

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

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 must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

**SECTION 1: APPLICANT INFORMATION AND SIGNATURE**

**Applicant**

NAME Kirsten Freed		PHONE (HM) 503-838-9858	
PHONE (WK)	CELL 503-246-1730	FAX	
ADDRESS 13505 Ira Hooker RD			
CITY Monmouth	STATE OR	ZIP 97361	E-MAIL * 7thgenerationmanagementllc@gmail.com

**Organization**

NAME 7th Generation Management		PHONE 503-246-1730	FAX
ADDRESS PO Box 878			CELL
CITY Lake Oswego	STATE OR	ZIP 97034	E-MAIL * 7thgenerationmanagementllc@gmail.com

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

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

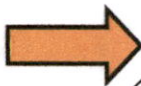
Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally store water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I 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.



*[Handwritten Signature]*  
 Applicant Signature

KIRSTEN FREED  
 Print Name and Title if applicable

1/3/2022  
 Date

**SECTION 2: PROPERTY OWNERSHIP**

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

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

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

NA

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

**SECTION 3: SOURCE OF WATER**

**A. Reservoir Name:** Reservoir #1

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

Source 1: Runoff	Tributary to: Unnamed Trib to Luckiamute River
TRSQQ of POD: 10 South, 6 West, Section 3, SENW	
Source 2: NA	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? Yes No -7 NOT RESERVOIR #1
- Is the proposed reservoir in-channel of a stream or off-channel: In-channel Off-Channel
- If the reservoir is proposed to be in-channel, is the stream Perennial Intermittent Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present? Yes No Don't know
- Is the reservoir in the 100-year floodplain? Yes No Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: surface runoff

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

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

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

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

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

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

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

Yes  No

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

If yes,

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

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

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

Yes  No

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

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

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

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

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

**Statewide - OAR 690-033-0330 thru -0340**

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

Yes  No

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

**SECTION 5: WATER USE**

- a) The use of the impounded water will be: Irrigation and Fire Protection
- b) The amount of water to be stored is: 7 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 0.5 acres.

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**SECTION 6: DAM HEIGHT AND COMPOSITION**

The maximum height of the structure will be Less than 9.9 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height, 2) width, 3) crest width, 4) surface area and 5) preliminary fish passage design.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department's Dam Safety Section prior to storage of water.

The dam will be (check one):  Earthfill  Concrete  Flash board  Other

If "other," provide the description: HISTORICAL RESERVOIR. SPECIFICS OF ENGINEERING UNKNOWN.

**SECTION 7: PRIMARY OUTLET WORKS**

a) Describe the location and the dimensions of the outlet conduit through the dam:

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

OUTLET CONDUIT ~ 8" IN DIAMETER ON DOWNSTREAM SIDE OF RESERVOIR

b) How and when will the outlet be operated?

OVERFLOW OUTLET.

c) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?

BYWAYS TO PROTECT FISH PASSAGE.

**SECTION 8: EMERGENCY SPILLWAY**

a) Describe the location and the dimensions of the spillway channel. SPILLWAY ~ 2 FT. IN DIA. ON DOWN STREAM FLOWING PORTION OF RESERVOIR.

b) How will the emergency spillway be designed to prevent erosion?

SPILLWAYS HAVE A CEMENT LAYER TO PROTECT FROM EROSION.

c) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?) UNKNOWN. HISTORICAL.

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**SECTION 9: WATER QUALITY**

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.  
Annual water quality monitoring for bacterial/algal bloom
- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.  
*RESERVOIR IS HISTORIC W/ NATURAL FOLIAGE IN STR.*
- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.  
*RESERVOIR HISTORIC AND NOT REQUIRING MAINTENANCE @ THIS TIME.*

**SECTION 10: PROJECT SCHEDULE (List Month and Year)**

- a) Proposed date construction work will begin: Within five years of permit issuance  
(Fish passage approval is necessary prior to construction.)
- b) Proposed date construction work will be completed: Within five years of permit issuance
- c) Proposed date water use will be completed: Within five years of permit issuance

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**SECTION 11: WITHIN A DISTRICT**

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

Irrigation District Name NA	Address	
City	State	Zip

**SECTION 12: REMARKS**

Use this space to clarify any information you have provided in the application.

