

MONEY SLIP

DATE: <u>2-8-2021</u>	RECEIPT #: <u>134481</u>
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RECEIVED FROM: Stoller Family Estate

APPLICATION	
PERMIT	
TRANSFER	

CASH CHECK # 7952 OTHER (IDENTIFY)

TOTAL REC'D	\$ <u>4110.00</u>
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1083 TREASURY	4170 MISC CASH ACCT.
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0407 COPIES	\$
_____ OTHER: (IDENTIFY) _____	\$

0243 Instream Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

1083 TREASURY	4270 WRD OPERATING ACCT.
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MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME _____	\$

WATER RIGHTS

0201 SURFACE WATER	EXAM FEE		RECORD FEE
0203 GROUND WATER	\$	0202	\$
0205 TRANSFER	\$	0204	\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE		RECORD FEE
LANDOWNER'S PERMIT	\$	0219	\$
_____ OTHER (IDENTIFY) _____		0220	\$

0607 TREASURY	0467 HYDROELECTRIC
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0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER
0231 HYDRO LICENSE FEE (FW/WRD)	\$
_____ HYDRO APPLICATION	\$

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT -- LETTER ATTACHED



Oregon Water Resources Department
 Stored Water Only Applications - Expedited Secondary

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Thursday, January 14, 2021

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	1.76	\$70.00
Subtotal:		\$590.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,110.00

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Application for a Permit to Use Surface Water



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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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME RED HILLS FARM, LLC (ATTN: JASON TOSCH)		PHONE (HM) 503-726-6603	
PHONE (WK) 503-864-3404 EXT. 8037	CELL	FAX	
ADDRESS PO BOX 189			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL * JASON@STOLLERWINEGROUP.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 KARINA NORDAHL (OTAK INC.)		PHONE 503-415-2313	FAX 503-415-2304
ADDRESS 808 SW 3RD AVE. STE. 800			CELL
CITY PORTLAND	STATE OR	ZIP 97204	E-MAIL * KARINA.NORDAHL@OTAK.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

Applicant Signature

JASON TOSCH
Print Name and Title if applicable

Wayne Marschall
Print Name and Title if applicable

1/14/2021
Date

1/29/21
Date

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.

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: Reservoir RR-A	Tributary to: Chehalem Creek
TRSQQ of POD: 2S3W29 NW 1/4 of the SE 1/4 601	
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).

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.

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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

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:

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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
Reservoir RR-A	Irrigation	April through October	<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Reservoir RR-A	Fire Control	Year-round for Emergency use only	<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: 23 Acres Supplemental: Acres
 If Supplemental Acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1.76

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- 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): 5 HP submersible pump controlled by VFD
- Other means (describe):

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

A 7-foot earthen berm will be constructed to retain overland runoff in the reservoir. An outflow structure and pipe system will be installed through the proposed berm to allow for controlled release of stored water when needed.

During the winter, surface water will be collected in the reservoir until the overflow structure is engaged. Flow entering the reservoir that exceed its capacity will flow through a riser located approximately 1 foot below the top of the berm. An outlet pipe will connect the riser structure to the outfall at the downstream side of the berm and into the upper end of the stream. A secondary outlet pipe with butterfly valve will be installed and also outfall on the downstream side of berm next to the primary outlet pipe. The secondary outlet pipe will be aviable for operation in the event that the reservoir needs to be drained, either for permitting or mainteance purposes.

B. Application Method

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

For Department Use: App. Number:

Drip irrigation

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.

Methods used to determine irrigation requirements include best management practices and LIVE certified sustainable viticulture practices. Measurements are taken by equipment to determine evapotranspiration (Et), negative water potential, and soil moisture. Water is then delivered at a rate of vine consumption with Et, negative water potential, and soil moisture taken into account. This method of "reduced deficit" irrigation ensures that water is not wasted and minimizes impacts to the surface water due to overwater erosion.

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: _____

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: Erosion control will be implemented during construction. Post construction, the riparian and streamside areas will be protected and not disturbed.

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: Post construction, no equipment will be operated within the stream.

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: A permanent cover crop will be planted on all the disturbed areas post construction. Winter cover crops will also be planted in the vineyards where water use will begin in the spring.

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: August of 2020
- b) Date construction will be completed: September of 2021
- c) Date beneficial water use will begin: April of 2021

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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*). Land Use Information Form and property description attached within Water Right Application for Storage in a Reservoir, permit #R-88696

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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

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ _____
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-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

Land Use Information Form



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

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.

