

Application for a Permit to Use
Surface Water

E-RECEIVED
February 02, 2021
OWRD



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

| | | | |
|---------------------------|----------------------|--------------|--------------------------------------|
| NAME MICHAEL LONG | | | PHONE (HM) |
| PHONE (WK) | CELL 916.671.2338 | | FAX |
| ADDRESS 729 YEUST ROAD | | | |
| CITY AZALEA | STATE OR | ZIP 97410 | E-MAIL * DIESELFIREOSO@ICLOUD.COM |

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.

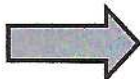
| | | | |
|---|-------------|-----------------------|---|
| AGENT / BUSINESS NAME RICK PARSONS / PARSONSWATER CONSULTING LLC | | PHONE 541.499.0257 | FAX |
| ADDRESS 1619 MINEAR ROAD | | | CELL 303.667.5067 |
| CITY MEDFORD | STATE OR | ZIP 97501 | E-MAIL * RICK.PARSONS@PARSONSWATER.COM |

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 proposed and 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 use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive 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 receive water to which they are entitled.



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

| | | |
|-------------------------|--|------------------|
| Applicant Signature | Michael Long Print Name and Title if applicable | 2/2/2021 Date |
| Applicant Signature | Print Name and Title if applicable | Date |

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

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

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

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

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

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

| | |
|------------------------------|-------------------------|
| Source 1: Long Pond | Tributary to: Cow Creek |
| TRSQQ of POD: 32S 4W 7 NW SW | |
| Source 2: | Tributary to: |
| TRSQQ of POD: | |

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

Permit R-15466 (attached)

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes.
- No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If all sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

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

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

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

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

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

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

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

Yes No

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

If yes,

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

- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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

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

Yes No

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

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

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

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

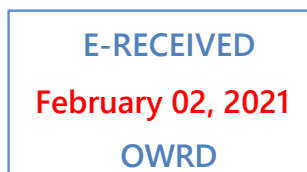
If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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



SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

| SOURCE | USE | PERIOD OF USE | AMOUNT |
|-----------|---|---------------|---|
| Long Pond | Irrigation | 3/1 - 10/31 | 40 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af |
| Long Pond | Multipurpose, including Recreation, Aesthetics, Fish and Wildlife | 1/1 - 12/31 | 40 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 0 Acres Supplemental: 18 Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):
S-88880

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 40

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 10 hp centrifugal
- Other means (describe): _____

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water pumped from Long Pond will be conveyed directly to irrigated lands on the same property

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Drip tape or sprinkler, depending on crop mix

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Water will be piped to site and controlled throughout conveyance infrastructure to minimize waste and limit runoff. Diversions from Long Pond will be measured using totalizer meter.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: Consultation with ODFW will ensure use of approved screen
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: Minimal disturbance expected from construction efforts
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: minimal disturbance to riverine habitat expected from construction efforts
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: Runoff will be limited through conveyance system; fertilizers and chemical products to the extent necessary, will be applied in limited fashion to ensure limited runoff of chemicals from irrigated fields.
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: 2021
b) Date construction will be completed: 2021
c) Date beneficial water use will begin: upon receipt of permit

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SECTION 9: WITHIN A DISTRICT

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

| | | |
|--------------------------|---------|-----|
| Irrigation District Name | Address | |
| City | State | Zip |

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (*Attach additional sheets if necessary*).

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Minimum Requirements Checklist

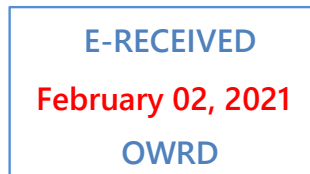
Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

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

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

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks



Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt. **Original LUCS provided with R-88879 application, which included storage and use of water from Long Pond for aesthetics, recreation and irrigation on Subject Property. Copy of signed original attached.**
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 1764
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

WATER RIGHT APPLICATION MAP

SURFACE WATER RIGHT

for DIVERSION OF RELEASES FROM LONG POND, LOCATED IN THE
NW SW and SW SW SECTION 7, TOWNSHIP 32 S RANGE 4 W, W.M.

