

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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Brenda Smola-Foti		PHONE (HM)	
PHONE (WK)	CELL 503-880-8002	FAX	
ADDRESS 15560 NW Redshot Ln			
CITY Carlton	STATE OR	ZIP 97111	E-MAIL * brendaf@tabularasafarms.com

Organization

NAME Tabula Rasa Farms		PHONE		FAX
ADDRESS 14820 NW Meadowlake Rd		CELL		
CITY Carlton	STATE OR	ZIP 97111	E-MAIL * brendaf@tabularasafarms.com	

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

AGENT / BUSINESS NAME Kellan Lancaster		PHONE		FAX
ADDRESS 15990 NW Redshot Ln		CELL 971-201-0256		
CITY Carlton	STATE OR	ZIP 97111	E-MAIL * kellan.lancaster@evolution.love	

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.

	Brenda Smola-Foti, Manager	5/20/21
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:	Belonging				
Source*: run-off	Tributary: Beaver Creek-> Panther Creek				
County:	Yamhill				
Quantity: 23	Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	3S	5W	23	SW-NW	2400
Maximum Height of Dam:	feet. If excavated write "zero feet." 9' 11"				

* 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.

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SECTION 3: WATER USE

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

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

SECTION 4: PROPERTY OWNERSHIP

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

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

☒ There are no encumbrances

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

☐ No (Please check the appropriate box below)

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

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

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

List the names and mailing addresses of all affected landowners:

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SECTION 5: ENVIRONMENTAL IMPACT

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

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

Existing: Is this an existing reservoir? ☐ YES ☒ NO

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

The applicant is not proposing to divert water from a defined channel or stream and therefore no diversion structure is proposed. The reservoir is designed to store excess water from winter rains to improve water quality and availability.

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).

While this reservoir involves a dam, the dam will not be constructed in a defined channel or stream and therefore passage of live flow does not apply to this application.

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Watermaster Alternate Reservoir Application Review Sheet

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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 Brenda Smola-Foti 3S 5W Sec 23 SWNW TL 2400		
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: NA		
3. Is water available for the proposed reservoir? ☒ YES ☐ NO		
4. If yes, during what period? Beginning: October End: July 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? ☐ YES ☒ NO		
Who:	Agency:	Date:
Who:	Agency:	Date:

Watermaster Name: Joel Plahn

Watermaster Signature: Joel Plahn Date: 6/1/2021

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: Brenda Smola-Foti

Address: 15560 NW Redshot Ln, Carlton, OR 97111

Phone/Email: 503-880-8002/brendaf@tabularasafarms.com

Reservoir Name: Belonging Reservoir

Source: Run-off

Basin Name: Panther Creek

Twp Rng Sec QQ: 3S 5W 23 SWNW

Volume (AF): 23

☐ 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.

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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 June-November 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)

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.

ESA-listed fish (winter steelhead), sensitive species (Coastal Cutthroat Trout and Pacific Lamprey), and other game fish (Coho Salmon) may be present in Panther Creek and/or North Yamhill River during the period of impact. Instream flows to fulfill C72585 and C72586 for aquatic life are not being met partially or wholly during the period of impact. Based on parameters assessed by ODFW, instream flows are currently below those essential to support the biological needs of an existing fishery resource during June-November. In addition, ODFW (through consultation with ODEQ) determined that the proposed use would impair water quality that supports existing fish resources (e.g. habitat) at or downstream of the Point of Diversion during June 1-October 31 and it is recommended that the applicant not release polluted water from this off-channel reservoir into waters of the state from May 1 – October 31 except when the release is directed by the State Engineer to prevent dam failure.

Because of these reasons, the proposed use will diminish water quality, physical habitat, and/or alter the flow regime to which fish are naturally adapted, negatively affecting their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed use would result in a significant detrimental impact to an existing fishery resource without appropriate conditions and/or mitigation.

Impairment to Fishery Resource		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Water Quantity													
Water Quality													

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

☐ NO (explain) ☒ YES

☒ See applicable conditions selected from "Menu of Conditions" on next page

Water is only available to support the quality and quantity of biologically necessary flows at the POD and/or downstream during December 1-May 31. ODFW recommends the season of use be restricted to coincide with this period or the proposed use be mitigated prior to issuance of a Proposed Final Order for any use outside of this period. Without appropriate mitigation and/or conditions, a further reduction in flow or alteration of habitat from the proposed water use will result in a significant detrimental impact to an existing fishery resource. Mitigation is often complicated, time consuming, and expensive, and may include, but is not limited to, actions such as replacing the proposed amount of water through purchasing or transferring an existing water right. If the applicant chooses to pursue mitigation after application submittal to WRD, ODFW will provide appropriate conditions and a Mitigation Obligation consistent with the goals and standards of OAR 635-415-0025 (ODFW Habitat Mitigation Recommendations) to compensate for any potential impact from the proposed use. Upon request, the WRD caseworker can schedule a consultation with ODFW for more information. If any connection to Beaver Creek is developed from construction or outflow of the proposed reservoir, ODFW approved fish screening would be necessary to exclude fish from entering the proposed pond. Please contact Hilary Doulos (541-296-8026) in The Dalles ODFW Screen Shop for additional information.

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ODFW Signature: _____



Print Name: Jason Brandt

ODFW Title: SW Hydro Coordinator

Date: 6/30/21

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020

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

☒ **Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

☐ **b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.

☐ **b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

☒ **b51a** The period of use has been limited to December-May.

☐ **b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

☐ **b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

☐ **Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:

- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
- 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.

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

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

☒ **Construction Activities:** For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.

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

☐ **fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

☐ **fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

☐ **fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

☐ **fishdiv33:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

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

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.

☒ **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 type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.

☒ **Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.

☒ **Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.

☐ **On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.

☒ **riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

☒ **Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.

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

☒ **wetland:** The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.

☐ **blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

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Land Use Information Form

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

NAME: Brenda Smola-Foti		PHONE (HM)	
PHONE (WK)	CELL: 503-880-8002	FAX	
ADDRESS: 15560 NW Redshot Ln			
CITY: Carlton	STATE: OR	ZIP: 97111	E-MAIL: brendaf@tabularasafarms.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	City	Tax Lot #	Plan Designation (e.g., Rural Residential RR-5)	Water to be:			Proposed Land Use:
3S	5W	23	SW 1/4	2400	EF-80	☐ Diverted	☐ Conveyed	☒ Used	Farm
						☐ 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:

Yamhill County

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: 23 _____
☐ 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: stock

Briefly describe:

Store excess water from winter rains and improve water quality and availability

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): 402.02 (A) 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:	
		☐ 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
		☐ 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.

Name: Stephanie Armstrong Title: Senior Planner
 Signature: [Signature] Phone: 534-3475 Date: 5/28/21
 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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After Recording Return To:

UNISEARCH inc.
Global Solutions for Corporate and Financial Compliance
698 12th Street SE, Ste 200, Salem OR 97301

Until A Change Is Requested,
Send All Tax Statements To:

Tabula Rasa Farms, LLC
14820 NW Meadowlake Rd
Carlton, OR 97111

Yamhill County Official Records	202113515
DMR-DDMR	06/29/2021 11:46:00 AM
Stn=3 SUTTONS	
8Pgs \$40.00 \$11.00 \$5.00 \$60.00	\$116.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

STATUTORY BARGAIN AND SALE DEED

TABULA RASA FARMS, LLC, an Oregon limited liability company ("Grantor"), conveys to TABULA RASA FARMS, LLC, an Oregon limited liability company ("Grantee"), the real property located in Yamhill County, Oregon, legally described on Exhibit A and depicted on Exhibit B, each attached hereto and incorporated herein by this reference.

