

MONEY SLIP

DATE: <u>2-19-2021</u>	RECEIPT #: <u>134570</u>
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RECEIVED FROM: Sunset Farm NC LLC

APPLICATION	
PERMIT	
TRANSFER	

CASH ☐ CHECK # 1540 OTHER (IDENTIFY) ☐

TOTAL REC'D \$ 4,000.00

1083 TREASURY **4170 MISC CASH ACCT.**

0407 COPIES \$
 OTHER: (IDENTIFY) \$

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

1083 TREASURY **4270 WRD OPERATING ACCT.**

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 \$	0202 \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$	

WELL CONSTRUCTION

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

0607 TREASURY **0467 HYDROELECTRIC**

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

SPECIAL INSTRUCTIONS:

☐ RETURN TO APPLICANT-- LETTER ATTACHED

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



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

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

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Use a separate form for each reservoir

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME <i>Lisa Johnson & Shannon Hermieu</i>		PHONE (HM) <i>541-510-4601</i>	
PHONE (WK) <i>541-510-4601</i>	CELL <i>541-510-4601</i>	FAX <i>N/A</i>	
ADDRESS <i>93131 Dorsey Ln</i>			
CITY <i>Junction City</i>	STATE <i>OR</i>	ZIP <i>97448</i>	E-MAIL * <i>Countryside Property@gmail.com</i>

Organization

NAME <i>Sunset Farm LLC</i>		PHONE <i>Same</i>		FAX
ADDRESS <i>Same</i>				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 <i>N/A</i>		PHONE		FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL *	

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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



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

<i>[Signature]</i>	<i>Lisa Johnson</i>	<i>1/27/21</i>
Applicant Signature	Print Name and Title if applicable	Date
<i>[Signature]</i>	<i>Shannon Hermieu</i>	<i>1/27/21</i>
Applicant Signature	Print Name and Title if applicable	Date

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SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

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Reservoir name:	Little's Pond				
Source*:	Rainfall	Tributary:			
County:	Lane				
Quantity:	1.4 Acre-Feet [length x width x depth / 43,560] Winter/early Spring				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	16	05	01		700
Maximum Height of Dam:	N/A				
	feet. If excavated write "zero feet."				

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

N/A Source - Run off - Rainfall

SECTION 3: WATER USE

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

Recreational & Flood Control
Fish & Wildlife

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

SECTION 4: PROPERTY OWNERSHIP

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

☒ Yes (please check appropriate box below then skip to section 5)

☒ There are no encumbrances

☐ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

☐ No (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

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SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: ☐ in-stream or ☒ off channel?**Wetland:** Is the project in a wetland? ☐ YES ☐ NO ☐ unknown**Existing:** Is this an existing reservoir? ☒ YES ☐ NOIf YES, how long has it been in place? years. *unknown - Decades***Fish Habitat:** Is there a fish habitat upstream of the proposed structure? ☐ YES ☐ NO ☐ unknown

If YES, how much? miles.

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

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

SECTION 6: WITHIN A DISTRICT

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

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

SECTION 7: DESCRIPTION

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

Recreational pond filled in winter by rainwater. Overflow at times, leaves the property via small drainage ditch. Fish gate in place. This pond is vital to our farm as flood control several times a year.

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

<i>N/A</i>

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Watermaster Alternate Reservoir Application Review Sheet

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

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

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

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

Watermaster Name: Lanaya Blakely

Watermaster Signature: Lanaya Blakely Date: 2/2/2021

NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the Applicant					
Applicant Shannon Lemieux		Phone No.		Email: lemieuxshannon@yahoo.com	
Address 93737 Dorsey Ln		City Junction City		State OR	Zip 97448
Reservoir Name:		Source: Runoff		Volume (AF):	
Township (N or S)	Range (E or W)	Section	Quarter/ Quarter	Basin Name:	☐ in-channel ☒ off-channel
Amazon Cr./Long Tom					

