

Partially
ASSIGNED

FILE#: R 82055

BRUCE E ROBBINS

14975 FISHBACK RD
MONMOUTH, OR

PO Box 487
97361-0487

Date filed _____

Priority _____

Action suspended until C02

Return to applicant _____

Date of approval 8/21/97

CONSTRUCTION

Date for beginning 8/21/98

Date for completion _____

Extended to 10-1-02

Date for application of water 10/1/01

Extended to 10-1-02

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed 3-13-01 (CBA due 3-13-01)

no cure required

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued 5/11/05

Application No. R 82055

Permit No. R12234

Certificate No. 90109

Stream Index, Page No. _____

2016
EXPEDITED
REVIEW

assign

FEES PAID		
Date	Amount	Receipt No.
3-11-97	40.00	10632
5-28-98	30. ⁰⁰	21478
4/11/01	100. ⁰⁰	44300
6-24-14	175.00	112511
	Cert. Fee	
FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	ph.	Address	Volume	Page
5/28/98	Clare Millhouser L.T.	9200	Smith Rd. - Monmouth, OR	8	183-18
	and Bruce Robbins -	44975 Fishback RD	P.O. BOX 487		
		Monmouth OR 97361			

REMARKS

STATE OF OREGON
 COUNTY OF POLK
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRUCE E. ROBBINS
 PO BOX 487
 MONMOUTH OR 97361

CLARE R. MILLHOUSER LIVING TRUST
 9220 SMITH RD
 MONMOUTH OR 97361

confirms the right to store water perfected under the terms of Permit R-12234. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-82055

SOURCE: RUNOFF AND AN UNNAMED INTERMITTENT STREAM, A TRIBUTARY OF COOPER CREEK

STORAGE FACILITY: ROBBINS RESERVOIR II

PURPOSE or USE: RECREATION, WILDLIFE AND LIVESTOCK

MAXIMUM STORAGE VOLUME: 3.5 ACRE FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: MARCH 11, 1997

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
9 S	5 W	WM	5	SW NW	6	1640 FEET NORTH AND 750 FEET EAST FROM NW CORNER, JOHN H. SMITH DLC50

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot
9 S	5 W	WM	5	NW NW	7
9 S	5 W	WM	5	SW NW	6

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order, and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used, and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water-use information, the periods of water use, and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Director to satisfy prior downstream rights.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.


By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to store water for the above purpose is restricted to beneficial use on the lands or place of use described.

MAY 01 2015

Issued _____



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

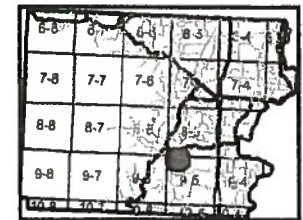
Polk County Map
 95 SW, SEC. 5
 9.5.5

- CntlMap
- cntlar
- cntlmap
- DLC
- Railroad
- Roads
- GRAVEL
- Section
- Subdivision
- Taxlot14
- Taxlot Arrows14
- Taxlot Boundary14
- taxlot14
- TaxMap
- 2
- 32
- 33
- 34
- 47
- 7
- 8
- Updates

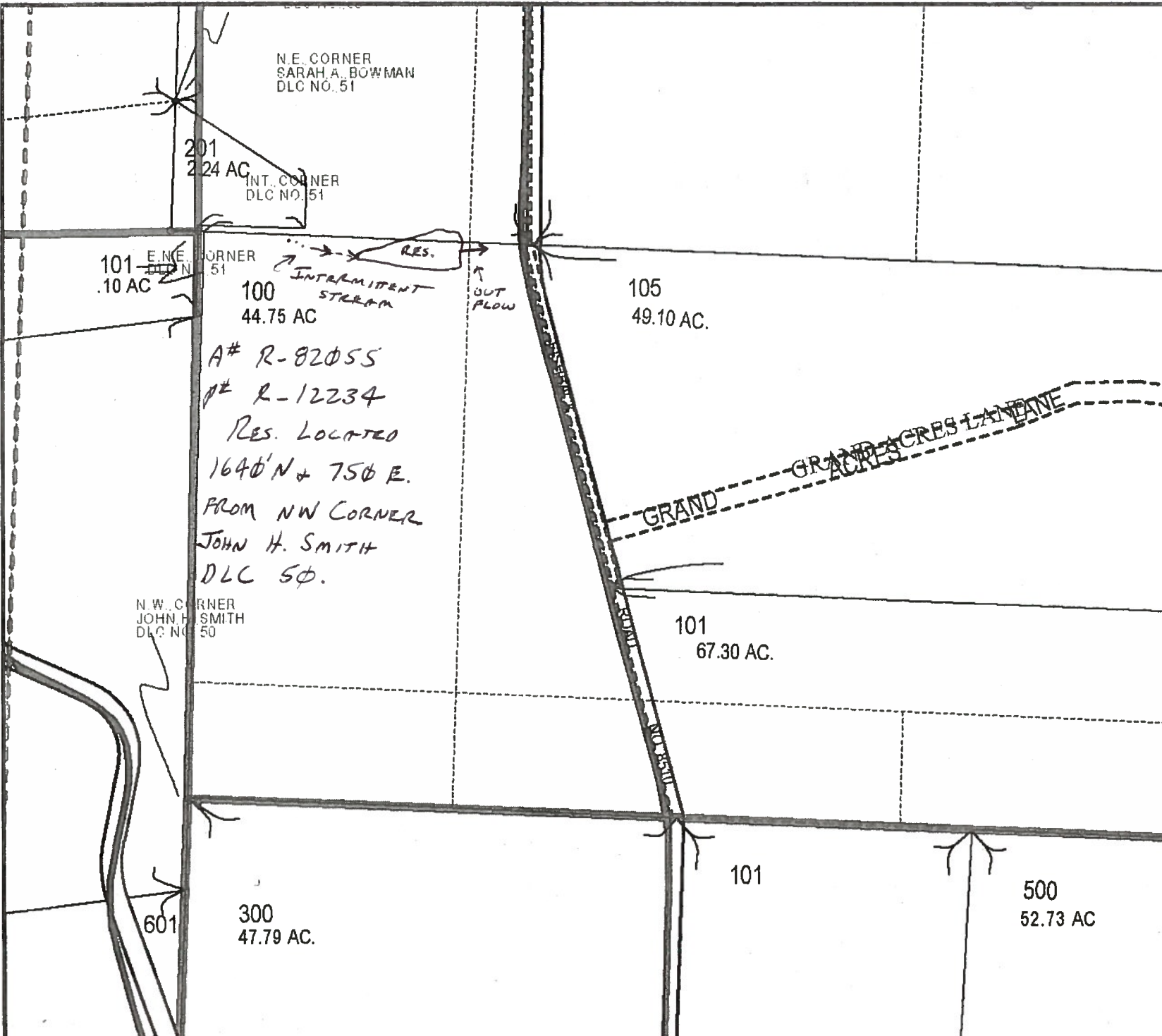
RECEIVED

JUN 24 2014

WATER RESOURCES DEPT
 SALEM, OREGON



6/16/2014



This map was produced using the Polk County GIS data. The GIS data is maintained by the county to support its governmental activities. The county is not responsible for map errors, omissions, misuse or misinterpretation.

1 in. = 400 ft.



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

June 1, 1998

CLARE MILLHOUSER LIVING TRUST
9220 SMITH RD
MONMOUTH OR 97361

REFERENCE: File R-82055

The **partial** assignment of Permit R-12234 from Bruce Robbins to you **and** Bruce Robbins has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 21478 covering the recording fee of \$30 you submitted.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

Enclosure

cc: Bill Ferber, Watermaster
Bruce Robbins-14975 Fishback Rd., Monmouth or 97361

MAY 28 1998

REQUEST FOR ASSIGNMENT

I, (permit holder, applicant) Bruce E Robbins WATER RESOURCES DEPT. SALEM, OREGON
14975 FishBack Rd Monmouth OR 97361 503 371-6141
(mailing address) (city) (state) (zip) (phone)

CHECK ONE

[] - hereby assign all my interest in and to application/permit;

[X] - hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);

[] - hereby assign a portion of my interest in and to the entire application/permit;

Application # R-82055, Permit # R-12234;
OR GR Statement # _____, GR Certificate of Registration # _____
as filed in the office of the Water Resources Director, to:

Clare R Millhouser Living Trust
(name of new owner)

9270 Smith Rd Monmouth OR 97361 623-4029
(address) (city) (state) (zip) (phone)

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 28th day of May, 1998.
applicant/permit holder Bruce E Robbins

applicant/permit holder _____

DO NOT WRITE IN THIS BOX

STATE OF OREGON,
County of Marion,
I certify that the within was received by me on the 28th day of May, 1998, at 8 o'clock A.M., and was recorded in the Miscellaneous Records, Vol. 8 Page 183
Water Resources Director

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM, OREGON 97310-0210

OK
DSM

RECEIVED

MAY 28 1998

WATER RESOURCES DEPT
SALEM, OREGON

K110

MONMOUTH HIGHWAY

T1680

NHEL

T600
PC

SMITH ROAD

NHEL

1/50.2

2/57.3

STATE OF OREGON

T557

County of Marion.

I certify that this within was
received by me on the 20th day of
May, 1998, at 8 o'clock
A. m., and was recorded in the
Miscellaneous Records, Vol. 8
Page 184
Water Resources Director

Smith Rd

T2341

Rebb

T1708

Certificate Checklist for Qualifying Reservoirs Under ORS 537.409 (10) (11)(COBU by Permittee) (Must be less than 9.2 acre feet)

File No.: R-82055

Date: 6/24/2014

Reviewer : KS

Secondary Permit?: YES NO, (If Yes, Self Certification Cannot Be Allowed, COBU For Both Reservoir and Secondary Must Be Performed By a CWRE)

Signed by permittee? YES NO (Must be Signed by Permittee. If no, Assignment may be needed)

Reservoir Dimensions Included YES NO

The Maximum Capacity of the Reservoir in Acre Feet *: 3.5 Permit = _____
(If less than permit, issue PROPOSED)

Check Area of Interest YES NO
Identified Party _____

Check Current Ownership YES NO (If new owners, indicate name and mailing address below)

Map Included (Must Identify Location of the Reservoir)* YES NO

Issue: PROPOSED

CERTIFICATE # _____

Peer Review _____

File Marked yes

Claim Logged yes

**CLAIM OF
BENEFICIAL USE**
**for Reservoirs storing less than
9.2 acre-feet permitted under
ORS 537.409**



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

RECEIVED

JUN 24 2014

**A fee of \$175 must accompany this form.
The Claim will be returned if the fee is not included.**

**WATER RESOURCES DEPT
SALEM, OREGON**

This form may be completed by the permit holder of record if:

- 1) **The permit was issued under the authority of ORS 537.409.**
- 2) **No secondary permit exists for the use of water stored in the reservoir.**
- 3) **The developed capacity of the reservoir is less than 9.2 acre-feet.**
- 4) **The water was stored by the date required in the permit.**

A separate form shall be completed for each permit.

This form must be submitted to the Water Resources Department within one year of storage of water in the reservoir.

Please type or print in dark ink. If the data provided is found to contain errors or omissions, it may be returned. The Department may require the submittal of additional information.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

**SECTION 1
GENERAL INFORMATION**

File Information

APPLICATION # R-82055	PERMIT # R-12234
--	-----------------------------------

Applicant Information

APPLICANT NAME Bruce E. Robbins		PHONE NO. (503) 559-3333	ADDITIONAL CONTACT NO.	
ADDRESS 14975 Fishback Road				
CITY Monmouth	STATE OREGON	ZIP 97361	E-MAIL	

RECEIVED

JUL 15 2014

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2
RESERVOIR INFORMATION

Reservoir Dimensions and Capacity

AVERAGE LENGTH	AVERAGE WIDTH	AVERAGE DEPTH	MAXIMUM CAPACITY IN ACRE-FEET
290 ft.	75 ft.	7 ft.	3.5 Acre ft.

To determine capacity in acre-feet use for the above table, use the following calculation:

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

SECTION 3
MAP



Attach a map identifying the reservoir location. If the water right application map accurately reflects the location of the reservoir, you may attach a copy it. Otherwise, you must submit a map meeting the standards of OAR 690-310-0050, which are attached.

Preparation of the map by a Certified Water Rights Examiner is **not** required for this type of permit, but may be submitted.

SECTION 4
SIGNATURE

This Claim of Beneficial Use must be signed by each permit holder of record.