This conveyance is made pursuant to the lot line adjustment by Yamhill County, Docket L-04-21.

The true and actual consideration for this conveyance is \$0.

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, AND 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.

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Dated this 25th day of June, 2021.

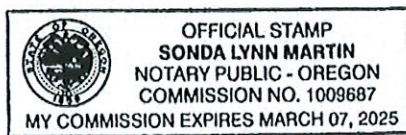
GRANTOR:

TABULA RASA FARMS, LLC, an Oregon
limited liability company

BY: Brenda Smola-Foti
NAME: Brenda Smola-Foti
ITS: Manager

STATE OF OREGON)
)ss.
County of Yamhill)

The foregoing instrument is acknowledged before me on this 25th day of June, 2021, by
Brenda Smola-Foti, as Manager of Tabula Rasa Farms, LLC, an Oregon limited liability
company.



Sonda Lynn Martin
Notary Public for Oregon
Commission No.: 1009687
My commission expires: March 7, 2025

EXHIBIT A
LEGAL DESCRIPTION

[See Attached]

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EXHIBIT B
DEPICTION

[See Attached]

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AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #7797

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Adjusted Tax Lot 2400

Tax Map 3 5 23

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A tract of land located in the Northwest One-Quarter, Southeast One-Quarter and the Southwest One-Quarter of Section 23, Township 3 South, Range 5 West, Willamette Meridian, Yamhill County, Oregon, and being more particularly described as follows:

Beginning at the southwest corner of the R. Reed Donation Land Claim No. 45; thence along the westerly line of said Land Claim, North $01^{\circ}15'43''$ East 101.14 feet; thence leaving said westerly line, South $84^{\circ}38'24''$ West 71.76 feet; thence South $78^{\circ}35'29''$ West 85.12 feet; thence South $81^{\circ}29'00''$ West 148.89 feet to the centerline of NW Red Shot Lane; thence along said centerline along the following three courses: North $02^{\circ}15'15''$ West 108.93 feet; North $01^{\circ}42'30''$ East 267.32 feet; North $01^{\circ}01'30''$ West 180.04 feet, to the easterly extension of the northerly line of Tract 9 as shown on county survey 5309, Yamhill County Survey Records; thence along said easterly extension, South $87^{\circ}12'15''$ East 493.01 feet; thence leaving said easterly extension, North $01^{\circ}15'43''$ East 358.36 feet; thence South $88^{\circ}44'17''$ East 310.00 feet; thence North $01^{\circ}15'43''$ East 520.00 feet; thence North $63^{\circ}24'47''$ West 542.10 feet, to the westerly line of said Land Claim; thence along said westerly line, North $01^{\circ}15'43''$ East 789.10 feet to the northeasterly corner of Instrument Number 2019-10970, Yamhill County Deed Records; thence along the northerly line of said Deed, North $87^{\circ}49'20''$ West 380.11 feet to the southeasterly corner of Instrument Number 2013-07237, Yamhill County Deed Records; thence along the easterly line of said Deed, North $01^{\circ}57'09''$ East 440.71 feet to the southerly right-of-way line of Meadow Lake Road (20.00 feet from the centerline); thence along said southerly right-of-way line along the following ten course: a non-tangent curve (with a radial bearing of North $29^{\circ}46'57''$ East) to the left with a Radius of 1468.62 feet, Delta of $1^{\circ}34'51''$, Length of 40.52 feet, and a Chord of South $61^{\circ}00'29''$ East 40.52 feet; South $61^{\circ}47'54''$ East 653.12 feet; a curve to the right with a Radius of 610.00 feet, Delta of $41^{\circ}41'06''$, Length of 443.80 feet, and a Chord of South $40^{\circ}57'21''$ East 434.08 feet; South $20^{\circ}06'48''$ East 211.67 feet; a curve to the left with a Radius of 584.80 feet, Delta of $20^{\circ}26'16''$, Length of 208.60 feet, and a Chord of South $30^{\circ}19'56''$ East 207.50 feet; a curve to the left with a Radius of 1279.69 feet, Delta of $12^{\circ}38'55''$, Length of 282.51 feet, and a Chord of South $46^{\circ}52'32''$ East 281.93 feet; South $53^{\circ}55'25''$ East 179.55 feet; South $52^{\circ}41'13''$ East 567.27 feet; South $51^{\circ}04'29''$ East 449.04; South $45^{\circ}41'25''$ East 596.62 feet, to the northerly right-of-way line of Panther Creek Road (20.00 feet from the centerline); thence along said northerly right-of-way line along the following six courses: a non-tangent curve to the left (with a radial bearing of South $03^{\circ}00'34''$ West) with a Radius of 540.87 feet, Delta of $9^{\circ}19'06''$, Length of 87.96 feet, and a Chord of South $88^{\circ}21'01''$ West 87.87 feet; South $83^{\circ}41'28''$ West 134.65 feet; a curve to the left with a Radius of 338.30 feet, Delta of $49^{\circ}45'00''$, Length of 293.75 feet, and a Chord of South $58^{\circ}48'58''$ West 284.61 feet; South $33^{\circ}56'28''$ West 250.36 feet; South $41^{\circ}31'24''$ West 330.37; South $42^{\circ}31'27''$ West 107.38 feet, to the northeasterly corner of

Tract 1 of said county survey 5309, Yamhill County Survey Records; thence along the northerly line of said Tract 1, North 84°54'28" West 1450.71 feet to the Point of Beginning.

The above described tract of land contains 80.49 acres, more or less.

5/11/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/22

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JUL 06 2021

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EXHIBIT B

SHEET 02 OF 02

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4, THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 5 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	1468.62'	1'34'51"	40.52'	S61'00'29"E 40.52'
C2	610.00'	41'41'06"	443.80'	S40'57'21"E 434.08'
C3	584.80'	20'26'16"	208.60'	S30'19'56"E 207.50'
C4	1279.69'	12'38'55"	282.51'	S46'52'32"E 281.93'
C5	540.87'	9'19'06"	87.96'	S88'21'01"W 87.87'
C6	338.30'	49'45'00"	293.75'	S58'48'58"W 284.61'

LINE TABLE	
LINE	BEARING AND DISTANCE
L1	N01'15'43"E 101.14'
L2	S84'38'24"W 71.76'
L3	S78'35'29"W 85.12'
L4	S81'29'00"W 148.89'
L5	N02'15'15"W 108.93'
L6	N01'42'30"E 267.32'
L7	N01'01'30"W 180.04'
L8	S87'12'15"E 493.01'
L9	N01'15'43"E 358.36'
L10	S88'44'17"E 310.00'
L11	N01'15'43"E 520.00'
L12	N63'24'47"W 542.10'
L13	N01'15'43"E 789.10'

LINE TABLE	
LINE	BEARING AND DISTANCE
L14	N87'49'20"W 380.11'
L15	N01'57'09"E 440.71'
L16	S61'47'54"E 653.12'
L17	S20'06'48"E 211.67'
L18	S53'55'25"E 179.55'
L19	S52'41'13"E 567.27'
L20	S51'04'29"E 449.04'
L21	S45'41'25"E 596.62'
L22	S83'41'28"W 134.65'
L23	S33'56'28"W 250.36'
L24	S41'31'24"W 330.37'
L25	S42'31'27"W 107.38'
L26	N84'54'28"W 1450.71'

5/11/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/22

ADJUSTED TAX LOT 2400

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

AKS

EXHIBIT
B

DRWN: CC

CHKD: NW

AKS JOB:

7797

OFFSITE WETLAND DETERMINATION REPORT

OREGON DEPARTMENT OF STATE LANDS

WD#: 2021-0277

775 Summer Street NE, Suite 100, Salem OR 97301-1279 Phone: (503) 986-5200

At your request, an offsite wetland determination has been conducted on the property described below.

