

Application for a Permit to
Store Water in a Reservoir
 (Standard Review)



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

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You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

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Applicant

NAME		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL *

Organization

NAME HETTERVIG PROPERTIES, LLC		PHONE	FAX
ADDRESS 1976 SE OCHOCO ST		CELL 503-806-1918	
CITY MILWAUKIE	STATE OR	ZIP 97222	E-MAIL *

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

AGENT / BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC		PHONE 541-389-2837	FAX
ADDRESS P.O. BOX 1830		CELL	
CITY BEND	STATE OR	ZIP 97709	E-MAIL *

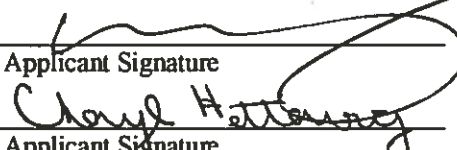
Note: Attach multiple copies as needed

* 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.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally store water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

 **I (we) affirm that the information contained in this application is true and accurate.**

 Applicant Signature	<u>Mark S. Hettervig</u> Print Name and Title if applicable	<u>9-8-2020</u> Date
<u>Cheryl Hettervig</u> Applicant Signature	<u>Cheryl Hettervig</u> Print Name and Title if applicable	<u>9-8-20</u> Date

SECTION 2: PROPERTY OWNERSHIP

Indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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 irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all the owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

N/A

Legal Description: You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Reservoir Name: Reservoir #1

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 1: Groundwater via WELL (JEFF 325)	Tributary to:
TRSQQ of POD: T10S R13E, Section 6, GL 6	
Source 2:	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? Yes No
- Is the proposed reservoir in-channel of a stream or off-channel: In-channel Off-Channel
- If the reservoir is proposed to be in-channel, is the stream: Perennial Intermittent Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present?
 Yes No Don't know
- Is the reservoir in the 100-year floodplain? Yes No Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: Groundwater via Well (JEFF 325)

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, refer to the map shown on [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

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Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements prior to diversion or use of water under any permit issued pursuant to this application.

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Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

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 Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

 Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T&E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

- a) The use of the impounded water will be: **STORAGE – MULTI-PURPOSE USE**
- b) The amount of water to be stored is: **0.1** acre-feet.
- c) The area submerged by the reservoir, when filled, will be **0.04** acres.

SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 4 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height (4'), 2) width (15'), 3) crest width (3'), 4) surface area (0.04 ac) and 5) preliminary fish passage design.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department's Dam Safety Section prior to storage of water.

The dam will be (check one): Earthfill Concrete Flash board Other

If "other," provide the description: _____

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SECTION 7: PRIMARY OUTLET WORKS

a) Describe the location and the dimensions of the outlet conduit through the dam:

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

6" PVC outlet to pump used for irrigation.

b) How and when will the outlet be operated?

Outlet will be used during the irrigation season when the Reservoir is used as a bulge in the system.

c) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?

Does not apply, off-channel.

SECTION 8: EMERGENCY SPILLWAY

a) Describe the location and the dimensions of the spillway channel.

Does not apply. Round pond, water will be evacuated from reservoir if requested via a pump.

b) How will the emergency spillway be designed to prevent erosion?

In the event of water spilling, it will be spread out on pasture area.

c) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?)

Does not apply – off channel.

SECTION 9: WATER QUALITY

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream. Water will be cycled through the reservoir during the irrigation season, maintaining water quality in the reservoir.

The reservoir is not on the channel of a live stream, but if water were to spill, it will be distributed on the irrigated pasture area.

- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.

The edges of the pond have established vegetation to catch and filter any run-off if it were to occur. Any contaminated water would be spread out on pasture area.

- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

Reservoir is off channel, at no time will water be discharged instream.

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A. Reservoir Name: Reservoir #2

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 1: Groundwater via WELL (JEFF 325)	Tributary to:
TRSQQ of POD: T10S R13E, Section 6, GL 6	
Source 2:	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? Yes No
- Is the proposed reservoir in-channel of a stream or off-channel: In-channel Off-Channel
- If the reservoir is proposed to be in-channel, is the stream: Perennial Intermittent Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present?
 Yes No Don't know
- Is the reservoir in the 100-year floodplain? Yes No Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: Groundwater via Well (JEFF 325)

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, refer to the map shown on [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection

and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements prior to diversion or use of water under any permit issued pursuant to this application.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the

standards of no loss of essential T&E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

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- d) The use of the impounded water will be: STORAGE – MULTI-PURPOSE USE
- e) The amount of water to be stored is: 0.4 acre-feet.
- f) The area submerged by the reservoir, when filled, will be 0.16 acres.

SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 5 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height (5'), 2) width (25'), 3) crest width (3'), 4) surface area (0.16 ac) and 5) preliminary fish passage design.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department's Dam Safety Section prior to storage of water.

The dam will be (check one): Earthfill Concrete Flash board Other

If "other," provide the description: _____

SECTION 7: PRIMARY OUTLET WORKS

- d) Describe the location and the dimensions of the outlet conduit through the dam:
NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.
6" PVC outlet to pump used for irrigation.
- e) How and when will the outlet be operated?
Outlet will be used during the irrigation season when the Reservoir is used as a bulge in the system.
- f) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?
Does not apply, off-channel.

SECTION 8: EMERGENCY SPILLWAY

- d) Describe the location and the dimensions of the spillway channel.
Does not apply. Round pond, water will be evacuated from reservoir if requested via a pump.
- e) How will the emergency spillway be designed to prevent erosion?
In the event of water spilling, it will be spread out on landscaping area.
- f) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?) **Does not apply – off channel.**

SECTION 9: WATER QUALITY

- d) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream. Water will be cycled through the reservoir during the irrigation season, maintaining water quality in the reservoir.

The reservoir is not on the channel of a live stream, but if water were to spill, it will be distributed on the irrigated landscaped area.

- e) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.

The edges of the pond have established vegetation to catch and filter any run-off if it were to occur. Any contaminated water would be spread out on landscaped area.

- f) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

Reservoir is off channel, at no time will water be discharged instream.

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A. Reservoir Name: Reservoir #3

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 1: Groundwater via WELL (JEFF 325)	Tributary to:
TRSQQ of POD: T10S R13E, Section 6, GL 6	
Source 2:	Tributary to:
TRSQQ of POD:	

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- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? Yes No
- Is the proposed reservoir in-channel of a stream or off-channel: In-channel Off-Channel
- If the reservoir is proposed to be in-channel, is the stream: Perennial Intermittent Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present?
 Yes No Don't know
- Is the reservoir in the 100-year floodplain? Yes No Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: Groundwater via Well (JEFF 325)

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection

and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements prior to diversion or use of water under any permit issued pursuant to this application.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the

standards of no loss of essential T&E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

- g) The use of the impounded water will be: STORAGE – MULTI-PURPOSE USE
- h) The amount of water to be stored is: 3.5 acre-feet.
- i) The area submerged by the reservoir, when filled, will be 0.74 acres.

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SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 6 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height (6'), 2) width (20'), 3) crest width (3'), 4) surface area (0.74 ac) and 5) preliminary fish passage design.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department' Dam Safety Section prior to storage of water.

The dam will be (check one): Earthfill Concrete Flash board Other

If "other," provide the description: _____

SECTION 7: PRIMARY OUTLET WORKS

- g) Describe the location and the dimensions of the outlet conduit through the dam:
NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.
6" PVC outlet to pump used for irrigation.
- h) How and when will the outlet be operated?
Outlet will be used during the irrigation season when the Reservoir is used as a bulge in the system.
- i) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?
Does not apply, off-channel.

SECTION 8: EMERGENCY SPILLWAY

- g) Describe the location and the dimensions of the spillway channel.
Does not apply. Round pond, water will be evacuated from reservoir if requested via a pump.
- h) How will the emergency spillway be designed to prevent erosion?
In the event of water spilling, it will be spread out on pasture area.
- i) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?) Does not apply – off channel.

SECTION 9: WATER QUALITY

- g) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream. Water will be cycled through the reservoir during the irrigation season, maintaining water quality in the reservoir.

The reservoir is not on the channel of a live stream, but if water were to spill, it will be distributed on the irrigated pasture area.

- h) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.

The edges of the pond have established vegetation to catch and filter any run-off if it were to occur. Any contaminated water would be spread out on pasture area.

- i) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

Reservoir is off channel, at no time will water be discharged instream.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

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- a) Proposed date construction work will begin: 2020
(Fish passage approval is necessary prior to construction.)
- b) Proposed date construction work will be completed: 2025
- c) Proposed date water use will be completed: 2026

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SECTION 11: WITHIN A DISTRICT

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

Irrigation District Name N/A	Address	
City	State	Zip

SECTION 12: REMARKS

Use this space to clarify any information you have provided in the application.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following sections are completed. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Dam Height and Composition
- SECTION 7: Primary Outlet Works
- SECTION 8: Emergency Spillway
- SECTION 9: Water Quality
- SECTION 10: Project Schedule
- SECTION 11: Within a District
- SECTION 12: Remarks

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 1,940
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Map must be prepared by a Certified Water Rights Examiner
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North directional symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference public-land survey corner on map
 - Location of each dam by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly
 - N/A Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Please note that a secondary application is required if there are out-of-reservoir uses associated with this application.

