

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
6N	35E	32	NE NW	06 35 32 300

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

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

4. WATER USE

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose use.

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:

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6. ENVIRONMENTAL IMPACT

- A. Channel:** Is the reservoir: in-stream or off channel?
- B. Wetland:** Is the project in a wetland? Yes No Don't know
- C. Existing:** Is this an existing reservoir? Yes No
If yes, how long has it been in place? 40 _____ 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 Hudson Bay District Improvement Co.		Address PO Box 110
City Milton-Freewater	State OR	Zip 97862-0110

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.

Water is released from the pond when the Spring Branch of Dugger Creek is flowing into Dugger Creek. Water is pumped from Dugger Creek using a diversion point down stream that is also used for Spring Branch of Dugger Creek (Certificate 94102) and Hudson Bay District Improvement Company (Hudson Bay) (Permit S-43973). Stored water for irrigation will only be used when water from the Spring Branch of Dugger Creek is flowing out of the pond through the existing meter. A 20 Hp pump conveys combined water from the Spring Branch of Dugger Creek, Hudson Bay, and stored water from the pond. The water is conveyed through 920 feet of buried mainline. Aluminum handlines equipped with sprinklers are connected to hydrants located along the mainline. Nelson Rotator and Rainbird 30 sprinklers are used to apply the water to the land.

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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

Excavated reservoir - no dam.

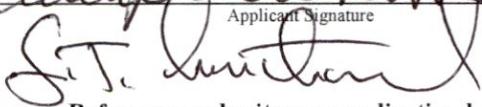
9. SIGNATURE

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



Applicant Signature

7-10-19
Date



Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

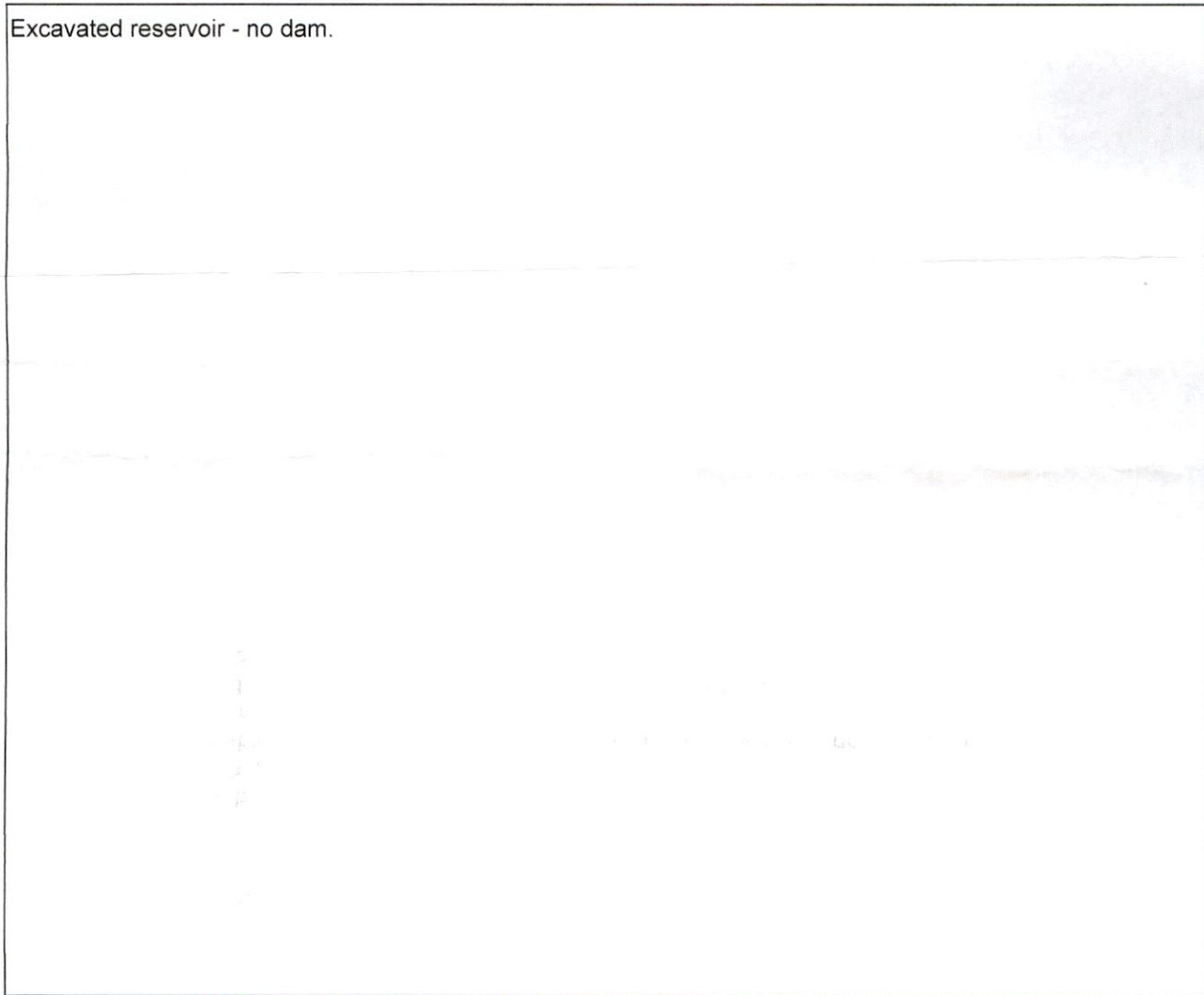
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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

