

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



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

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

Use a separate form for each reservoir

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME STELLMACHER FAMILY PROPERTIES LLC		PHONE (HM)	
PHONE (WK)	CELL (541) 979-7102	FAX	
ADDRESS 30416 STELLMACHER DR. SW			
CITY ALBANY	STATE OR	ZIP 97321	E-MAIL * BILLBARBSTELLMACHER@GMAIL.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 WILL MCGILL SURVEYING LLC		PHONE (503) 510-3026	FAX
ADDRESS 15333 PLETZER RD. SE			CELL (503) 931-0210
CITY TURNER	STATE OR	ZIP 97392	E-MAIL * WILLMCGILL.SURVEYING@GMAIL.COM

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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



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

William Stellmacher William STELLMACHER 4/11/21
 Applicant Signature Print Name and Title if applicable Date

 Applicant Signature Print Name and Title if applicable Date

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	Stellmacher Reservoir				
Source*:	Run-off, Seepage, Calapooia River	Tributary:	Willamette River		
County:	Linn				
Quantity:	60 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	12S	4W	3	NESE/NWSE	1000
Maximum Height of Dam:	Zero 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.

SECTION 3: WATER USE

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

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

SECTION 4: PROPERTY OWNERSHIP

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

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

List the names and mailing addresses of all affected landowners:

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SECTION 5: ENVIRONMENTAL IMPACT

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

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

Existing: Is this an existing reservoir? YES NO
If YES, how long has it been in place? _____ years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? YES NO unknown
If YES, how much? _____ miles.

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

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

SECTION 6: WITHIN A DISTRICT

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

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

SECTION 7: DESCRIPTION

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

Either 20 HP centrifugal pump at the North or South POD will divert Calapooia water if needed and between Oct. 1 – July 31 or during the allowable season. The reservoir will be primarily filled by run-off. If Calapooia water is necessary, it will be conveyed via buried PVC mainline that connects the pump sites to the pond. The pond is a natural low spot in the field and will not require a dam. It will be entirely a dug pond. Any material excavated while deepening the storage area will be used to berm around the perimeter until desired storage volume is achieved.

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

N/A

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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		
1. Does the proposed reservoir have the potential to injure existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Explain: The Calapooia is regulated to satisfy an instream water right in August of most years.		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Explain: This right shall be regulated during times of shortage according to its priority date.		
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
4. If yes, during what period? Beginning: Nov. 1 End: Jul. 31 Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))		
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Who:	Agency:	Date:
Who:	Agency:	Date:

Watermaster Name: Lanaya Blakely

Watermaster Signature: Lanaya Blakely Date: 3/30/2021

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 Name: Stellmacher Family Properties LLC
 Address: 30416 Stellmacher Dr. SW, Albany, OR 97321
 Phone/Email: 541-979-7102; billbarbstellmacher@gmail.com

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Reservoir Name: Stellmacher Reservoir
 Source: Calapooia River, run-off, seepage
 Basin Name: Calapooia River<Willamette River
 Twp Rng Sec QQ: 12S 4W 3

Volume (AF): 60 AF

- 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 appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

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

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

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

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

- 3) If NMF are or were historically present:
 a. Is there an ODFW-approved fish-passage plan?..... YES NO
 b. Is there an ODFW-approved fish-passage waiver or exemption?..... YES NO

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

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

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

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

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

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

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

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

- Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- b51a** The period of use has been limited to December 1 through June 30.
- 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.
- b1v:** 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.

- Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
 - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.
- Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.

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

- Construction Activities:** For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.
- fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- 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.

- 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.
- Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without a fish transport permit approved by ODFW. As part of the permitting process, the permittee must also screen the inlet and outlet of their pond to insure that fish cannot escape into public waters and/or to keep wild fish from entering the pond.
- futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- In-Water or Riparian Construction:** For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 401 certification program prior to construction. The applicant must contact these agencies to confirm requirements.
- In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of June 1-October 15 unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- wetland:** The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.
- 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.