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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.oregon.gov/OWRD

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Applicant: _____
First Last

Mailing Address: _____

City _____ Phone: _____

A. Land and Location

Please include the following information (transported), and/or used or developed substitute existing and proposed

SEE COMPLETED
LAND USE FORM
IN STORAGE PERMIT
APPLICATION INCLUDED

taken from its source), conveyed within irrigation districts may requested below.

Township	Range	Section	Water to be:	Proposed Land Use:
			<input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
			<input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
			<input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
			<input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

JASON
TOSCH

List all counties and cities where used or developed:

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 Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

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

Estimated quantity of water needed: _____ 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 _____

Briefly describe:

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.

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): _____.
- 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 08 2021	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

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: _____



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

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

Alternate Review Process (ORS 537.409): 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

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to
you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that
are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: Red Hills Farm, LLC
Mailing Address: PO Box 189
Dayton OR 97114
Phone: 503-726-6603
Fax: E-Mail Address*: Jason@stollerfamilyestate.com

* 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.)

2. AGENT INFORMATION

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

Agent: Ashley Cantlon
Mailing Address: Otak, Inc., 808 SW 3rd Ave. Ste. 300
Portland OR 97204
Phone: 503-415-2306
Fax: E-Mail Address*: ashley.cantlon@otak.com

* 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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Reservoir RR-A

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name
of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.
Source: runoff & seepage Tributary to: Chehalem Creek

C. County in which diversion occurs: Yamhill County

App. No. For Department Use
Permit No. Date

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
2S	3W	29	NW ¼ of the SE ¼, Section 29	601

E. Dam: Maximum height of dam: 7 feet. If excavated, write "zero feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 1.76 Acre-feet = $\frac{\text{(Average Length)(Average Width)(Average Depth)}}{43,560}$

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

4. WATER USE

Indicate the proposed use(s) of the stored water. **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: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

This application is for Multipurpose Use.

5. PROPERTY OWNERSHIP

Please provide a copy of the recorded deed(s).

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:

Red Hills Farm, LLC, PO Box 189 , Dayton, OR 97114

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6. ENVIRONMENTAL IMPACT

- A. **Channel:** Is the reservoir: in-stream or off channel?
- B. **Wetland:** Is the project in a wetland? Yes No Don't know
- C. **Existing:** Is this an existing reservoir? Yes No
If yes, how long has it been in place? _____ years.
- D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? Yes No Don't know
If yes, how much? _____ miles.
- E. **Partnerships:** 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.

7. 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 N/A	Address	
City	State	Zip

8. DESCRIPTION

Provide a 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.

