETA	OR	97487	Country	UNITED STATES OF AMERICA

[New Search](#) [Printer Friendly](#)

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
JRAW FARM, LLC	EN	CUR	04-25-2017	

Please [read](#) before ordering [Copies](#).

[New Search](#) [Printer Friendly](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	04-11-2018		FI		
	ARTICLES OF ORGANIZATION	04-25-2017		FI	Agent	

[About Us](#) | [Announcements](#) | [Laws & Rules](#) | [Feedback](#)
[Policy](#) | [SOS Home](#) | [Oregon Blue Book](#) | [Oregon.gov](#)

For comments or suggestions regarding the operation of this site,
 please contact : corporation.division@state.or.us

© 2019 Oregon Secretary of State. All Rights Reserved.

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
18	05	32	NE - NE SE - SE	100 103

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: 5.5 Acre-feet = $\frac{(\text{Average Length})(\text{Average Width})(\text{Average Depth})}{43,560}$

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.

Mult. purpose

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 274.040). (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:

RECEIVED

FEB 08 2019

OWRD

RECEIVED

JAN 15 2019

OWRD

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 *not official - kinda*
If yes, how long has it been in place? _____ years. *- long as I know*
- D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? ☐ Yes ☒ No ☐ Don't know
If yes, how much? _____ miles.
- E. **Partnerships:** Have you been working with other agencies? ☐ Yes ☒ No
Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

7. WITHIN A DISTRICT

☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name <i>NA</i>	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.

Dig a pond 200x120x10' ft to collect and store ^{from} Coyote creek a run off (Oct 1-June 1) water and use for irrigation in the summer time. (MARCH 1-OCT. 3)

RECEIVED

FEB 08 2019

OWRD

RECEIVED

JAN 15 2019

OWRD

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

9. SIGNATURE

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

Allen Worst Allen Worst 1/15/19 1/28/19
Applicant 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.

RECEIVED

RECEIVED

FEB 08 2019

OWRD

JAN 15 2019

OWRD

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: **ALLAN WOOSTER**

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:

LIMIT FILL TO OCTOBER 1 - JUNE 1 EACH YEAR OAR 690-502 - 0090 (1)(a)

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

☒ NO ☐ YES

Who:

Agency:

Date:

Who:

Agency:

Date:

RECEIVED

FEB 08 2019

OWRD

Watermaster signature:

Janae Blakely

Date: **10-24-2018**

WRD Contact:

Caseworker:

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

RECEIVED

JAN 15 2019

OWRD

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: Allan Wooster
85106 Territorial Road, Eugene, OR 97402/541-501-3390/wooster.allan@gmail.com
Reservoir Name: — Source: Coyote Creek Volume (AF): 5.5
Twp Rng Sec QQ: 18S 5W 32 NW Basin Name: Long Tom ☐ 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 June 1 through October 31 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.

Fish habitat for NMF is very limited & during the summer and fall in Coyote Creek. In addition, a criteria fish screen will be required for pumping water from Coyote Creek.

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-88677

RECEIVED

FEB 08 2019

OWRD

RECEIVED

JAN 15 2019

OWRD

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 approve

b51a

The period of use is limited to November 1 through May 31.

ODFW Signature: _____

[Signature]

Print Name: _____

Jeff Ziller

ODFW Title: _____

District Fish Biologist

Date: _____

12/31/18

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

Revised 10/4/12

RECEIVED
JAN 15 2019
OWRD

RECEIVED

FEB 08 2019

OWRD

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

OWRD

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 Nov 1 through May 31.

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 0.10 cubic feet per second per 1000 head of livestock.

RECEIVED

JAN 15 2019

OWRD

R-88689

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: Allan Wooster
First Last
Mailing Address: 85106 Territorial Hwy
Eugene OR 97402 Daytime Phone: 541-501-3390
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:
18	05	32	00-00	103		☒ Diverted	☒ Conveyed	☒ Used	24040
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Lane

RECEIVED
FEB 08 2019

B. Description of Proposed Use

OWRD

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) _____

Estimated quantity of water needed: 5.5 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

To dig a pond next to cyote creek 200x120x10 ft. to collect winter flood water to use for irrigation in the summer time

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

RECEIVED
JAN 15 2019
OWRD

R-00009

RECEIVED

FEB 08 2019

For Local Government Use Only

OWRD

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): Lane Code 16.212(a)

☒ 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:	
Floodplain Fill/Removal permit	Lane Code 16.244 Floodplain combining zone	☐ Obtained ☐ Denied	☒ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

The use of water for irrigation is permitted outright per lane code 16.212(a). To dig the pond, the applicant needs a floodplain fill/removal permit which is in process (permit number 509-PA18-05827)

Name: Rachel Sorslev Title: Planner
 Signature: [Signature] Phone: 541-682-6903 Date: 10/25/18
 Government Entity: Lane County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

RECEIVED

Applicant name: _____

JAN 15 2019

City or County: _____ Staff contact: _____

OWRD

Signature: _____ Phone: _____ Date: _____

R-88679

Lane County

LAND MANAGEMENT DIVISION
3050 NORTH DELTA HIGHWAY
EUGENE, OREGON 97408

PHONE: 541-682-4065
WEB: www.lanecounty.org/lmd



Date: December 12, 2018

File: 509-PA18-05827

RECEIVED

FEB 08 2019

OWRD

I. **APPLICANT / OWNER:**

Allan Wooster
85106 Territorial Hwy.
Eugene, OR 97405

- II. **PROPOSAL:** A request for a Floodplain Development Permit to remove and fill approximately 9,000 cubic yards of material for the creation of a water storage pond in the 100-year, 'A' zone special flood hazard area pursuant to Lane Code 16.244.