By my signature, I certify that the information contained herein is true and correct to the best of my knowledge.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	THOMPSON M. WARREN	AGENT ACTING FOR BRUCE ROBBINS	6/25/14
	William A. Milhauser	REPRESENTATIVE FOR CLARE R. MILHAUSER LIVING TRUST	7/11/14

SECTION 2 RESERVOIR INFORMATION

Reservoir Dimensions and Capacity

AVERAGE LENGTH	AVERAGE WIDTH	AVERAGE DEPTH	MAXIMUM CAPACITY IN ACRE-FEET
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JUN 24 2014

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 3

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SECTION 4

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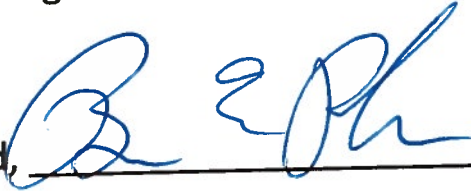
SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>Thompson M. Warren</i>	THOMPSON M. WARREN	AGENT CWRR #139	6/24/14

Letter of Permission to act as Agent on My Behalf

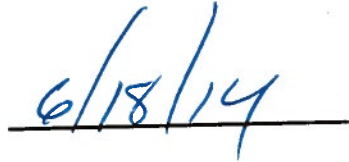
To Whom it may Concern;

I, Bruce Robbins, do hereby authorize Thompson M. Warren,
CWRE # 139, PLS # 2313, to act as my Agent in the matter of
Extensions of Time and COBU for Alternate Reservoir Program for my
Water Right Permits, R-14748, R-14747, R-12234, and R-14749.

Signed, _____



Date, _____



Bruce Robbins

RECEIVED

JUN 24 2014

WATER RESOURCES DEPT
SALEM, OREGON

Mailing List for Certificate

Scheduled Mailing Date:

Application: R-82055

Permit: R-12234

Certificate: 90169

Permit/Certificate Holder:

~~BRUCE E. ROBBINS
PO BOX 487
MONMOUTH OR 97361~~

~~CLAIRE R. MILLHOUSER LIVING TRUST
9220 SMITH RD
MONMOUTH OR 97361~~

Copies Mailed	
by:	<u>JH</u> (STAFF)
on:	<u>5/11/15</u> (DATE)

Copies of Final Certificate to be sent to:

- ~~1. Watermaster District 16~~
- ~~2. Data Center (include copy of map)~~
- ~~3. Water Availability~~
- ~~4. Vault~~
5. File

Other persons to receive copies: (include map):

- 1.



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

Date Mailed: May 1, 2015

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRUCE E. ROBBINS
PO BOX 487
MONMOUTH OR 97361

CLARE R. MILLHOUSER LIVING TRUST
9220 SMITH RD
MONMOUTH OR 97361

confirms the right to store water perfected under the terms of Permit R-12234. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-82055

SOURCE: RUNOFF AND AN UNNAMED INTERMITTENT STREAM, A TRIBUTARY OF COOPER CREEK

STORAGE FACILITY: ROBBINS RESERVOIR II

PURPOSE or USE: RECREATION, WILDLIFE AND LIVESTOCK

MAXIMUM STORAGE VOLUME: 3.5 ACRE FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: MARCH 11, 1997

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
9 S	5 W	WM	5	SW NW	6	1640 FEET NORTH AND 750 FEET EAST FROM NW CORNER, JOHN H. SMITH DLC50

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot
9 S	5 W	WM	5	NW NW	7
9 S	5 W	WM	5	SW NW	6

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order, and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used, and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water-use information, the periods of water use, and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Director to satisfy prior downstream rights.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.


By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to store water for the above purpose is restricted to beneficial use on the lands or place of use described.

MAY 01 2015

Issued _____



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

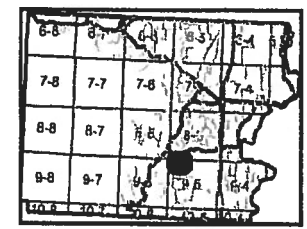
Polk County Map
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- CtrlMap
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- Updates

RECEIVED

JUN 24 2014

WATER RESOURCES DEP
 SALEM, OREGON



6/16/2014



1 in. = 400 ft.

N.E. CORNER
 SARAH A. BOWMAN
 DLC NO. 51

201
 224 AC

INT. CORNER
 DLC NO. 51

101
 .10 AC

E.N.E. CORNER
 51

100
 44.75 AC

RES.
 INTERMITTENT
 STREAM
 RES. LOCATED
 1640' N + 750' E.
 FROM NW CORNER
 JOHN H. SMITH
 DLC 50.

105
 49.10 AC.

GRAND ACRES LANE

N.W. CORNER
 JOHN H. SMITH
 DLC NO. 50

101
 67.30 AC.

601

300
 47.79 AC.

101

500
 52.73 AC

This map was produced using the Polk County GIS data. The GIS data is maintained by the county to support its governmental activities. The county is not responsible for map errors, omissions, misuse or misinterpretation.

STATE OF OREGON

COUNTY OF POLK

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BRUCE E ROBBINS
14975 FISHBACK RD
MONMOUTH, OREGON 97361

(503)371-6141

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-82055

SOURCE OF WATER: RUNOFF AND AN UNNAMED INTERMITTENT STREAM, A TRIBUTARY OF COOPER CREEK

STORAGE FACILITY: ROBBINS RESERVOIR II

PURPOSE OR USE OF THE STORED WATER: RECREATION, WILDLIFE AND LIVESTOCK

MAXIMUM STORAGE VOLUME: 3.5 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: MARCH 11, 1997

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 16.0 FEET.

DAM LOCATION: SE 1/4 NW 1/4, SECTION 5, T9S, R5W, W.M.; SOUTH 21 DEGREES 00 MINUTES EAST 2500 FEET FROM THE NW CORNER OF SECTION 5

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4
SECTION 5
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

Application R-82055 Water Resources Department

PERMIT R-12234

Partial Assigned

RECORDED, See Misc. Rec. Vol. 8

1993

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2001.

Issued August 21, 1997

"B" Ext to: 10-1-2002.


Martha O. Pagel, Director
Water Resources Department

"C" Ext to: 10-1-2002

Application R-82055 Water Resources Department
Basin 02 VOLUME 9A LITTLE LUCKIAMUTE R MISC
DLB MGMT. CODE

PERMIT R-12234
DISTRICT 18

Bruce E. and Wendy S. Robbins
14975 Fishback Road
Monmouth OR 97361

R. 5 W.

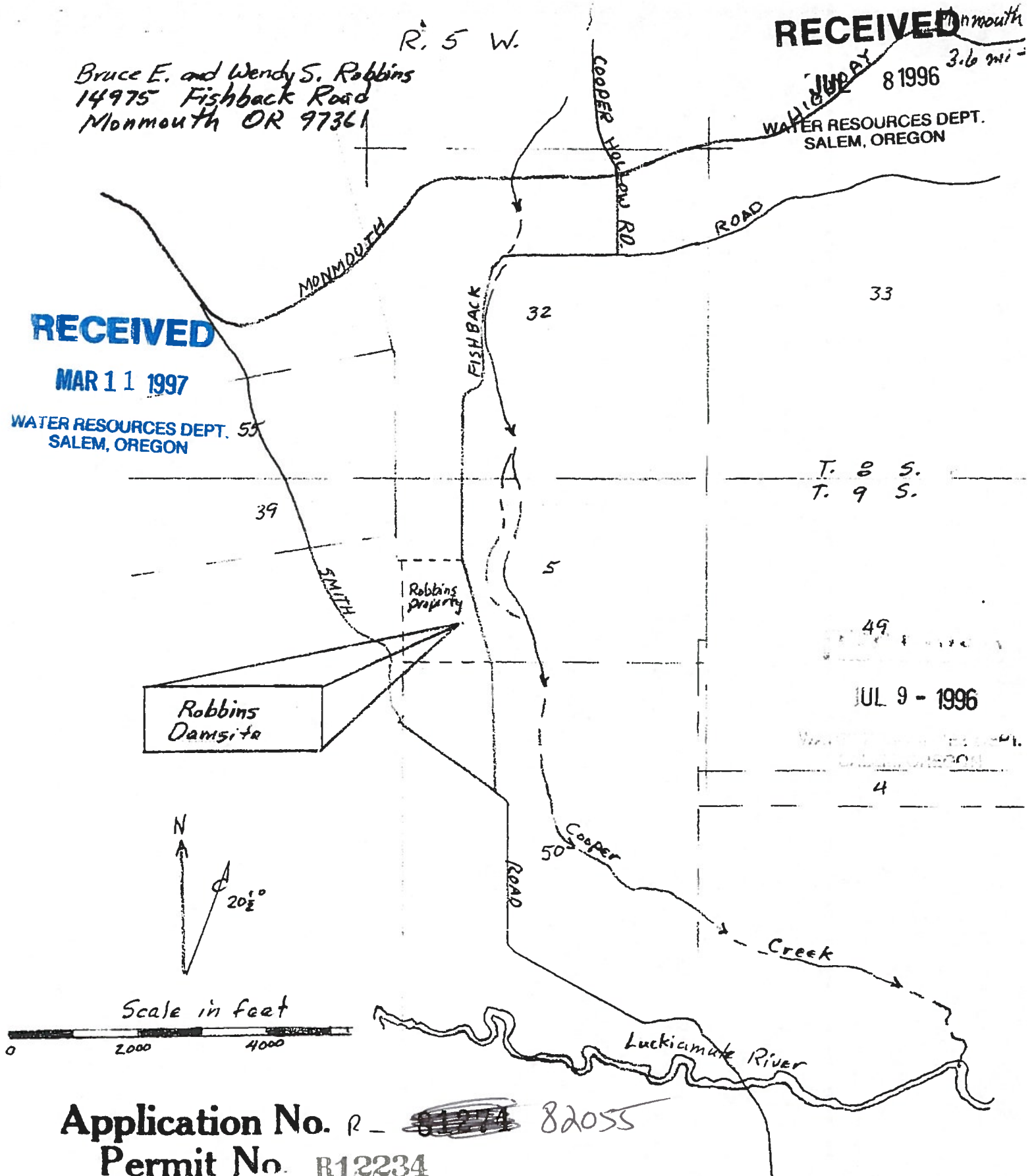
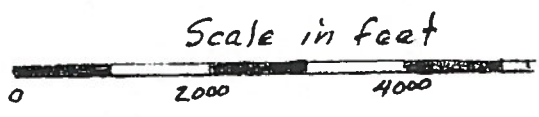
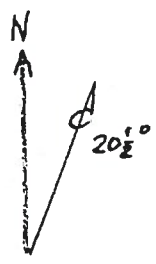
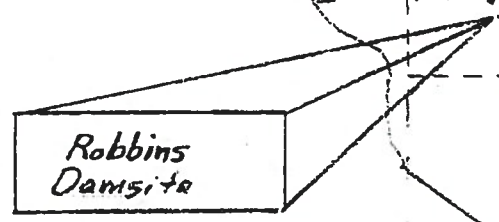
RECEIVED
WALTON JURY
8 1996
WATER RESOURCES DEPT.
SALEM, OREGON
3.6 mi -

RECEIVED
MAR 11 1997
WATER RESOURCES DEPT.
SALEM, OREGON

55
WATER RESOURCES DEPT.
SALEM, OREGON

T. 8 S.
T. 9 S.

49
JUL 9 - 1996



Application No. R - ~~81274~~ 82055
Permit No. R12234

The Robbins damsite is located approximately 2500 feet south 21°00' East of the Northwest corner of Section 5, Township 9 South, Range 5 West of the W.M.

Certificate Checklist for Qualifying Reservoirs

Under ORS 537.409 (10) (11)(COBU by Permittee)

(Must be less than 9.2 acre feet)

File No.: R-82055

Date: 4-7-15

Reviewer: Scott Graw

Secondary Permit?: YES NO, (If Yes, Self Certification Cannot Be Allowed, COBU For Both Reservoir and Secondary Must Be Performed By a CWRE)

Signed by permittee? YES NO (Must be Signed by Permittee. If no, Assignment may be needed)

Reservoir Dimensions Included YES NO

The Maximum Capacity of the Reservoir in Acre Feet *: 3.5 AF Permit = 3.5 AF
(If less than permit, issue PROPOSED)

Check Area of Interest YES NO
Identified Party _____

Check Current Ownership YES NO (If new owners, indicate name and mailing address below)

Map Included (Must Identify Location of the Reservoir)* YES NO

Issue: PROPOSED

CERTIFICATE # 90169

Peer Review cc

File Marked _____

Claim Logged _____

STATE OF OREGON

COUNTY OF POLK

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BRUCE E ROBBINS
14975 FISHBACK RD
MONMOUTH, OREGON 97361

(503)371-6141

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-82055

SOURCE OF WATER: RUNOFF AND AN UNNAMED INTERMITTENT STREAM, A TRIBUTARY OF COOPER CREEK

STORAGE FACILITY: ROBBINS RESERVOIR II

PURPOSE OR USE OF THE STORED WATER: RECREATION, WILDLIFE AND LIVESTOCK

MAXIMUM STORAGE VOLUME: 3.5 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: MARCH 11, 1997

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 16.0 FEET.