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Oregon DEQ Alternative Reservoir Review
Summary Sheet

Applicant Information:

Applicant Name:	Stellmacher Family Properties LLC	Requested Water Amount:	60 AF
Basin & Sub-basin:	Willamette River & Upper Willamette Sub-basin	Nearest Receiving Waterbody:	Calapooia River
Nearest Surface Water:	Calapooia River	Requested Period of Use:	Year round (assumed)
Proposed Use:	Multipurpose		

Alternative Reservoir: Per ORS 537.409 will the proposed use potentially impair water quality that supports existing fish resources (e.g. habitat)	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Insufficient data
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Comments

Regarding Water Quality Impairment(s) Impacts on Fishery Resources

The Calapooia River is a stream in the Upper-Willamette Sub-basin. The Upper Willamette Basin has an approved TMDLs for stream temperature, mercury, and bacteria. The Upper Willamette Basin TMDLs apply to all perennial and/or fish bearing streams in the Upper Willamette Subbasin – including the Calapooia River. The proposed water use will diminish flows in the Calapooia River. Diminished flows in the Calapooia will affect water quality impairments for dissolved oxygen and temperature.

During the summer, peak stream temperature and low stream flows create critical stream temperatures and heat loading conditions. In the Upper-Willamette sub-basin, peak temperatures typically occur in mid-July through mid-August and often exceed the salmon and trout rearing and migration criterion. The Calapooia River Water Availability Table indicates that at the 50% exceedance level, cumulative withdrawals exceed 20% of natural flow from July through September. Any additional withdrawals from July through September could negatively affect surface water quantity and quality in the Calapooia River. If OWRD approves the water right, DEQ recommends flow mitigation for months when the cumulative diversions are greater than 20% of natural flow.

The Calapooia River has water quality impairments for dissolved oxygen, iron (total), phosphorus, and temperature. DEQ is concerned about nutrient, sediment, and temperature loading from reservoir releases during low flow and critical temperature months. Therefore, DEQ requests the applicant not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure. Construction of the reservoir and point of diversion may require additional DEQ permits, such as a 1200-C stormwater construction permit. DEQ suggests the applicant call the relevant agencies/departments to determine if additional permits are required.



Recommended Permit Conditions

- 1. Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards. Permittee is responsible for obtaining any necessary state and federal permits.
- 2. Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- 3. Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- 4. Mitigation Obligation:** Prior to the issuance of a Proposed Final Order, the applicant shall submit a mitigation proposal that is of no less volume and rate than the permitted use. The proposal shall include water that is sourced upstream of the point of diversion or appropriation, or the uppermost point on the stream at which the potential for surface water interference occurs. If a surface water right is used for mitigation, it shall be transferred instream for the July - September time period, and be of similar water quality. The applicant should contact their OWRD caseworker to discuss flow mitigation options.

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Cumulative Withdrawals Effects

Is it likely that the proposed activity, together with existing withdrawals in the OWRD's Water Availability Basin (WAB), will lower water quality and impair fishery resources, and aquatic life? No Yes

Water Availability and Cumulative Impacts Summary Table

Percent of natural flow = (consumptive use/natural stream flow)*100. See Appendix for additional

[Water Availability Basin]: CALAPOOIA R > WILLAMETTE R - AB MOUTH

Watershed ID	Exceedance Level	Month	Natural Stream Flow	Consumptive Use	Expected Stream Flow	Reserved Stream Flows	Instream Requirement	Net Water Available	Percent of Flow
76	50	JAN	1300	3.58	1300	0	20	1280	0%
76	50	FEB	1260	3.52	1260	0	20	1240	0%
76	50	MAR	996	2.42	994	0	20	974	0%
76	50	APR	664	2.18	662	0	20	642	0%
76	50	MAY	404	19.1	385	0	20	365	5%
76	50	JUN	178	14.3	164	0	20	144	8%
76	50	JUL	73.9	22.2	51.7	0	20	31.7	30%
76	50	AUG	35.9	16.1	19.8	0	20	-0.205	45%
76	50	SEP	34.9	8.35	26.6	0	20	6.55	24%
76	50	OCT	58.1	2.01	56.1	0	20	36.1	3%
76	50	NOV	449	2.46	447	0	20	427	1%
76	50	DEC	1270	3.54	1270	0	20	1250	0%
76	50	ANN	404000	6060	398000	0	14500	383000	2%

Integrated Report Water Quality Impairment- 303(d) List Summary Table

Assessment Unit Name	Assessment Unit Description	Parameter	Status*	Beneficial Uses
Calapooia River	Shedd Slough to confluence with Willamette River	Dissolved Oxygen-Spawning	Category 5	Fish and Aquatic Life
Calapooia River	Shedd Slough to confluence with Willamette River	Iron (total)- Aquatic Life Criteria	Category 5	Fish and Aquatic Life
Calapooia River	Shedd Slough to confluence with Willamette River	Phosphorus- Aquatic Life Criteria	Category 5	Fish and Aquatic Life
Calapooia River	Shedd Slough to confluence with Willamette River	Temperature- Year Round	Category 5	Fish and Aquatic Life