Excavated reservoir - 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.

St. Johnston, Carolyn Coulter
Applicant Signature

8-13-19
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

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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: *Revocable Living Trust of Scott and Carolyn Crouthamel*

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

Explain: *Dugger Creek is heavily regulated during the Spring, Summer and Fall every year. Water Availability shows no water available May through September. I believe March - November would be more accurate. Dugger Creek is a spring fed system and tributary to Pine Creek. The Pine Creek Water Availability model was used for this review.*

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

If YES, which conditions are recommended:

Water may only be diverted for storage December through February to prevent injury to other water users. Pond should be constructed in a manner that allows bypass of inflow so that water can't be stored outside of storage season.

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

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

Meg Sillemagel

Date:

8/23/2019

WRD Contact:

Caseworker:

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

** Watermaster reviewed application sent via email by C. Crouthamel on 8/13/2019.*

NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Scott and Carolyn Crouthamel
P.O. Box 25, Milton-Freewater, OR 97862

Reservoir Name: Crouthamel Pond Source: Spring Branch Surface runoff + Volume (AF): 9.1

Twp Rng Sec QQ: 6N 35E 32 Basin Name: Milton-Freewater 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.

mitigated by diversion allowed Oct. 1 to April 14.

William B. Wick

Umatilla District fish Biologist

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)

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8/28/2019

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Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

Applicant

NAME SCOTT AND CAROLYN CROUTHAMEL			PHONE (HM)		
PHONE (WK)		CELL (360) 861-1084		FAX	
ADDRESS PO BOX 25, 84301 MEHARRY RD.					
CITY MILTON FREEWATER		STATE OR	ZIP 97862	E-MAIL *	

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:
6N	35E	32	NE NW	300	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
6N	35E	32	NW NW	401	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
						<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:

Umatilla

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 Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 9.1 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Stored water will be used from the reservoir when water from the Spring Branch of Dugger Creek is available.



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.

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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): UCDC 152.056(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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

NAME <u>Elizabeth Ridley</u>	TITLE: <u>Planner II / GIS</u>
SIGNATURE <u>Elizabeth Ridley</u>	PHONE: <u>541-278-6246</u>
GOVERNMENT ENTITY <u>Umatilla County</u>	DATE: <u>7-9-19</u>

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: _____

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August 16, 1979

Mr. James E. Sexson, Director
Water Resources Department
State of Oregon
555 13th Street NE
Salem, Oregon 97310

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WATER RESOURCES DEPT
SALEM, OREGON

Attention: Mr. Larry Jebousek, Administrator
Water Rights Division

Dear Sir:

This letter is a request for a re-evaluation and re-establishment for the appropriation of both surface and ground water on the following property which I own.

NW 1/4 Sec 32 T 6 N R 35 E W.M.
N 1/2 SW 1/4 Sec 32 T 6 N R 35 E W.M.
NW 1/4 SE 1/4 Sec 32 T 6 N R 35 E W.M.
SW 1/4 SE 1/4 Sec 32 T 6 N R 35 E W.M.

less three acres as shown on accompanying map.
15.2 acres SE 1/4 SE 1/4 Sec 32 T 6 N R 35 E
as shown on accompanying map.

The total of the land holding is 333 acres. The following certificates or public decrees were identified as applicable to the property by the Deputy Water Master, Milton-Freewater, Oregon.