DAM LOCATION: SE 1/4 NW 1/4, SECTION 5, T9S, R5W, W.M.; SOUTH 21 DEGREES 00 MINUTES EAST 2500 FEET FROM THE NW CORNER OF SECTION 5

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4
SECTION 5
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

Application R-82055 Water Resources Department

PERMIT R-12234

Partial Assigned

RECORDED, See Misc. Rec. Vol. 8

1997

1873

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

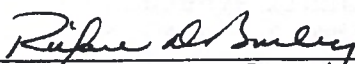
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2001.

Issued August 21, 1997

"B" Ext to: 10-1-2002


 Martha O. Pagel, Director
 Water Resources Department

"C" Ext to: 10-1-2002

Application R-82055 Water Resources Department
 Basin 02 VOLUME 9A LITTLE LUCKIAMUTE R MISC
 DLB MGMT.CODE

PERMIT R-12234
 DISTRICT 18

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

**SEC.5 T9S 15W WM
POLK COUNTY**

Scale 1" = 400'

9.5.5

See Map 8.5.32

**WESTVIEW
LANE**

31 32
6 5

32 33

200
29.73 AC.

106
87.89 AC.

104
14.11 AC

113
1.97 AC

S.E. CORNER
PRESTON H. BOWMAN
DLC NO. 38
LOT 7
25.87 AC

N.E. CORNER
SARAH A. BOWMAN
DLC NO. 81

E.N.E. CORNER
DLC NO. 81

201
2.24 AC
INT. CORNER
DLC NO. 81

LOT
38.89 AC

109
PT. PARCEL 2
2.72 AC

LOT
38.91 AC

112
PT. PARCEL 1
13.91 AC

103
PT. PARCEL 1
38.94 AC

111
PT. PARCEL 2
13.78 AC

110
PT. PARCEL 2

102
34.43 AC.

Canceled No.
101 T1

Handwritten: G Lot 6

See Map 9.5.6

N.W. CORNER
JOHN H. SMITH
DLC NO. 80

100
44.75 AC

Handwritten: LOT 6
23.84 AC

105
49.10 AC.

2-26

GRAND ACBEE LANE (PT.)

101
67.30 AC.

108
21.93 AC.

LOT 8
8.84 AC

LOT 4

10.00 AC

LOT 3
10.00 AC

LOT 2
8.78 AC

INT. CORNER
DLC NO. 49

N.E. CORNER
JOHN H. SMITH
DLC NO. 80

S.W. CORNER
SAMUEL W. BOONE
DLC NO. 49

300
47.79 AC.

2-27

101

500
52.73 AC

107
70.35 AC.

400
24.57 AC.

Handwritten: SMITH ROAD

See Map 9.5.8

See Map 9.5.9

6 5
7 8

5 4
8 8

12/12/14

9.5.5

Polk County Real Property Assessment Overview

FOR ASSESSMENT YEAR 2014

ASSESSMENT QUESTIONS: (503) 623-8391 *** TAX QUESTIONS: (503) 623-9264

Mailing Name	ROBBINS BRUCE E & WENDY S	Account Status	Active
Agent		Legal Description	See record.
In Care Of			
Mailing Address	P O BOX 487 MONMOUTH, OR 97361	Property Class	641
		RMV Class	401
		Unit Info	27065-1
		View Floorplan	

Situs Addresses

14975 FISHBACK RD MONMOUTH, OR 97361

Value Summary

Code Area		AV	RMV	MAV	RMV Exception
0226	Land		\$225,220		Land \$0
	Improvements		\$254,740		Improvements \$0
Code Area Total		\$260,529	\$479,960	\$363,580	\$0
GRAND TOTAL		\$260,529	\$479,960	\$363,580	\$0

Land Breakdown

Code Area	Plan Zone	Value Source	Size	Land Class
0226	FF	Designated Forest Land	4.00 acres	OFD
	FF	Designated Forest Land	39.75 acres	OFD
	FF	Forest Site	1.00 acres	
Code Area Total			44.75	
GRAND TOTAL			44.75	

Improvement Breakdown

Stat Class 143 | Residence | Two story

Site	Building	Code Area	Year Built	Sq Ft	Image
1	1	0226	1992	3,262	View Improvement Image
First Floor - 2,338 sq ft [Forced Air Heating]					
1 Living Room		1 Kitchen		1 Family Room	
1 Utility Room				1 Half Bath	
Second Floor - 924 sq ft					
3 Bedroom		2 Full Bath			
Attic - 322 sq ft [Unfinished - 322]					
1 Other Room					
Garage (Attached) - 484 sq ft [LC Finished]					

Stat Class 300 | Farm bldg | GP BUILDING

Site	Building	Code Area	Year Built	Sq Ft	Image
1	2	0226		768	View Improvement Image

Stat Class 300 | Farm bldg | GP SHED

Site	Building	Code Area	Year Built	Sq Ft	Image
1	3	0226	2002	128	No Improvement Image

Tax Information

Tax Account	Tax Year	Code Area	Original Tax Due
474919	2014	0226	3,145.13

This tax information does not include adjustments or corrections. Please contact the Tax Office for additional information.

City, School Districts, and Fire Districts

Code Area	District Name	Type
0226	CHEMEKETA COMMUNITY COLLEGE	SCHOOL
	DALLAS SD 2	SCHOOL
	WILLAMETTE ESD	ESD
	POLK COUNTY FD #1	FIRE DISTRICT
	POLK COUNTY FD #1 LOCAL OPTION	FIRE DISTRICT

This report does not display every tax district that may apply to this account. Please contact the Tax Office for additional information.

Sales History

Date	Document (Source ID)	Type	Price	Grantor (Seller)	Grantee (Buyer)
15-Mar-1996	1996-2888 (314-1308)	WD	\$280,000	SPOLE RICH LYNN E	ROBBINS BRUCE E & WENDY S
25-Aug-1994	1994-10216 (292-1838)	QC			

Special Assessments

Code Area	Description	Year	Acres	Amount
0226	OR FORESTRY FIRE SURCHARGE	2014		47.50
0226	OR FORESTRY FIRE TIMBER	2014	44.75	43.76

Notations

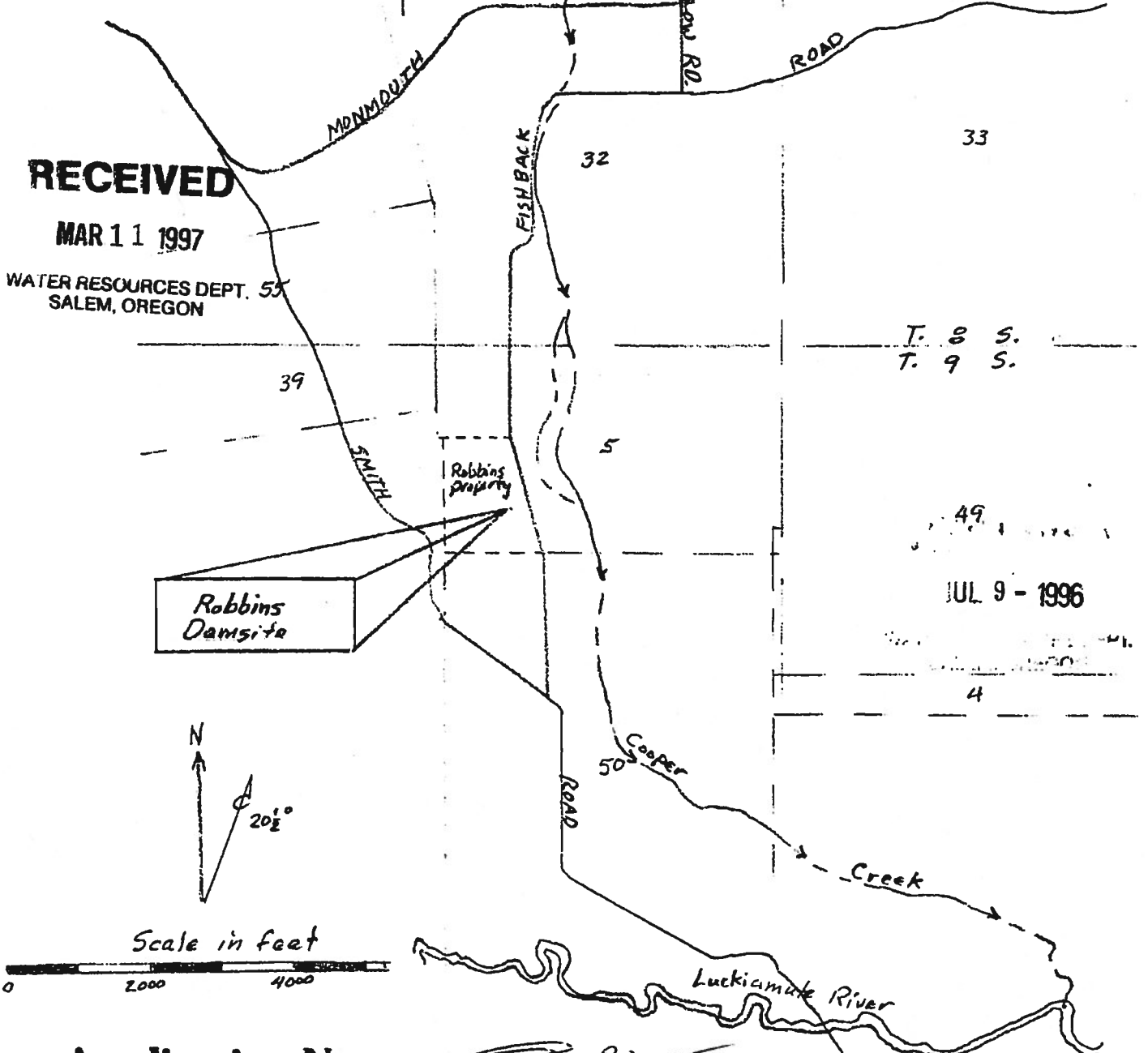
Code Area	Notation	Years	Value	Tax
0226	FP/RFPD OVERLAP ZONE - NO CODE SPLIT FOREST POT'L ADD'L TAX LIABILITY 100 YEAR FLOOD PLAIN PERMANENT RED TAG FORESTRY PER ACRE PROTECTION CHARGE			

Disclaimer: The information presented on this report was generated to support county business. The county makes every effort to keep this information current and accurate. However, the county is not responsible for errors, misuse, omissions, or misrepresentations. Please contact the Assessor's Office for additional information.

Bruce E. and Wendy S. Robbins
14975 Fishback Road
Monmouth OR 97361

R. 5 W.

RECEIVED Monmouth
JUL 8 1996 3.6 mi
WATER RESOURCES DEPT.
SALEM, OREGON



Application No. R- ~~82055~~ 82055
Permit No. R12234

The Robbins damsite is located approximately 2500 feet south 21°00' East of the Northwest corner of Section 5, Township 9 South, Range 5 West of the W.M.

