

RECEIVED

MAY 23 2019

OWRD

RECEIVED

MAY 10 2019

OWRD



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

# Application for a Permit to Store Water in a Reservoir

(Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

### Use a separate form for each reservoir

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

### 1. APPLICANT INFORMATION

Applicant: JOHN NIEMEYER  
First Last  
Mailing Address: 15 82<sup>nd</sup> Drive Ste # 210  
GLADSTONE OR 97027  
City State Zip  
Phone: 503 650 9500 503 387 4172  
Home Work Other  
Fax: 503 650 1212 E-Mail Address\*: john@mscmi.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: BRUNO CORNEAU  
First Last  
Mailing Address: 20980 NE NIEDERBERGER RD  
DUNDEE OR 97115  
City State Zip  
Phone: 509 845 4276 503 476 0203  
Home Work Other  
Fax: 503 476 0206 E-Mail Address\*: brunof@nwwineco.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: DUNDEE COVE RESERVOIR  
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: Seasonal water Run Tributary to: N/A  
C. County in which diversion occurs: YAM HILL

App. No. <u>R-88773</u>	For Department Use	Permit No. _____	Date _____
-------------------------	--------------------	------------------	------------

RECEIVED

RECEIVED

MAY 23 2019

MAY 10 2019

OWRD

OWRD

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
T3S	R3326 R33W	26	SW 1/4 of SW 1/4	01800

E. Dam: Maximum height of dam: 2 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: 3 Acre-feet = (Average Length)(Average Width)(Average Depth) / 43,560

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) [ ] Yes [x] 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.

- Multi purpose -

RECEIVED

APR 19 2019

5. PROPERTY OWNERSHIP

OWRD

Please provide a copy of the recorded deed(s).

Do you own all the land where you propose to divert, transport, and use water?

[x] Yes (please check appropriate box below then skip to section 5)

[x] 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 RECEIVED

MAY 23 2019 MAY 10 2019

OWRD

OWRD

6. ENVIRONMENTAL IMPACT

- A. **Channel:** Is the reservoir:  on-stream or  off channel?
- B. **Wetland:** Is the project in a wetland?  Yes  No  Don't know
- C. **Existing:** Is this an existing reservoir?  Yes  No  
If yes, how long has it been in place? \_\_\_\_\_ years.
- D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure?  Yes  No  Don't know  
If yes, how much? \_\_\_\_\_ miles.
- E. **Partnerships:** Have you been working with other agencies?  Yes  No

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

7. WITHIN A DISTRICT

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

Irrigation District Name	Address	
City	State	Zip

8. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

RECEIVED

APR 19 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).

RECEIVED  
MAY 23 2019  
OWRD

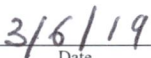
RECEIVED  
MAY 10 2019  
OWRD

RECEIVED  
APR 19 2019  
OWRD

**9. SIGNATURE**

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

  
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.

# 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.**

3S, 3W, 26, SWSW, and 35, NWNW, TL 1800

Application #: R- Applicant's Name: John Niemeyer

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

Explain: No measuring device is needed.

2) Can conditions be applied to mitigate the potential injury to existing water rights?  NO  YES N/A

If YES, which conditions are recommended:

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

Who: Agency: Date:

Who: Agency: Date:

Watermaster signature:  Date: 3/13/19

Jeana Eastman, NW Region Assistant Watermaster  
WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

RECEIVED  
MAY 23 2019  
OWRD

RECEIVED  
MAY 10 2019  
OWRD

RECEIVED  
APR 19 2019  
OWRD

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

# ODFW Alternate Reservoir Application Review Sheet

OWRD

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

Applicant Name/Address/Phone/Email: John Niemeyer 503 650 9500  
15 82<sup>nd</sup> Drive, Ste # 210 Gladstone OR 97027 john@mscni.com

Reservoir Name: Dundee Cove Source: Run off water Volume (AF): 3

Twp Rng Sec QQ: T 3 R 3 S 26 Basin Name: Willamette  
 in-channel  
 off-channel

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

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

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

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

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

MAY 23 2019

OWRD

RECEIVED

APR 19 2019

OWRD

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

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

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?  
 NO (explain)       YES (select from Menu of Conditions on next page)

ODFW Recommendations:

- 1) Add native vegetation around pond - consider willows, dogwood, rushes & sedges. Will add habitat value for wildlife.
- 2) Consider adding logs or snags to pond - pond turtle ~~hold-out~~ locations & other wildlife habitat.