<u>Water Source</u>	<u>Certificate & Date</u>	<u>Quantity of Water</u>
Dry Creek	✓ No. 2886 2/19/49	1.03 cfs
	✓ No. 5524 P.O. 1882	0.18 cfs
	✓ No. 1915 1/31/17	0.78 cfs
Duggar Creek	✓ No. 1705 P.O. 1891	0.17 cfs
Hudson Bay Irrigation Ditch	No. 13083 2/16/03	4.91 cfs
	Permit No. 26499 12/8/59 <i>(copy on file)</i>	1.5 cfs
Waste Water Supplemental irrigation	✓ No. 6328 8/15/22	0.25 cfs
Water well (James Taylor)	✓ No. 27311 5/14/54	2.08 cfs
Water well (George Ivor Williams)	✓ No. 33206 10/17/56	1.39 cfs

It is my understanding that as the owner of the above described property, that I can request a redistribution of the appropriated waters on my property. Therefore, the following requests are made:

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Duggar Creek No. 1705 P.O. 1891 - A spring in NE 1/4 NW 1/4 irrigates 13.5 acres in NW 1/4 NW 1/4 Sec 32, and allows use of 0.17 cfs (75 gallons/min.) of water. This certificate is to remain in effect and be upgraded. The marshy bottom lands adjacent to Duggar Creek are being rehabilitated by installed drainage lines to reclaim the land. The spring listed under Certificate 1705 and other drainage waters will be lead to a common pumping station to be established in the near future, at which time an upgrading of that certificate will be made. The conditions were inspected by Bill Porfilyand Tony Powers and a general plan made for this work.

Dry Creek No. 5524 P.O. 1882 - irrigates 11.6 acres in SW 1/4 SE 1/4 Sec 32 and allows use of 0.18 cfs (80 gallon per min.) of water. This certificate is to remain in effect. ~~Certificate No. 1915 is to be transferred from the NW 1/4 NW 1/4 and SW 1/4 NW 1/4 to the SW 1/4 SE 1/4.~~ The transfer of application area is to be applied to 7.6 acres and would allow use of 0.095 cfs or 43 gallons per minute. The remainder of the water use under this certificate would be abandoned. Certificate No. 2886 would be totally abandoned.

Hudson Bay Irrigation Ditch Certificate No. 13083, dated 2/16/03 - irrigates the following lands for primary use.

- 15 acres - SE 1/4 NW 1/4
- 32.8 acres - NE 1/4 SW 1/4
- 10.1 acres - NW 1/4 SW 1/4
- 40.0 acres - NW 1/4 SE 1/4
- 17.8 acres - SW 1/4 SE 1/4
- 15.2 acres - SE 1/4 SE 1/4

and allows use of 4.87 cfs (2182 gallon/min.) of water.

It is requested that 20 acres in the NW 1/4 SE 1/4 be transferred to SW 1/4 NW 1/4.

Hudson Bay Irrigation Ditch Permit No. 26499, dated 12/8/59 - irrigates the following lands for the listed use.

- 3.0 acres - SW 1/4 SE 1/4 - Primary
- 30.0 acres - NW 1/4 SW 1/4 - Supplementary
- 7.0 acres - NE 1/4 SW 1/4 - Supplementary

and allows use of 1.5 cfs (672 gallons/min) of water.

It is requested that the 6.37 cfs of Hudson Bay Irrigation Ditch water under Certificate No. 13083 and Permit No. 26499 be rotated over the following additional lands as supplementary use.

- 40 acres - NW 1/4 NW 1/4 - Supplementary
- 40 acres - NE 1/4 NW 1/4 - Supplementary
- 20 acres - SW 1/4 NW 1/4 - Supplementary
- 25 acres - SE 1/4 NW 1/4 - Supplementary
- 20 acres - NW 1/4 SE 1/4 - Supplementary
- 16.2 acres - SW 1/4 SE 1/4 - Supplementary

This above request is indicated in the prior application by the Hudson Bay District Improvement Company and answered by Mr. Ralph H. Jackson in a letter dated 3 April 1977, (copy attached, Incl. #1). This request is to correct the land description for the supplemental use after the requested adjustments have been made.

The total effect of this request is to apply Hudson Bay Irrigation Ditch water to the 333 acres either as primary or supplemental use without increasing the water allowed under the Certificate No. 13083 and Permit No. 26499.

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Waste Water Supplemental Irrigation Certificate No. 6328, dated 8/15/22 - no longer exists as a water source and is abandoned.

Water Well (James Taylor) Certificate No. 27311, dated 5/14/54 - has been abandoned. The dug well, all in common materials, has been backfilled.