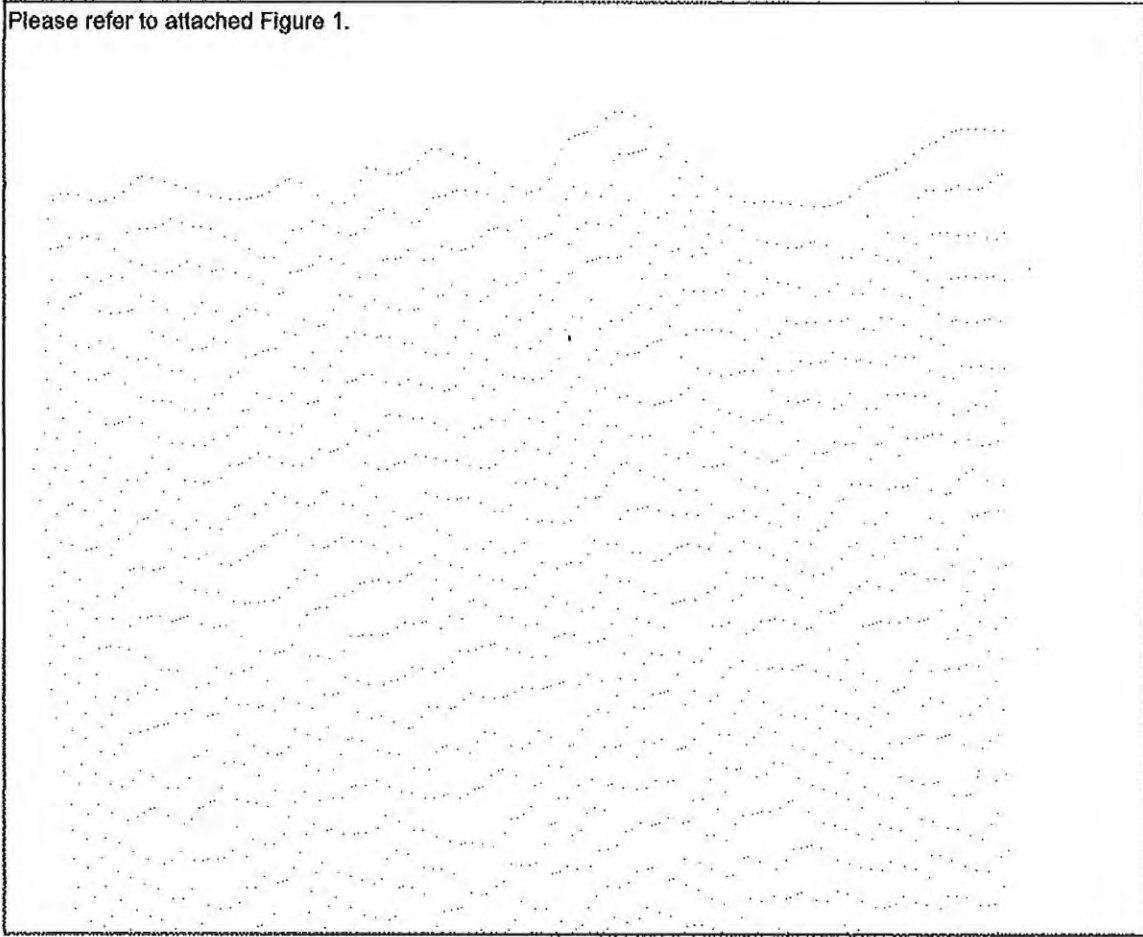
The proposed Ridgecrest project site is a 28.85-acre property on Chehalem Mountain at 20499 NE Ribbon Ridge Road (Tax lot R232900601) zoned EF80. The property is in northern Yamhill County near the City of Yamhill. The property drains west to Chehalem Creek, after flowing under North Valley Road. There is an existing small pond on the site that collects site runoff. The Applicant wishes to pursue permitting and construction of a small earthen berm and reservoir within an existing depression to intercept surface water in the winter and store it for summer use. A groundwater permit might also be pursued to assist in maintaining water levels in the reservoir.

A 7-foot earthen berm will be constructed to retain surface water runoff in the reservoir. The storage volume available inside the proposed reservoir will be approximately 1.76 ac-ft. Figure 1 (attached) shows the location and footprint of the proposed reservoir in relation to NE Ribbon Ridge Road. An outflow structure and pipe system will be installed through the proposed berm to allow for controlled release of stored water when needed.

During the winter, surface water will be collected in the reservoir until the overflow structure is engaged. Flows entering the reservoir that exceed its capacity will flow through a riser located approximately 1 foot below the top of the berm. An outlet pipe will connect the riser structure to a manhole structure inside the berm, which will outfall through another pipe to the downstream side of the berm to the upper end of the stream. A secondary outlet pipe with flap gate will be installed at the bottom of the reservoir and will also connect to the manhole structure in the berm. This secondary outlet will be available for operation in the event that the pond needs to be drained, either for permitting or maintenance purposes.

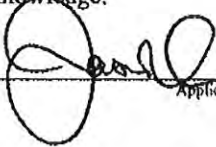
If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

Please refer to attached Figure 1.



9. SIGNATURE

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


Applicant Signature

12/21/2018
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

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WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

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 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))

The review of alternate reservoirs is limited to these criteria only.

253W 29 TL601

Application #: R-

Applicant's Name: *Red Hill Farm*

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1) Does the proposed reservoir have the potential to injure existing water rights? NO YES

Explain:

2) Can conditions be applied to mitigate the potential injury to existing water rights? NO YES *NA*

If YES, which conditions are recommended:

* *NO measure device needed at this time*

3) Did you meet with staff from another agency to discuss this application? NO YES

Who: Agency: Date:

Who: Agency: Date:

Watermaster signature: *[Signature]* Date: *12-27-18*

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

NOTE: This completed form must be returned to the applicant

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Red Hills Farm, LLC , PO Box 189, Dayton, OR 97114
 503-726-6603
 Jason@stollerfamilyestate.com

Reservoir Name: Reservoir RR-A Source: Overland Runoff & Seepage Volume (AF): 1.76 acre-feet

Twp Rng Sec QQ: NW ¼ of the SE ¼, Section 29 Basin Name: Chehalem Creek in-channel
 off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an

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

- 1) Is the proposed project and AO¹ off channel? YES X NO
 (if yes then proceed to #4; if no then proceed to #2)
- 2) Is the proposed project or AO located where NMF² are or were historically present?..... YES X 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?.....X YES NO
 Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

X Any diversion or appropriation of water for storage during the period June 30 through November 1 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 of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

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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)

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If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?
NO (explain) X YES (select from Menu of Conditions on next page)

wq: **Comments from DEQ. Pond releases:** Permittee shall not release off-channel stored water into waters of the state, unless under emergency situations. Permittee shall comply with OAR 340-041 and ensure that water-quality standards are not violated by releases from storage. The reservoir will discharge water when full and water exits the overflow.