County: Yamhill

City: Carlton

Other Name & Address: Kellan Lancaster, HOB Oregon LLC, 15990 NW Redshot Ln, Carlton, OR 97111

Township: 3S Range: 5W Section: 23/22 Q/Q: Tax Lot(s): 2100,2400 (Section 23), 1700 (Section 22)

Project Name: Reservoirs

Site Address/Location: 15250 and 17417 NW Panther Creek Rd. Carlton, OR 97111

- ☒ The NWI/LWI/NHD shows a wetland on the property.
- ☒ The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.
- ☐ It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetlands maps, the county soil survey and other information. An onsite investigation by a qualified professional is the only way to be certain that there are no wetlands.
- ☒ There are wetlands or waterways on the property that are subject to the state Removal-Fill Law.
- ☒ A state permit is required for ≥ 50 cubic yards of fill, removal, or ground alteration in the wetlands or waterways.
- ☒ A state permit may be required for any amount of fill, removal, or other ground alteration in the Essential Salmonid Habitat and hydrologically associated wetlands.
- ☐ A state permit may be required for any amount of fill, removal, or other ground alteration in a compensatory wetland mitigation site.
- ☐ A state permit will not be required for project because
- ☐ The proposed parcel division may create a lot that is largely wetland and thus create future development problems.
- ☒ A wetland determination or delineation is needed prior to site development; the wetland delineation report should be submitted to the Department of State Lands for review and approval.
- ☒ A permit may be required by the Army Corps of Engineers: (503) 808-4373

Note: This report is for the state Removal-Fill Law only. City or County permits may be required for the proposed activity.

Comments: Based on a review of best available information, wetlands may be present in all of the proposed reservoir locations. Of the already constructed reservoir locations, the series of 5 constructed on TL 2400 are within a mapped NHD Intermittent Channel, however the separate single reservoir appears to be entirely in an upland location. A wetland delineation investigation for all of the proposed reservoir locations needs to include a forensic analysis of the location already constructed through with 5 reservoirs. The DSL 50 cy combined removal/fill exemption will apply separately for the two addresses: the two reservoirs proposed for TL 1700, and separately again for the already built/proposed nine reservoirs on TL's 2100/2400. Calculations for wetland removal/fill can only be made after a wetland delineation prepared by a wetland consultant is submitted to and approved by the DSL. After a delineation it can be determined if a No State Permit required letter can be issued or if an Individual Permit for Wetland Removal/Fill is required. Please contact Mike DeBlasi (503-986-5226) for any questions relating to permits. Resources for hiring a wetland consultant are available at <https://www.oregon.gov/dsl/WW/Pages/WetlandConservation.aspx>

Determination by: Daniel Evans, PWS Daniel Evans Date: 06/18/2021

- ☐ This jurisdictional determination is valid for five years from the above date, unless new information necessitates a revision. Circumstances under which the Department may change a determination and procedures for renewal of an expired determination are found in OAR 141-090-0045 (available on our web site or upon request). The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months from the above date.
- ☒ This is a preliminary jurisdictional determination and is advisory only.

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Copy To: ☒ Other Email: kellan.lancaster@evolution.love ; ☒ Enclosures: Location/Soils/NHD Maps
☒ Yamhill County Planning Department
☒ Mike De Blasi (DSL)
☒ Daniel Evans, PWS (DSL)
☒ Alyssa Mucken, (OWRD) Alyssa.M.Mucken@oregon.gov

OR OFFICE USE ONLY

Entire Lot(s) Checked? ☐ Yes ☒ No	Waters Present ☒ Yes ☐ No ☐ Maybe	Request Received: 5/24/2021
LWI Area: <u>St. Helens</u> LWI Code: F-1	Latitude: <u>45.295251/45.294430</u> Longitude: <u>-123.274501/-123.300025</u>	Related DSL File #: N/A
Has Wetlands? ☒ Y ☐ N ☐ Unk	ESH? ☒ Y ☐ N	Wild & Scenic? ☐ Y ☐ N
	State Scenic? ☐ Y ☒ N	Coast Zone? ☐ Y ☒ N ☐ Unk
Adjacent Waterbody: Panther Creek, Beaver Creek, Unnamed Creeks		

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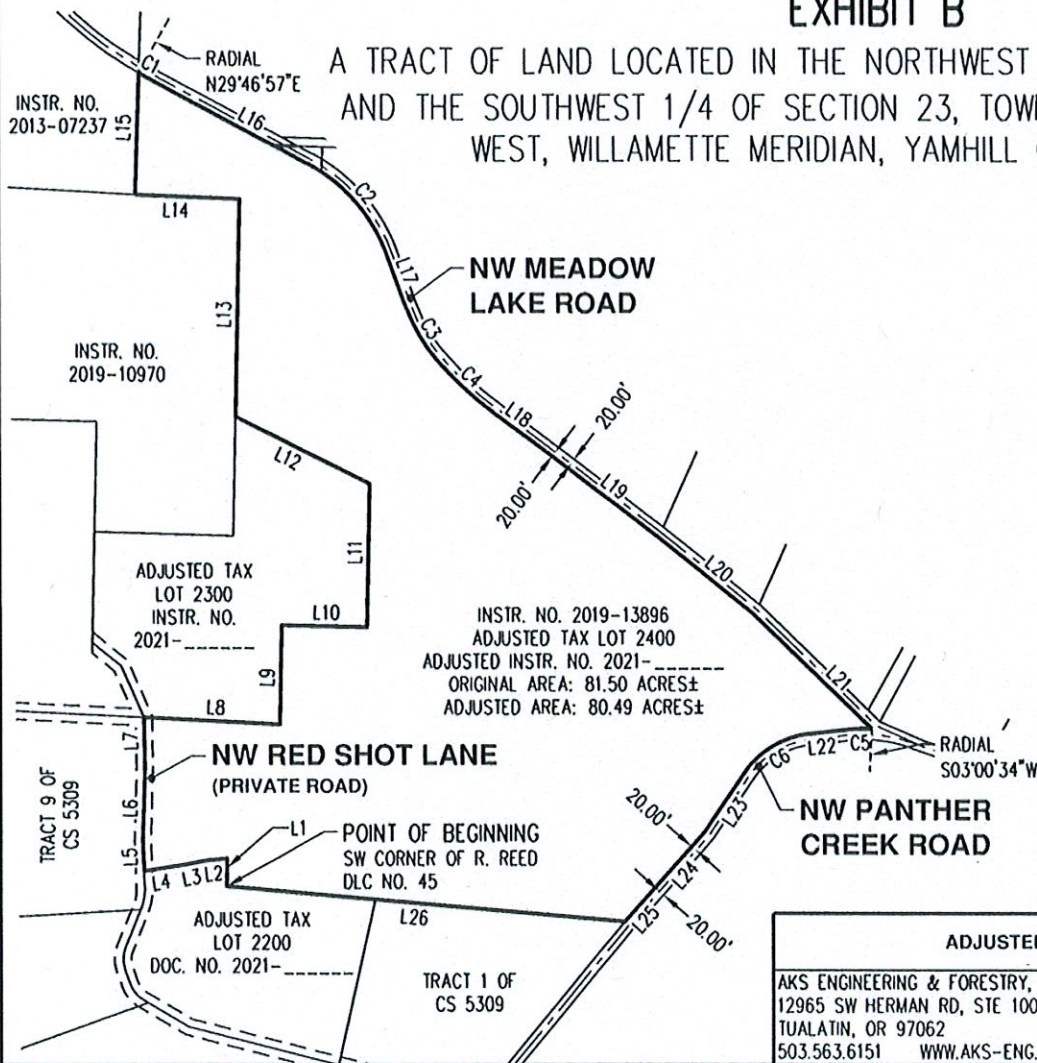
JUL 06 2021