For Department Use: App. Number: _____



Today's Date: Wednesday, August 19, 2020

Base Application Fee.		\$930.00
Number of acre feet to be diverted for Storage.	4	\$140.00
Number of reservoirs.	3	\$280.00
Subtotal:		\$1,350.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,870.00

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Jefferson County Official Records
Kathleen B. Marston, County Clerk

2015-4411



\$56.00

00109618201500044110020028

12/21/2015 10:25:14 AM

After recording return to:
Springwater Red Angus Ranch, LLC
2000 SE Hanna Harvester Drive
Milwaukie, OR 97222

D-WD Cnt=1 Str=18 MARSTONK
\$10.00 \$11.00 \$20.00 \$10.00 \$5.00

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Until a change is requested all tax statements shall be sent to the following address:
Springwater Red Angus Ranch, LLC
2000 SE Hanna Harvester Drive
Milwaukie, OR 97222
File No. 64592AM

STATUTORY WARRANTY DEED

Homestead Investment Co., a partnership,

Grantor(s), hereby convey and warrant to

Springwater Red Angus Ranch, LLC ,

Grantee(s), the following described real property in the County of Jefferson and State of Oregon free of encumbrances except as specifically set forth herein:

Township 10 South, Range 13 East of the Willamette Meridian, Jefferson County, Oregon.

Section 6, Government Lots 3, 4, 5, 6 and 7; East half of the Southwest quarter; and the Southeast quarter of the Northwest quarter.

EXCEPTING THEREFROM that portion of Lots 6 and 7 lying Southwesterly of the Northeasterly line of U.S. Highway No. 26 and further excepting that portion described in Deed to State of Oregon recorded September 15, 1971, in Jefferson County Deed Book 47, page 542, and re-recorded December 16, 1971, in Jefferson County Deed Book 48, Page 49. ALSO EXCEPTING that portion of Lot 4, described as follows:

Beginning at a point at the Northwest corner of Lot 4, Section 6, Township 10 South, Range 13 East of the Willamette Meridian; thence East along the North line of said Lot 4, a distance of 1200 feet, more or less, to the Northwesterly line of the abandoned Oregon Trunk Railway right of way; thence Southwesterly along the Northwesterly line of said right of way to a point on the West line of said Lot 4, said point being South 5° 13' East from the point of beginning; thence North 5° 13' West 830 feet, more or less, to the point of beginning.

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

10130600 00300 330

The true and actual consideration for this conveyance is **\$299,000.00**.
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

64592AM
After recording return to
Amerititle
15 OREGON AVENUE, BEND

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

Dated this 17 day of December, 2015

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Homestead Investment Company

By: Ronald B. Ochs

Ronald B. Ochs Trustee of the Ronald B. Ochs Revocable Trust U/T/A September 3, 1998, Managing Partner

State of Oregon) ss.
County of Jefferson)

On this 17 day of December, 2015, before me, a Notary Public in and for said state, personally appeared Ronald B. Ochs known or identified to me to be the partner(s) that executed the foregoing instrument, and acknowledged to me that he executed the same in said Partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Tina Mae Dickson
Notary Public for the State of Oregon
Residing at: Woodward
Commission Expires: 6/22/2018



Land Use Information Form



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

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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.

Land Use Information Form



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

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Applicant(s): Hettervig Properties, LLC

Mailing Address: 1976 SE Ochoco St

City: Milwaukie

State: OR

Zip Code: 97222

Daytime Phone: _____

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
<u>10 S</u>	<u>13 E</u>	<u>6</u>	_____	<u>300</u>	<u>RL</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>STORAGE</u>
_____	_____	_____	_____	_____	_____	<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:

Jefferson County.

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: 4 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Application to pump water from a well to store in 3 small reservoirs for Multipurpose Use.

