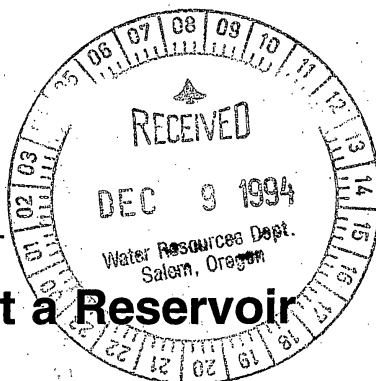


HB-2153

Application No. R-75355



State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

Applicant(s) TED W. MICHEL AND BETTY J. MICHEL
(Please print or type - use dark ink)

Mailing Address: P.O. Box 243
AZALEA OR. 97410 837-3377
City State Zip Daytime Phone No.

I (We) make application for a permit to construct FINISHED CONSTRUCTION IN 1984 reservoir and store the following described waters of the State of Oregon: AND HAS BEEN IN USE EVER SINCE.

1. SOURCE OF WATER for the proposed use: HIGHLAND DITCH CO., a tributary of COW CREEK

If not in channel of a stream, state how it is to be filled: FROM HIGHLAND DITCH CO. GRAVITY FED.

2. THE DAM: The maximum height of the structure will be 3' feet above stream bed or ground surface at the centerline.

The dam will be (check one) earthfill, concrete, flashboard, other.

If "other" give description: _____

Give the location, description, and dimensions of the outlet conduit: 12" GALVANIZED CONDUIT WITH SLIDE VALVE AT SOUTH END OF POND.

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water will be: WATER FOR LIVESTOCK - CATTLE + SHEEP AND IRRIGATE ± 19 ACRES OF HAY FIELDS

4. THE AMOUNT OF WATER to be stored is: 2 acre-feet.
The area submerged by the reservoir, when filled, will be 1 acres,
and the maximum depth of water will be 5' feet.

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam. NO SPILLWAY - WATER IS PUMPED FROM POND - POND HAS 6"

INLET FROM HIGHLAND DITCH W/ VALVE AND HAS A 12" OVERFLOW
CONVERT PIPE W/ VALVE. POND WAS EXCAVATED

6. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin FINISHED IN 1984

Proposed date construction work will be completed 1984

Proposed date water use will be completed 1984

NOTE: Prior to issuance of a permit, it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

Applicant CWRE Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

Applicant CWRE Other (Identify in REMARKS section)

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? YES. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS: WATER USED FOR LIVESTOCK AND TO IRRIGATE HAY FIELDS

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Ned W. Michel
Signature

Betty J. Michel
Signature

12-7-94
Date

12/7/94
Date

DEC - 9 1994
WATER RESOURCES
SALEM, OREGON

Application No. 75355
Permit No.

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 9 day of December, 1994, at 8:00 o'clock, A M.

Priority: 1/1/93

APPLICATION NO: R-75355

Land Use Information Form: Permits, Hydroelectric Licenses,
Water Uses in Addition to Classified Uses

OA 94-228
#18093

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: TED W. MICHEL AND BETTY J. MICHEL DEC - 9 1994
Address: 1830 EAKINS RD.
City: AZALEA State: OR. Zip: 97410 Day Phone: 837-3377 WATER RESOURCES DEPT.
SALEM, OREGON

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
15391.11	(FG) Exclusive Farm Use			X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

=====
For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
Cite applicable ordinance section(s); _____ . Go to section b) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

=====
Receipt for Request for Land Use Information

WRD Applicant Name: Ted W. Michel **Application No.** 75355
Permit No.

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: Douglas
Staff Contact: BETTY L. MACK Phone: 440-4289
Signature: Betty L. Mack Date of Information Request: 12-7-94

(for Local Use Continued)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

b) Please provide printed name and written signature.