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EXHIBIT B

SHEET 01 OF 02

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4, THE SOUTHEAST 1/4
AND THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 5
WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON



SCALE: 1" = 500 FEET



5/11/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/22

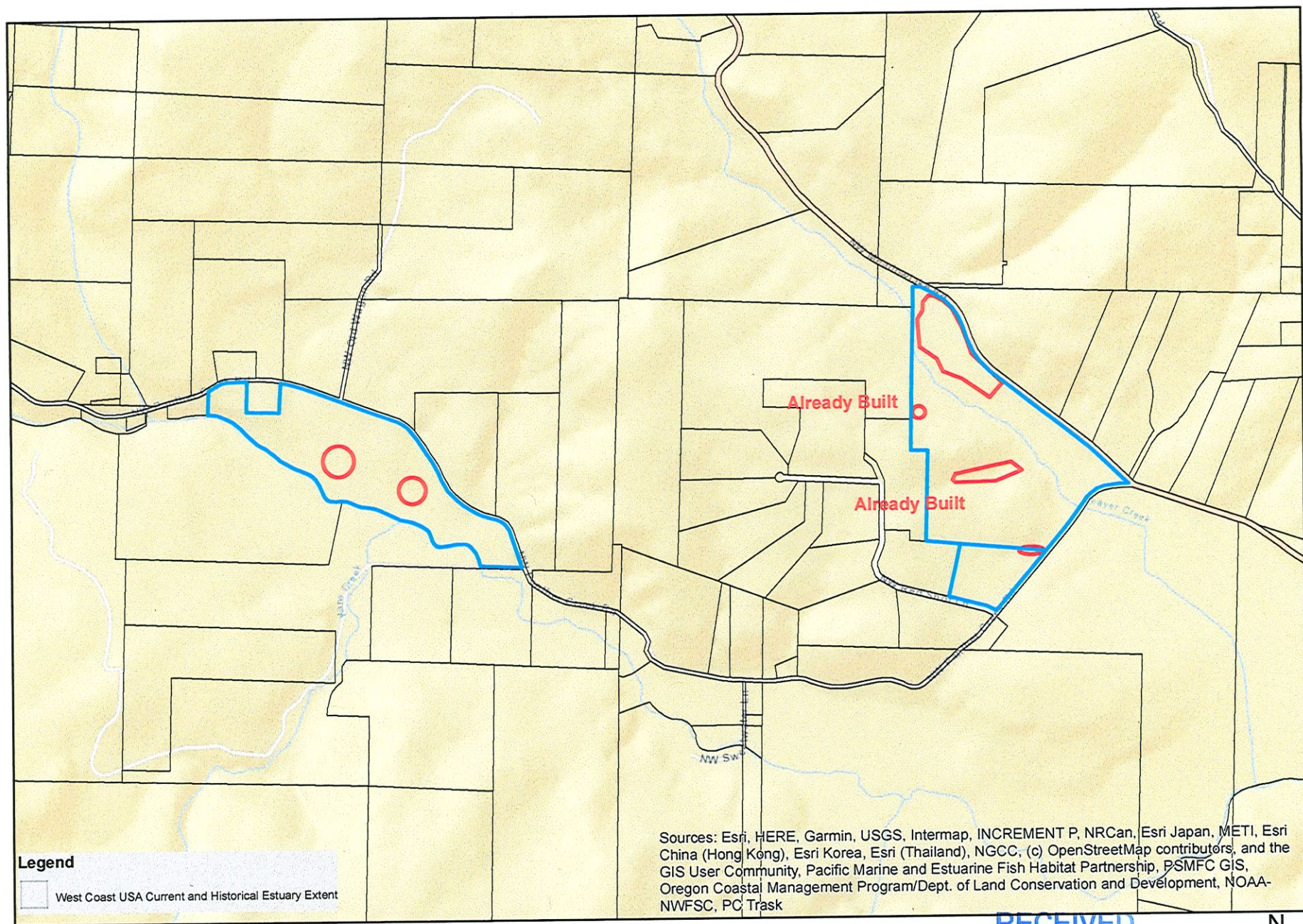
ADJUSTED TAX LOT 2400

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

AKS

EXHIBIT
B
DRWN: CC
CHKD: NW
AKS JOB:
7797

WD20210277 Approximate Pond Locations



2,100 1,050 0 2,100 Feet

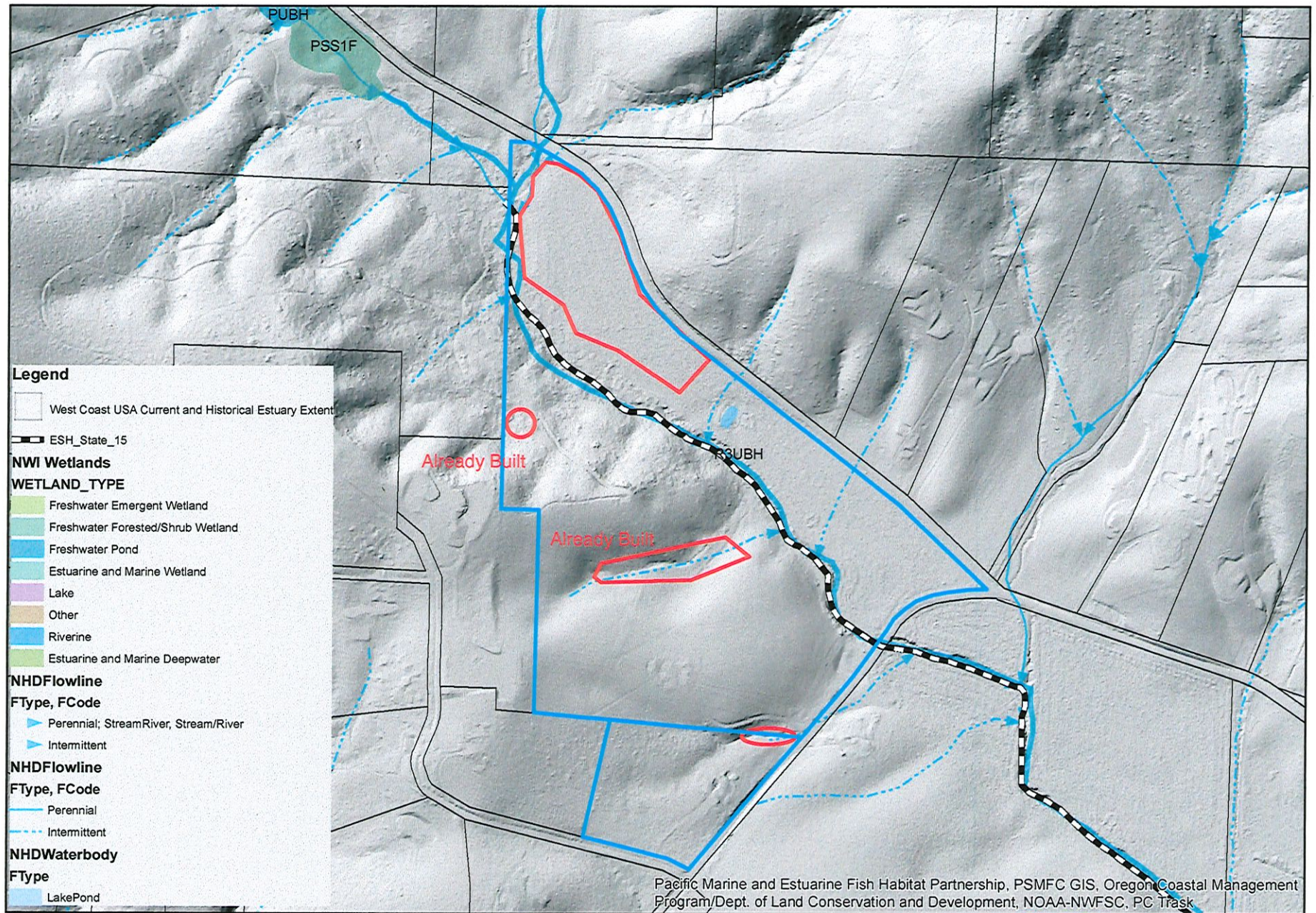
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WD20210277 NwiNhdEshLidar 15250 NW Panther Creek