RECEIVED

MAY 23 2019

OWRD

ODFW Signature:

*M. Blanchard*

Print Name:

Monica Blanchard

ODFW Title:

AWWD Assistant District Fish Biologist

Date:

4/10/2019

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

Revised 10/4/12

RECEIVED

MAY 10 2019

OWRD

RECEIVED

APR 19 2019

OWRD

# Land Use Information Form



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

## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

RECEIVED

MAY 23 2019

OWRD

## 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

MAY 10 2019

OWRD

RECEIVED

APR 19 2019

OWRD



# 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: John Niemeyer  
First Last

Mailing Address: 15 82<sup>nd</sup> Drive, Ste #210  
GLADSTONE OR 97027 Daytime Phone: 503 650 9500  
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:
T3	R3	S26	SWSW	01800		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	vineyard
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

YAMHILL

## 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) Run off -

Estimated quantity of water needed: 3  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 Multi purpose

Briefly describe:

- Mostly irrigation - Aesthetic

**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.

RECEIVED

APR 19 2019

OWRD

See bottom of Page 3. →

RECEIVED

MAY 10 2019

OWRD

RECEIVED

MAY 23 2019

OWRD

# For Local Government Use Only

OWRD

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): Section 402 of the YCZO
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Reservoir for irrigation and other agricultural uses.

RECEIVED

APR 19 2019

OWRD

Name: LANCE WOODS Title: ASSOCIATE PLANNER

Signature: [Signature] Phone: (503) 434-7516 Date: 3/18/2019

Government Entity: YAMHILL COUNTY PLANNING

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



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

RECEIVED

FEB 11 2019

OWRD

RECEIVED

MAY 23 2019

OWRD



After recording return to:  
John Niemeyer  
15 82nd Drive, Suite 210  
Gladstone, OR 97027-2549

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

John Niemeyer  
15 82nd Drive, Suite 210  
Gladstone, OR 97027-2549

File No.: 1031-2745467 (MWG)  
Date: September 23, 2016

THIS SPACE RESERVED FOR RECORDER'S USE

Yamhill County Official Records **201700090**  
DMR-DDMR  
Stn=0 MILLSA 01/03/2017 01:13:02 PM  
2Pgs \$10.00 \$11.00 \$5.00 \$20.00 **\$46.00**

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify  
that the instrument identified herein was recorded in the Clerk  
records.

Brian Van Bergen - County Clerk

### STATUTORY WARRANTY DEED

**John Martin Meyer, as trustee of the John L. Meyer Trust, dated November 18, 1994, as to an undivided 1/2 interest; and John Martin Meyer, as trustee of the Bonnie M. Meyer Trust, dated November 18, 1994, as to an undivided 1/2 interest, Grantor, conveys and warrants to John Niemeyer, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

**LEGAL DESCRIPTION:** Real property in the County of Yamhill, State of Oregon, described as follows:

**Tract 28 of CHEHALEM ORCHARD HOMES, Yamhill County, State of Oregon.  
EXCEPT that portion thereof lying North and East of the County Road.**

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.
2. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land pursuant to O.R.S. 321.358 to 321.372. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land assessment.
3. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

The true consideration for this conveyance is **\$450,000.00**. (Here comply with requirements of ORS 93.030)

RECEIVED

MAY 10 2019

OWRD

RECEIVED

APR 19 2019

OWRD

FIRST AMERICAN TITLE 2745467

R-88773

**Yamhill County  
Department of Planning and Development**

525 NE 4th Street, McMinnville, Oregon 97128

Phone: (503) 434-7516 • Fax: (503) 434-7544 • TTY: 800-735-2900 • Website: www.co.yamhill.or.us/plan