Water Quality: The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water-quality standards. The container yard and banks of the reservoir will be graveled to prevent erosion.

Prohibited Activities: Permittee may not cause pollution to any waters of the state, or 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, per ORS 468B.025(1). The use may be restricted if the Department of Environmental Quality notifies the Water Resources Department that the permittee fails to meet corrective actions associated with the violation.

Period of Use: Water withdrawal is limited to the period: *November 1 through June 30.*

ODFW Signature: Ben Walczak Print Name: Ben Walczak

ODFW Title: Assistant District Fish Biologist Date: 10-08-18

NOTE: This completed form must be returned to the applicant.

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

Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

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.

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.

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 _____ through _____.

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.

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 _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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.

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.

fence: The stream and its adjacent riparian area shall be fenced to exclude livestock.

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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WRD

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: Jason Tosch
First Last

Mailing Address: Chehalem, Inc., 31190 NE Veritas Lane
Newberg OR 97132 Daytime Phone: (503)726-6603
City State Zip

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:
2S	3W	29	NW ¼ of the SE ¼, Section 29	601	EF-80	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Agriculture
						<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:

Yamhill

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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: 1.76 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 _____

Briefly describe:

A reservoir will be constructed at in a local depression onsite, using a 7' tall berm to retain water in the reservoir. The storage volume available inside the proposed reservoir will be approximately 1.76 ac-ft. An outflow structure and pipe system will be installed through the proposed berm to allow for controlled release of stored water when needed.

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

See bottom of Page 3. →

For Local Government Use Only

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): 402.02 of the YCZO

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.

Name: Stephanie Armstrong Title: Associate Planner

Signature:  Phone: 503-434-7516 Date: 11/13/18

Government Entity: Yamhill County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Ridgecrest Project Site Legal Description:

Beginning at the southwest corner of the Joseph Brisbane Donation Land Claim; thence South along the east line of the Charles B. Molthrop D.L.C. 2261.78 feet to the northwest corner of said Barton tract; thence North 89 deg. 58 min. 20 sec. East 759.56 feet to the northeast corner of said Barton tract; thence South 00 deg. 33 min. 22 sec. West 255.74 feet along the east line of said Barton tract; thence South 01 deg. 41 min. 22 sec. West 180.77 feet along said east line to a point that is South 87 deg. 03 in. 25 sec. East 19.79 feet from an iron rod and the TRUE POINT OF BEGINNING; thence North 87 deg. 03 min. 25 sec. West 19.79 feet to said iron rod; thence North 87 deg. 03 min. 25 sec. West 732.95 feet to an iron rod on the east line of said Molthrop D.L.C.; thence South 1071.63 along said east line to the southwest corner of said Barton tract which is also on record as being the southwest corner of U.S. Lot 4; thence North 89 deg. 32 min. 10 sec. East 727.24 feet along the south line of said U.S. Lot 4, which is also on record as being along an existing fence line, to the southeast corner of said Barton Tract; thence North 00 deg. 45 min. East 314.79 feet along the east line of said Barton tract; thence North 01 deg. 27 min. 22 sec. East 296.74 feet along said east line; thence North 01 deg. 48 min. 22 sec. East 299.33 feet along said east line; thence North 01 deg. 41 min. 22 sec. East 116.55 feet to the TRUE POINT OF BEGINNING.

Ashley Cantlon

From: Ben Walczak <Ben.Walczak@state.or.us>
Sent: Thursday, November 08, 2018 8:43 AM
To: Ashley Cantlon
Subject: RE: Alternative Reservoir Project Sites

Ashley,

That came from some stock language DEQ put in. I ask DEQ for water quality comments as I am not a water quality expert. If I remember correctly that sentence was specific to another alt res and not yours so it should be removed. Please ask Joel what he recommends. It might be easier for me to resubmit, which I would be happy to do, I should have caught that.