*Integrated Report Category

Category 4 - Data indicate that at least one designated use is not supported, but a TMDL is not needed to address the pollutant

Category 4A - Clean-up plans (also called TMDLs) that will result in the waterbody meeting water quality standards and supporting its beneficial uses have been approved

Category 4B - Other pollution control requirements are expected to address pollutant of concern and will result in attainment of water quality standards

Category 4C - The impairment is caused by pollution, not a pollutant. For example, flow, or lack of flow, are not considered pollutants, but may be affecting the waterbody's beneficial uses

Category 5 - Data indicate a designated use is not supported or a water quality standard is not attained and a TMDL is needed. This category constitutes the Section 303(d) list that EPA will approve or disapprove under the Clean Water Act

DEQ review prepared by: Sarah Sauter

Date complete: 4/19/2021



Standard Water Quality Considerations Related to Aquatic Life Beneficial Uses

- 1. Antidegradation:** Rule 340-041-0004 applies: withdrawals cannot cumulatively increase a waterbody's temperature by more than 0.5 degrees Fahrenheit or cause a 0.1 mg/l decrease in dissolved oxygen from the upstream end of a stream reach to the downstream end of the reach so long as it has no adverse effects on threatened and endangered species. See OAR 340-041-0004(3)-(5) for a description in rule of activities that do not result in lowering of water quality.
- 2. Flow Modification:** Temperature and dissolved oxygen are flow-related parameters. When streamflow is reduced, assimilative capacity is reduced. As a waterbody heats up, dissolved oxygen concentrations decline. Reduced stream flows (including groundwater inputs to streamflow), exacerbate temperature and/or dissolved oxygen impairments.
- 3. Temperature:** Increases in temperature or reduction in dissolved oxygen adversely affect ST&E fish. Additional heat or reduction in dissolved oxygen concentrations will further impact the habitat of these species.

Menu of Conditions Related to Impairments Affecting Aquatic Life Beneficial Uses:

- **Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards. Permittee is responsible for obtaining any necessary state and federal permits.
- **Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- **Water Storage Construction:** The applicant shall locate the reservoir outside of the stream's natural channel. *identify waterbody and set back to prevent stream capture and justification for distance selected.*
- (Note to reviewer: The 1200C permit requires a 50-foot setback, which is cited from the National General Construction Permit OAR-660-023-0090(5). Requiring the storage reservoir to be outside of the mapped 100 year floodway may also be a protective buffer.)
- **Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.

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- **Limit Period of Use:** Water use shall be limited to the period: *start date through end date*. (Note to reviewer: Do not split the irrigation season. Require mitigation if water is not available during the requested time period.)
- **On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- **Restrict Reservoir Release:** To prevent pollution downstream, the permittee shall not release water from the reservoir when the flow at Gaging Station ID *(gage name)* is below the Mean Daily Discharge of *CFS* (discharge which was equaled or exceeded for 90% percent of the time) except when the release is directed by the State Engineer to prevent dam failure.
- **Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- **Mitigation Obligation:** Prior to the issuance of a Proposed Final Order, the applicant shall submit a mitigation proposal that is of no less volume and rate than the permitted use. The proposal shall include water that is sourced upstream of the point of diversion or appropriation, or the uppermost point on the stream at which the potential for surface water interference occurs. If a surface water right is used for mitigation, it shall be transferred instream for the [month-month] time period, and be of similar water quality. The applicant should contact their OWRD caseworker to discuss flow mitigation options.