Bruce E. and Wendy S. Robbins
14975 Fishback Road
Monmouth OR 97361

R. 5 W.

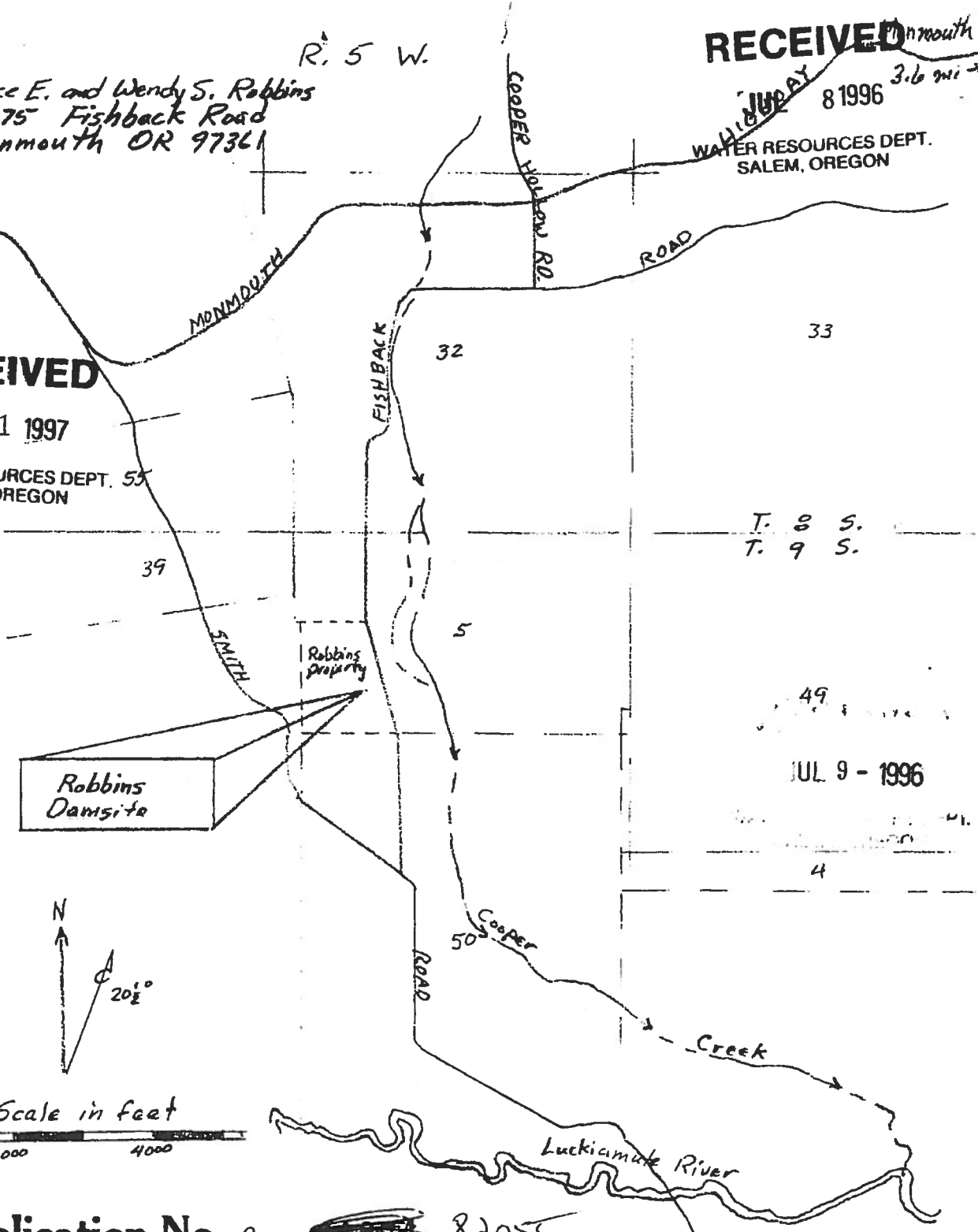
RECEIVED Monmouth
3.6 mi →

WALDEN JURY
8 1996
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

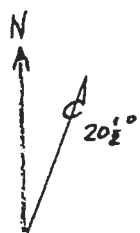
MAR 11 1997

WATER RESOURCES DEPT. SALEM, OREGON



Robbins Damsite

Robbins Property



Scale in feet



Application No. R- ~~82055~~ 82055

Permit No. R12234

The Robbins damsite is located approximately 2500 feet south 21°00' East of the Northwest corner of Section 5, Township 9 South, Range 5 West of the U.M.



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 23, 2014

Bruce E Robbins
14975 Fishback RD
Monmouth OR 97361

On June 24, 2014, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application R-87393 Permit R-14749
Application R-82055 Permit R-12234
Application R-87391 Permit R-14747

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:
http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Your receipt was given to your agent.

Cc: file



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

June 1, 1998

CLARE MILLHOUSER LIVING TRUST
9220 SMITH RD
MONMOUTH OR 97361

REFERENCE: File R-82055

The **partial** assignment of Permit R-12234 from Bruce Robbins to you **and** Bruce Robbins has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 21478 covering the recording fee of \$30 you submitted.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

Enclosure

cc: Bill Ferber, Watermaster
Bruce Robbins-14975 Fishback Rd., Monmouth or 97361

MAY 28 1998

REQUEST FOR ASSIGNMENT

I, (permit holder, applicant) Bruce E Robbins WATER RESOURCES DEPT. SALEM, OREGON
14975 Fish Back Rd Monmouth OR 97361 503 371-6141
(mailing address) (city) (state) (zip) (phone)

CHECK ONE

[] - hereby assign all my interest in and to application/permit;

[X] - hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);

[] - ~~hereby assign a portion of my interest~~ in and to the entire application/permit;

Application # W-82055, Permit # R-12234;
OR GR Statement # _____, GR Certificate of Registration # _____
as filed in the office of the Water Resources Director, to:

Clare R Millhouser Living Trust
(name of new owner)

9270 Smith Rd Monmouth OR 97361 623-4029
(address) (city) (state) (zip) (phone)

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 28th day of May, 19 98.
applicant/permit holder Bruce E Robbins

applicant/permit holder _____

DO NOT WRITE IN THIS BOX

STATE OF OREGON,)
County of Marion.)
I certify that the within was received by me on the 28th day of May, 19 98 at 8 o'clock A.M., and was recorded in the Miscellaneous Records, Vol. 8 Page 183
Water Resources Director

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM, OREGON 97310-0210

OK
DSM

RECEIVED

MAY 28 1998

WATER RESOURCES DEPT
SALEM, OREGON

K10

MONMOUTH HIGHWAY

T1680

NHEL

T600
PC

SMITH ROAD

1/50.2

NHEL

2/57.3

STATE OF OREGON

T557

County of Marion

I certify that this within was
received by me on the 28th day of
May, 1998, at 8 o'clock
A. m., and was recorded in the
Miscellaneous Records, Vol. 8
Page 184

Water Resources Director

T2341

T284

Estabek Rd

1/16.3

PV

T2178

1/72

2/13

T1708

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **21478**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Clare R. Millhouser
BY: Living Trust

APPLICATION	R 82055
PERMIT	12234
TRANSFER	

CASH: CHECK: # 24-22 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 30.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY) _____	\$
OTHER: (IDENTIFY) _____	\$

**RECEIVED
OVER THE COUNTER**

REDUCTION OF EXPENSE

CASH ACCT. _____ \$
VOUCHER # _____

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$ <u>30.00</u>
New) TC165 DEPOSIT LIAB. (IDENTIFY) _____	\$

PCA 66111

assignment

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY) _____			

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FWWRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **21478**

DATED: 5-28-98 BY: D. Bushnell

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

December 14, 2000

this is just a Ruff Draft

BRUCE ROBBINS
PO BOX 487
MONMOUTH, OR 97361

REFERENCE: File R-82055

This letter is in regard to your water use Permit R-82055. As we pointed out to you in our letter on March 20, 2000, your claim of beneficial use must be received in this office by **MARCH 13, 2001**.

of
Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right. Reservoir permit holders who obtained their permits after 1995 under the Alternate Ponds Program, store less than 9.2 acre-feet and have no secondary water right that permits the diversion of water from the reservoir can prepare their own final proof survey.

You are hereby notified that unless your claim is received on or before March 13, 2001, **your permit will be canceled without further notice.**

If you have any questions, please contact the Water Rights Section.

Sincerely,

Dallas I Miller

DALLAS MILLER
Water Rights Specialist

DM:cap → JH

cc: Watermaster #16



STATE OF OREGON

COUNTY OF POLK

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BRUCE E ROBBINS
14975 FISHBACK RD
MONMOUTH, OREGON 97361

(503)371-6141

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-82055

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STORAGE FACILITY: ROBBINS RESERVOIR II

PURPOSE OR USE OF THE STORED WATER: RECREATION, WILDLIFE AND LIVESTOCK

MAXIMUM STORAGE VOLUME: 3.5 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: MARCH 11, 1997

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 16.0 FEET.

DAM LOCATION: SE 1/4 NW 1/4, SECTION 5, T9S, R5W, W.M.; SOUTH 21 DEGREES 00 MINUTES EAST 2500 FEET FROM THE NW CORNER OF SECTION 5

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4
SECTION 5
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

Application R-82055 Water Resources Department

PERMIT R-12234

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

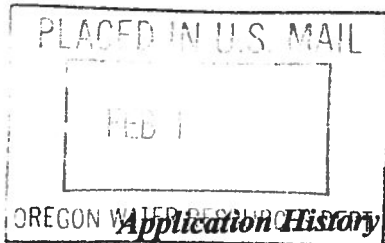
Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2001.

Issued August 21, 1997


Martha O. Pagel, Director
Water Resources Department

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-82055



Final Order
Extension of Time for Permit Number R-12234

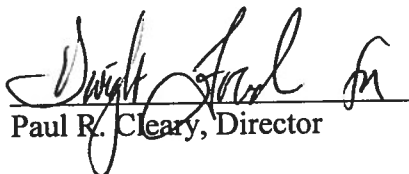
On April 11, 2001, Bruce Robbins and Clare Millhouser submitted an application to the Department for an extension of time for permit number R-12234. The Department issued permit number R-12234 on August 21, 1997. The permit called for completion of construction of the water development project by October 1, 2001, and complete application of water to the full beneficial use by October 1, 2001. In accordance with OAR 690-320-0010(8), on May 1, 2001, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 2002, and/or the time to fully apply water to beneficial use to October 1, 2002. The protest period closed June 15, 2001. No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630 and/or 539.010(5).

Order

The extension of time for Application Number R-82055, Permit Number R-12234, therefore, is approved. The deadline for completing construction is extended to October 1, 2002. The deadline for applying water to full beneficial use is extended to October 1, 2002.

DATED: February 12, 2002


Paul R. Cleary, Director

Appeal Rights


Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

Extension "Final Order" Checklist

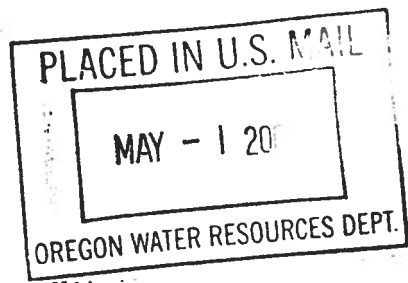
Application # R-82055 / Permit # R-12234

Permit Holder's Name Bruce Robbins & Clare Millhouser

- ✓ 1. Date Extension Request submitted: 4-11-2001
- ✓ 2. Date permit was issued: 8-21-97
- ✓ 3. Original "B" Date from permit: 10-1-2001
(Date for completion of construction)
- ✓ 4. Original "C" Date from permit: 10-1-2001
(Date for complete application of water)
- ✓ 5. Extension PFO Date: 5-1-2001
- ✓ 6. WRD recommends extending "B" Date to: 10-1-2002
and extending the "C" Date to: 10-1-2002
- ✓ 7. Protest Deadline Date from PFO: 6-15-2001
- ✓ 8. Any written Protests or written Comments received within the Protest period? Yes / No
- ✓ 9. Conditions from Extension PFO? No


2-6-02

**Oregon Water Resources Department
Water Rights Division**



Water Right Permit Extension Application
for Permit Number R 12234

Water Right Application Number R 82055

Proposed Final Order

This Proposed Final Order applies only to permit number R 12234.

Summary of Recommendation

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 2001 to October 1, 2002, and
- grant the extension for complete application of water from October 1, 2001 to October 1, 2002.

Application History

Permit no. R 12234 was granted by the Water Resources Department on AUGUST 21, 1997. The permit authorizes use of 3.5 ACRE-FEET of water from RUN-OFF AND INTERMITTENT STREAM for STORAGE FOR RECREATION, WILDLIFE AND LIVESTOCK in the COOPER CREEK basin. It specified that construction must be completed and water applied to full beneficial use by October 1, 2001. A copy of permit no. R 12234 is attached.

On APRIL 11, 2001, the Department received an application from BRUCE ROBBINS AND CLARE MILLHOUSER for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 2002 to complete construction of the water system and to apply water to full beneficial use. This is the first permit extension request.

Findings of Fact

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements

of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Progress in perfecting the permit is being held up by leaks in the pond. The applicant is unable to fill the pond completely because of leakage. It is necessary to have more time to drain the pond and seal the bottom and sides.
5. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
 - a) Work on the water development project completed to date includes construction of reservoir. Reservoir has been partially filled.
 - b) The applicant has invested approximately \$ 34,000 of an estimated total water system project cost of \$ 44,000.
 - c) The work remaining to be completed consists of the remaining construction of the water system and complete application of water.
6. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
7. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction and the length of time requested for completion of the application of water should be extended to October 1, 2002 as requested by the applicant.