Date: 3/18/2019

RECEIVED OF: Bruno Corniaux  
 Docket #(s): N/A  
 Tax Lot #(s): 3326-1800

FOR: RECEIVED RECEIVED  
 Permit #(s): MAY 23 2019 MAY 10 2019

**PERMITS**

Building Permits .....  
 Plumbing Permits (Residential) .....  
 Plumbing Permits (Commercial) .....  
 Mechanical Permits .....  
 Manufactured Home Placement Permits .....  
 Electrical Permits .....  
 Electrical—Master Permit Program .....

**OWRD OWRD**

Zoning Compliance Fee (Ag Barn) .....  
 Reinspection Fee .....  
 Inspection Fee .....  
 Demolition Permit .....  
 Building Investigation Fee .....  
 Plan Review (Building or Electrical) .....  
 Administrative Surcharge .....

Agency ..... 7800  
 Address .....  
 Appeal/Hearing .....  
 Comprehensive Plan Amendment (PA, PAZ) .....  
 Conditional Use (C, CTS, CTR, WRG) .....  
 Cove Orchard Sewer Hookup .....  
 Dwelling Approvals (Farm, Forest, Non-farm) .....  
 Partition/Subdivision/Adjustments .....  
 Miscellaneous Land Use Applications .....

**LAND USE**

AGCY WATER RESOURCES USES  
 ADDR .....  
 APEAL .....  
 \*PDCP \*PDPZ .....  
 \*PDCU MADJ CTS CTR \*PDWR .....  
 COSSD .....  
 \*PDFD \*PDFT \*PDNF .....  
 \*PDPA \*PDSU L-MAJ L-MIN .....  
 EXT \*PDFP NCU NCU-R RR SIGN SU .....  
 SDR TS V M-37 .....

**RECEIVED**

Septic Permit ..... APR 19 2019  
 Pump .....  
 Site Evaluation .....  
 Plan Review (Commercial) ..... OWRD  
 Authorization .....

**SEPTIC**

Existing System Evaluation .....  
 Alternative System Evaluation .....  
 Inspections .....  
 Pump Truck Evaluation(s) .....

WOW - Valley: Franchise (FRACS) .....  
 Newberg Garbage: Franchise (FRANG) .....  
 Newberg Transfer: Franchise (FRANT) .....

**SOLID WASTE**

Riverbend: In County (RBIN) .....  
 Riverbend: Out of County (RBOU) .....  
 Miscellaneous (MISSW) .....

Photo Copies, Fax, P.I. Listing .....  
 Public Works – County Maps .....  
 Telephone .....

**MISCELLANEOUS**

COPY PILIST .....  
 \*PDRD .....  
 TELBU TELME TELPR TELPC TELEL TELPL TELSW .....

Photo Copies (COPYS) .....  
 Surveyor Filing Fee (FIFEE) .....

**SURVEYOR**

Plat Checks (PLCHK) .....  
 Road Vacation (RDVAC) .....

All items are received for collection  
 ONLY and this receipt shall be  
 cancelled for nonpayment of any item

TOTAL PAID 7800

Cash .....  
 Credit Card VISA  
 Ref# 13  
 Coin .....  
 Check# .....  
 Appr# 518155

**112325**

By: [Signature]

TAXDB : CRFEE

File Edit System Help

CRFEE T000100MAY1819

NEXT ACTIVITY

YAMHILL COUNTY  
CASH RECEIPTING - MISCELLANEOUS FEE COLLECTION

PERMIT #: [ ] PROJECT #: [ 0 ]  
PAYMENT TYPE:  SINGLE  MULTIPLE TOTAL TO BE APPLIED: [ 0+ ]

AMT PAID: [ 78.00+ ] PAYEE: BRUNO CORNEAUX

RECEIPT#: [ 112325 ] TYPE: CC CHECK#: [ ] DATE PAID: [ 03182019 ] F YEAR [ 18-19 ]