Pacific Marine and Estuarine Fish Habitat Partnership, PSMFC GIS, Oregon Coastal Management Program/Dept. of Land Conservation and Development, NOAA-NWFS, PC Task

1,000 500 0 1,000 Feet

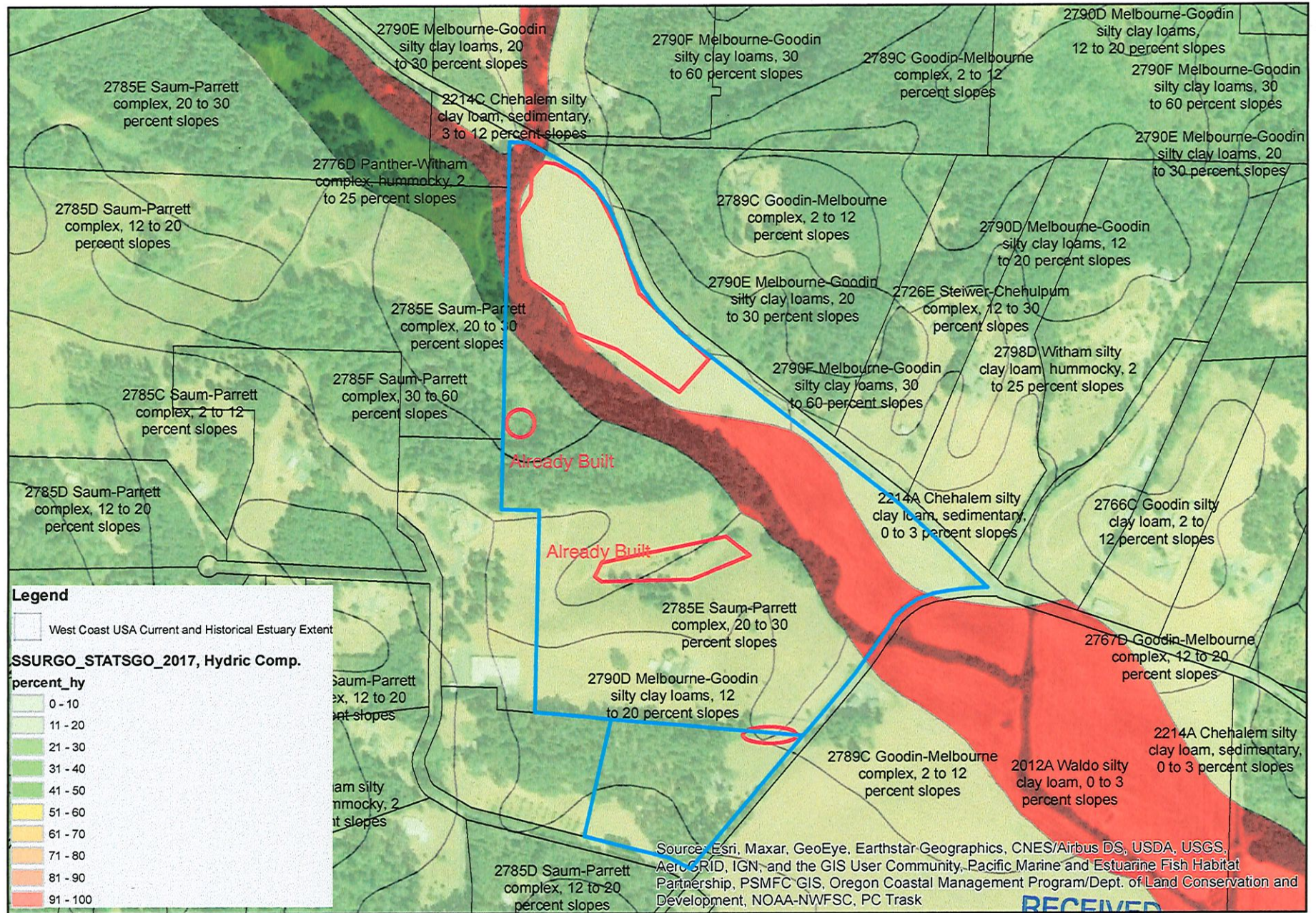
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WD20210277 SoilsAerial 15250 NW Panther Creek



1,000 500 0 1,000 Feet

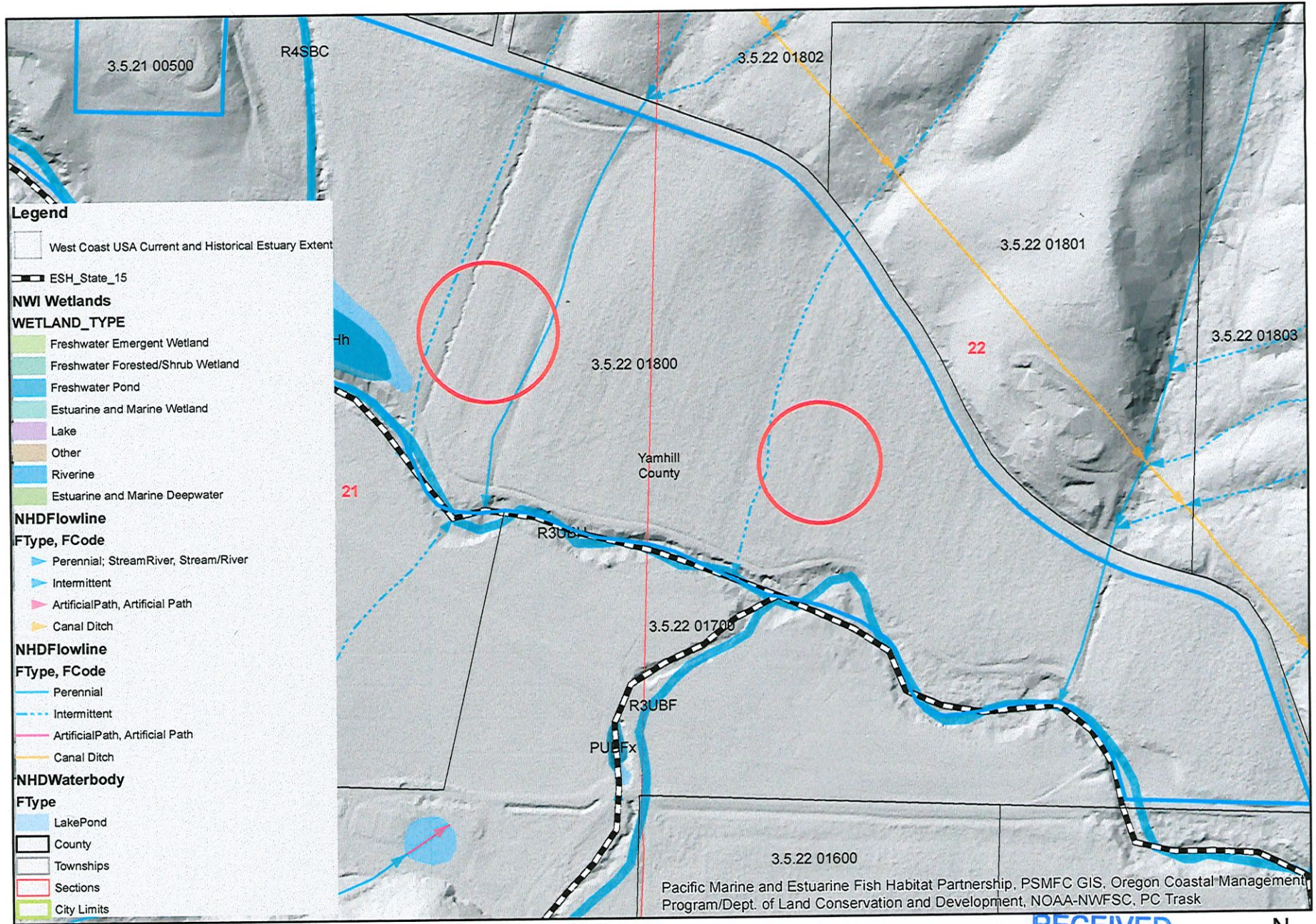
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WD20210277 LidarNwiNhdEsh 17417 NW Panther Creek