*This map is not intended to provide legal
dimensions or locations of property
ownership lines*

MICHAEL LONG
633 YEUST ROAD
AZALEA, OR 97410

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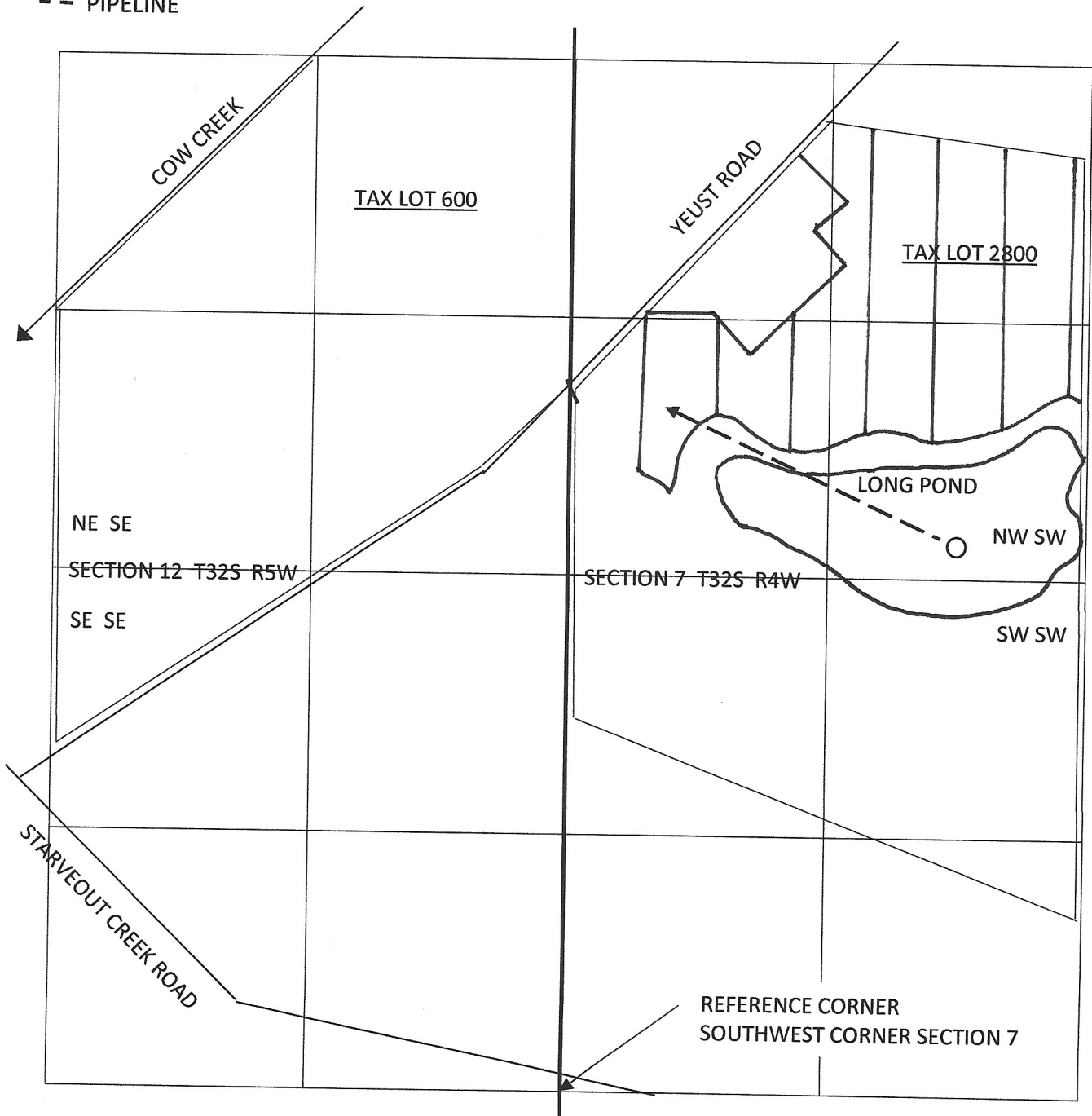
ParsonsWater Consulting LLC
rick.parsons@parsonwater.com
541.499.0257 303.667.5067

SITUATED IN SECTION 7, TOWNSHIP 32 S RANGE 4 W, W.M.; DOUGLAS COUNTY, OREGON



LEGEND

- LONG POND POINT OF DIVERSION - 1400' NORTH AND 950' EAST OF SW CORNER OF SECTION 7
- ▤ SUPPLEMENTAL IRRIGATION 18 ACRES IN NW SW SECTION 7, TOWNSHIP 32 SOUTH RANGE 4 WEST
- PIPELINE