III. **GENERAL INFORMATION**

Assessor's Map: 18-05-32 **Tax Lot:** 103

Zoning: Exclusive Farm Use (E-40); Floodplain Combining Zone (/FP); Stream Riparian Regulations

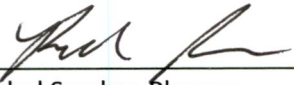
Flood Information: The subject property is partially located within the 100-year flood hazard area, Zone 'A' according to Flood Insurance Rate Map (FIRM) Panel #41039-C1600F, effective June 2, 1999, and staff has determined that the proposed development falls within this special flood hazard area (**Attachment 1**). The Base Flood Elevation (BFE) has **not** been determined by staff or the Applicant as part of this specific request.

Additional Considerations: The subject property contains portions of Coyote Creek, which has a riparian setback area of 100 feet measured from ordinary high water (OHW) that applies to all development, including fill. Utilizing aerial imagery and GIS mapping tools, staff has determined that the proposed pond is outside of the 100 foot setback for Coyote Creek.

Further, staff has determined that a pond for the purpose of storing water for irrigation is a permitted use in the Exclusive Farm Use Zone (E-40) pursuant to Lane Code 16.212(3)(a) and (f).

IV. **DECISION**

The Special Use Permit is **approved with conditions** as contained in **Exhibit A**. You may now proceed with placement of the fill.



Rachel Serslev, Planner

RECEIVED

JAN 15 2019

OWRD

12/10/18

Date

**EXHIBIT A
CONDITIONS OF APPROVAL
509-PA18-05827**

NON-STRUCTURAL FILL

RECEIVED

FEB 08 2019

OWRD

WORK AUTHORIZED

1. This permit authorizes the removal and replacement of approximately 9,000 cubic yards in the location shown on the approved site plan (**See Exhibit B**).
2. This permit is for non-structural fill. It may not be used at any time now or in the future for structural fill to place this area outside the 100-year special floodplain hazard area.
3. The development shall occur in the location shown on the site plan and drawings. Any substantial deviation from the approved location shall invalidate this approval.

ADDITIONAL DESIGN REQUIREMENTS

4. No fill shall be placed within 100 feet of the ordinary high water of a Class I Stream.
5. All vegetation removal shall comply with the Riparian Vegetation removal standards of Lane Code 16.253.
6. Maintain all existing drainage channels unless a written statement by an Oregon registered professional engineer certifies the placement of the fill will have no effect on the adjoining property owners.
7. Fill materials shall be free of waste or polluted materials.
8. All excavated fill materials not used as fill shall be removed from the flood hazard area.
9. Any changes in drainage patterns and watercourses may warrant a Letter of Map Revision to the Federal Flood Insurance Program.

GENERAL CONDITIONS

10. This permit does not authorize any work that is not in compliance with the underlying base zone or other local, state or federal regulations pertaining to the operations authorized by this permit. The permit holder is responsible for obtaining the necessary approvals and permits before proceeding under this permit.
11. Violations of the terms and conditions of this permit are subject to administrative and/or legal actions which may result in revocation of the permit or damages. The permit holder is responsible for the activities of all contractors or other operators involved in work done at the site or under this permit.
12. A copy of the permit shall be available at the work site whenever operations authorized by the permit are being conducted.

RECEIVED

JAN 15 2019

OWRD

13. Employees of Lane County and all duly authorized representatives of the Director shall be permitted access to the project area at all reasonable times for the purpose of inspecting work performed under this permit.
14. Lane County retains authority to temporarily halt or modify the operations if it should cause excessive turbidity or damage to natural drainages.
15. This approval shall expire two years from the date of final approval. This approval can be renewed for one additional year only by a letter submitted to Lane County Land Management Division before the expiration date, provided the flood plain regulations have not changed.

WARNING AND DISCLAIMER OF LIABILITY. Lane Code 16.244(4) states the following: The degree of flood protection required by this section is considered reasonable for regulatory purposes. Larger floods can and will occur on rare occasions. Flood heights may be increased by human-made or natural causes. This section does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This section shall not create liability on the part of Lane County, any officer or employee thereof, for any flood damages that result from reliance on this section or any administrative decision lawfully made hereunder.

ADDITIONAL CONSIDERATIONS

The following considerations may or may not apply to the determinations made in this review:

Notice of Endangered Species Act Compliance

On April 14, 2016 the National Marine Fisheries Service (NMFS) issued a jeopardy biological opinion (BiOp) to the Federal Emergency Management Agency (FEMA) regarding the implementation of the National Flood Insurance Program (NFIP) in Oregon and its impact on endangered salmon.

As a result of the BiOp, FEMA is currently coordinating with the Oregon Department of Land Conservation and Development to establish revised floodplain regulations to ensure jeopardy of endangered salmon is mitigated. These changes will impact the way Lane County and other jurisdictions regulate development in the floodplain.