REFERENCE#: [ 0 ] APPROVAL#: [ ]

A/CID	F-CODE	AMOUNT	REMARKS
	AGCY	78.00+	WATER RESOURSE LUX
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	
A		0+	

NEXT PERMIT #: [ 0 ] DONE:  NO  YES

0 0012 AMOUNT PAID NOT = TOTAL APPLIED

RECEIVED  
MAY 23 2019  
OWRD

RECEIVED  
MAY 10 2019  
OWRD  
RECEIVED  
APR 19 2019  
OWRD

R-88773



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Ste A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
www.Oregon.gov/OWRD

5/14/2019

Bruno Corneau✕  
20980 NE Niederberger Rd.  
Dundee, OR 97115

RECEIVED

MAY 23 2019

OWRD

Dear Bruno Corneau:

The Water Resources Department has received your application to use or store water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Revised Statutes (ORS 537.409), and (ORS 537.400) for stored water including a non-expired agreement for stored water.

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

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

Should you have any questions, please do not hesitate to contact us at the address above or by telephone at 503-986-0900.

Sincerely,

Cory Middleton  
Water Rights Customer Service

Enclosed: \$1035 sent to 15 82<sup>nd</sup> Drive STE#210  
Gladstone, OR 97027-2549

Cc: OWRD Fiscal  
Cc: Mainlander Investments  
Cc: John Niemeyer



R-88773

RECEIVED

MAY 23 2019


OWRD

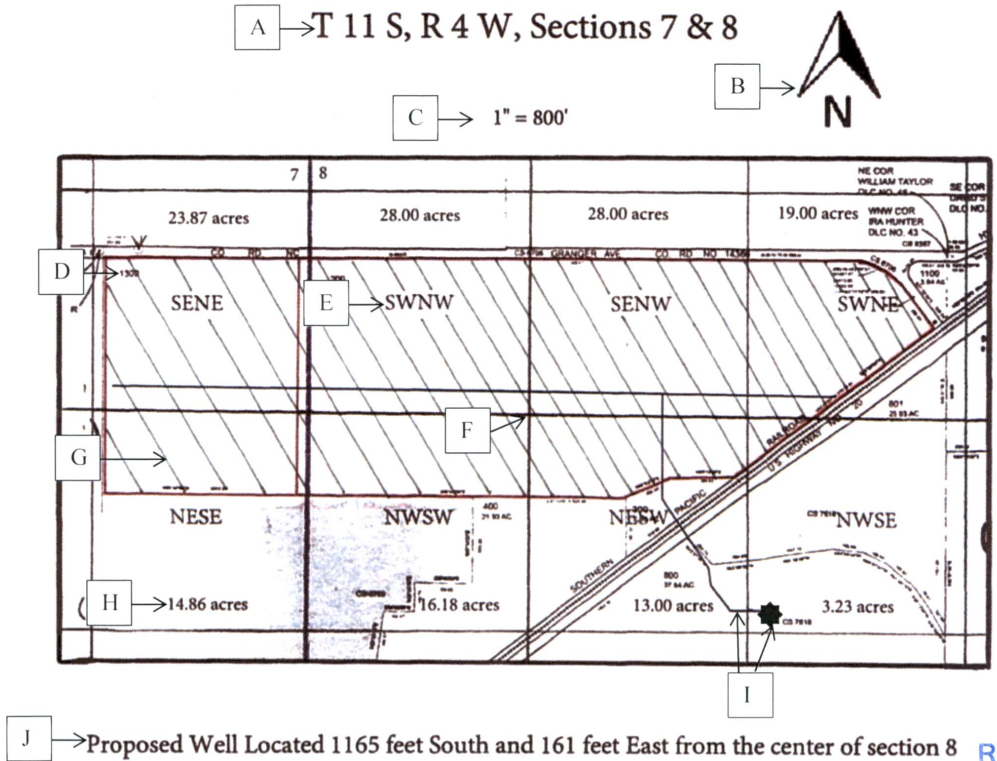
## Alternate Reservoir Application Completeness Checklist Minimum Requirements (ORS 537.409)