*APPLICATION SPECIFIC TO EXISTING HISTORICAL RESERVOIRS.*

**SECTION 2: PROPERTY OWNERSHIP**

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

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

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

NA

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

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**SECTION 3: SOURCE OF WATER**

**A. Reservoir Name:** Reservoir #2

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

Source 1: Runoff	Tributary to: Unnamed Trib to Luckiamute River
TRSQQ of POD: 10 South, 6 West, Section 3 NWNW	
Source 2: NA	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? Yes No
- Is the proposed reservoir in-channel of a stream or off-channel: In-channel Off-Channel
- If the reservoir is proposed to be in-channel, is the stream: Perennial Intermittent Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present?  
Yes No Don't know
- Is the reservoir in the 100-year floodplain? Yes No Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: surface runoff

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

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

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[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqg\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/)

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

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

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

Yes  No

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

**If yes,**

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

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

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

Yes  No

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

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

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

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

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

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**Statewide - OAR 690-033-0330 thru -0340**

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

Yes  No

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

**SECTION 5: WATER USE**

- d) The use of the impounded water will be: Irrigation and Fire Protection
- e) The amount of water to be stored is: 1 acre-feet.
- f) The area submerged by the reservoir, when filled, will be 0.25 acres.

**SECTION 6: DAM HEIGHT AND COMPOSITION**

The maximum height of the structure will be Less than 9.9 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height, 2) width, 3) crest width, 4) surface area and 5) preliminary fish passage design.

*Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department's Dam Safety Section prior to storage of water.*

The dam will be (check one):  Earthfill  Concrete  Flash board  Other

If "other," provide the description: HISTORICAL RESERVOIR - SPECIFICS OF ENGINEERING UNKNOWN.

**SECTION 7: PRIMARY OUTLET WORKS**

d) Describe the location and the dimensions of the outlet conduit through the dam:

*NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.* OUTLET CONDUIT ~ 4" DIAMETER.

e) How and when will the outlet be operated? OVERFLOW OUTLET

f) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)? PASSAGE BYWAY.

**SECTION 8: EMERGENCY SPILLWAY**

d) Describe the location and the dimensions of the spillway channel. SPILLWAYS @ BOTH ENDS OF RETAINING WALL OF HISTORICAL RESERVOIR

e) How will the emergency spillway be designed to prevent erosion? CEMENT LAYER TO PROTECT SPILLWAYS.

f) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?) UNKNOWN. HISTORICAL.

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**SECTION 9: WATER QUALITY**

- d) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.  
Annual water quality monitoring for bacterial/algal bloom
- e) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.  
HISTORICAL RESERVOIR, NATURAL FOLIAGE INSITU.
- f) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.  
ANNUAL MAINTENANCE NOT REQUIRED @ THIS TIME - HISTORICAL RESERVOIR.

**SECTION 10: PROJECT SCHEDULE (List Month and Year)**

- d) Proposed date construction work will begin: Within five years of permit issuance  
(Fish passage approval is necessary prior to construction.)
- e) Proposed date construction work will be completed: Within five years of permit issuance
- f) Proposed date water use will be completed: Within five years of permit issuance

**SECTION 11: WITHIN A DISTRICT**

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

Irrigation District Name NA	Address	
City	State	Zip

**SECTION 12: REMARKS**

Use this space to clarify any information you have provided in the application.

HISTORICAL RESERVOIR.

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

YES, there are no encumbrances.

YES, the land is encumbered by easements, rights of way, roads or other encumbrances.

NO, I have a recorded easement or written authorization permitting access.

NO, I do not currently have written authorization or easement permitting access.

NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

   NO, because water is to be diverted, conveyed, and/or used only on federal lands.

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NA

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**SECTION 3: SOURCE OF WATER**

**A. Reservoir Name:** Reservoir #3

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

Source 1: Runoff	Tributary to: Unnamed Trib to Luckiamute River
TRSQQ of POD: 10 South, 6 West, Section 3 NWNW	
Source 2: NA	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? Yes No
- Is the proposed reservoir in-channel of a stream or off-channel: In-channel Off-Channel
- If the reservoir is proposed to be in-channel, is the stream: Perennial Intermittent Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present? Yes No Don't know
- Is the reservoir in the 100-year floodplain? Yes No Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: surface runoff

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

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

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Yes  No

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**If yes,**

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
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**Lower Columbia - OAR 690-033-0220 thru -0230**

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

Yes  No

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

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

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

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**Statewide - OAR 690-033-0330 thru -0340**

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

Yes  No

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**SECTION 5: WATER USE**

- g) The use of the impounded water will be: Irrigation and Fire Protection
- h) The amount of water to be stored is: 1 acre-feet.
- i) The area submerged by the reservoir, when filled, will be 0.125 acres.