Water Well (George Ivor Williams) Certificate No. 33206, dated 10/17/56. The well provides irrigation water for the following lands:

0.30 acres	-	NW 1/4 NW 1/4	-	Primary
23.3 acres	-	NE 1/4 NW 1/4	-	Primary
2.0 acres	-	SW 1/4 NW 1/4	-	Primary
36.5 acres	-	NW 1/4 NW 1/4	-	Supplementary
10.0 acres	-	NE 1/4 NW 1/4	-	Supplementary
38.0 acres	-	SW 1/4 NW 1/4	-	Supplementary

and allows use of 1.39 cfs or (622 gallons per minute) of water.

This water well was drilled in October 1956 and has a total depth of 715 feet. The well is cased as follows:

0.0 to 520.0	-	10" I.D. steel csg.
515.0 to 635.0	-	8" I.D. steel csg.
635.0 to 715.0	-	8" open hole.

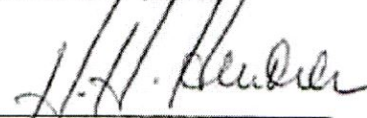
The well was retested (Inclosure No.2) on 8 and 9 of February 1978 by the Farmore Distributing Company, Pendleton, Oregon. The well was found to produce 1500 gpm as a sustained yield with a draw down of 131.5 feet. Based upon the well test data, it is requested that the certificate be upgraded to allow 3.0 cfs (1344 gallons per minute) of water use. The 129 acres of additional supplemental water use would be on the following land:

40 acres	-	NW 1/4 SW 1/4	-	Supplementary
40 acres	-	NE 1/4 SW 1/4	-	Supplementary
3.2 acres	-	NW 1/4 NW 1/4	-	Supplementary
6.7 acres	-	NE 1/4 NW 1/4	-	Supplementary
40.0 acres	-	SE 1/4 NW 1/4	-	Supplementary

On the attached map is shown the water distribution system as exists for the 333 acres. The distribution lines from the pumping stations on Hudson Bay Ditch and deep water well (George Ivor Williams) are all interconnected, however, controlled by valves to apply the irrigation water where it is needed.

I am in the process of negotiating the sale of forty (40) acres in NW 1/4 SE 1/4 and fifty-two (52) acres in SW 1/4 SE 1/4 and SE 1/4 SE 1/4. These two land transactions will not be completed until the water rights on the 333 acres are clarified and certified correct by your office. If I can provide any additional information regarding the appropriated water, please feel free to inquire.

Sincerely yours,



H. H. Hendricks
Route 3, Box 19
Milton-Freewater, Oregon 97862

Enclosures

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After recording return to:
Revocable Living Trust of Scott and Carolyn
Crouthamel, dated
September 2, 2008
126 Newman Creek Road
Elma, WA 98541

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

Revocable Living Trust of Scott and Carolyn
Crouthamel, dated
September 2, 2008
126 Newman Creek Road
Elma, WA 98541

Escrow No. MF0064785
Title No. 0064785
SW1)

STATUTORY WARRANTY DEED

Scott L. Lathrop and Ruby Lathrop, as tenants by the entirety, as to Tract I and Ruby Lathrop, who acquired title as Ruby Hodnefield, as to Tract II, Grantor(s) hereby convey and warrant to Scott T. Crouthamel and Carolyn S. Crouthamel, Trustees of the Revocable Living Trust of Scott and Carolyn Crouthamel, dated September 2, 2008. Grantee(s) the following described real property in the County of Umatilla and State of Oregon free of encumbrances except as specifically set forth herein:

TRACT I:

East Half of Northwest Quarter of Northwest Quarter of Section 32, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon;

Together with an easement for ingress and egress, being 20 feet in width on each side of the following described centerline:

Commencing at Northwest corner of said Section 32; thence North 89°06'28" East 546.33 feet to a point of intersection of County Road No. 387 said point being the true point of beginning for this description; thence South 41°11'54" East 177.24 feet; thence along a 163.70 foot radius curve to the right the chord of which bears South 25°41'17" East 87.55 feet, an arc distance of 88.63 feet; thence South 12°14'43" East 132.94 feet ending at a point lying within East Half of Northwest Quarter of Northwest Quarter of said Section 32.

Subject to any and all water rights of way.

TRACT II:

Northeast Quarter of Northwest Quarter of Section 32, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon.

Subject to any and all water rights of way.

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FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

Serial No. 140978
Serial No. 129335

6N 35 32 401 7-13
6N 35 32 300 7-13