- 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)\*
  - Reference corner on map
  - 1/4's clearly identified
  - Dam or POD (If off channel) Location coordinates referenced to a government land survey corner\* If no dam, use coordinates to center of reservoir.\*\* How many feet North or South of Reference corner and how many feet East or West

R-88773

New Water Right Applications require a map, meeting certain standards, accompany the application. The map standards are governed by Oregon Administrative Rule 690-310-0050. Below is an example of each requirement on a sample map. (NOTE: Maps may vary in their appearance, but must all contain the minimum required elements.)

- A) Township, Range and Section
- B) North Directional Symbol
- C) Even Scale no smaller than 1" = 1320'
- D) Tax Lots Identified
- E) 1/4, 1/4 Public Land Survey subdivision identified
- F) Public Land Survey reference corner
- G) Hachury to identify place of use 
- H) For irrigation or nursery uses, number of acres to be irrigated in each 1/4, 1/4 Public Land Survey subdivision
- I) Well or Diversion and conveyance line to place of use
- J) Description of the location of the well or surface water diversion, referenced to a Public Land Survey reference corner



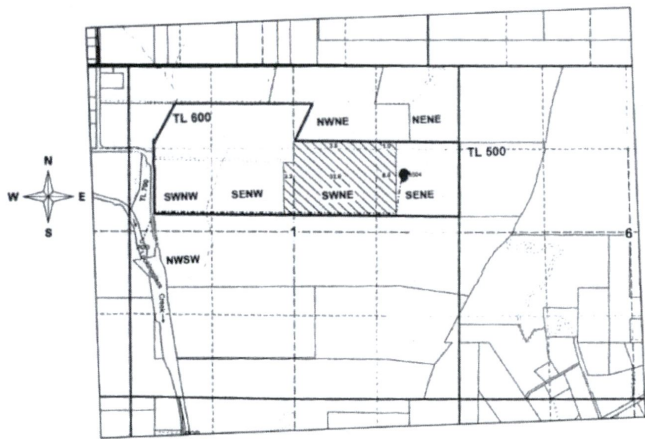
RECEIVED  
MAY 23 2019  
OWRD

R-88773



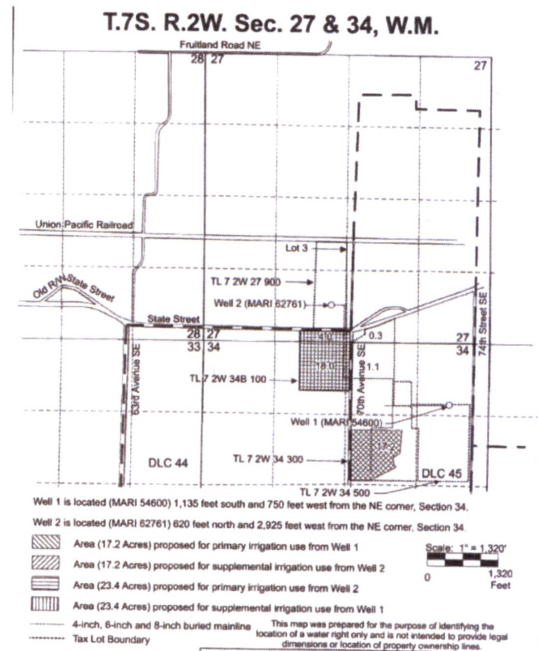
Other Sample Maps

**T.28S. R.7W. Section 1  
Douglas County  
Scale: 1" = 1,320'**



Point of Diversion is 2,720 ft. south and 180 ft. east from the northwest corner of Section 1.

**T.7S. R.2W. Sec. 27 & 34, W.M.**



RECEIVED

MAY 23 2019

OWRD

Page 2 of 4

August 2017

R-88773

### Map Requirements for New Water Right Applications

Provided is a sample map which contains all of the required elements for the map that must be submitted with a new Application for a Permit to Use Groundwater or Surface Water. Below are brief descriptions of the elements.