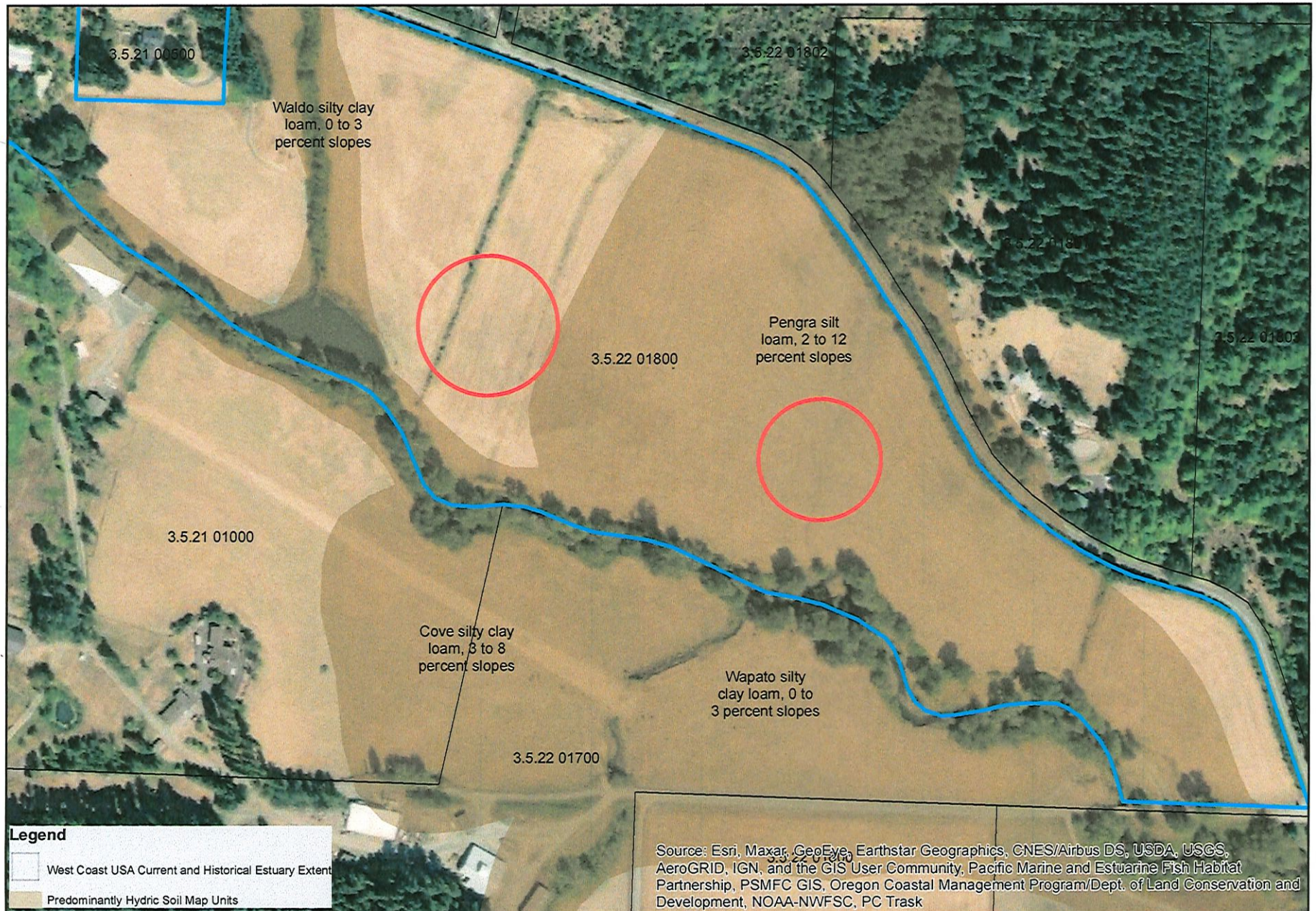


500 250 0 500 Feet

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JUL 06 2021
OWRD



WD20210277 SoilsAerial 17417 NW Panther Creek



500 250 0 500 Feet

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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, July 2, 2021

Base Application Fee.		\$410.00
Proposed Dam Height in feet.	9.92	
Proposed Reservoir volume in Acre Feet.	23	\$805.00
Subtotal:		\$1,215.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,735.00

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MONEY SLIP

DATE: 7-6-2021	RECEIPT #: 135752
----------------	-------------------

RECEIVED FROM: HOB Oregon LLC

APPLICATION	R-89143
PERMIT	
TRANSFER	

CASH ☐ CHECK # ☒ 1041 OTHER (IDENTIFY) ☐

TOTAL REC'D \$ 1735.00

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

	EXAM FEE		RECORD FEE
0201	SURFACE WATER \$ 1215.00	0202	\$ 520.00
0203	GROUND WATER \$	0204	\$
0205	TRANSFER \$		

WELL CONSTRUCTION

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

0607 TREASURY 0467 HYDROELECTRIC

0233 POWER LICENSE FEE (FW/WRD)
 0231 HYDRO LICENSE FEE (FW/WRD)

LIC NUMBER	
	\$
	\$

HYDRO APPLICATION \$

SPECIAL INSTRUCTIONS:

☐ RETURN TO APPLICANT -- LETTER ATTACHED

Alternate Reservoir Application Completeness Checklist

Minimum Requirements (ORS 537.409)

For use by WRD staff only

Application #:	2-89143 - A1+	Receipt #:	135752
Applicant Name:	Brenda Smola - Fot:	Amount Requested:	23 AF
Priority Date:	7-6-2021	Proposed Use:	MP
County:	Yamhill	POD's TRS & TL:	3s, 5w, 23 TL: 2400
WM #:	22	Caseworker:	☒ KF ☐ LG
Reviewed by:	cm	Reviewed Date:	7-14-2021

☒ Landowner name, mailing address and telephone number provided.

☒ Source and tributary listed. Notes: NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE. Cannot accept an E2 application and a storage application at the same time.

☒ Reservoir Location. TRSQQ and tax lot provided.

☒ Dam height, if applicable:

☒ Property ownership indicated?

☒ If applicant does not own all the land is the affected landowner's name and mailing address listed?

☐ YES ☐ NO (Note: this includes lands not owned by applicant, upon which the source is located OR that are crossed by the diversion works, and any roads or rights-of-way.)

☒ Application signed by the landowner(s)? All parties noted as applicants must sign the application.