For more information visit: http://www.oregon.gov/LCD/Pages/NFIP_BiOp.aspx

Study Underway

The determinations in this report are based on the flood data presently available. However, the Federal Emergency Management Agency (FEMA) is currently revising the National Flood Insurance Program (NFIP) flood map for some of the community locations. New flood data may be generated that may affect this property. If a new NFIP flood map is issued, it may supersede this determination. The federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP flood map, and new development may be subject to local floodplain management requirements. To find out more information on the status of the map changes in Lane County, check out the Oregon Department of Land Conservation and Development Risk Map website at: <http://www.oregonriskmap.com/index.php/state-status/41-curent-mapping>

RECEIVED
JAN 15 2019
OWRD

RECEIVED
FEB 08 2019
OWRD

ATERMASTER 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:

Allen Wooster

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:

RECEIVED

FEB 08 2019

OWRD

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

RECEIVED

JAN 15 2019

OWRD

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Allan Wooster 85106 territorial Hwy Eugene or. 97402 541-501-3390 wooster.allan@gmail.com

Reservoir Name: _____ Source: Cyote Volume (AF): 5.5

Twp Rng Sec QQ: _____ Basin Name: _____ ☐ in-channel ☒ off-channel

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

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

1) Is the proposed project and 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.

RECEIVED

FEB 08 2019

RECEIVED

JAN 15 2019

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-88677

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)

RECEIVED

FEB 08 2019

OWRD

ODFW Signature: _____ Print Name: _____

ODFW Title: _____ Date: _____

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

Revised 10/4/12

RECEIVED

JAN 15 2019

OWRD

R-08677

FEB 08 2019

OWRD

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised June 24, 2011

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

pass: 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 0.10 cubic feet per second per 1000 head of livestock.

RECEIVED

JAN 15 2019

OWRD

R-88679

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

RECEIVED

FEB 08 2019

OWRD

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 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.

RECEIVED

JAN 15 2019

OWRD

R-88677

and 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

RECEIVED

FEB 08 2019

OWRD

Applicant: Allan Wooster
First Last
Mailing Address: 85106 Territorial Hwy
Eugene OR 97402 Daytime Phone: 541-501-3390
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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
18	05	32	00-00	103		☒ Diverted	☒ Conveyed	☒ Used	24040
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Lane

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) _____

Estimated quantity of water needed: 5.5 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

To dig a pond next to cyote creek 200x120x10 ft. to collect winter flood water to use for irrigation in the summer time

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

RECEIVED

JAN 15 2019

OWRD

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

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

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

Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

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: _____

RECEIVED

JAN 15 2019

OWRD

RECEIVED

FEB 08 2019

OWRD

ALTERNATE RES

Water master
Packet to complete

ND:
ht?

Under Oregon Law, all water belongs to the public. and store surface water or ground water must f Department (Department). The water right, once de to the land where it was established. Land with an a actual source of water. In Oregon, landowners w property do not automatically have a right to use tha

With few exceptions, any person wishing to take first obtain a permit from the Water Resources is a type of property right and is attached in the their

Oregon's water laws are based on the principle of "prior appropriation." That is, the first person to obtain a water right to a water source is the last to be shut off in times of low flow. In water-short times, water users with the oldest water right can demand the amount specified in their right regardless of the needs of junior users. If there is a surplus beyond the specified amount of the senior right holder, the person with the next oldest priority date can take their specified amount as necessary to satisfy their appropriation under their right and so on down the line until there is no surplus. The date of application for a permit determines the priority date of the right. Often, streamflow will not be available for storage during an irrigation season, so reservoirs may be filled from excess winter streamflow. Obtaining a water right secures your place within the prior appropriation system.

Oregon's water code contains four basic provisions:

- With few exceptions, surface or ground water may be diverted legally only if it is used under the terms of a valid water right for a beneficial purpose.
- The more senior the water right, the longer water is available in a time of shortage.
- A water-right certificate is attached to the land where it was established. If the land is sold, the water right goes with the land to the new owner. (This appurtenancy does not apply to water rights still in permit status.)
- A water right is valid as long as it is used at least once every five years, for its intended purpose. If the right is unused for five consecutive years, it is legally forfeited and subject to cancellation, with few exceptions.

By law, the land use associated with water use must comply with the statewide land-use goals and local land-use plans. If state goals or local comprehensive plans prohibit the land use, the water-use permit may not be exercised until land-use approval is obtained. City or county planning agencies can provide information about local land-use plans and requirements.

RECEIVED

JAN 15 2019

OWRD

R-88677

RECEIVED

FEB 08 2019

OWRD

THE WATER RIGHT: *Applying for a Permit to Use Water*

A water-right permit is the authorization necessary from the Water Resources Department to be allowed to store water. Additional permits and approvals from other agencies may be necessary prior to construction of a storage facility. With few exceptions, the storage of water requires a water-right permit; regardless of size, or whether or not the pond or reservoir already exists.

In 1995, the legislature created a new program, the Alternate Reservoir Process, for small ponds. A permit issued under the Alternate Reservoir Process allows only for the storage of water. To use or appropriate the stored water requires a "secondary" permit for all out-of-reservoir uses, with few exceptions. The *Surface Water Right Application Guidebook* explains how to complete a secondary application. The Alternate Reservoir Process does not allow the storage of groundwater (or water from a well); to do so it is necessary to apply under the *Groundwater Permit* process.

In addition, the Alternate Reservoir Process is applicable to any pond or reservoir of any capacity with a dam height of less than 10 feet. If the dam height is 10 feet or greater, the maximum amount of water that may be stored under the Alternate Reservoir Process is less than 9.2 acre-feet. Any pond or reservoir that stores 9.2 acre-feet or greater and with a dam height of 10 feet or greater requires engineered plans and specifications; and must apply for permit under the *Standard Reservoir Process*.