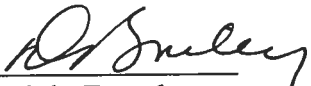
Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).
5. The permit extension should be approved until October 1, 2002 to complete construction and until October 1, 2002 to complete the application of water.

Recommendation

The Department proposes to issue an order to:
extend the permit time to complete construction from October 1, 2001 to October 1, 2002
and
extend the permit time to complete application of water from October 1, 2001 to October 1, 2002.

DATED: MAY 1, 2001


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a) Your name, address and telephone number;
 - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
 - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e) Any citation of legal authority supporting your protest, if known; and
 - f) The \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than **JUNE 15, 2001**.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

This document was prepared by Dallas Miller. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 272.

Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Dwight French. His extension number is 268.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97310, Fax: (503)378-2496.

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

STUBBS GREENHOUSES
6505 FRUITLAND RD. NE
SALEM, OREGON 97305

(503) 399-0182

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13795

SOURCE OF WATER: TWO WELLS IN LITTLE PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 14.3 ACRES AND AGRICULTURAL USE FOR NURSERY OPERATIONS ON 8.3 ACRES

RATE OF USE: 1.08 CUBIC FOOT PER SECOND (CFS), BEING 0.18 CFS FOR IRRIGATION AND 0.90 CFS FOR AGRICULTURAL USE FOR NURSERY OPERATIONS

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND JANUARY 1 THROUGH DECEMBER 31 FOR AGRICULTURAL USE FOR NURSERY OPERATIONS

DATE OF PRIORITY: AUGUST 23, 1994

POINT OF DIVERSION LOCATION: SW 1/4 SW 1/4, SECTION 22, T7S, R2W, W.M.; WELL 1 - 275 FEET NORTH AND 60 FEET EAST; WELL 2 - 550 FEET NORTH AND 350 FEET EAST, BOTH FROM THE SW CORNER OF SECTION 22

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	IRRIGATION	NURSERY
SE 1/4 SE 1/4	3.8 ACRES	2.8 ACRES
	SECTION 21	
SW 1/4 SW 1/4	10.5 ACRES	5.5 ACRES
	SECTION 22	
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.		

Measurement, recording and reporting conditions for both wells:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

EXTENSION REVIEW CHECKLIST

Application #: R 820551 Permit #: R 12234

Permittee: Bruce Robbins & Clare Millhouser

POD Location: T9S R5W Sec 5 Stream Basin: COOPER CREEK

County: FOLK

1. Has the applicant filled out the updated extension application form? (Y) N If no, has certified request for new form been sent? Y/N

2. Shortcomings based on review of updated extension form (information needed before PFO can be completed) (Y) N
① Stated didn't START ON TIME; HOWEVER 'A' FORM SHOWS TIMELY START
② NEED CO-APPLICANTS SIGNATURE

3. Extension request received: 4 11 01 Number of request (ie first): 1st

4. Permit Issued: 8 21 97 Use: STORAGE RECREATION, WILDLIFE

5. Source: RUN-OFF & INTERMITTENT STREAM

6. Q: 3 1/2 A.F.

7. Original B Date: 10 1 01 Original C Date: 10 1 01

8. Last Approved B Date: _____ Last Approved C Date: _____

9. Proposed B Date: 10 1 02 Proposed C Date: 10 1 02

10. Amount Invested: 34,000 Total Cost: 44,000

11. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. (Y) N

12. Progress in perfecting the permit is being held up by LEAKS IN RESERVOIR

13. The applicant has has not pursued perfection of the right in good faith and with reasonable diligence.

14. Work on the water development project completed to date includes: CONSTRUCTION OF POND, FILLING MOST OF POND

15. The work remaining to be completed consists of: REPAIRING LEAKS CONSTRUCTION

16. Based on the written record, the Department finds there (is) is not good cause to approve the extension request.
NEED START CLARIFICATION & CO-PERMITTEES SIG.

*RCVPC
4/19/01
PSM*

17. Conditions STANDARD
DSM 4 12 01

4-18-01

Water Resources Department
Commerce Building
158 12th St. NE
Salem, OR 97301-4172
503-378-3739

Nola Millhouser
9220 Smith Rd.
Monmouth, OR
97361
503-623-4029

Reference: Millhouser/Robbins pond extension.

File# R82055
Permit# R12234

To Whom It May Concern: We have followed the engineer's specifications to construct the pond. The pond does not hold water. The farm service agency told us that they would give us some bentonite to seal the pond. We are to do the work in July or August of 2001.

I give Bruce Robbins permission to file for an extension on our behalf. If I can answer any other questions for you, please give me a call.

Thank you,



Nola Millhouser

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BRUCE ROBBINS
PO BOX 487
MONMOUTH OR 97361

FILE # 82055

wp's
2. Article Number (Copy from service label)

6424-2681

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Wendy S. Robbins* B. Date of Delivery *4/17/01*

C. Signature
X Wendy S. Robbins Agent Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

CERTIFIED MAIL
Return Receipt Requested

APRIL 13, 2001

BRUCE ROBBINS
PO BOX 487
MONMOUTH, OR 97361

RE: File # R 82055, Permit R 12234

Dear Mr. Robbins:

The Department is currently in the process of evaluating your request for an extension on the above referenced permit. However, based upon continued review, the Department has determined that additional information is necessary in order to evaluate your extension request. The following information must be received:

SEP
13
SALEM

Did you start the reservoir construction within one year of permit issuance as the permit requires? On your extension application you indicated you did not. But you have submitted a start card showing you did start construction in July of 1998, which is on time.

- ▶ It is necessary for the other permittee Clare Millhouser to give permission to apply for the extension. I am sorry I did not explain this to you when you were in the office. Just a note with her signature allowing the extension will be sufficient.

Please submit this information by **May 13, 2001**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.

If you need to request additional time to submit the above information, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.



Should you have any questions regarding your extension request or the required materials listed above, please call me at (503) 378-8455, extension 272, or toll free within Oregon at 1-800-624-3199.

Sincerely,


Dallas Miller
Senior Water Rights Technician

cc: Watermaster District # 16

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **44300**

158 12TH ST. N.E.
 SALEM, OR 97310-0210
 378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Cherry City Plumbing
 BY: _____

APPLICATION	1282055
PERMIT	
TRANSFER	

CASH: CHECK: # 24-22 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 100.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY) _____	\$
OTHER: (IDENTIFY) _____	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY) _____		\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____		\$
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	0202 \$
0205	TRANSFER	\$	0204 \$
WELL CONSTRUCTION		EXAM FEE	0206 \$
0218	WELL DRILL CONSTRUCTOR	\$	LICENSE FEE
LANDOWNER'S PERMIT			0219 \$
0240	OTHER (IDENTIFY) <u>Ext of Time</u>		0220 \$

PCA # 66111

RECEIVED OVER THE COUNTER

\$100.00

0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY) _____				

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
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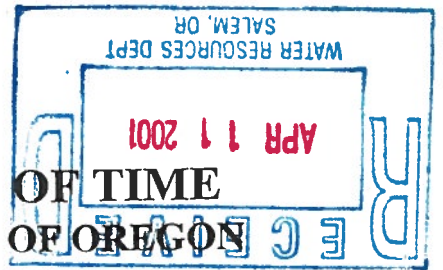
0467 HYDRO ACTIVITY

0233	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION			\$

RECEIPT # **44300**

DATED: 4/11/01 BY: Nm Porter

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal



APPLICATION FOR EXTENSION OF TIME
TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Bruce E Robbins
NAME

P.O. Box 487 Monmouth Or 97361 503 371-6141
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. R 82055, Permit No. R 12234, do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, _____, be extended to October 1, 2002,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, _____, be extended to October 1, 2002.

NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

Enclosed is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at 1-800-624-3199, or locally in the Salem vicinity at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]?

_____ NO

2-Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]?

~~NO~~ yes BR

A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

Everything is complete but pond leaks Polk county soil & water Enger said there was an error in soil percent but that she would take care of it thru them (Errors & Omissions)

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

Engineer Name is (Ven Hong)
Polk county soil & water

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

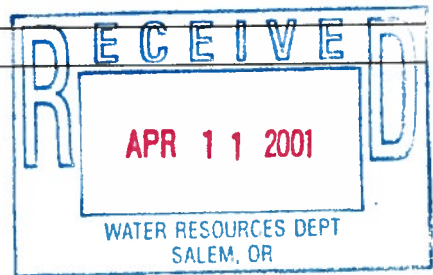
NO

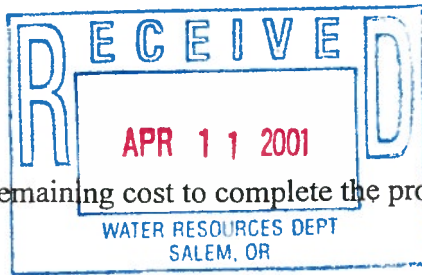
B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

NO

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated):

NO





4-Cost of project to date 34,000. Estimated remaining cost to complete the project 10,000.

5-Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit. _____

NO

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes. _____

NO

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

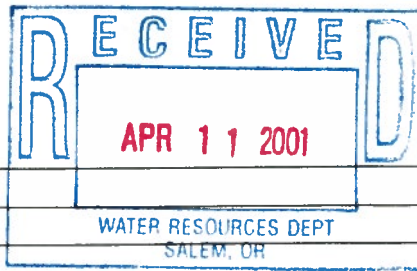
Panel compliant to Engeman Specs
But Leaks

D) Acts of God or other unforeseen events delayed full development of the water system and use of water. _____

NO

6-Please identify the economic market or markets to which beneficial use of water under the permit is responding. _____

Recreation



A) Has there been any change in this market since the permit was issued? _____

N/A

B) Have these changes, if any, affected the economic feasibility of your project? _____

yes cost of Bendme clay

7-Are there other present competing demands for water in your community? _____

NO

A) Has there been any change in these demands for water since the permit was issued? _____

NO

B) Are you aware of alternative sources of water that may be able to satisfy the competing demands? _____

NO

C) Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community? _____

NO

8-Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project? _____

NO

9-If the extension request is denied, is the current level of water use economically feasible?

*3 years work invested in project
approximately 34,000 cost
also grant from Polk County Soil & water
would take to finish project*

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

[Handwritten Signature]

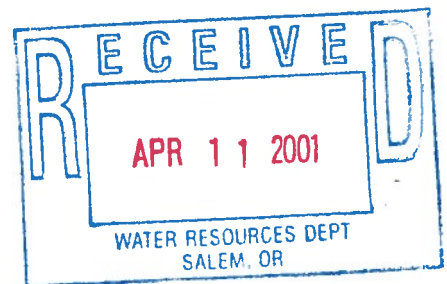
Signature

4/11/01

Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310



2/22/01

Would like more time to fill Reservoir.

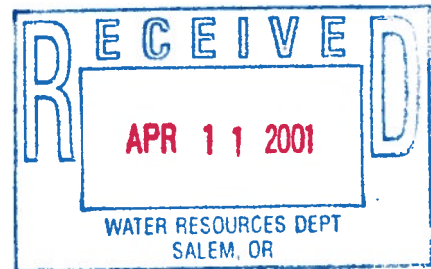
Please withdraw Notice of Completion.

Bruce E Robbins

Bruce E Robbins

Please Sign and return forms
for an extension of time

If you have any questions call
Dallas Miller at 503-378-8455
ext. 272



Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

RECEIVED
MARCH 13 2000
WATER RESOURCES DEPT.
SALEM, OR

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Application No. R2055

I, R. Robin, the holder of Permit No. R12234

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 13th day of March, 192000

Remarks: total completion of Project (Done)

[Signature]
(Signature of Applicant)

IN WITNESS WHEREOF, I have hereunto set my hand this 13 day of March, 192000
P.O. Box 487 Mount ORC 97361
(Address)



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

March 20, 2000

BRUCE ROBBINS
PO BOX 487
MONMOUTH OR 97361

REFERENCE: File R-82055

We have received your notice that complete application of water has been made under Permit R12234.

In order to maintain your water right you are now required to submit a final proof survey of the completed use. The survey must be received within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **March 13, 2001**.

The Department requires that you have a copy of the permit in order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Natural Resource Specialist 2

DM;jh

cc: Watermaster #16



2/22/01

Would like more time to fill Reservoir.

Please withdraw Notice of Completion.

Bruce E Robbins

Bruce E Robbins

I sent them
an extension
of time form
to sign, so
they'd have more
time -

Jonnie
4/13/01

STATE OF OREGON

COUNTY OF POLK

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BRUCE E ROBBINS
14975 FISHBACK RD
MONMOUTH, OREGON 97361

(503)371-6141

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-82055

SOURCE OF WATER: RUNOFF AND AN UNNAMED INTERMITTENT STREAM, A TRIBUTARY OF COOPER CREEK

STORAGE FACILITY: ROBBINS RESERVOIR II

PURPOSE OR USE OF THE STORED WATER: RECREATION, WILDLIFE AND LIVESTOCK

MAXIMUM STORAGE VOLUME: 3.5 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: MARCH 11, 1997

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 16.0 FEET.