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. →

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):

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	
N/A		<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.

zoned RL, 10-13-6-300 ACCT#330	JEFFERSON COUNTY COMMUNITY DEVELOPMENT DEPT. 85 SE "D" STREET MADRAS OREGON 97741
-----------------------------------	--

Name: Tanya Cloutier Title: Assistant Planner
 Signature: Tanya Cloutier Phone: 541-475-4462 Date: 7/28/20
 Government Entity: Jefferson 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

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

Reservoir #1

Legend



100 ft

RECEIVED

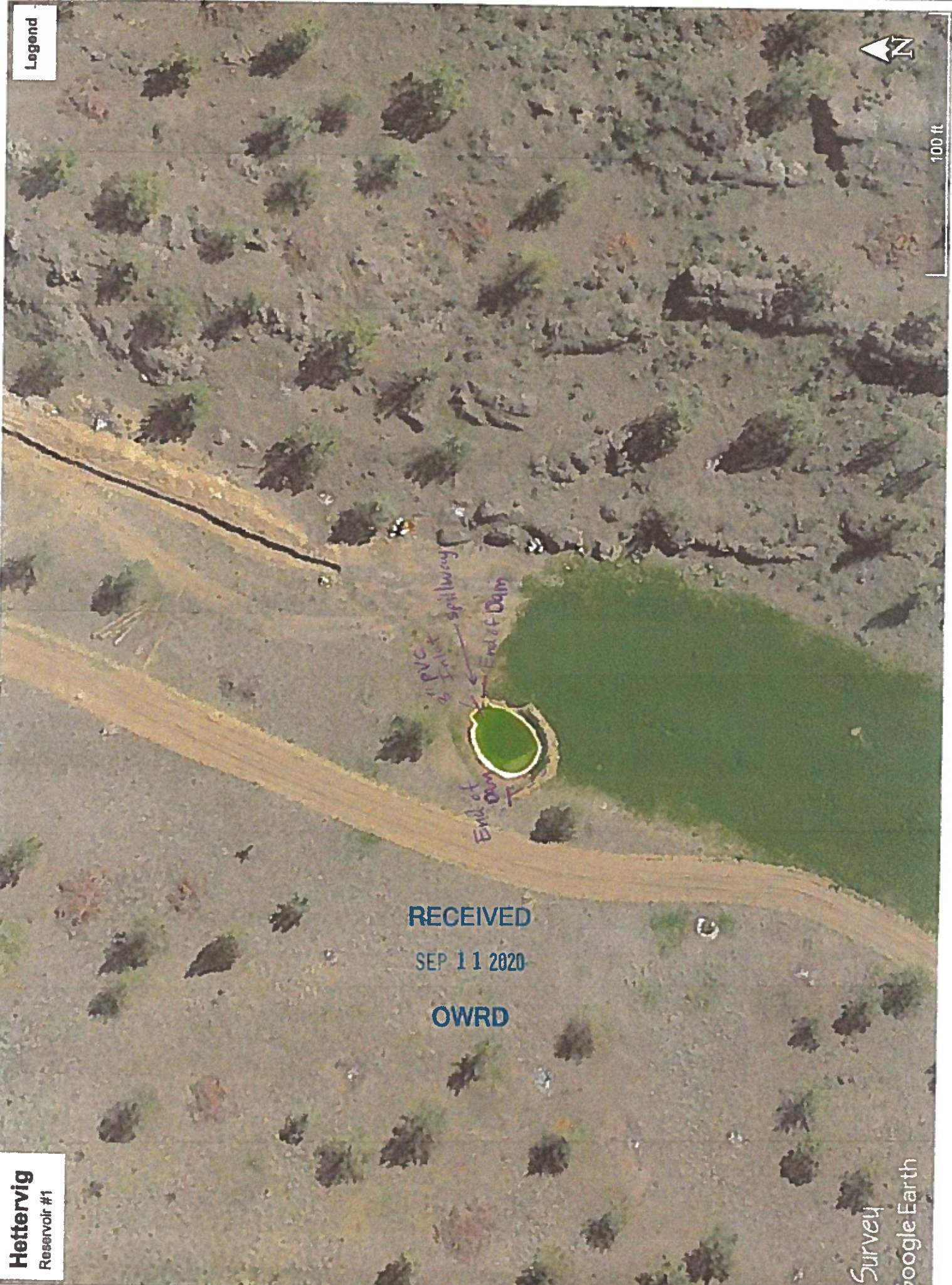
SEP 11 2020

OWRD

Hettervig
Reservoir #1

Survey
Google Earth

Handwritten purple annotations: "End of Dam", "Spillway", "End of Dam", "End of Dam".



Reservoir #2

Legend



100 ft

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Hettervig
Reservoir #2

Survey
Google Earth



Reservoir #3

Legend



300 ft

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End of Dam

End of Dam

3" PVC Inlet



Hettervig
Reservoir #3

Survey
Google Earth