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Business Registry Business Name Search

[New Search](#)

Business Entity Data

02-05-2021

10:40

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
734938-85	DLLC	ACT	OREGON	02-08-2000	02-08-2022	
Entity Name STELLMACHER FAMILY PROPERTIES LLC						
Foreign Name						

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[New Search](#)

Associated Names

OWRD

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	30416 STELLMACHER DR SW			
Addr 2				
CSZ	ALBANY	OR	97321	Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	07-24-2015	Resign Date
Of Record	200067-14	EVASHEVSKI ELLIOTT PC			
Addr 1	100 CALAPOOLA ST SW				
Addr 2					
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA

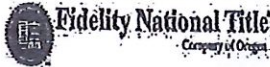
Type	MAL	MAILING ADDRESS		
Addr 1	PO BOX 983			
Addr 2				
CSZ	ALBANY	OR	97321	Country UNITED STATES OF AMERICA

Type	MGR	MANAGER		Resign Date
Name	WILLIAM	STELLMACHER		
Addr 1	30416 STELLMACHER DR SW			
Addr 2				
CSZ	ALBANY	OR	97321	Country UNITED STATES OF AMERICA

Type	MGR	MANAGER		Resign Date
Name	BARBARA	STELLMACHER		
Addr 1	30416 STELLMACHER DR SW			
Addr 2				
CSZ	ALBANY	OR	97321	Country UNITED STATES OF AMERICA

[New Search](#)

RECORDING REQUESTED BY:



317 1st Ave. W, Ste 100
Albany, OR 97321

GRANTOR'S NAME:
Justin Bordessa

GRANTEE'S NAME:
Stellmacher Family Properties LLC

AFTER RECORDING RETURN TO:
Order No.: 60222011457-TR
Stellmacher Family Properties LLC
33767 Oakville Road SW
Albany, OR 97321

SEND TAX STATEMENTS TO:
Stellmacher Family Properties LLC
33767 Oakville Road SW
Albany, OR 97321

APN: 226478
Map: 12S04W0300 01000
33767 Oakville Road SW, Albany, OR 97321

LINN COUNTY, OREGON	2021-01700
D-WD	
Str=10122 S. WILSON	01/22/2021 11:09:00 AM
\$15.00 \$11.00 \$10.00 \$60.00 \$20.00	\$135.00
\$19.00	

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Steve Druckenmiller - County Clerk

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Justin Bordessa, Grantor, conveys and warrants to Stellmacher Family Properties LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

PARCEL I:

Beginning at a point which is West 1182 feet distant from the Northeast corner of the Donation Land Claim of William D. Rexford, known on the Plats and Surveys of the United States as Notification No. 1998 and Claim No. 56 in Township 12 South, Range 4 West of the Willamette Meridian; thence West on and along the North boundary line of said claim a distance of 654 feet; thence South 70° East a distance of 242 feet; thence East 137 feet; thence North 65° 42' East a distance of 207 feet to the Place of Beginning.

ALSO:

That part of the following described real property lying West of the center line of the Calapoola River:

Beginning in the center of a County Road on the South boundary line of and East 45.09 chains distant from the Southwest corner of the Donation Land Claim of Thomas I. Anderson, Notification No. 1923, Claim No. 67 in Township 12 South, Range 4 West of the Willamette Meridian; thence North 39° 23' East along the center of said County Road 13.65 chains; thence North 28° 45' East along the center of said County Road 13.85 chains; thence North 28° 45' East along the center of said County Road 10.15 chains to a point which South 11° West 17.36 chains distant from the North boundary line of said Donation Land Claim; thence East 30.74 chains to the Eastern boundary line of said Donation Land Claim; thence South 11° West 19.49 chains along the Eastern boundary line of said Donation Land Claim to the Southeast corner thereof; thence West along the Southern boundary line of said Donation Land Claim 40.16 chains to the Place of Beginning.

EXCEPTING THEREFROM that portion thereof conveyed by Hiram H. Eastman and Henrietta Eastman to Helke Ohling by deed recorded at Page 634, Volume 132, Deed Records, as follows:

Beginning in the center of the County Road on the South boundary line of, and East 45.09 chains distant from the Southwest corner of the Donation Land Claim of Thomas I. Anderson, Notification No. 1923, Claim No. 67, in Township 12 South, Range 4 West of the Willamette Meridian, Linn County Oregon; thence North 39° 23' East along the center of the County Road, a distance of 167 feet; thence South 67° 46' East a distance of 346 feet to the South Boundary line of said Claim No. 67; thence West on and along the South boundary line of said Claim No. 67 a distance of 428 feet to the Place of Beginning.