#### **A) Township, Range and Section**

The Public Land Survey System (PLSS) method used in the United States to divide, or "Plat", land established a rectangular grid system by which land could be described for the purposes of mapping and selling of real property. Locations on a map could be arrived at by referencing the grid using the Township and Range to zoom in on a specific area, usually measuring 36 square miles. The Township describes the areas location North to South, and the Range describes the areas location East to West. These areas are further divided into approximately 1 square mile areas known as Sections. Oregon is divided into 9 northern Townships, 41 southern Townships, 16 western Ranges and 51 eastern Ranges.

#### **B) North Directional Symbol**

For orientation purposes, the map must indicate which direction is North, relative to the paper the map is printed on.

#### **C) Even Map Scale**

An even map scale is required for a complete map. The scale must be true to the dimensions of the map (be sure to check the scale of your map after it is printed). The scale cannot exceed 4-inches to a mile (1-inch = 1,320-feet). Even scales will be in increments of ten feet, i.e. 1" = 400', 1" = 550', 1" = 720' etc. Scales such as 1" = 25.4 feet or 1" = 43 feet will not be accepted.

#### **D) Tax Lot**

The map must identify all individual tax lots where water will be diverted, conveyed or used.

#### **E) 1/4, 1/4 Section subdivisions identified**

The 1-square mile Sections described above are further divided into 1/4 Sections by bisecting the midpoint of the Section on the North/South and West/East Section lines. These 1/4 Sections are further divided into 1/4, 1/4 Sections (1/16 Sections). These 1/4, 1/4 Sections measure approximately 1,320 feet<sup>2</sup>.

August 2017

RECEIVED  
MAY 23 2019  
OWRD

2-88773

**F) Public Land Survey Reference Corner**

The grid produced by the division of lands using the Township, Range, Section 1/4 Section, and 1/4, 1/4 Section subdivision method creates a number of intersecting lines. Each of these line intersections are recognized as PLSS Reference corners. Additionally, in some areas other subdivisions known as Donation Land Claims (DLC) may be used as the reference corner.

**G) Hachury**

Hachury is an identifying texture added to the map to show the area where water will be used. Diagonal lines are the most common representation; however any continuous symbol over the area is acceptable.

**H) Acres per 1/4, 1/4 PLSS subdivision**

The map must show a breakdown of the number of acres in each 1/4, 1/4 PLSS subdivision.

**I) Well or Diversion and Conveyance**

The map must identify the location of the well or diversion with a unique symbol. Additionally, if the well or diversion fall outside of the area the water is to be used, the map must also include the approximate location of the conveyance system (pipe, ditch etc) from the well or diversion to the area of use.

**J) Description of the location of the well or diversion**

The map must include a description of the location of the well or diversion, referenced to a recognized PLSS corner, using the distance North/South and West/East from the reference corner. Additionally, the location may be identified using latitude and longitude coordinates.

RECEIVED  
MAY 23 2019  
OWRD

# Alternate Reservoir Application Completeness Checklist

This is the checklist used by WRD staff

Application \_\_\_\_\_ County Yamhill  
Priority Date 4/19/2019 Township 3S Range 3W Section 26 Taxlot 1800  
Use Multi-purpose Caseworker \_\_\_\_\_  
Amount (AF) 3 Watermaster Joel Plahn #16

## Minimum Requirements (ORS 537.409)

RECEIVED  
APR 24 2019

- Landowner Name, Mailing Address and Telephone Number.
- ?  Source and tributary listed. **NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE** **OWRD**
- ?  Reservoir Location- Township, Range, Section, Quarter Quarter, Taxlot
- Dam height, if applicable
- Total Quantity of Storage Requested: 3 AF
- 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' \*\*
  - 3  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 \$ 1,035.00

Total Fees \$ 1,035.00

Completeness Check by: Cory Middleton Date: 4/22/2019

Revised 2017-8-4

Peer Review: Judgy Ferrer

04/22/2019

Mary BjornE

4-23-19