Ben

From: Ashley Cantlon [mailto:ashley.cantlon@otak.com]
Sent: Monday, November 05, 2018 3:03 PM
To: Ben Walczak <Ben.Walczak@state.or.us>; PLAHN Joel M <Joel.M.PLAHN@state.or.us>
Cc: Tom Murtagh <Tom.Murtagh@state.or.us>; 18911 <18911@otak.com>; 18784A <18784A@otak.com>
Subject: RE: Alternative Reservoir Project Sites

Good afternoon Ben,

I hope this email finds you well. I wanted to find out if you've had a chance to consider my question about the container yards that were mentioned in the forms that you sent back to us. I highlighted the phrase in each form to help jog your memory – the question is: Under the Water Quality conditions there is reference to the container yard and requirements for the banks of the reservoir to be graveled. Can you clarify what a container yard is? Is there flexibility on the pond surfacing in case we preferred to plant or seed a portion of it?

Thanks!
Ashley

Ashley Cantlon | Water Resources Engineer | Project Manager
Otak, Inc.

Direct: 503.415.2306
Ashley.Cantlon@otak.com

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Please consider the environment before printing this email

From: Ashley Cantlon
Sent: Monday, October 29, 2018 4:28 PM
To: 'Ben Walczak' <Ben.Walczak@state.or.us>; 'joel.m.plahn@wrdd.state.or.us' <Joel.M.Plahn@state.or.us>
Cc: 'Tom Murtagh' <Tom.Murtagh@state.or.us>; 18911 <18911@otak.com>; 18784A <18784A@otak.com>
Subject: RE: Alternative Reservoir Project Sites

Good afternoon, Ben,

I wanted to touch base with you again regarding the questions that I had on the application reviews for our projects (below). Joel clarified the first two questions for me (thank you, Joel) that the window in which the reservoir can be filled is between November 1 and June 30, and that there is little concern if water happens to drain into the reservoir during the summer months via overland runoff. Joel, please correct me if I misstated anything.

The 3rd question is still up in the air, and I was wondering if you might be able to provide an answer when you have a moment.

Thank you for your consideration,
Ashley

Ashley Cantlon | Water Resources Engineer | Project Manager
Otak, Inc.

Direct: 503.415.2306
Ashley.Cantlon@otak.com

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Please consider the environment before printing this email

From: Ashley Cantlon

Sent: Tuesday, October 09, 2018 4:47 PM

To: 'Ben Walczak' <Ben.Walczak@state.or.us>; joel.m.plahn@wrd.state.or.us <Joel.M.Plahn@state.or.us>

Cc: Tom Murtagh <Tom.Murtagh@state.or.us>; 18911 <18911@otak.com>; 18784A <18784A@otak.com>

Subject: RE: Alternative Reservoir Project Sites

Good afternoon, Ben,

We do have a couple of follow up questions for you on these application reviews.

1. The ponds that we're proposing to construct would be intended for multiple uses, though primarily irrigation. Based on the dates that you've identified, it looks like water can be stored for Ridgecrest, for instance, between November 1 and June 30, however this is also listed as the allowable withdrawal date. I wanted to verify that "withdrawal" means withdrawal from the stream, and not withdrawal from the reservoir for use. Is this correct?
2. Our ponds are both located at the upper end of their respective streams, which means that they are located in a depression and intercept runoff uphill of where the definition of the streams begin. How can the client demonstrate that he won't be violating the conditions if, for example, a rain event occurs in August during the time that the client wishes to irrigate, water flows into the pond via sheet flow prior to flowing into the stream. Does this mean that a certain amount of water needs to be released? How can the client make sure that they remain in compliance if water ends up in the pond during the restricted months?
3. Under the Water Quality conditions there is reference to the container yard and requirements for the banks of the reservoir to be graveled. Can you clarify what a container yard is? Is there flexibility on the pond surfacing in case we preferred to plant or seed a portion of it?

Thank you for your consideration,
Ashley

Ashley Cantlon | Water Resources Engineer | Project Manager
Otak, Inc.