Land Use Information Form

OREGON Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266503-986-0900
 www.oregon.gov/OWRD
 WATER RESOURCES DEPARTMENT

| | | | | | |
|---------------------------|--|----------------------|--------------|-------------------------------------|--|
| NAME MICHAEL LONG | | | PHONE (HM) | | |
| PHONE (WK) | | CELL 916.671.2338 | | FAX | |
| ADDRESS 729 YEUST ROAD | | | | | |
| CITY AZALEA | | STATE OR | ZIP 97410 | E-MAIL* DIESELFIREOSO@ICLOUD.COM | |

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: |
|----------|-------|---------|-------|-----------|--|--|--|--|--------------------|
| 32S | 5W | 12 | NE SE | 600 | FF and FG | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | Storage |
| 32S | 4W | 7 | NW SW | 2800 | FF | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Storage |
| _____ | _____ | _____ | _____ | _____ | _____ | <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) 1) Unnamed Trib to Cow Creek and 2) Cow Creek

Estimated quantity of water needed: 40 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 Fish and Wildlife

Briefly describe:

Pond will be used for recreation, aesthetics and as supplemental supply for irrigation on 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.

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Farm Forest 3.5.050
- 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 |

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.

No concerns ; R52018 & R52074 ; WS20-0874

**DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470**

Name: Mariah Mitchell Title: Planner I
 Signature: *Mariah Mitchell* Phone: (541) 440-4289 Date: 10-5-20
 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: _____

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Today's Date: Tuesday, February 2, 2021

| | | | |
|--|-------------------|-----------|-------------|
| Base Application Fee. | E-RECEIVED | | \$520.00 |
| Acre feet of Stored Water to be diverted. | February 02, 2021 | 40 | \$724.00 |
| | OWRD | Subtotal: | \$1,244.00 |
| 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. | | | Recalculate |
| Estimated cost of Permit Application | | | \$1,764.00 |

EXHIBIT A

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Lot 4, and that portion of Lot 3, lying Southeasterly of County Road No. 287, in Section 7, Township 32 South, Range 4 West, Willamette Meridian, Douglas County, Oregon.

EXCEPT: Beginning at the point of intersection of the Southeasterly right of way of County Road No. 287, known as Yeast Road and the North boundary of Government Lot 3, said point bears North $87^{\circ}35'$ East 872.12 feet from the West quarter corner of Section 7, Township 32 South, Range 4 West, Willamette Meridian, Douglas County, Oregon; thence leaving said road right of way and running North $87^{\circ}35'$ East 466.76 feet along the said North boundary of Lot 3 to the Northeast corner thereof; thence South $1^{\circ}24'$ East 256.70 feet along the East boundary of said Lot 3; thence leaving said boundary of Lot 3 and running North $85^{\circ}39'$ West 646.80 feet to a point on the said Southeasterly road right of way; thence North $42^{\circ}31'30''$ East 255.00 feet along said road right of way to the point of beginning, all being situated in the said Government Lot 3, in the Southwest quarter of said Section 7, Township 32 South, Range 4 West, Willamette Meridian, Douglas County, Oregon.

ALSO EXCEPTING: Beginning at the Southwest corner of Section 7, Township 32 South, Range 4 West, Willamette Meridian, Douglas County, Oregon; thence North 356.08 feet along the West line of Section 7; thence East 737.0 feet; thence South 356.08 feet to the South line of Section 7; thence West 737.0 feet to place of beginning.

ALSO EXCEPTING: A parcel of land being a part of Lot 4, Section 7, Township 32, South, Range 4 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

Beginning at the South^{EAST} corner of Government Lot 4, Section 7, Township 32 South, Range 4 West, Willamette Meridian, Douglas County, Oregon; thence West 637.20 feet along the South line of said Section 7 to the Southwest corner of that certain parcel of land conveyed to Richard D. Vredenburg et ux as described in Recorder's No. 78-14146, Douglas County Deed Records; thence North 356.08 feet along the West line of said Vredenburg parcel; thence West 737.0 feet along the South line of said Vredenburg parcel; thence North 610.0 feet along the West line of said Vredenburg parcel and the West line of said Section 7 to a point; thence South $71^{\circ}38'23''$ East 1447.91 feet to a point in the East line of said Government Lot 4, said point being North 510.0 feet from said Southeast corner of Government Lot 4; thence South 510.0 feet along the East line of said Government Lot 4 to the point of beginning.