DAM LOCATION: SE 1/4 NW 1/4, SECTION 5, T9S, R5W, W.M.; SOUTH 21 DEGREES 00 MINUTES EAST 2500 FEET FROM THE NW CORNER OF SECTION 5

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4
SECTION 5
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

Application R-82055 Water Resources Department

PERMIT R-12234

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.


By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2001.

Issued August 21, 1997


Martha O. Pagel, Director
Water Resources Department

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-82055

Final Order

Application History

On MARCH 11, 1997, BRUCE E ROBBINS submitted an application to the Department for a water use permit. Pursuant to 537.409, the Department provided public notice of the application in the Department's weekly public notice. A 60 day comment period followed.

The Department **has not** received adverse comments related to the possible issuance of the attached permit.

Water is available for the proposed use as described in the attached permit.


The use, as described on the attached permit, will not injure any existing water rights and does not pose potential detrimental impacts to existing fishery resources.

Therefore, the proposed use would not impair or be detrimental to the public interest.

Order

Application R-82055 therefore is approved pursuant to ORS 537.409, and Permit Number R-12234 is issued as limited by the conditions contained therein.

DATED August 21, 1997


Martha O. Pagel
Director



Appeal Rights

No changes have been made to the findings of the Proposed Final Order and no protests were filed during the protest period following the Proposed Final Order, therefore, there is no opportunity for appeal or judicial review of this final order. (690-310-160(5)).

ORS 537.409 ALTERNATE RESERVOIR CHECKLIST

FILE # 82055

REVIEW DATE: 8/6/97

INITIALS : db

In preparing the FO & PERMIT, you should check the following:

1. Y / N Were comments or protests received? If so, from whom and when?
2. Y / N Is the file lacking the SOURCE, QUANTITY or a MAP?
3. Y / N Has fishery impact worksheet been completed? (per Div 33)
4. Y / N Is water use prohibited for one or more months of the normal use period?
5. If # 4 = "Y", is short season due to WA, CLASSIFICATION or DIV 33?
6. Y / Have interagency team members been notified? (per Div 33)
7. Verify payment of recording fees (*circle the appropriate option*)
 - (1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO
 - (2) Issue FO w/o permit if fees are lacking
8. Y / N Is further processing possible? If not state reason: _____
9. Notify applicant of additional information or fees required prior to permit issuance. (SEND CERTIFIED LETTER & use standard wording from M:\...\FO\TOOLS if possible)
10. Assign permit numbers to files with complete application, fees, and no other issues.

Route to: (circle one)

DENIAL FO w/o PERMIT

FO & PERMIT

Respond to COMMENTS	11-6 SEASON
------------------------	--------------------

Modify FO as needed to:

Initials: db

11. Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
12. Include or exclude permit conditions and management codes
13. Correctly describe POD & POU location (verify from map).

Once FO document is completed:

14. Save WordPerfect document in M:\GROUPS\WR\FO\WEEK99 & delete duplicates
15. Print final draft of document and submit to senior staff for review
16. Y / N Review completed

Fishery Impacts Worksheet
 FOR ORS 537.409 ALTERNATE RESERVOIR APPLICATIONS

Application B2055
 Date 8/97

1. This application was filed after July 17, 1992, and the POD is upstream from Bonneville Dam in the Columbia/Snake Basin in the areas listed below :

YES. Circle basin #, then go to #2
X NO. Go to #3.

- (4) Hood Basin;
- (5) Deschutes Basin;
- (6) John Day Basin;
- (7) Umatilla Basin;
- (8) Grande Ronde Basin;
- (9) Powder Basin;
- (10) Malheur Basin;
- (11) Owyhee Basin;
- (19) Mainstem Columbia River Above Bonneville;
- (20) Mainstem Snake River.

2. The applicant has provided information required by 690-33-120 (2) to show:

_____ (A) The proposed use does not involve appropriation of direct streamflow during the time period of April 15 to September 30. Go to 3a.

_____ (B) The proposed use is exempt as provided in OAR 690-33-140 and as identified below (circle the appropriate answer, then go to 3a):

- (1) Domestic water use;
- (2) Projects that provide net benefits for native resident and native anadromous fish recovery. For example, these projects may include, but are not limited to, livestock watering away from water courses which results in improved riparian areas;
- (3) Emergency use necessary for public health and safety;
- (4) Existing water uses covered under House Bill 2153 (Oregon Legislature 1993); or
- (5) Multipurpose storage projects or other projects with measurable public benefits.

_____ (C) No information provided. Condition to allow exempt uses only or restrict use to allowable season shown below. Go to 3a.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Division 33	YES	YES	YES	NO	NO	NO	NO	NO	NO	YES	YES	YES
Water Available?	YES	YES	YES	--	--	--	--	--	--	YES	YES	YES
Season	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

WAB# _____

3. This application was filed after June 3, 1994 and based on information provided by ODFW, U.S. Fish and Wildlife Service, the National Marine Fisheries Service or the appropriate Indian tribes, and **shown on the Division 33 map**, the POD for this proposed use is within the following geographic areas :

- a. Y / ~~N~~ Waterways of the state where **sensitive** fish species are located.
- b. Y / ~~N~~ Waterways of the state, outside the Columbia Basin, where **threatened or endangered** fish species are located.
- c. ~~Y~~ / N OTHER

4. ~~X~~ If #3a or #3b = "Y", statewide rules, OAR 690-33-310 through 690-33-340, apply to this application. If both #3a and #3b = "N", GO TO #8.

5. _____ Notify the applicant that based on a preliminary determination, the proposed use may affect the habitat of sensitive, threatened or endangered fish species and the application may be conditioned or denied. (Use macro B63 to generate letter)

6. _____ Alert senior staff of the need to :
 Notify the interagency review team that an application has been received in an area that may affect the habitat of sensitive, threatened or endangered fish species. (use m:\t\fo\tools\div33.mmo)

7. _____ Convene the interagency review team, as needed, to review applications which the Department determines may affect sensitive, threatened or endangered fish species.

8. _____ Continue with review of the following:

- (1) Fees
- (2) Land Use
- (3) Map
- (4) water availability (see 3 or 9)
- (5) fishery impacts (see above)
- (6) injury to existing rights
- (7) public comments
- (8) scenic waterway restrictions
- (9) basin program restrictions
- (10) other rule restrictions
- (11) conflicts with existing rights
- (12) statutory or other withdrawals

9. For Applications not subject to Item 2 above (Old Division 33)

Water Available? YES YES YES YES YES YES YES ~~YES~~ YES YES YES YES

Season Jan Feb Mar Apr May Jun ~~Jul Aug Sep~~ Oct Nov Dec

Basin # 2 WAB# 01053211

Pond Location 955 BC

Oregon

WATER RESOURCES
DEPARTMENT

Commerce Building
158 12th Street NE
Salem, OR 97310-0210

Address Service Requested

CONSERVE WATER
RECEIVED



JUN 10 1998

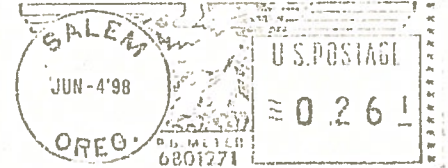
WATER RESOURCES DEPT,
SALEM, OREGON

BRUCE ROBBINS
14975 FISHBACK RD
MONMOUTH OR 97361

EXP

82055

PRESORTED
FIRST CLASS



RU88975 9736100111N 05 06/06/98
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

AUTOMATICALLY POSTED





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

June 1, 1998

CLARE MILLHOUSER LIVING TRUST
9220 SMITH RD
MONMOUTH OR 97361

REFERENCE: File R-82055

The **partial** assignment of Permit R-12234 from Bruce Robbins to you **and** Bruce Robbins has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 21478 covering the recording fee of \$30 you submitted.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

Enclosure

cc: Bill Ferber, Watermaster
Bruce Robbins-14975 Fishback Rd., Monmouth or 97361

WATER AVAILABILITY TABLE

R-82055

Basin: WILLAMETTE

Exceedance Level: 50

Water Availability Subbasin: 0105321100000000 (and Nested Subbasins)

Time: 12:15

Date: 08/07/1997

Select an Item Number for More Details

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	0105000000000000	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
3	0105300000000000	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
4	0105320000000000	YES	YES	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES	YES
5	0105321000000000	YES	YES	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES	YES
6	0105321100000000	YES	YES	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES	YES



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Oregon Water Resources Department
Water Use Information Form

MAR 11 1997

This information is intended to determine compatibility with local comprehensive plans as required by ORS 107.100. Water Resources Department will use this and other information to evaluate the water use application. DO NOT file this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Gruce E. + Wendy S. Robbins
Address: 14975 Fishback Rd. / P.O. Box 487
City: Monmouth State: OR Zip: 97361 Day Phone: 623-6146 home
371-6141 work

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>955100</u>	<u>FARM / FOREST</u>	<input checked="" 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 counties and cities where water is proposed to be diverted, conveyed, or used. Polk County, Monmouth

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): recreation, wildlife + stockwater

Briefly describe: Prior to construction, water did not leave property. This gives our livestock drinking water. This creates a haven for many species of wildlife. We've had a tremendous amount of ducks. If I can answer any other questions, just call me.

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water run-off (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

2.50 CFS GPM Acre-Feet

Application No. R-82655

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

For Local Government Use Only

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 or feel free to copy.

A. Allowed Use

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 "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: 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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: GENE CLEMENS Date: 2-20-97
 Title: Planning Director Phone: 503-623-9237
 Signature: Gene Clemens

C. Additional Comments

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.

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SALEM, OREGON**

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Receipt for Request for Land Use Information

Name of water right applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: _____ Date: _____

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Oregon Water Resources Department
Application for a Permit to Store Water



MAR 11 1997

Expedited Review Process

For reservoirs that:

WATER RESOURCES DEPT.
SALEM, OREGON

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

Landowner: Robbins, Bruce E
Last name First name MI

Authorized Agent: _____, _____ MI
Last name First name

Address: 14975 Fishback Road
Monmouth Or 97361
City State Zip

Phone: 371-6141 (503) 371-6141
Home Work

FAX: 1-503-623-6511 E-Mail Address: _____

A. County of use: Polk B. River basin (see reverse): Willamette

C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
<u>9S</u>	<u>5W</u>	<u>5</u>	<u>SE 1/4 NW 1/4 plus S 1/2 NW 1/4 and lots 2-6</u>	

D. Name, if any, of reservoir: Intermittent Run off + Spring

E. Source of water: Robbin Reservoir II which flows into Cooper Creek
Name of river or creek Name of river or creek

F. Water is would be used for (see reverse): Recreation, wildlife and stockwater

G. Maximum height of dam: 16 feet.

H. Quantity of water stored in reservoir at maximum capacity: 3.50 acre-feet (see reverse).

BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:

Answered each question on this form as completely as possible?

Attached a legible map which includes township, section, range, quarter-quarter and tax lot identification?

Included a check payable to the Oregon Water Resources Department for \$10 per acre-foot up to a maximum of \$100?

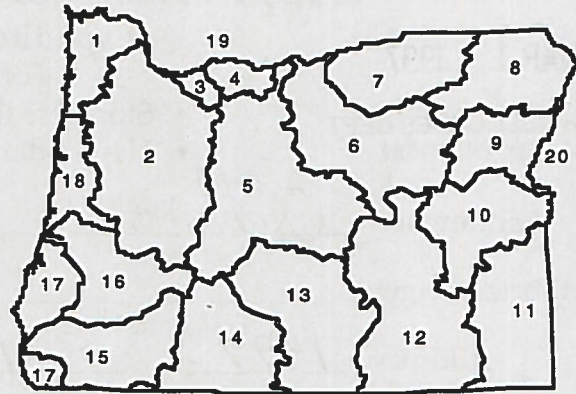
By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

[Signature] Bruce E Robbins 2/20/97
(Signature of Landowner / Agent) (Printed name and title) (Date)

<u>282055</u>	For Department Use	10-95
Application #	Permit #	Tentative Priority Date

Oregon's major river basins:

- | | | |
|---------------|-----------------|--------------|
| 1-North Coast | 8-Grande Ronde | 15-Rogue |
| 2-Willamette | 9-Powder | 16. Umpqua |
| 3-Sandy | 10-Malheur | 17-S. Coast |
| 4-Hood | 11-Owyhee | 18-Mid Coast |
| 5-Deschutes | 12-Malheur L. | 19-Columbia |
| 6-John Day | 13-Goose/Summer | 20-Snake |
| 7-Umatilla | 14-Klamath | |



One acre-foot is the volume of water that would cover one acre with one foot of water. To find out how much water your pond stores, multiply the surface area by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. To be eligible to apply under the expedited review process (HB 2376, 1995), your pond must store less than 400,752 cubic feet (43,560 X 9.2).