Direct: 503.415.2306
Ashley.Cantlon@otak.com



Please consider the environment before printing this email

From: Ben Walczak <Ben.Walczak@state.or.us>
Sent: Monday, October 08, 2018 1:10 PM
To: Ashley Cantlon <ashley.cantlon@otak.com>; joel.m.plahn@wrd.state.or.us <Joel.M.Plahn@state.or.us>
Cc: Tom Murtagh <Tom.Murtagh@state.or.us>; ben.walczak@state.or.us
Subject: RE: Alternative Reservoir Project Sites

Ashley,

Attached are the completed ODFW Alternate Reservoir Application Reviews. Please feel free to contact me if you have questions or concerns,

Ben

From: Ashley Cantlon [<mailto:ashley.cantlon@otak.com>]
Sent: Friday, October 05, 2018 12:56 PM
To: Ben Walczak <Ben.Walczak@state.or.us>
Subject: RE: Alternative Reservoir Project Sites

Good afternoon Ben,

I thought I would check back to find out if you had been able to take a look at the materials I sent over last week. Let me know if you have any questions as you perform your review.

Thanks!
Ashley

Ashley Cantlon | Water Resources Engineer | Project Manager
Otak, Inc.

Direct: 503.415.2306
Ashley.Cantlon@otak.com

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From: Ben Walczak <Ben.Walczak@state.or.us>
Sent: Friday, September 28, 2018 3:46 PM
To: Ashley Cantlon <ashley.cantlon@otak.com>
Subject: RE: Alternative Reservoir Project Sites

Ashley,

I received them. I will try to take a look at them late next week or early the following week. I'm in a meeting from Monday-Thursday next week. Please feel free to remind me,

Ben

From: Ashley Cantlon [<mailto:ashley.cantlon@otak.com>]
Sent: Friday, September 28, 2018 12:48 PM

To: Ben Walczak <Ben.Walczak@state.or.us>
Subject: RE: Alternative Reservoir Project Sites

Hi Ben,

I wanted to check back with you to make sure that you received the email with attachments.

Thanks!
Ashley

Ashley Cantlon | Water Resources Engineer | Project Manager
Otak, Inc.

Direct: 503.415.2306
Ashley.Cantlon@otak.com



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From: Ben Walczak <Ben.Walczak@state.or.us>
Sent: Thursday, September 27, 2018 8:28 AM
To: Ashley Cantlon <ashley.cantlon@otak.com>
Subject: FW: Alternative Reservoir Project Sites

Ashley,

Could you please resend me the email with the attachments that you provided Tom with originally? I will try and take a look at these in the next week or so.

Ben

From: Tom Murtagh
Sent: Wednesday, September 26, 2018 5:20 PM
To: Ben Walczak <Ben.Walczak@coho2.dfw.state.or.us>
Subject: FW: Alternative Reservoir Project Sites

Ben – any chance you can take a look? I can pick up on Tuesday when I get back in .

Tom Murtagh
District Fish Biologist
ODFW
17330 SE Evelyn Street
Clackamas, OR 97015
(W) 971-673-6044; (C) 971-678-4871
tom.murtagh@state.or.us

From: Ashley Cantlon <ashley.cantlon@otak.com>
Sent: Wednesday, September 26, 2018 11:31 AM
To: Tom.Murtagh@state.or.us
Cc: 18784A <18784A@otak.com>; 18911 <18911@otak.com>
Subject: RE: Alternative Reservoir Project Sites

Good morning, Tom,

I hope this email finds you well. I thought I would check in with you again to find out if you've been able to consider the work that we're planning to do on these two sites. Please let me know if there is anything I need to clarify, or information that might be missing based on the files that I sent previously.

Thanks!
Ashley

Ashley Cantlon | Water Resources Engineer | Project Manager
Otak, Inc.

Direct: 503.415.2306
Ashley.Cantlon@otak.com

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Please consider the environment before printing this email

From: Ashley Cantlon
Sent: Thursday, August 30, 2018 3:10 PM
To: 'Tom.Murtagh@state.or.us' <Tom.Murtagh@state.or.us>
Cc: 18784A <18784A@otak.com>; 18911 <18911@otak.com>
Subject: Alternative Reservoir Project Sites

Hello Tom,

I've attached a plan and profile view and .kmz file for each of the sites that I mentioned over the phone. The Ridgecrest pond will be located on a vineyard in Yamhill county (see P18911_Sheets POND P&P (1).pdf) and the Bell Road pond will be located on a vineyard in Washington County (POND_P&P_FOR_GEOTECH_UPDATE.pdf).

We will be applying for water rights to construct these two reservoirs and also to withdraw water from them in our initial applications.

We are also planning to make improvements to the stream on only the Bell Road pond site inserting bioengineered woody debris to help stabilize the channel.

Please let me know if you have questions regarding either of these sites.

Thanks!
Ashley



Ashley Cantlon, PE, ENV SP | Water Resources Engineer | Project Manager
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