

Application for a Permit to
Store Water in a Reservoir
 Alternate Review (ORS 537.409)



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

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You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME John and/or Shelly Brady		PHONE (HM)	
PHONE (WK)	CELL (503) 320-5298		FAX
ADDRESS 3636 SW 22ND CT			
CITY Gresham	STATE OR	ZIP 97080	E-MAIL *

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME Harriette Hankel Faerre		PHONE (503) 956-9644	FAX
ADDRESS 5865 Melqua RD			CELL
CITY Roseburg	STATE OR	ZIP 97471	E-MAIL * Hankelh@yahoo.com

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.



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

<u>John Brady</u> Applicant Signature	<u>John Brady/owner</u> Print Name and Title if applicable	<u>12-15-2020</u> Date
<u>Shelly Brady</u> Applicant Signature	<u>SHELLY BRADY/OWNER</u> Print Name and Title if applicable	<u>12/15/2020</u> Date

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	Harriette's Pond				
Source*: Run-Off	Tributary:		Umpqua River		
County:	Douglas				
Quantity: .90 AF	Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	T.26S	R.7W	13	NESW	700
Maximum Height of Dam:	feet. If excavated write "zero feet." zero feet				

* Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, an unnamed stream, or spring.

SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Multipurpose

NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stock water, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.

SECTION 4: PROPERTY OWNERSHIP

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

- Yes (please check appropriate box below then skip to section 5)
 - There are no encumbrances
 - This land is encumbered by easements, right of way, roads of way, roads or other encumbrances
- No (Please check the appropriate box below)
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

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SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: in-stream or off channel?

Wetland: Is the project in a wetland? YES NO unknown

Existing: Is this an existing reservoir? YES NO

If YES, how long has it been in place? unknown years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? YES NO unknown

If YES, how much? _____ miles.

Existing: Have you been working with other agencies? YES NO

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

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SECTION 6: WITHIN A DISTRICT

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

Irrigation District Name:		Address:	
City:	State:	Zip:	

SECTION 7: DESCRIPTION

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

All live flow will be passed through outlet pipe outside of authorized storage season.

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

N/A



Water Availability Analysis

Detailed Reports

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UMPQUA R > PACIFIC OCEAN - AB WOLF CR
UMPQUA BASIN

Water Availability as of 12/11/2020

Watershed ID #: 31630301 ([Map](#))

Date: 12/11/2020

Exceedance Level: 50% ▾

Time: 10:36 AM

Water Availability Calculation	Consumptive Uses and Storages	Instream Flow Requirements	Reservations
Water Rights		Watershed Characteristics	

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	9,950.00	203.00	9,750.00	0.00	1,700.00	8,050.00
FEB	10,400.00	211.00	10,200.00	0.00	1,700.00	8,490.00
MAR	10,000.00	32.60	9,970.00	0.00	1,700.00	8,270.00
APR	8,280.00	44.80	8,240.00	0.00	1,700.00	6,540.00
MAY	5,810.00	67.80	5,740.00	0.00	1,700.00	4,040.00
JUN	3,070.00	136.00	2,930.00	0.00	1,700.00	1,230.00
JUL	1,640.00	165.00	1,480.00	0.00	1,000.00	475.00
AUG	1,200.00	145.00	1,060.00	0.00	1,000.00	55.20
SEP	1,170.00	117.00	1,050.00	0.00	1,000.00	52.80
OCT	1,480.00	31.00	1,450.00	0.00	1,560.00	-111.00
NOV	3,690.00	90.60	3,600.00	0.00	1,700.00	1,900.00
DEC	9,910.00	201.00	9,710.00	0.00	1,700.00	8,010.00
ANN	4,010,000.00	86,900.00	3,920,000.00	0.00	1,100,000.00	2,830,000.00

Download Data ([Text - Formatted](#), [Text - Tab Delimited](#), [Excel](#))

Watermaster Alternate Reservoir Application Review Sheet

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the Water Resources Department provides public notice, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

Applicant's Name		
1. Does the proposed reservoir have the potential to injure existing water rights? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Explain:		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Explain: <i>limit storage season to match water availability</i>		
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
4. If yes, during what period? Beginning: <i>NOV</i> End: <i>sept</i>		
Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))		
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Who:	Agency:	Date:
Who:	Agency:	Date:

Watermaster Name: *Mary Burtleson*

Watermaster Signature: *[Signature]* Date: *12/11/2020*

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NOTE: This completed form must be returned to the applicant

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Land Use Information Form



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

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NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



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

Applicant(s): John and/or Shelly Brady

Mailing Address: 5865 Melqua Road

City: Roseburg

State: OR

Zip Code: 97471

Daytime Phone: (503) 320-5298

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>T.26S</u>	<u>R.7W</u>	<u>13C</u>	<u>NESW</u>	<u>700</u>	<u>RCS</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>storage</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Douglas

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

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

Estimated quantity of water needed: .90
 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

Water storage is needed for an existing pond on the property.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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For Local Government Use Only

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The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LUD 3.8.050
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

<u>R57518</u> <u>SR zoning</u> <u>WS20-1124</u>	DOUGLAS COUNTY PLANNING DEPARTMENT ROOM 106, JUSTICE BUILDING DOUGLAS COUNTY COURTHOUSE ROSEBURG, OR 97470
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Name: Sean Vermilya Title: Planning Technician
 Signature: Sean Vermilya Phone: 541-440-4289 Date: 12/15/2020
 Government Entity: Douglas County Planning Department

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



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

ODFW Alternate Reservoir Application Review Sheet

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This portion to be completed by the applicant.