STATE OF OREGON
COUNTY OF DOUGLAS
PERMIT TO STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO
MICHAEL LONG
729 YEUST RD
AZALEA OR 97410

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

APPLICATION FILE NUMBER: R-88879

SOURCE OF WATER: AN UNNAMED STREAM, TRIBUTARY TO COW CREEK, AND COW CREEK, TRIBUTARY TO SOUTH UMPQUA RIVER

STORAGE FACILITY: LONG POND

THE RESERVOIR IS ENTIRELY BELOW GROUND SURFACE; THERE IS NO DAM

MAXIMUM VOLUME: 40.0 ACRE-FEET

PURPOSE OR USE OF THE STORED WATER: MULTIPLE PURPOSE

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1 THROUGH JUNE 30

DATE OF PRIORITY: OCTOBER 8, 2020

POINTS OF DIVERSION:

| POD Name | Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|----------------|------|-----|-----|-----|-------|---|
| UNNAMED STREAM | 32 S | 4 W | WM | 7 | NW SW | 1400 FEET NORTH AND 950 FEET EAST FROM SW CORNER, SECTION 7 |
| COW CREEK | 32 S | 5 W | WM | 12 | NE SE | 2600 FEET NORTH AND 640 FEET WEST FROM SW CORNER, SECTION 7 |

THE AREA TO BE SUBMERGED BY THE RESERVOIR:

| Twp | Rng | Mer | Sec | Q-Q |
|------|-----|-----|-----|-------|
| 32 S | 4 W | WM | 7 | NW SW |
| 32 S | 4 W | WM | 7 | SW SW |

1. Water Use Measurement, Recording, and Reporting Condition:

- A. 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 shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The permittee shall maintain the device in good working order.

- B. The permittee shall allow the watermaster access to the device; provided however, where any 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 volume of water stored, and may require the permittee to report water-storage 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.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Water Use Measurement, Recording, and Reporting Condition:

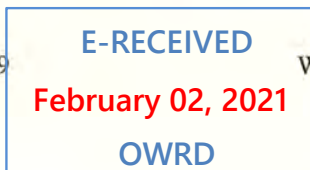
- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion on Cow Creek. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any 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 volume of water diverted, 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.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

3. Agricultural Water Quality Management Area Rules Condition:

The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules in OAR 603-095. Livestock management and cropping must protect riparian areas on the property, allowing site capable vegetation along streams to establish and grow, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

4. Riparian Condition:

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.



5. Water Quality Condition:

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.

6. In-Water Work Condition:

Any work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of June 15 through September 15, unless an alternate time period is approved by Oregon Department of Fish and Wildlife.

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February 02, 2021

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7. Fish Screen/By-Pass Condition:

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.

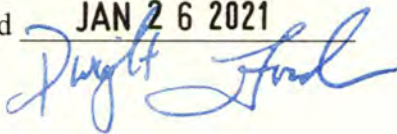
8. The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.
9. The permittee shall pass all live flow outside the storage season described above, using methods that protect instream water quality.
10. The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.
11. The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.
12. This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

STANDARD CONDITIONS

1. 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.
2. 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.
3. 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.
4. 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.
5. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
6. The permitted volume of water shall be stored within five years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
7. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.
8. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.
9. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
 - a. the dimensions of the reservoir;
 - b. the maximum capacity of the reservoir in acre-feet; and
 - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued

JAN 26 2021



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

WATER RIGHT APPLICATION MAP
RESERVOIR STORAGE RIGHT

E-RECEIVED
February 02, 2021
OWRD

MICHAEL LONG
633 YEUST ROAD
AZALEA, OR 97410

This map is not intended to provide legal dimensions or locations of property ownership lines

ParsonsWater Consulting LLC
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541.499.0257 303.667.5067

SITUATED IN
SECTION 7, TOWNSHIP 32 S RANGE 4 W, W.M.
DOUGLAS COUNTY, OREGON

LEGEND

- CENTROID OF BELOW-GROUND RESERVOIR - 1400' NORTH AND 950' EAST OF SW CORNER OF SECTION 7
- COW CREEK POINT OF DIVERSION
- PIPELINE