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District Staff	
1) Is the proposed project and AO ¹ off channel? ☒ YES ☐ NO (If yes then proceed to #4; if no then proceed to #2)	
2) Is the proposed project or AO located where NMF ² are or were historically present? ☐ YES ☒ NO (If yes then proceed to #3; if no then proceed to #4)	
3) If NMF are or were historically present:	
a. Is there an ODFW – approved fish passage plan?	☐ YES ☐ NO
b. Is there an ODFW-approved fish-passage waiver or exemption?	☐ YES ☐ NO
If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be “Yes” to move forward with the application. If responses to 3(a) and 3(b) are “No”, then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.	
4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream: ☐ YES ☒ NO <i>Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)</i>	
☐ Any diversion or appropriation of water for storage during the period _____ through _____ 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.	
If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?	
☐ YES (Select from Menu of Conditions on next page) ☐ NO (explain)	

2018 comment - The pond is located off-channel and poses no threat to native fish species. Low likelihood of the pond overflowing to the old Amazon Creek channel. Amazon Cr. already has bass, crappie and bluegill. In addition, the applicant has agreed to screen the potential outflow “area” (no defined channel) and plans to stock the pond with the warmwater fish species listed. Water source is listed as runoff from field, irrigation and precipitation.

2021 – Owner has placed rock filter/screen at overflow area which only overflows at very high water and has also placed a “backup screen” in the area of lower elevation (in attached photos) below the overflow to further prevent fish from traveling further from the pond.

ODFW Signature: Jeremy D. Romer Printed Name: Jeremy D. Romer
ODFW Title: Asst. Dist. Fish Date: 02/01/2021

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NOTE: This completed form must be returned to the applicant

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

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

Alternate Reservoir Application — Page 5

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Land Use Information Form



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

NAME Lisa Johnson		PHONE (IIM) 541-510-4601	
PHONE (WK) 5415104601	CELL 5415104601	FAX	
ADDRESS 93737 Dorsey Ln			
CITY Junction City	STATE OR	ZIP 97448	E-MAIL* countryproperty@gmail.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:
<u>16</u>	<u>05</u>	<u>01</u>		<u>700</u>	<u>EFU</u>	☐ Diverted	☐ Conveyed	☒ Used	<u>pond</u>
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Junction City

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: 1.38
☐ 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 Recreation

Briefly describe: Existing

*Recreational pond that also provides holding capacity during winter. Only supplied by rain & seasonal run - 500.

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.

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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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Private pond is a permitted use allowed outright as accessory to existing single family dwelling on site; permitted by Lane Code 16.212(3)-9.1

Name: Rachel Serslev Title: Associate Planner

Signature: SERSLEV Rachel Digitally signed by SERSLEV Rachel
Date: 2021.01.13 13:05:05 -0800 Phone: 541-682-6903 Date: 1/13/2021

Government Entity: Lane 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: Lisa Johnson

City or County: Junction City, Lane County Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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EXHIBIT A

LEGAL DESCRIPTION

That portion of the Northwest quarter of the Southeast quarter of Section 1, Township 16 South, Range 5 West of the Willamette Meridian, lying South of the Following described line:

Beginning at the Northeast corner of said Section 1 Township 16 South, Range 5 West of the Willamette Meridian, as located in County Survey No. 8640; thence North $89^{\circ} 28' 19''$ West 2639.40 feet along the centerline of High Pass Road to a point; thence South $0^{\circ} 14'$ East 3006.99 feet along the centerline of Country Road No. 270 and along a straight line towards the South one-quarter corner of said Section 1 to the Southwest corner of Property conveyed to Gary C. Cooley and Clara Jo Cooley, by deed recorded January 30, 1973, Reel 623R, Recorder's Reception No. 7304362, Lane County Oregon Official Records, and the true point of beginning; thence South $87^{\circ} 58' 53''$ East 454.41 feet along the South of said Cooley property to the Southeast corner thereof, also being the Southwest corner of property conveyed to Peter M. Strawick, et ux, by deed recorded January 8, 1973, Reel 620R, Recorder's Reception No. 7300955, Lane County Official Records; thence continuing along the South line of said Strawick property, South $87^{\circ} 58' 53''$ East 877.57 feet to the Southeast corner thereof and the terminus of the line described herein, in Lane County, Oregon.