A "bulge in the system" is a pond that will be used as an in-system storage facility during the irrigation season to manage and handle water allotted by an irrigation district or water that is allowed under an existing water right for irrigation or agricultural uses. If the waters held in the pond are used on a rotational basis during the irrigation season under an existing right, a water storage permit is not required. This would *not* include storing or holding water outside the irrigation season.

However, where storage for future use is needed, a permit is required.

THE PERMIT PROCESS: *How an Application is Processed*

Before an application for an Alternate Reservoir water right is submitted, the applicant must contact the local Fish and Wildlife office to assess what fish passage and screening requirements will need to be addressed.¹ ODFW will provide the Alternate Reservoir Application Review Sheet form to be included with the application, as described in the instructions below.

¹ The default assumption under ORS 509.585 is that fish passage will be provided if migratory fish are present or were historically present, which requires the approval of a fish passage plan by ODFW. An alternative to providing fish passage is to seek a fish-passage waiver or exemption from the Fish and Wildlife Commission. This will require development of a plan and mitigation to be approved by the Fish and Wildlife Commission (ORS 509.585). Once a fish-passage plan, waiver or exemption is approved, the applicant can then submit the completed Alternate Reservoir application to WRD for processing. Fish-passage waiver and exemption-request applications can be found at the ODFW Fish Passage Program website [Fish Passage Requirements - ODFW](#).

RECEIVED
JAN 15 2019
OWRD

R-88679

After a completed application has been received by the Department, the Department must make public notice of the application within 60 days. The Department does not notify individual, neighboring landowners of an application, unless they are identified in the application as affected landowners. The public notice is to ensure that any person may submit detailed information requesting the Department deny an application based on injury to existing water rights or based on a significant detrimental impact to an existing fishery resource. All comments must be submitted within 60 days of the public notice.

The Department issues a Final Order within 180 days of the priority date (i.e., date of submission of the application). The Department recommends applicants not schedule excavation work or otherwise expend financial resources until an ODFW fish passage plan and the alternate reservoir application have been approved.

INSTRUCTIONS: What is needed to complete the application?

STEP 1: Print out the "Application for a Permit to Store Water in a Reservoir (Alternate Review)" form, which includes the following three supplemental forms:

1. Watermaster Alternate Reservoir Application Review Sheet – to be completed by the local Watermaster, who is an employee with the Water Resources Department.
2. ODFW Alternate Reservoir Application Review Sheet – to be completed by a representative of the Oregon Department of Fish and Wildlife (ODFW).
3. Land Use Information Form – to be completed by the local Planning Department.

STEP 2: Complete the application form and prepare a map

Note: All information should be typewritten or neatly printed with dark ink. All items must be completed even if parts or all of the required information appears on supplemental maps or drawings. Applications must be submitted on original forms that are provided by the Department or watermaster. Sign the forms in INK.

RECEIVED
FEB 08 2019
OWRD

1. Applicant Information

If you are an individual applying for a permit to store water in a reservoir, include your name, mailing address and phone number. If there is a co-applicant, please indicate that information also. You may include a fax number or e-mail address, if you have one. These numbers are not required, but helpful if the Department must contact you.

For corporations, associations, firms, partnerships, cooperatives, and/or public and municipal corporations, complete the Authorized Agent section, including the title of the authorized agent.

RECEIVED
JAN 15 2019
OWRD

12-88697

2. Location and Source

In order to examine your application properly, the Department must have an accurate map that shows the location of the proposed reservoir and source or dam. The Department utilizes the following criteria for your map to ensure the timeliest processing possible.

- The map shall be of permanent quality and drawn clearly in ink on good quality paper.
- Maps should be submitted on 8.5 x 11 inch paper. If a map is larger than 11 x 17 inches, submit four copies or draw on tracing vellum or Mylar.
- The map must be drawn to a standard, even scale of not less than 4 inches = 1 mile. Standard scales include 1"= 400'; 1"= 200'; 1"= 100'. Use only whole numbers. U.S.G.S quad maps, title company maps or aerial photo maps will not be accepted.

Each copy of the map must clearly show the elements of the proposed appropriation:

- The location of the dam and reservoir. The location must be referenced to a government land survey corner (*not the property corner unless it is also a government land survey corner.*) The reservoir location may be shown by coordinates (i.e., the number of feet north or south and the number of feet east or west from survey corner). If there is no dam, reference the center of the reservoir. If the reservoir is off-channel, include both the dam/reservoir location and the location of the diversion point from the stream, if applicable.
- The Township, Range, Section and quarter-quarter section as well as tax lot lines and tax lot numbers must be indicated clearly on the map.
- Include the scale of the map as well as the North directional symbol.

A platted and recorded subdivision map, deed description survey map or a county assessor tax lot map may be submitted as the application map if all the required information is clearly shown on each print.

A. Reservoir Name: If there is no name, insert N/A. If applying for more than one reservoir, a separate application is *required* for each pond. If all reservoirs are shown on one map, label each accordingly. List as Pond #one, Pond #two, etc., unless named.

B. Source: List the commonly used name of the body of water from which the water will be diverted, and the stream it flows to (tributary). If the source is diffuse run off, please state that.

NOTE: If the source of water is from a well, you may not file under the Alternate Reservoir Process; use the *Groundwater Permit Process*.

C. Reservoir Location: Clearly indicate the location by Township, Range, Section, quarter-quarter and tax lot number. This information can be found on the base map or by contacting your local tax assessor's office.