**SECTION 6: DAM HEIGHT AND COMPOSITION**

The maximum height of the structure will be Less than 9.9 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height, 2) width, 3) crest width, 4) surface area and 5) preliminary fish passage design.

*Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department's Dam Safety Section prior to storage of water.*

The dam will be (check one):  Earthfill  Concrete  Flash board  Other

If "other," provide the description:

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**SECTION 7: PRIMARY OUTLET WORKS**

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- g) Describe the location and the dimensions of the outlet conduit through the dam:  
*NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.* **OUTLET ~ 8" DIAMETER.**
- h) How and when will the outlet be operated? **OVERFLOW OUTLET.**
- i) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)? **BYWAY.**

**SECTION 8: EMERGENCY SPILLWAY**

- g) Describe the location and the dimensions of the spillway channel. **ADJACENT TO EDGES OF RESERVOIR**
- h) How will the emergency spillway be designed to prevent erosion? **CEMENT LINER**
- i) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?) **UNKNOWN.**

**SECTION 9: WATER QUALITY**

- g) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.  
Annual water quality monitoring for bacterial/algal bloom
- h) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.  
*NATURAL FOLIAGE IN SITU.*
- i) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.  
*ANNUAL MAINTENANCE NOT REQUIRED @ THIS TIME - HISTORICAL.*

**SECTION 10: PROJECT SCHEDULE (List Month and Year)**

- g) Proposed date construction work will begin: Within five years of permit issuance  
(Fish passage approval is necessary prior to construction.)
- h) Proposed date construction work will be completed: Within five years of permit issuance
- i) Proposed date water use will be completed: Within five years of permit issuance

**SECTION 11: WITHIN A DISTRICT**

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

Irrigation District Name <i>NA</i>	Address	
City	State	Zip

**SECTION 12: REMARKS**

Use this space to clarify any information you have provided in the application.

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**SECTION 2: PROPERTY OWNERSHIP**

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

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

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

NA

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

**SECTION 3: SOURCE OF WATER**

**A. Reservoir Name:** Reservoir #4

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

Source 1: Runoff	Tributary to: Unnamed Trib to Luckiamute River
TRSQQ of POD: 10 South, 6 West, Section 3 NWNW	
Source 2: NA	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know
- Is the proposed reservoir an enlargement of an existing dam/reservoir? Yes No
- Is the proposed reservoir in-channel of a stream or off-channel: In-channel Off-Channel
- If the reservoir is proposed to be in-channel, is the stream: Perennial Intermittent Ephemeral
- If the reservoir is proposed to be in-channel, has ODFW determined that native migratory fish are present? Yes No Don't know
- Is the reservoir in the 100-year floodplain? Yes No Don't know
- If the reservoir is not in the channel of a stream, state how it is to be filled: surface runoff

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

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

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

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:  
[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

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

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

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

Yes  No

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

**If yes,**

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

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

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

Yes  No

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

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

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

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

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

**Statewide - OAR 690-033-0330 thru -0340**

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

Yes  No

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

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**SECTION 5: WATER USE**

- j) The use of the impounded water will be: Irrigation and Fire Protection
- k) The amount of water to be stored is: 1 acre-feet.
- l) The area submerged by the reservoir, when filled, will be 0.125 acres.

**SECTION 6: DAM HEIGHT AND COMPOSITION**

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Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height, 2) width, 3) crest width, 4) surface area and 5) preliminary fish passage design.

*Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department's Dam Safety Section prior to storage of water.*

The dam will be (check one):  Earthfill  Concrete  Flash board  Other

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If "other," provide the description: HISTORICAL RESERVOIR. JAN 05 2022

**SECTION 7: PRIMARY OUTLET WORKS**

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j) Describe the location and the dimensions of the outlet conduit through the dam:

*NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.*

OUTLET CONDUIT ~ 8" DIAMETER.

k) How and when will the outlet be operated? OVERFLOW OUTLET.

l) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?