What do you use water for?

Agriculture, Land Management

General Agriculture	Cranberry
Irrigation	Nursery Operations
Stockwater	Temperature Control
Aquatic Life	Forest & Range Management
Other: (Specify)	

Industrial/Commercial Uses

Industrial	Commercial
Fire Protection	Mining
Power Development	Other: (Specify)

Drinking Water Supply

Human Consumption	Domestic
Domestic Expanded	Other: (Specify)

Community Water Supply

Municipal	Quasi-Municipal
Group Domestic	Storm Water Management
Other: (Specify)	

Environmental Benefits

Pollution Abatement	Recreation
Wetland Enhancement	Wildlife
Other: (Specify)	

1 g.p.m.

4 g.p.m.

1 g.p.m.

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JUL 8 1996

WATER RESOURCES DEPT.
SALEM, OREGON

DESCRIPTION SHEET

The Hansford F. Carter Donation Land Claim, being the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4), the South half (S 1/2) of the Northeast Quarter (NE 1/4) and Lots 2, 3, 4, 5 and 6 of Section 5, Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon.

SAVE AND EXCEPT that portion of the above described tract of land lying Easterly of Polk County Road No. 9510.

JUL 9 - 1996

*Bruce E. and Wendy S. Robbins
14975 Fishback Road
Monmouth OR 97361*

Application No. R-⁸²⁰⁵⁵~~81274~~
Permit No.

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SALEM, OREGON

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JUL 8 1996

WATER RESOURCES DEPT.
SALEM, OREGON

JUL 9 - 1996

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SALEM, OREGON

955

POLK COUNTY

SCALE 1"=400'

SEE MAP NO. 8 5 32

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MAR 11 1997

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP NO. 9 5 4

Southwest Corner
of Section 31
DLC No. 49

INT. COR.
DLC 49
NW COR.
DLC 49

Northwest Corner
John H. Smith
DLC No. 50

2-26

2-27

2-27

SEE MAP 9 5 8

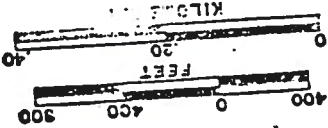
31 32
6 5

6 5
7 8

Southwest Corner
of Section 31
DLC No. 49

INT. COR.
DLC 51
ENE COR.
DLC 51

Northwest Corner
John H. Smith
DLC No. 50



SCALE 1"=600'

Application No R- ~~82055~~
Permit No FOR REFERENCE ONLY

82055

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APR 03 1997

WATER RESOURCES DEPT.
SALEM, OREGONROBBINS DAM IICONSTRUCTION SPECIFICATIONSEMBANKMENT PONDI. Clearing and Stripping

Borrow areas (pits) shall be stripped to sufficient depth to remove all vegetation, roots, brush, sod and other objectionable material. At no time will side slopes be steeper than 1:1. Side slopes will be flattened to at least 2:1 (two horizontal to one vertical) prior to closing borrow areas.

The dam foundation area shall be cleared of all trees, stumps, roots, brush, boulders, sod and debris. All sharp breaks shall be sloped to no steeper than 1:1. All topsoil containing excessive amounts of organic matter shall be removed. Loose earth shall not be left on the foundation area to a depth in excess of 6" above approved undisturbed foundation material. The surface of the foundation area shall be thoroughly scarified before placement of the embankment material.

II. ExcavationA. Cutoff (Core) Trench

The cutoff trench shall be excavated to the lines and grades shown on the drawings or as staked in the field by the engineer. Compacted backfill shall not be placed in the trench until the engineer has inspected and approved the trench. The trench shall be kept free of standing water during backfill operations.

B. Spillway

The completed spillway excavation shall conform to the lines, grades, bottom width and side slopes shown on the drawings.

C. Outlet Conduit

Trench excavation for installation of the outlet conduit with concrete cradle shall be made in original ground, as shown on the drawings. Excavation in compacted fill may be allowed, providing the bottom of the trench is at or near undisturbed foundation. The trench shall conform to lines and grades shown on the drawings.

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APR 03 1997

**WATER RESOURCES DEPT.
SALEM, OREGON**

III. Compacted Earthfill and Backfill

A. Material

All fill materials for the dam and reservoir blanket shall be obtained from approved borrow pits, the existing dam and from excavations required for other parts of the work. The selection, blending, routing and disposition of materials within the embankment shall be subject to the approval of the Engineer. Fill materials shall contain no sod, brush, roots, or other perishable or unsuitable material. Cobbles and rock fragments having a maximum dimension of more than six inches shall be removed from the materials prior to compaction, and be disposed of or placed in areas designated by the Engineer.

B. Placement

The placing and spreading of fill material shall be started at the lowest point of the foundation. The fill shall be brought up in approximately horizontal layers parallel to the axis of the dam and of such thickness that the required compaction can be obtained with the equipment used.

Fill placed within two feet of structures shall be hand placed and compacted, and be brought up at approximately uniform height on all sides of the structure.

C. Moisture

The moisture content of fill material shall be such that 95% of optimum compaction can be obtained with the equipment used.

The proper moisture content for compaction, using a sheepsfoot roller plus pneumatic compaction as described under item III D below, will be determined by inspection during the placement operation.

As far as practicable the material shall be brought to the proper water content in the borrow pit before excavation. Supplemental water, when required, may be applied by sprinkling the materials on the fill. Uniform distribution of the moisture shall be obtained by disking, blading or other approved method prior to compaction.

Material that is too wet for proper compaction shall either be removed or allowed to dry prior to compaction.

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APR 03 1997

WATER RESOURCES DEPT.
SALEM, OREGON

D. Compaction

Compaction shall meet requirements specified below:

1. Sheepsfoot roller - the maximum layer thickness shall be 8 inches before compaction. The roller shall have staggered, uniformly spaced tamping feet and be equipped with suitable cleaners. The weight of the roller shall be not less than 2500 pounds per foot of width. The maximum speed of the compaction equipment shall be 3 miles per hour. The entire surface of each layer placed should receive approximately 6 passes of this equipment to attain the necessary compaction. Adjustment in the number of passes may be necessary during construction. Compaction using a sheepsfoot roller shall be considered the primary compaction method.
2. Pneumatic tired equipment - The maximum layer thickness before compaction shall be 6 inches. A loaded scraper may be considered a pneumatic roller. Pneumatic rolling is considered supplemental to sheepsfoot roller compaction.
3. Compaction for the dam and reservoir blanket shall result in densities equal to or greater than 95 percent of the maximum obtained by laboratory compaction at optimum moisture of like soils in accordance with the procedure given in ASTM D-698, Method A.

Heavy compaction equipment shall not be operated within 2 feet of any structure. Hand directed tampers or compactors shall be used on areas not accessible to heavy compaction equipment. Fills compacted in this manner shall be placed in layers not greater than 4 inches in thickness before compaction, and shall meet the same density requirement as for adjacent areas.

Compliance with compaction requirements will be determined by the procedure given in ASTM D-1556 or D-2167 and by visual observation.

Fill not meeting the specified requirements shall be reworked or removed and replaced with acceptable fill.

The passage of heavy equipment will not be allowed (1) over or near cast-in-place structural concrete prior to seven days after placement of the concrete, or (2) over any type of conduit until the compacted backfill has been placed over the top surface of the structure equal to one-half of the clear span width of the structure or pipe, or two feet whichever is greater.

Compaction of backfill adjacent to structures shall not be started until after the expiration of the following minimum time interval after placement of the concrete:

Walls and counterforts	10 days
Antiseep collars, conduit craddle and other non structural concrete	3 days

IV. Concrete Work

Concrete work under these specifications shall be constructed to the dimensions, lines and grades as shown on the drawings. The subgrade for concrete shall be prepared as shown on the drawings or as directed by the engineer. Concrete strength shall be at least 4000 psi at 28 days. Proportioning given in B below will be accepted as meeting this strength requirement.

A. Materials

1. Cement -- Shall be Type II Portland Cement unless otherwise specified, and shall be free of lumps and partially set masses.
2. Water -- Shall be free from acid, alkali, oils or organic matter. The temperature of mixing water shall be not more than 150° F when introduced into the mixer.
3. Aggregate -- Shall be clean, hard, strong and durable, free from dirt and other substances deleterious to concrete. The fine and coarse aggregate shall be a well graded mix approved by the Engineer. The maximum size of aggregate shall be 1-1/2 inches.
4. Entrained Air -- May be used; however, the air content shall not be more than 6 percent.

B. Proportioning

Concrete shall be proportioned to include not more than 5 gallons of water per sack of cement nor less than 6 sacks of cement per cubic yard of concrete.

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C. Mixing

Mixing shall be continued for not less than 1 1/2 minutes after all materials, including water, have been added. Each batch shall be completely discharged before the mixer is recharged.

D. Forms

Forms shall conform to the shapes, lines and dimensions as shown on the drawings. They shall be braced and/or tied together so as to maintain position and shape and be sufficiently tight to prevent leakage of mortar. Forms shall be thoroughly oiled or wetted, and cleaned of debris prior to placement of concrete.

Forms shall not be removed without the approval of the engineer.

E. Reinforcing Steel

All reinforcing bars shall be deformed bars conforming to the requirements of the current ASTM Specification A615.

All reinforcement shall be free from rust, oil, grease, paint or other deleterious matter.

Items to be embedded in the concrete shall be positioned accurately and firmly anchored to prevent displacement during placement of concrete.

F. Placement

No concrete shall be placed until the subgrade, forms, and reinforcing steel have been inspected and approved by the engineer.

The concrete shall be deposited as closely as possible to its final position and shall be worked into the corners and angles of the forms and around all reinforcement and embedded items in a manner to prevent segregation of aggregates or excessive laitance. The depositing of concrete shall be regulated so that the concrete may be consolidated with a minimum of lateral movement.

Consolidation of concrete may be accomplished by means of internal type mechanical vibrators, rodding, spading, or hand tamping.

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G. Construction Joints

Construction joints shall be provided as shown in the plans or as approved by the Engineer. Joints shall be thoroughly cleaned and laitance removed before a new pour is made. Each joint shall be wetted immediately before the placing of new concrete.

H. Finishing

After the concrete has been consolidated, unformed surfaces shall be given a wood float finish.

Immediately after form removal, formed surfaces shall be cleaned of all defective concrete and effectively repaired.

I. Protection and Curing

Concrete shall be prevented from drying for a curing period of at least 7 days after it is placed. Exposed surfaces shall be kept continuously moist for the entire period. Moisture shall be maintained by sprinkling, flooding or fog spraying or by covering with continuously moistened canvas, cloth mats, straw earth or other approved material. For formed surfaces, the protection may be accomplished by leaving the forms in place and keeping them wet for the entire curing period.

In lieu of water curing, the concrete shall be cured by spraying with an approved sealing compound. The sealing compounds shall be applied in an approved manner as soon as practicable after the concrete is finished. All surfaces shall be kept moist until the compound is applied.

J. Concreting in Cold Weather

Before any concrete is placed, all ice, snow, and frost shall be completely removed from all surfaces to be in contact with the new concrete and the temperature of these surfaces shall be raised to as close as may be practical to the temperature of the new concrete that is to be placed thereon. No concrete shall be placed on a frozen subgrade or on one that contains frozen materials.

Concrete shall not be mixed or placed when the daily minimum atmospheric temperature is less than 40° F, unless facilities are provided to insure the adequate protection of the concrete.

The temperature of the concrete at the time of placing shall not be less than 50° F nor more than 90° F. The temperature of all aggregates and mixing water shall be not more than 100° F when introduced into the mixer.

When the daily minimum temperature is less than 40° F, the structures must be insulated or housed and heated for the placement and curing period, and the temperature of the concrete and air within the enclosure shall be maintained at not less than 50° nor more than 90° F.

V. Drainage

As designed, graded sand and gravel filters or filter drains are not anticipated. However, should free water seeps be encountered in the downstream portion of the dam foundation or cutoff trench, a filter drain may be necessary, as directed by the Engineer.