RECEIVED RECEIVED
FEB 08 2019 JAN 15 2019
OWRD OWRD

R-88679

D. County of Use: Indicate the county where the pond or reservoir is located.

E. Dam: List the dam height. If there is no dam, enter "0 feet." NOTE: If the dam is 10 feet or greater, and the storage capacity of the reservoir is more than 9.2 acre-feet, you must apply under the *Standard Reservoir Process*.

F: Quantity: List the total quantity of water to be stored at maximum capacity. List the total in acre-feet. To determine capacity in acre-feet use the following calculation:

Acre-feet = (Average Length)(Average Width)(Average Depth) / 43,560

3. Water Use

In order to receive a water right, you must show that you will be using the water beneficially and without waste. Indicate the type of use 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 beneficial uses including: stock water, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection, and pollution abatement.** Regardless of the type of storage listed, if *any* use will be out-of-reservoir, a secondary application will be required to appropriate the stored water.

Examples of Beneficial Uses of Water Under Oregon Water Law

- Agriculture Use
- Cranberry Use
- Stock water
- Forest and Range Management
- Commercial
- Mining
- Aesthetics
- Municipal or Quasi-municipal
- Aquatic Life
- Recreation
- Wildlife
- Irrigation
- Nursery Operations
- Temperature Control
- Industrial
- Fire Protection/Suppression
- Power Development
- Domestic use
- Storm Water Management
- Pollution Abatement
- Wetland Enhancement

RECEIVED

FEB 08 2019

OWRD

4. Property Ownership

If the water you plan to use will be transported by ditch, canal or other work, or if your pond or reservoir will back up water onto another property, you must own all the property or have legal access to the property. This includes crossing any public roads or rights-of-way. Under ORS 274.040, if your application proposes only irrigation and/or domestic use, written authorization or an easement is not necessary to occupy state-owned submersible lands for the construction, maintenance and operation of any structure or facility necessary for the use of water.

- If you own all the land that includes the source, diversion and place of use of water, mark YES and skip to the next section.

RECEIVED

JAN 15 2019

OWRD

R-00000

- If not, attach a list of the names and addresses of the affected property owners. If there are more than 25 landowners, you will be required to file a public notice in a newspaper that circulates in the area of the water use.

5. Environmental Impact

- A. Channel:** Indicate if the pond or reservoir is in a stream channel.
B. Wetland: Indicate if the project is in a wetland.
C. Existing: Indicate if the project is an existing reservoir and if so, how long.
D. Fish Habitat: If there is fish habitat upstream of the proposed reservoir, please describe.
E. Partnerships: List any agencies such as the Natural Resources Conservation Service (NRCS) or ODFW that you may be working with on a project.

6. Within a District

Indicate if the point of diversion or reservoir are located within or served by an irrigation or other water district.

7. Signature

All applicants must sign the application in ink.

- **Properly completed application form(s).** Only one reservoir per application. If there is more than one applicant, each applicant must sign the application.

STEP 3: Obtain a completed review from the local watermaster.

The Watermaster Alternate Reservoir Application Review Sheet must be completed by the local watermaster.

We suggest that you call to make an appointment with the local watermaster. *For assistance in locating the local watermaster office, please call 503-986-0900 or for a list of watermaster offices see: http://www.wrd.state.or.us/OWRD/offices.shtml#Watermaster_Offices*

The watermaster will review your completed application form and map showing the reservoir location and source and determine if the reservoir will cause injury to an existing water right. In addition, the watermaster will determine when and if water is available for the proposed use. If the watermaster determines that the reservoir will injure any existing water right and cannot identify any condition(s) that would mitigate such injury or if water is not available, the application cannot be accepted by the Department.

STEP 4: Obtain a completed review from the local ODFW fish biologist.

The ODFW Alternate Reservoir Application Review Sheet must be completed by the local ODFW representative.

RECEIVED

JAN 15 2019

FEB 08 2019

OWRD

OWRD

R-88679

We suggest that you call to make an appointment with the local fish biologist or other representative at the appropriate ODFW office. *For assistance in locating the local ODFW office, please call 503-947-6200 or to see a map of ODFW's regions, please see:*

http://www.dfw.state.or.us/agency/directory/region_map.asp . For a list of ODFW offices see:

http://www.dfw.state.or.us/agency/directory/local_offices.asp .

The ODFW representative will review your completed application form, the map indicating the reservoir location, and the information you obtained from the watermaster. ODFW will then determine if the reservoir will pose a significant detrimental impact to existing fishery resources. If ODFW identifies such an impact and cannot identify condition(s) that would mitigate the impact, the application cannot be accepted by the Department, and the applicant will need to either abandon the reservoir project or utilize the standard reservoir application process.

Additionally, for reservoirs proposed to be in-channel, ODFW will also consider: 1) fish populations and their distributions, and 2) whether fish passage requirements will be necessary. If fish passage is required, either approval of a fish-passage plan will be required or the approval of a fish passage waiver or exemption by the Fish and Wildlife commission will be needed before ODFW provides the Alternate Reservoir Application Review Sheet.

STEP 5: Obtain a completed Land-Use Information Form or receipt stub from the local planning agency.

The Land Use Information Form or receipt stub must be completed by a representative of the local planning agency.

Determine if the reservoir location is within the boundaries of a city or county or other planning jurisdiction. The representative from the planning agency will review your completed application, which will describe the proposed use of water, and your map indicating the reservoir location and determine if the proposed use of water is consistent with local land use rules. The Receipt for Request for Land Use Information allows the Department to accept the application; however, the demonstration of land-use compatibility is required before the Department will issue a permit for the proposed use.