Name: BETTY L. MACK Date: 12-7-94

Title: Planner Phone: 440-4289

Signature: Betty L. Mack

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

Additional Comments:

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records. *RLM*

RECEIVED
RECEIVED

Applicant Name: TED W. MICHEL AND BETTI J. MICHEL
 Address: 1830 EAKINS RD
MAILING ADDRESS P.O. Box 243
SALEM, OR. 97410
 Phone: 837-3377

DEC - 9 1994
 WATER RESOURCES DEPT.
 SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): MAY FIELDS
- Livestock (type of livestock, feedlot, slaughterhouse): CATTLE AND SHEEP
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.): _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

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Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____	<u>0.27</u> Cubic feet per second. _____ Gallons per minute.
<input checked="" type="checkbox"/> Reservoir or pond	<u>3.5</u> Acre-Feet / ACRE AS STATED IN CERTIFICATE # 31351 ABSTRACT PERMIT # 27431 8-11-62
<input type="checkbox"/> Ground Water	

\$20.00

Oregon

WATER
RESOURCES
DEPARTMENT

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, 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 both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Application No. 75355
Permit No.

12-7-94

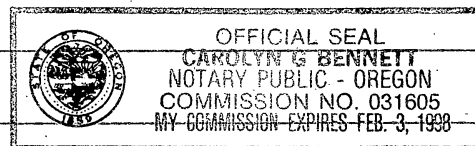
Oregon Dept of Water Resources
Commerce Building
158 12th St. N.E.
Salem, Oregon 97310-0210

RECEIVED
DEC - 9 1994
WATER RESOURCES DEPT.
SALEM, OREGON

Dear Sirs:

These are the facts that accompany my application for a pond permit water right to the best of my knowledge

1. Pond was constructed in 1984
2. It was an existing pond at the time I purchased this property April 1st 1993.
3. The pond is used to water my livestock (Cows and sheep) and to irrigate ± 19 acres of hay fields

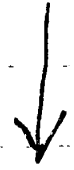


We certify that the information we have provided in this application is accurate representation of proposed water use, is true and correct to the best of our know

Ed W. Michel Betty J. Michel
Carolyn G. Bennett

HIGHLAND
DITCH

SLOPE



10'

2' DEPTH

20'

2 1/2' DEPTH

30'

3' DEPTH

40'

4' DEPTH

60'

5' DEPTH

60'

6" INLET

4' DEPTH

30'

3' DEPTH

25'

15'

OVERFLOW
12" w/ SLIDE VALVE

+ 3' BANK

465'

3" x 2"
7 1/2 H.P.
PUMP

B
A
R
N

Application No. 75355
Permit No.

MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

(date & initials) NOTICE OF EXEMPT RESERVOIR form (or letter if prior to April 8, 1994).

Appropriate map (see item 1 on form).

Evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation).

Items 2, 3, 4, 5, and 6 are completed.

Signature (and title, if applicable)

HB 2153 - non-exempt existing ponds (large, on-channel)

Complete Minimum Requirements to File on reverse, except before routing to Data Center, change priority date to 1/1/1993. Also, confirm the following:

12/9/94 CS Receipt of evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation)

HB 2107 - wetland, stream restoration and storm water management

Complete Minimum Requirements to File on reverse EXCEPT DO NOT ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the following:

Name/address of adjacent property owner within 1/4 mile

Map with scale not less than 2 in.=1 mi.

CWRE map if > 10 feet dam or > 9.2 AF

Description of proposed use

Condition addressed

Resulting benefits

Public notices (circle) #1 #2

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # PC 75355

MINIMUM REQUIREMENTS TO FILE

OAD 690-11-020

DATE STAMP

DATE INITIAL

12/9/94

CS

Name and mailing address of applicant
Source of water
Quantity of water
Map showing location of POD & POU
Use of water
Names and addresses of legal owners
Signature of applicant
Oath
Application date stamped per money receipt date
Land use approved X pending _____

If reservoir < 5 AF \$ SD , if > 5 AF \$ _____

HB 2153/HB 2107 APPLICATION -- SEE REVERSE

Route to Data Center (Unless 2153/2107)

DATA CENTER

Stream Code _____
Entered into WRIS

SUPPORT SERVICES

Stamp contents with application number
Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file
Place label on file and calender card

APPLICATION SECTION

Stream Indexed Basin # _____
Plat Carded and copy made YES NO
If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section

TR CASEWORKER

TR Checklist complete YES NO
Within Irrigation District _____
District Notified _____
District excerpt received _____

TR Mailed DATE _____

Public Interest Checklist complete _____

Management Codes _____

REMARKS: _____