PARCEL II:

Beginning North 89° 42' East 34.915 chains from the Northwest corner of the William D. Rexford Donation Land Claim No. 56 in Township 12 South, Range 4 West of the Willamette Meridian, Linn County, Oregon, said beginning point being the intersection of the Westerly line of the Oregon Electric Railway Co. right of way and the North line of said Claim No. 56; thence North 89° 42' East to the Easterly line of said right of way and the True Point of Beginning of the herein described tract of land; thence South 01° 25' West along the Easterly line of said right of way 11.31 chains; thence South 88° 35' East 50 feet; thence South 01° 25' West along said East line of said right of way 22.62 chains; thence North 88° 35' West 50 feet, thence South 01° 25' West along the said East line of right of way a distance of 192.6 feet to the point

Fidelity National Title # 60222011457

STATUTORY WARRANTY DEED

(continued)

which is East 35.15 chains distant and North 01° 25' East 2,947.78 feet distant from the Southwest corner of said Claim No. 56; thence South 80° 18' East a distance of 661.0 feet; thence North 11° 26' East a distance of 376.0 feet; thence South 80° East a distance of 814.60 feet; thence South 15° 15' East 21.00 chains to the right bank of the Calapooia River; thence down the right bank of said river to the East boundary line of said Claim No. 56 thence North along the East line of said Claim 20.17 chains to a point on the right bank of said River, thence down the right bank of said river to the North line of said Claim No. 56; thence West along the North line of said Claim 4.32 chains to a point which is West 1182.1 feet from the Northeast corner of said Claim No. 56; thence South 65° 42' West 207 feet; thence West 137 feet; thence North 70° West 242 feet to the North line of said Claim No. 58; thence West 67 links; thence North 67° 46' West 346 feet to the center of a County Road; thence South 39° 23' West along the center of said road 167 feet to a point on the North line of and East 45.79 chains distance from the Northwest corner of said Claim No. 58; thence West to the True Point of Beginning.

ALSO EXCEPTING THEREFROM THE FOLLOWING PARCELS:

Beginning on the East line of the Oregon Electric Railroad right of way 2319.9 feet East and 2947.78 feet North 01° 25' East of the Southwest corner of the William D. Rexford Donation Land Claim No. 56; thence North 01° 25' East 192.5 feet; thence South 88° 35' East 50 feet; thence North 01° 25' East 183.59 feet, thence South 80° 00' East 677.0 feet; thence South 11° 26' West 376 feet; thence North 80° 18' West 661.0 feet to the Point of Beginning.

ALSO EXCEPTING:

Beginning at a point 4166.86 feet East and 2161.38 feet North of the Southwest corner of said William D. Rexford Claim No. 56 in Township 12 South, Range 4 West of the Willamette Meridian; thence South 85° 38' East 108.1 feet thence South 16° 19' East 270 feet to the right bank of the Calapooia River; thence South 21° 04' West along said Bank 180.4 feet; thence North 15° 15' West 451.6 feet to the Point of Beginning.

ALSO EXCEPTING all that portion in the Northwest corner of the foregoing described property which lies North and West of the County Road.

ALSO EXCEPTING THEREFROM:

Beginning at a point in the center of the County Road which point is on the North line of the William D. Rexford Donation Land Claim No. 56, Township 12 South, Range 4 West of the Willamette Base and Meridian, Linn County, Oregon, and 45.79 chains East of the Northwest corner of said claim; thence North 39° 03' East along the center of said road, 80.60 feet; thence South 50° 57' East, perpendicular to the center of said road, 30 feet to a 5/8 inch iron rod; thence South 01° 55' 20" West, 37.02 feet to a 5/8 inch iron rod; thence South 55° 07' 02" East, 91.07 feet to a 5/8 inch iron rod; thence South 30° 42' 20" West, 191.85 feet to a 5/8 inch iron rod; thence South 60° 53' 30" West; 383.22 feet to a 5/8 inch iron rod on the Southeasterly right of way line of said road; thence North 50° 46' West, 30 feet to the center of said road; thence North 39° 14' East, 487.73 feet to the Point of Beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE MILLION FIVE HUNDRED FIFTY-FIVE THOUSAND AND NO/100 DOLLARS (\$1,555,000.00). (See ORS 93.030).

Subject to:

The Land has been classified as Farm Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public to any portion of the Land lying within the area commonly known as roads, streets or highways.

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Calapooia River.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Calapooia River.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Calapooia River.

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STATUTORY WARRANTY DEED
(continued)

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pacific Power & Light Company, a corporation
Purpose: as mentioned in said easement
Recording Date: May 29, 1973
Recording No: Volume 63, Page 666

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: PacifiCorp, an Oregon corporation
Purpose: as mentioned in said easement
Recording Date: November 2, 2017
Recording No: 2017-20001

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 1/19/21
[Signature]
Justin Bordessa

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State of OR County of Linn

This instrument was acknowledged before me on 19 Jan, 2021 by Justin Bordessa.