☒ **Completed Watermaster review sheet**, signed and dated. Note: Must be completed within last 6 months.

• Will the reservoir injure an existing water right? ☐ YES ☒ NO

☒ If YES, can conditions be applied to mitigate injury? ☐ YES ☐ NO If NO, return application.

☒ **Completed ODFW review sheet**, signed and dated. Note: Must be completed within last 6 months.

• Will reservoir pose a significant detrimental impact to an existing fishery resource? ☒ YES ☐ NO

• If YES, can conditions be applied to mitigate the impact? ☒ YES ☐ NO ☐ N/A If NO, return application.

☒ **Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?

Note: Does the use on land-use form match the proposed use on the application? Must be signed within the last 12 months.

☒ **Provide a Legal Description** of all the property involved with this application. A copy of a deed, land sales contract, or title insurance meets this requirement.

☒ **Acceptable Map.** Note: Requirements set forth by the Commission; causes fatal flaw if not provided by the applicant.

- ☒ Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)
 - ☒ Scale of the Map, even scale such as 1" = 400', 1" = 1000', or 1" = 1320'
 - ☒ Reference corner on map
 - ☒ North directional symbol
 - ☒ 1/4's clearly identified
 - ☒ Reservoir clearly identified **
 - ☒ Dam, or POD (if off-channel), coordinates referenced to a government land survey corner
- Note: If no dam, use coordinates to the center of reservoir.

☒ **Fees:** Amount of Water Requested: 23AF Name on check: HOB Oregon LLC

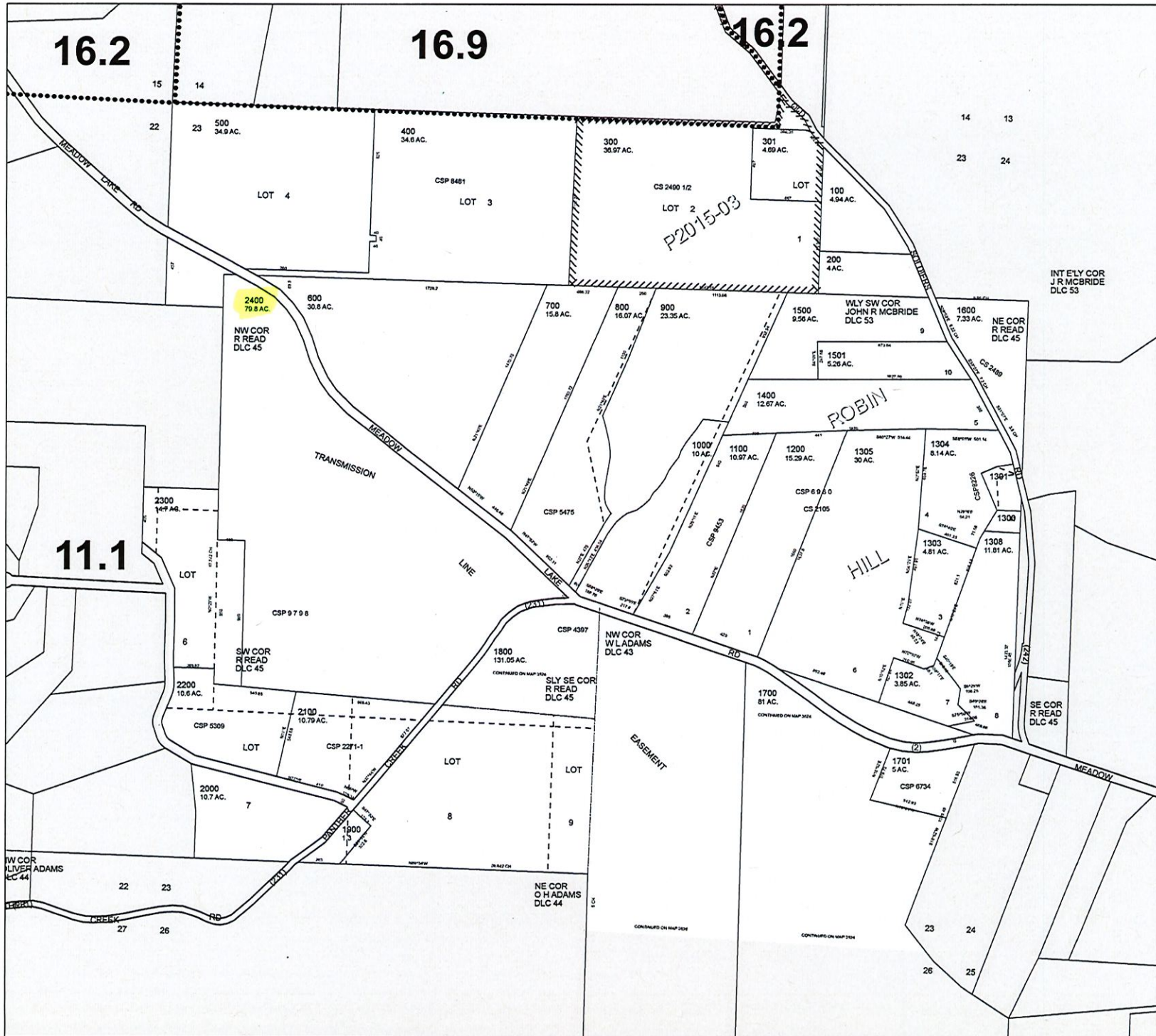
Exam Fee Due:	\$ 1215. ⁰⁰	
Exam Fee Submitted:	\$ 1215. ⁰⁰	
Difference:	\$ 0 ⁰⁰	
Recording Fee Paid?	☒ Yes ☐ No	\$ 520. ⁰⁰
Total:	\$ 1735. ⁰⁰	