Applicant Name: John and Shelly Brady/Harriette Hankel Faerre

Address: 5865 Melqua Rd, Roseburg, OR 97471

Phone/Email: 503-956-9644; hankelh@yahoo.com

Reservoir Name: Harriette's Pond

Volume (AF): 0.90 AF

Source: Run-off

Basin Name: Umpqua River

in-channel

Twp Rng Sec QQ: 26S 7W 13 NESW

off-channel

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

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

1) Is the proposed project and AO¹ off channel?..... YES* NO
(if yes then proceed to #4; if no then proceed to #2)

**Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon's fish passage laws.*

2) Is the proposed project or AO located where NMF² are or were historically present?..... YES NO
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

a. Is there an ODFW-approved fish-passage plan?..... YES NO

b. Is there an ODFW-approved fish-passage waiver or exemption?..... YES NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... YES NO

Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

Any diversion or appropriation of water for storage during the period August 1 through November 30 poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point

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

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

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020

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Use this menu to identify appropriate conditions to be included in the permit:

- Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- b52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- b5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- b51a The period of use has been limited to December through July.
- b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.
- Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
 - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.

Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.

The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.

- Construction Activities:** For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.
- fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.
- fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
- fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- fishdiv33:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Applicant Name: John and Shelly Brady

ODFW Review

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife

(ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

- fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- In-Water or Riparian Construction:** For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 401 certification program prior to construction. The applicant must contact these agencies to confirm requirements.
- In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of July 1-August 31 unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- wetland:** The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.
- blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

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Application Completeness Checklist

Applicants are encouraged to use this checklist before submitting a complete application to the Department.

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1. Landowner name, mailing address and telephone number provided
2. Application signed – All parties noted as applicants must sign the application
3. Source and tributary listed.
4. Reservoir Location. TRSQQ and tax lot provided.
5. Dam height indicated, if applicable
6. Property ownership completed
7. If applicant does not own all the land, is the affected landowner's name and mailing address listed?
8. Environmental impact section completed?
9. **Completed Watermaster review sheet**, signed and dated. Note: Must be completed within last 6 months.
 - Will the reservoir injure an existing water right? YES NO
 - If YES, can conditions be applied to mitigate injury? YES NO
 - If NO, return the application.
10. **Completed ODFW review sheet**, signed and dated. Note: Must be completed within last 6 months
 - Will the reservoir pose a significant detrimental impact to an existing fishery resource? YES NO
 - If YES, can conditions be applied to mitigate the impact? YES NO N/A
 - If NO, return the application.
11. **Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?
Note: Does the use on land-use form match the proposed use on the application? Must be completed within the last 12 months.
12. **Include a copy of a Legal Description** of all the property involved with this application. A copy of a deed, land sales contract, or title insurance to meet this requirement.
13. **Acceptable Map**. Note: Requirements set forth by the Commission, causes fatal flaw if not provided by the applicant.
 - Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)
 - Scale of the Map, even scale such as 1" = 400', 1" = 1000', or 1" = 1320'
 - Reference corner on map
 - North directional symbol
 - 1/4's clearly identified
 - Reservoir clearly identified **
 - Dam location identified, with measured distances from survey corner. If no dam, use coordinates to the center of reservoir.
 - If diverting water from a river or stream to a reservoir located off-channel, include measured distances from survey corner
14. **Fees:** Are the appropriate fees included? Use this fee calculator to determine the application fees:

https://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/Permit_for_AltRes.aspx

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bjj

Douglas County Official Records Patricia K. Hitt, County Clerk	2018-017316 10/26/2018 01:15:01 PM
DEED-WD Cnt=1 Str=41 DDWILKIN \$15.00 \$11.00 \$10.00 \$60.00	\$96.00

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DOUGLAS COUNTY CLERK



CERTIFICATE PAGE

**DO NOT REMOVE THIS PAGE FROM ORIGINAL
DOCUMENT**

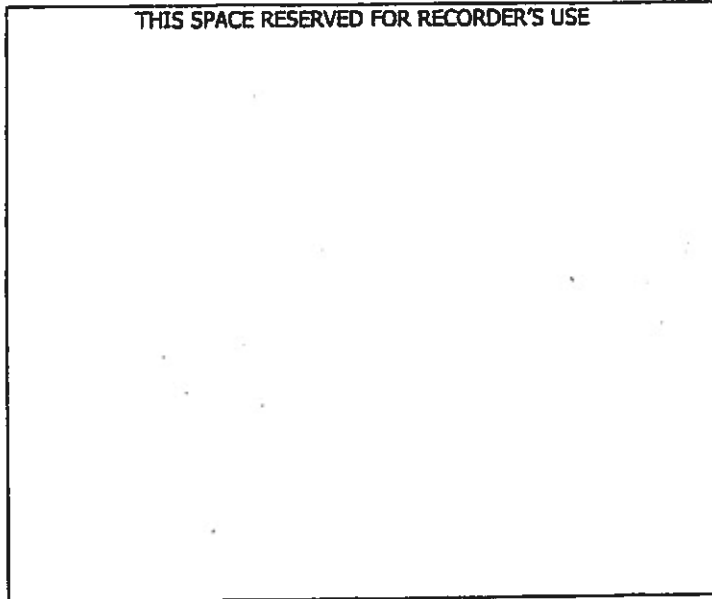
THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED



After recording return to:
John M. Brady and Shelly L. Brady
3636 SW 22nd Ct.
Gresham, OR 97080

Until a change is requested all tax
statements shall be sent to the
following address:
John M. Brady and Shelly L. Brady
3636 SW 22nd Ct.
Gresham, OR 97080

File No.: 7012-3123015 (MC)
Date: September 04, 2018



STATUTORY WARRANTY DEED

Edwin C. Ferre and Harriette J. Hankel Ferre, as tenants by the entirety, Grantor, conveys and warrants to John M. Brady and Shelly L. Brady, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

BEGINNING at a point from which the section corner to Sections 11, 12, 13 and 14, Township 26 South, Range 7 West, Willamette Meridian, bears North 3408.20 feet and West 1591.79 feet, which point is a 5/8" iron rod in the East right of way line of County Road; thence North 56° 26' 40" East 660.00 feet to a 5/8" iron rod; thence South 33° 33' 20" East 100.65 feet to a 5/8" iron rod; thence South 26° 47' 55" East 268.33 feet to a 5/8" iron rod; thence South 63° 12' 05" West 660.00 feet to a 5/8" iron rod in the East right of way line of the County Road; thence North 26° 47' 55" West 229.36 feet along the East right of way line of the County Road to a 5/8" iron rod; thence North 33° 33' 20" West 61.68 feet along the East right of way line of the County Road to the place of beginning, all lying in Section 13, Township 26 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.

NOTE: This Legal Description was created prior to January 01, 2008. 26-7-13C 700 R57518

Subject to:

- 1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$447,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN 3123015-GR



Douglas County

Planning and Sanitation Pre-Application Worksheet

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OTHER ACTION

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Worksheet Number <h2 style="margin: 0;">WS20-1124</h2>	Applicant HARRIETTE HANKEL FERRY 5865 MELQUA RD ROSEBURG, OR 97471 (503) 956-9644	Owner BRADY, JOHN M & SHELLY L 3636 SW 22ND CT GRESHAM, OR 97080
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SITE INFORMATION

Site Address 5865 MELQUA RD ROSEBURG, OR 97471	MTL 26-07W-13C-00700	Property ID Number (Primary) R57518	Size (Acres) 5.00
Improvement LUCS FOR WRD		Proposed Use Land Use Compatibility Statement	
Existing Structures (Number and Type) 1 SFD; VARIOUS OUT BLDGS		Distance of Building Site from River, Creek, or Stream Bank >50 FT	
Directions GARDEN VALLEY BLVD WEST TO MELROSE RD, LEFT ON MELROSE RD, RIGHT ON MELQUA RD, PROPERTY ON THE RIGHT			

As, for, or on behalf of, all property owners:

APPLICANT SIGNATURE: *Harriette Hankel Ferry* DATE: 12-15-2020

PLANNING DEPARTMENT INFORMATION

Zoning 5R	Overlays
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SETBACKS (Rural Residential - 5 Acre)

Front Property Line of Right of Way 30 Feet	Rear Line 10 Feet	Side Line 10 Feet	Exterior Side Line N/A
Sign Code NO SIGN PROPOSED - N/A	Special Setback NONE	Riparian Setback 50 FEET	
Parking Spaces Required NONE	Building Height 45 Feet	Flood Plain No	Floor Height Above Ground N/A

Conditions of Approval

LUCS FOR WRD FOR A WATER IMPOUNDMENT FOR A POND; NO STRUCTURAL DEVELOPMENT AUTHORIZED THROUGH THIS LUCS; MUST MEET ALL REQ AND PERMITTING FROM ALL APPLICABLE AGENCIES.

Sanitation N/A	Sanitary District	Water N/A	Access Permit Required? NOT REQ'D
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Report Codes

NONSTRUCTURAL N/A N/A COUNTY ACCESS

Refer To

NONE

Approved By: SPV	Date: 12/15/2020	Receipt #: P37988	Amount: \$ 165.00	Expiration Date: 12/14/2021
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SANITATION INFORMATION

SE#	STP#	Existing System	System: Approved ___ Denied ___
Remarks			
By:	Date:	CSC Date:	



Oregon Water Resources Department
 Alternate Reservoir Application

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For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Friday, December 11, 2020

Base Application Fee.		\$410.00
Proposed Dam Height in feet.	0	
Proposed Reservoir volume in Acre Feet.	.90	\$35.00
Subtotal:		\$445.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$965.00

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