[Signature]
Notary Public, State of Oregon
My Commission Expires: 2024-03



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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MAY 14 2021

Land Use Information Form

OWRD



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

NAME STELLMACHER FAMILY PROPERTIES LLC		PHONE (HM)	
PHONE (WK)	CELL (541) 979-7102		FAX
ADDRESS 30416 STELLMACHER DR. SW			
CITY ALBANY	STATE OR	ZIP 97321	E-MAIL* BILLBARBSTELLMACHER@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>12S</u>	<u>4W</u>	<u>3</u>	<u>NWNE</u> <u>SWNE</u> <u>SENE</u> <u>NWSE</u> <u>SESE</u>	<u>1000</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Farming</u>
<u>12S</u>	<u>4W</u>	<u>3</u>	<u>NENE</u> <u>NESE</u>	<u>1000</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Reservoir,</u> <u>Farming</u>

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

<u>Linn County</u>

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) Stellmacher Reservoir/Calapooia River

Estimated quantity of water needed: 208.75 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:

<u>It is proposed to construct Stellmacher Reservoir and irrigate from it when Calapooia River water is not available. Water will be diverted for irrigation and storage from existing pump sites at the North and South POD.</u>

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): LCC 928.310(B)(1)
- 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: Ashley Heyberger Title: Assistant Planner

Signature:  Phone: (541) 967-3816 Date: 4/1/2021

Government Entity: Linn 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: _____

CM-12

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.

Use a separate form for each reservoir

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME STELLMACHER FAMILY PROPERTIES LLC		PHONE (HM)	
PHONE (WK)	CELL (541) 979-7102	FAX	
ADDRESS 30416 STELLMACHER DR. SW			
CITY ALBANY	STATE OR	ZIP 97321	E-MAIL * BILLBARBSTELLMACHER@GMAIL.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 WILL MCGILL SURVEYING LLC		PHONE (503) 510-3026	FAX
ADDRESS 15333 PLETZER RD. SE			CELL (503) 931-0210
CITY TURNER	STATE OR	ZIP 97392	E-MAIL * WILLMCGILL.SURVEYING@GMAIL.COM

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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.

William Stellmacher William STELLMACHER 4/11/21
 Applicant Signature Print Name and Title if applicable Date

 Applicant Signature Print Name and Title if applicable Date



Alternate Reservoir App Stellmacher

OWRD Submit WR App* WRD <OWRD.SubmitWRApp@oregon.gov>
To: Grant McGill <grantmcgill.wr@gmail.com>, OWRD Submit WR App* WRD <OWRD.SubmitWRApp@oregon.gov>

Fri, May 14, 2021 at 12:04 PM

Grant,

Thank you for submitting the application electronically. Everything looks good from a completion stand point. I have assigned this application a temporary number of CM-12. I have also attached a snippet of the Fee Calculator for the submitted application, if you agree with the fees please send a check and reference CM-12. Once fees have been received, I'll enter the application into our system and hand it off to Kim F.

 Oregon Water Resources Department Alternate Reservoir Application	Main	Help
	Return	Contact Us

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

Today's Date: Friday, May 14, 2021

Base Application Fee.		\$410.00
Proposed Dam Height in feet.	0	
Proposed Reservoir volume in Acre Feet.	60	\$2,100.00
Subtotal:		\$2,510.00
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		\$3,030.00

Thank you, Cory Middleton
 Customer Service Representative
 Oregon Water Resources Department
 725 Summer St. NE Suite A
 Salem, OR 97301
 503-986-0801

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Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Grant McGill <grantmcgill.wr@gmail.com>
 Sent: Friday, May 14, 2021 11:10 AM
 To: OWRD Submit WR App* WRD <OWRD.SubmitWRApp@oregon.gov>
 Subject: Alternate Reservoir App Stellmacher

Hello,
 Attached is an alternate reservoir to submit. Kim French is working on the surface water application S-88906 that will work in cooperation with this. We request that she also be assigned to this application for convenience.

Thanks! We'll get a check sent as soon as we hear back.

[Redacted signature area]

Grant McGill
 503-931-0210 [alt_res_Stellmacher_submit.pdf](#)
 15333 Pletzer Rd. SE, Turner, OR 97392