STEP 6: Submit the application, supplemental forms, map, and fees to the Department.

Before submitting the application, be sure you include all the necessary items. Your application and supplemental materials **will be returned** if not complete.

Watermaster Alternate Reservoir Application Review Sheet: Include a Watermaster Review Sheet completed by the local watermaster. *NOTE: If the watermaster determined that your reservoir will injure an existing water right, and did not identify any conditions to mitigate such injury or if water is not available, STOP here – the Department cannot accept the application.*

R-00697

RECEIVED

FEB 08 2019

OWRD

JAN 15 2019

OWRD

ODFW Alternate Reservoir Application Review Sheet: Include an ODFW Review Sheet completed by an ODFW representative. *NOTE: If ODFW determined that your reservoir will pose a significant detrimental impact to existing fishery resources and did not identify any conditions to mitigate such impact, STOP here – the Department cannot accept the application.*

Land Use Information Form: Include a Land Use Information Form or the Land Use Information Form receipt stub signed (*must be original*) by a representative of the local planning agency having jurisdiction (i.e., county or city planning).

Legible and accurate map: A map of the proposed development must accompany each application for a permit. See pages 3 and 4 and the Minimum Requirements on page 8 for map requirements.

Payment: A check or money order made out to WRD for the examination fee. The base fee is \$410. In addition, there is a fee of \$35 per acre-foot or fraction thereof. Example: 0.3 AF = \$445; 1.5 AF = \$480; 20.0 AF = \$1110; 30.0 AF = \$1460.

NOTE: There is a \$520 permit recording fee for Alternate Reservoir applications. You may pay the permit recording fee at time of submittal or you may pay that fee at a later date prior to permit issuance. For fastest processing, the Department recommends that the permit recording fee be paid in advance. If the Department does not issue a permit, the permit recording fee will be refunded.

Secondary Application: Submit a secondary application if there will be out-of-reservoir uses associated with this reservoir **AFTER** the reservoir has been permitted.

RECEIVED

FEB 08 2019

OWRD

RECEIVED

JAN 15 2019

OWRD

RECEIVED

FEB 08 2019

OWRD

Alternate Reservoir Application Completeness Checklist

This is the checklist used by WRD staff

Application _____ County _____
 Priority Date _____ Township _____ Range _____ Section _____ Taxlot _____
 Use _____ Caseworker _____
 Amount (AF) _____ Watermaster _____

Minimum Requirements (ORS 537.409)

- ☐ Landowner Name, Mailing Address and Telephone Number.
- ☐ Source and tributary listed. **NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE**
- ☐ Reservoir Location- Township, Range, Section, Quarter Quarter, Taxlot
- ☐ Dam height, if applicable
- ☐ Total Quantity of Storage Requested: _____
- ☐ Proposed Use of the water. Cannot accept application for use of this stored water at the same time (E2)
- ☐ Property ownership indicated? If applicant does not own all the land is the affected landowner's name and mailing address listed? (Including: lands not owned by applicant, upon which the source is located **OR** that are crossed by the diversion works. This includes any roads or rights-of-way.)
- ☐ Environmental Impact section completed?
- ☐ Application signed by the landowner(s)? All parties noted as applicants must sign the application.
Must be an original "wet" signature.
- ☐ 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, even scale such as 1" = 400', 1" = 1000', or 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 landsurvey corner*
 If no dam, use coordinates to center of reservoir.**
- ☐ 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 land sales contract or title insurance to meet this requirement.

☐ Fees enclosed? Print page from fee calculator
 Total Paid \$ _____ Total Fees \$ _____
 Completeness Check by: _____ Date: _____

Revised 2017.8-4

RECEIVED

JAN 15 2019

OWRD

Appendix A

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

Activities in Wetlands and Waterways are Regulated by:

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

What Areas are Regulated?

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

What Activities are Regulated?

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

What Activities are Exempt

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

How are Laws Enforced?

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

RECEIVED

FEB 08 2019

OWRD

RECEIVED

JAN 15 2019

OWRD

R-00679



LAND MANAGEMENT DIVISION

Date Received:

RECEIVED OCT 25 2018

TYPE I APPLICATION

Land Use Compatibility Statement

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # 509-PA18-05834 FEE: 130.00

Applicant (print name): Allan Wooster
Mailing address: 85106 Territorial Hwy
Phone: 541-501-3390 Email: Wooster.Allan@gmail.com
Applicant Signature: Allan Wooster

RECEIVED

FEB 08 2019

PROPERTY LOCATION

18 05 32 103
Township Range Section Taxlot Subdivision/partition lot/parcel block
85106 Territorial Hwy Eugene OR 97402
Site address

OWRD

The Land Use Compatibility Statement (LUCS) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

We want to dig a pond 200' x 120' x 10'
on the above property.

RECEIVED

JAN 15 2019

OWRD

Version 08/2018

R-88699



Lane County Clerk
Lane County Deeds and Records

2016-001915



\$47.00

01550354201600019150010015

01/19/2016 09:49:17 AM

RPR-DEED Cnt=1 Stn=9 CASHIER 11
\$5.00 \$11.00 \$21.00 \$10.00

TITLE NO. 0293747
ESCROW NO. EU16-0057
TAX ACCT. NO. 1737590 MAP/TAX LOT NO. 18 05 32 #103
TAX ACCT. NO. 1737608 MAP/TAX LOT NO. 18 05 32 #103

GRANTOR

JOHN E. AND SHARON D. MCCAY JOINT REVOCABLE TRUST

GRANTEE

ALLAN WOOSTER
P.O. BOX 777
VENETA, OR 97487

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

JOHN E. MCCAY, TRUSTEE OF THE JOHN E. AND SHARON D. MCCAY JOINT REVOCABLE TRUST,
Grantor,

conveys and warrants to

ALLAN WOOSTER, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

Parcel 1, Land Partition Plat No. 2004-P1816, recorded October 26, 2004, Lane County Oregon Plat Records,
in Lane County, Oregon.