ASSESSMENT & TAX
CARTOGRAPHY

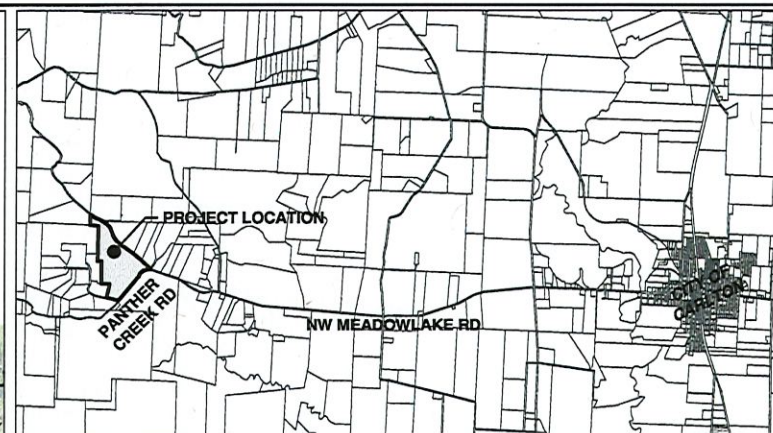
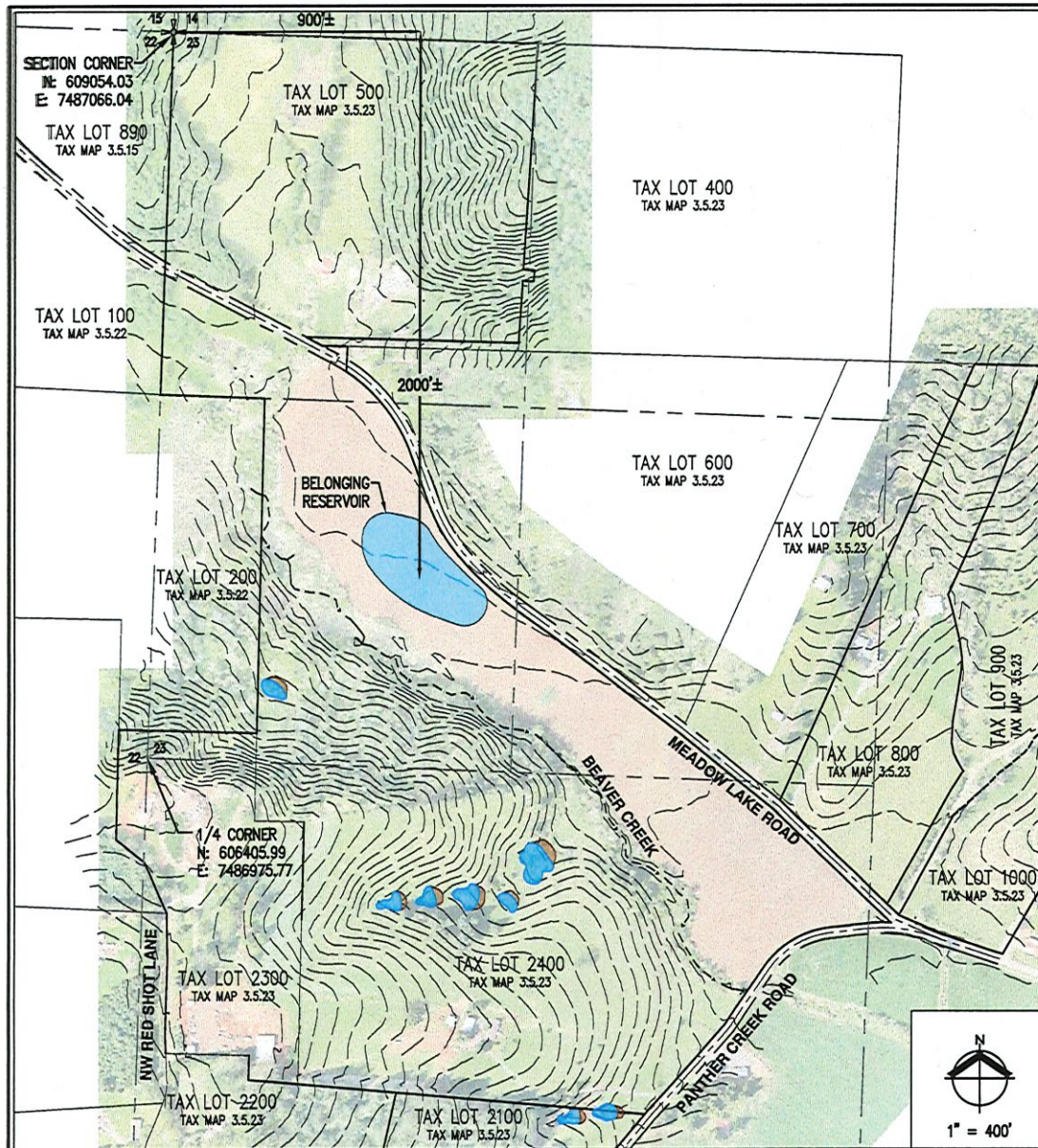
SECTION 23 T.3S. R.5W. W.M.
YAMHILL COUNTY OREGON
1" = 400'

CANCELLED TAXLOTS:
1309
1307
1308



DATE PRINTED: 5/12/2015

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.



VICINITY MAP
1" = 5,000'

RESERVOIR DATA:
RESERVOIR LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 5 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON.

900'± EAST OF NORTHWEST CORNER OF SECTION 23
2,000'± SOUTH OF NORTHWEST CORNER OF SECTION 23

RECEIVED

JUL 06 2021

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BELONGING RESERVOIR SITE PLAN MAP DATE: 5/19/2021

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: Wednesday, July 14, 2021

Base Application Fee.		\$410.00
Proposed Dam Height in feet.	9.11	
Proposed Reservoir volume in Acre Feet.	23	\$805.00
Subtotal:		\$1,215.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,735.00



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

July 14, 2021

Dear Applicant:

The Oregon Water Resources Department has received your application to store water in a reservoir under the Alternate Review process. Your application has been assigned file number **R-89143**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

Kim French, Water Rights Specialist	Phone: 503-986-0816
	Email: kim.r.french@oregon.gov

A description of the steps that are used for processing an application to stored water in a reservoir are shown on the reverse side of this letter.

Included with this letter is a Wetland Determination Request form provided by the Department of State Lands (DSL) Wetland Program to determine if wetlands or other regulated water bodies (such as creeks) are in the project area. Please complete and return the form to DSL.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

Cory Middleton
Customer Service Representative
Oregon Water Resources Department

cc:
File
Kellan Lancaster, Agent.

Encl. - DSL Wetland Offsite Form

Water-Use Permit Application Processing Steps

Oregon Water Resources Department

Alternate Review Process for a Reservoir Applications:

After a completed application has been received by the Department, the Department must make public notice of the application within 60 days. Applications are noticed to the public every Tuesday and can be accessed from the Department's website: <https://www.oregon.gov/owrd>.

The Department does not notify individual, neighboring landowners of an application, unless they are identified in the application as affected landowners. The public notice is to ensure that any person may submit detailed information requesting the Department deny an application based upon whether the proposed use causes injury to existing water rights or poses a significant detrimental impact to an existing fishery resource. All comments must be submitted within 60 days of the public notice.

Following the 60-day public comment period, the Department can issue a Final Order. Alternate Reservoir applications typically take between 3-5 months to process, depending upon the number of pending applications in the queue.

The Department recommends applicants not schedule excavation work or otherwise expend financial resources until an ODFW fish passage plan and the alternate reservoir application have been approved. Also note that other permits may be required for any construction activities in waterways, wetlands, or riparian areas.

Wetland Determination Request
Wetlands Program
Oregon Department of State Lands
775 Summer Street, NE, Suite 100, Salem, OR 97301-1279

BATCH
WD#: _____

The Department of State Lands (DSL) conducts *offsite* wetland determinations upon request. There is no fee for this service. An offsite determination consists of reviewing wetlands and soils maps, aerial photos and other information to determine if wetlands or other regulated water bodies (such as creeks) are present, likely to be present, or unlikely to be present. Only an *onsite* check can verify whether or not there are regulated wetlands on a site. As time allows, DSL staff may be able to conduct a site visit to verify an offsite determination. Please allow 2-3 weeks for an initial response.

If wetlands are present or likely to be present on a parcel or near a project area, a wetland delineation by a qualified wetland consultant may be needed. Wetland delineation reports and the required fee should then be submitted to DSL for review and agency approval.

Please provide the following information:

1. Vicinity map (like a city map) with the precise parcel location indicated.
2. Large scale map (1" = 100' if possible) of the parcel showing existing buildings, property boundaries, any creeks and other features. An annotated tax assessor's map is fine, and a hand-drawn map is acceptable.
3. City, County, and site address. Please fill in below.
City _____ (or nearest town if outside City limits)
County _____
Site address _____ (or nearest cross streets if no address)
4. Township, Range, Section, Quarter/Quarter Section and Tax Lot number(s) (Tax Map number is equivalent). Please fill in below.
Township _____ Range _____ Section _____ QQ _____ Tax Lot (s) _____

☐ Property owner ☐ Legal representative ☐ Other (specify): _____

Name: _____

Firm: _____

Mailing Address: _____

Phone: _____ Fax: _____ E-Mail _____

I either own or have legal authority to allow access to the property for which this request is made. My signature below authorizes DSL staff to conduct a wetland determination and to access the property to confirm the wetland determination, as needed. *(DSL will phone prior to conducting a site visit.)*

Signature: _____ Date: _____

Print Name: _____