Trenches for the filter or filter drains shall be excavated to lines, shapes, and dimensions shown on drawings or staked in the field. Over-excavation disturbing the compacted foundation will not be permitted, and any disturbed material shall be removed and replaced with compacted earth fill or filter material. The sand and gravel shall be placed and tamped in place to the planned dimensions. When drain pipes are used, they will be installed on line and grade, without displacement due to placement of filter material.

The filter material shall conform to the following gradation unless otherwise specified.

<u>U.S. Standard Sieve Size</u>	<u>Percent Passing</u>
2"	5-90
3/4"	50-90
#16	15-50
Less than #16	0-15

VI. Vegetative Requirements

A protective cover of vegetation shall be established on all exposed surfaces of the embankment, spillway, borrow areas and other disturbed areas to the extent practicable under prevailing soil and climatic conditions.

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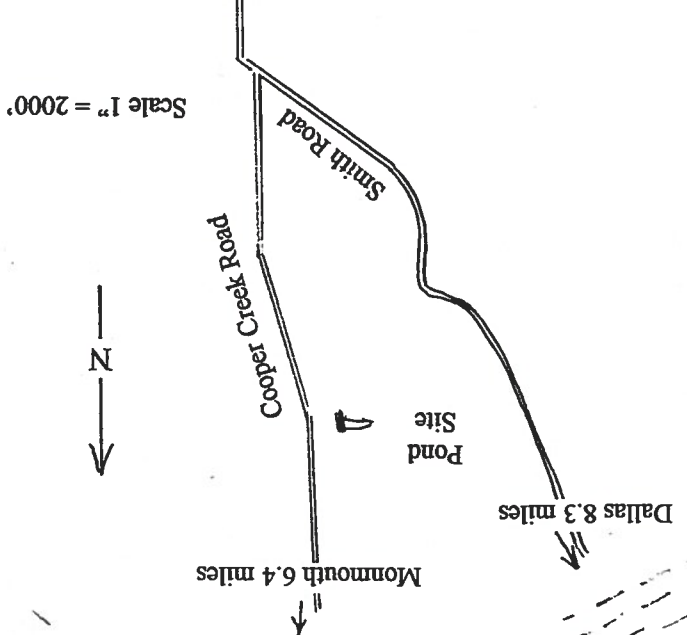
APR 03 1997

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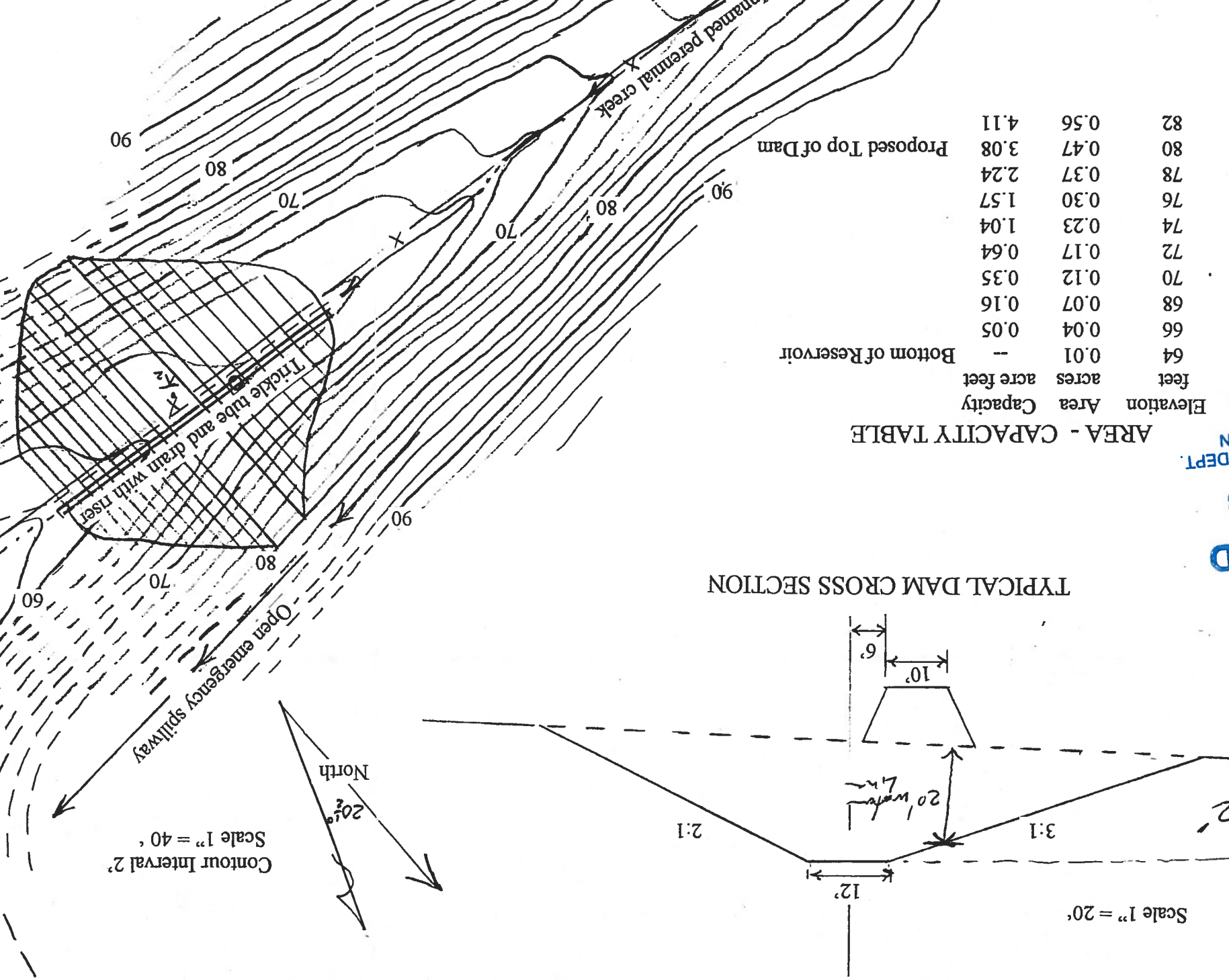
PROPOSED
ROBBINS - MILHOUSER POND
 Bruce Robbins
 Bill Milhouser
 Polk County
 Oregon
 H & R Engineering, Inc.
 Sheet 1 of 1

BM₁ Top of iron pipe property corner Assumed elevation 50.00 feet
 BM₂ Top of galvanized iron ground rod Assumed elevation 49.23 feet

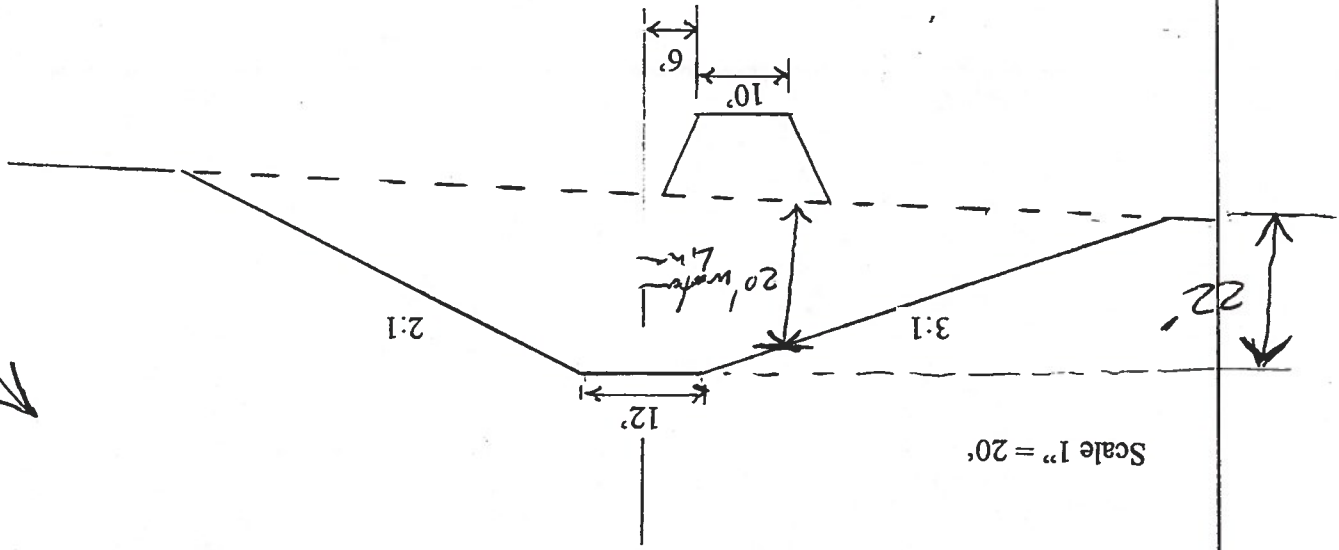
LOCATION MAP



PLAN VIEW



TYPICAL DAM CROSS SECTION



AREA - CAPACITY TABLE

Elevation	Area	Capacity
feet	acres	acre feet
82	0.56	4.11
80	0.47	3.08
78	0.37	2.24
76	0.30	1.57
74	0.23	1.04
72	0.17	0.64
70	0.12	0.35
68	0.07	0.16
66	0.04	0.05
64	0.01	--
Bottom of Reservoir		
Proposed Top of Dam		

Contour Interval 2'
 Scale 1" = 40'

Scale 1" = 20'

RECEIVED
 MAY 28 1998
 WATER RESOURCES DEPT.
 SALEM, OREGON

NOTICE OF BEGINNING OF CONSTRUCTION

I, Bruce E Robbins, the holder of Permit No. R12234

to appropriate the public waters of the state of Oregon, began the actual construction of the works described

herein on the 1 day of July, 1998

Remarks: Excavation work with a CAT & Clean

The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment

acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as

authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 10 day of July, 1998

[Handwritten Signature]

(Signature of Applicant)

P.O. Box 487 Mountain View
97611 OR

(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

SP*35567-690

RECEIVED

JUL 10 1998
WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF COMPLETION OF CONSTRUCTION

Bruce E Robbins, the holder of Permit No. R12234

to appropriate the public waters of the state of Oregon, completed the construction of the works described

herein on the March day of 13th, 1999

Remarks: the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-

you should so in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 13 day of March, 1999

[Handwritten Signature]

(Signature of Applicant)

P.O. Box 487 Mountain View
97361

(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

RECEIVED
MAY 13 2000
WATER RESOURCES DEPT.
SALEM, OR

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **10632**

158 12TH ST. N.E.
 SALEM, OR 97310-0210
 378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Bruce E. Robbins
 BY: _____

APPLICATION	R 82055
PERMIT	
TRANSFER	

CASH: CHECK: # X 24-001 OTHER: (IDENTIFY)

TOTAL REC'D \$ 40.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**RECEIVED
 OVER THE COUNTER**

REDUCTION OF EXPENSE

CASH ACCT.	\$
PCA AND OBJECT CLASS	VOUCHER #

0427 WRD OPERATING ACCT

0407 MISCELLANEOUS	\$
0410 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC165 DEPOSIT LIAB. (IDENTIFY)	\$

PCA 66111

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$ <u>40.00</u>	0202	RECORD FEE \$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219	LICENSE FEE \$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **10632**

DATED: 3-11-97

BY: *Melissa J. Jugh*

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

WATER RESOURCES DEPARTMENT

RECEIPT # 112511

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Chem City Excavation LLC
BY: _____

APPLICATION	<u>* see below</u>
PERMIT	
TRANSFER	

CASH: CHECK:# 3224 OTHER: (IDENTIFY)

TOTAL REC'D \$ 525.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES		\$
OTHER: (IDENTIFY)		\$
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407 COPY & TAPE FEES	<u>46111</u>	\$	
0410 RESEARCH FEES		\$	
0408 MISC REVENUE: (IDENTIFY)		\$	
TC162 DEPOSIT LIAB. (IDENTIFY)		\$	
0240 EXTENSION OF TIME		\$	
WATER RIGHTS:			
0201 SURFACE WATER	<u>R82055</u>	\$	0202
0203 GROUND WATER	<u>R87393</u>	\$	0204
0205 TRANSFER	<u>R87391</u>	\$	
WELL CONSTRUCTION			
0218 WELL DRILL CONSTRUCTOR		\$	0219
LANDOWNER'S PERMIT		\$	0220
<u>0200</u> OTHER (IDENTIFY) <u>Claim of Beneficial Use (CBU)</u>	<u>*3</u>		<u>\$525.00</u>

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE **RECEIVED**
OBJ. CODE _____ VENDOR **OVER THE COUNTER**
DESCRIPTION _____ \$

RECEIPT: 112511

DATED: 6-24-14 BY: L Bell