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:
Covenants, Conditions, Restrictions, Easements and Rights of Way of record, if any.

The true consideration for this conveyance is \$400,000.00.

Dated this 14 day of Jan, 2016.

JOHN E. AND SHARON D. MCCAY JOINT
REVOCABLE TRUST

BY:

JOHN E. MCCAY, TRUSTEE

State of Oregon
County of LANE

This instrument was acknowledged before me on January 14, 2016 by JOHN E. MCCAY AS
TRUSTEE OF THE JOHN E. AND SHARON D. MCCAY JOINT REVOCABLE TRUST.



(Notary Public for Oregon)
My commission expires 4-17-16

RECEIVED

FEB 08 2019

OWRD

R-88689

BOOK 252 PAGE 192

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT MATTIE EVANS and FRANK L. EVANS, her
husband, and CLARENCE V. CANADAY, a single man over the age of 21 years
~~his wife,~~ for and in consideration of the sum of TEN AND NO/100 - - - - -

DOLLARS,

to them paid, do hereby Bargain, Sell and Convey unto ELVA L. CULLOCH and
ELLA GRACE L. CULLOCH, his wife

the following described premises, to-wit:

The northeast quarter of the northwest quarter, the west
 half of the northeast quarter, also commencing at the northwest corner
 of the northeast quarter of northeast quarter of section 32, township
 18 South Range 5 West of Willamette Meridian, run east 13.75 chains,
 south 20 chains, west 13.75 chains, and north 20 chains to the place
 of beginning, being in section 32, township 18 South Range 5 West of the
 Willamette Meridian in Lane County, Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said grantees
 their heirs and assigns forever.

And the said grantees
 do hereby covenant to and with the said grantors
 their heirs and assigns
 that they the owners in fee simple of said premises; that they are free from all incumbrances;

and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, we have hereunto set our hands and
 seal this 25th day of June, A. D., 19 16.

done in the Presence of:

Hilary witness →

Mattie Evans (SEAL)
Frank L. Evans (SEAL)
Clarence V. Canaday (SEAL)

RECEIVED

FEB 08 2019

OWRD

R-88699

PARCEL RECORD -- Cartographic Unit

1737590/1737608

Page 1 of

Code Area	Township	Range	Section	1/4	1/16	Parcel Number	Type	Number						
	18	05	32	0	0	00103			Formerly part of 18-05-32-00-00100					
Map Number						Special Interest			History of Parcel					
Tax Lot Number									Exceptions/Additions		Date of Entry/ Acquisition	Deed Record Volume Page		Acres Remaini ng
History of Parcel Prior to Re-mapping									NEW PARTITION PLAT		CS 38898 2004	2004	082647	51.18
Previous Account Number						Previous Tax Lot Number								
PARTITION PLAT NO. 2004-P1816 Parcel 1 RECEIVED FEB 08 2019 OWRD								FROM DUP C920		2007 BS	2006	089990		
								2008 WD		2008	043036			
						Remarks								

3X127

2-88657

BOOK 252, PAGE 192

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT HATTIE EVANS and FRANK L. EVANS, her
husband, and CLARENCE V. CANADAY, a single man over the age of 21 years

for and in consideration of the sum of TEN AND NO/100

DOLLARS,

to them paid, do hereby bargain, sell and convey unto ELVA E. CULLOCH and
WILMA GRACE C. CULLOCH, his wife

the following described premises, to-wit:

The northeast quarter of the northwest quarter, the west
half of the northeast quarter, also commencing at the northwest corner
of the northeast quarter of northeast quarter of section 32; township
10 South Range 5 West of Willamette Meridian, run east 13.75 chains,
south 20 chains, west 13.75 chains, and north 20 chains to the place
of beginning, being in section 32, township 10 South Range 5 West of the
Willamette Meridian in Lane County, Oregon.



RECEIVED

FEB 08 2019

OWRD

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Elva E. CULLOCH
and her heirs and assigns forever.

And the said Elva E. CULLOCH
do hereby covenant in and with the said Trustees

that Elva E. CULLOCH the owners in fee simple of said premises; that they are free from all incumbrances;

and that Elva E. CULLOCH will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Elva E. CULLOCH have hereunto set our hands and
seal on this 25th day of June, A. D. 1913

done in the Presence of:

Hattie Evans

(SEAL)

Frank L. Evans

(SEAL)

Clarence V. Canaday

(SEAL)

(SEAL)

Elvira Watson



Chicago Title Insurance Company

RECEIVED

FEB 08 2019

POLICY NO.: 7388-1-0293747-2016.73306-95184319

OWNER'S POLICY OF TITLE INSURANCE

Issued by

Chicago Title Insurance Company

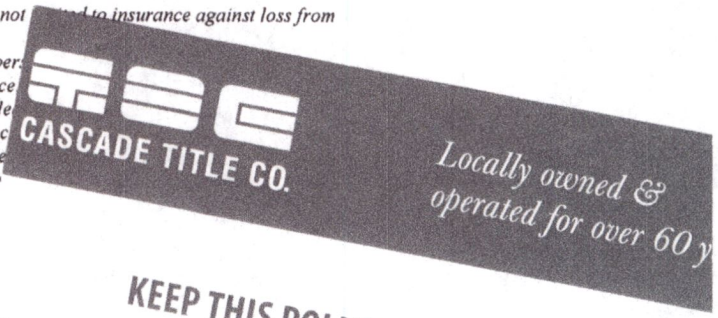
OWRD

Any notice of claim and any other notice or statement in writing required to be given the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or imperfection of any person or Entity to have authorized a transfer or conveyance
 - (ii) a document affecting Title not properly created, executed, witnessed, sealed, or otherwise invalid
 - (iii) failure to perform those acts necessary to create a document by electronic means
 - (iv) a document executed under a falsified, expired, or otherwise invalid power of attorney
 - (v) a document not properly filed, recorded, or indexed in the Public Record
 - (vi) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental body
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Land. The term "encroachment" includes encroachments of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental prohibition, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection
 if a notice, describing any part of the Land, is recorded in the Public Record; enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power over the Land, is recorded in the Public Records, but only to the extent of the enforcement action.
7. The exercise of the rights of eminent domain if a notice of the exercise, described in the Public Records, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the Title.
9. Title being vested other than as stated Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order, of the Land occurring prior to the transaction vesting Title as shown in the Public Records, federal bankruptcy, state insolvency, or similar creditors' rights law
 - (b) because the instrument of transfer vesting Title as shown in the Public Records, federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created, or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records.



KEEP THIS POLICY IN A SAFE PLACE

For faster service on future sales or loans on your property present this slip to your broker or loan company showing:

CASCADE TITLE CO.

Policy No. 0293747

We appreciate your business and will continue giving you the best service possible.

811 Willamette St, Eugene, OR 97401
541 687 2233 | cascadetitle.com

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

Countersigned:

Authorized Signatory

CHICAGO TITLE INSURANCE COMPANY

By:
ATTEST:
President
Secretary



7388OR 0293747
Cascade Title Company
811 Willamette Street
Eugene, OR 97401-2918
Tel: (541) 687-2233
Fax: (541) 485-0307
72306 (6/06)

ALTA Owner's Policy (6/17/06)

R-88699

TYPE IND IND CODE CODE CODE CODE CODE REISSUE AMOUNT

ORDER NO.	POLICY NUMBER	DATE OF POLICY	AMOUNT	PREMIUM
0293747	73306-95184319	JANUARY 19, 2016 at 9:49 A.M.	\$400,000.00	\$1,150.00

OWNERS POLICY



SCHEDULE A

Order No.: 0293747

Policy No.: 73306-95184319

Amount of Insurance: \$400,000.00

Premium: \$1,150.00

Date of Policy: JANUARY 19, 2016 at 9:49 A.M.

RECEIVED

FEB 08 2019

OWRD

1. Name of Insured:

ALLAN WOOSTER

2. The estate or interest in the land described or referred to in Schedule C and which is covered by this policy is:

FEE SIMPLE

3. Title to the estate or interest in the land referred to herein is at Date vested in:

ALLAN WOOSTER

4. The land referred to in this Policy is described on the attached Schedule "C" and made a part hereof.

RECEIVED

FEB 08 2019

OWRD

Policy No. 73306-95184319

SCHEDULE B

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
7. As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest lands. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS Chapter 321.
8. Rights of the public in and to that portion lying within streets, roads and highways.
9. Grant of Easement and Maintenance Agreement, including the terms and provisions thereof, recorded October 26, 2004, Reception No. 2004-082648, Lane County Deeds and Records.
10. Easements, notes, conditions and restrictions shown, set forth, and/or delineated on the recorded plat.
11. Such rights and easements for navigation and fishing as may exist over that portion of the property lying upon and beneath the waters of Coyote Creek.
12. Judgment in the State Circuit Court, against Allan Robert Wooster, in favor of Linda Marie Bourlet, docketed November 30, 2010, Case No. 15-05-01059, in the amount of \$36.00, child support per month, plus interest, costs, and fees.
13. Judgment in the State Circuit Court, against Allan Robert Wooster, in favor of Linda Marie Wooster, docketed March 23, 2005, Case No. 15-05-01059, in the amount of \$2,000.00, spousal support per month plus interest, costs, and fees.

R-88679

Policy No. 73306-95184319

14. Judgment in the State Circuit Court, against Allan Robert Wooster, in favor of Linda Marie Wooster, docketed March 23, 2005, Case No. 15-05-01059, in the amount of \$1,000.00, monetary award, plus interest, costs, and fees.
15. Deed of Trust, including the terms and provisions thereof, executed by Allan Wooster, Grantor, to Cascade Title Company, Trustee, for the benefit of John E. McCay and Patricia R. McCay, Trustees of the John E. and Patricia R. McCay Revocable Trust, dated January 12, 2016, Beneficiary, dated January 14, 2016, recorded January 19, 2016, Reception No. 2016-001916, Lane County Deeds and Records, to secure payment of a note for \$400,000.00.

END OF SCHEDULE B

RECEIVED

FEB 08 2019

OWRD

Order No. 0273-4
Policy No. 73306-95184319

RECEIVED

FEB 08 2019

SCHEDULE "C"

OWRD

The land referred to in the Policy is described as follows:

Parcel 1, Land Partition Plat No. 2004-P1816, recorded October 26, 2004, Lane County
Oregon Plat Records, in Lane County, Oregon.

R-00679