BYWAYS.

**SECTION 8: EMERGENCY SPILLWAY**

j) Describe the location and the dimensions of the spillway channel. ADJACENT TO EDGES OF RESERVOIR.

k) How will the emergency spillway be designed to prevent erosion? CEMENT LINER.

l) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?)

UNKNOWN.

**SECTION 9: WATER QUALITY**

- j) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.  
Annual water quality monitoring for bacterial/algae bloom
- k) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.  
*NATURAL FOLIAGE IN SITU - HISTORICAL RESERVOIR*
- l) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.  
*NO ANNUAL MAINTENANCE REQUIRED @ THIS TIME - HISTORICAL.*

**SECTION 10: PROJECT SCHEDULE (List Month and Year)**

- j) Proposed date construction work will begin: Within five years of permit issuance  
(Fish passage approval is necessary prior to construction.)
- k) Proposed date construction work will be completed: Within five years of permit issuance
- l) Proposed date water use will be completed: Within five years of permit issuance

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**SECTION 11: WITHIN A DISTRICT**

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

Irrigation District Name NA	Address	
City	State	Zip

**SECTION 12: REMARKS**

Use this space to clarify any information you have provided in the application.

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# Land Use Information Form

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

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**Applicant**

NAME Kirsten Freed		PHONE (HM) 503-838-9858	
PHONE (WK)	CELL 503-246-1730	FAX	
ADDRESS PO Box 878			
CITY Lake Oswego	STATE OR	ZIP 97034	E-MAIL* 7thgenerationmanagementllc@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:
10S	6W	3	NW Sec 3	402		Diverted	Conveyed	Used	AGRICULTURE
						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:

Polk

**B. Description of Proposed Use**

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Water Right Transfer
- Permit Amendment or Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

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

Estimated quantity of water needed: \_\_\_\_\_ cubic feet per second gallons per minute \_\_\_\_\_ acre-feet

Intended use of water: Irrigation  Commercial  Industrial  Domestic for  household(s)  N/A  
 Municipal  Quasi-Municipal  Instream  Other Fire Protection

Briefly describe:

Obtain water right for four existing ponds

## 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): PC20 177.030(B) "Farm Use"

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."**

*No developer Proposed - Permits are ex-90.*

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
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	<b>JAN 05 2022</b>		
	<b>OWRD</b>		

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.

*\* See Attached Notes*

NAME <i>Sidney Miller</i>	TITLE: <i>Planning Manager</i>
SIGNATURE <i>[Signature]</i>	PHONE: <i>503-623-9237</i>
GOVERNMENT ENTITY <i>Polk County</i>	DATE: <i>12/23/21</i>

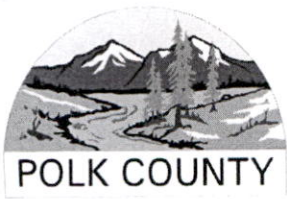
**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land 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: \_\_\_\_\_



# Transaction Receipt

Record ID: POS - 54514

Polk County  
Community Development Dept  
850 Main St.  
Dallas, OR 97338  
503-623-9237  
cd.permits@co.polk.or.us

Receipt Number: 35775

Receipt Date: 12/23/21

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www.co.polk.or.us/cd

Fees Paid					
Transaction date	Units	Description	Account code	Fee amount	Paid amount
12/23/21	1.00 Amount	PLN-Land Use Compatability Sign-Off	100-6300-310-PLAN	\$40.00	\$40.00
Payment Method: Check number: 1193 Payer: 7th Generation LLC				Payment Amount:	\$40.00
Cashier: Sidney Mulder				Receipt Total:	\$40.00



Polk County Comments:

The subject property is located entirely within the inventoried Deer and Elk Habitat Area. Prior to any future development/activities that are listed as a conflicting use pursuant to Polk County Zoning Ordinance (PCZO) 182.070(2) would first require a management plan that has been coordinated with ODFW pursuant to PCZO 182.040(E) and 182.050(A).

Prior to conducting any development within a wetland area, the property owners should contact the Oregon Department of State Lands to determine whether or not a Removal/Fill permit is required.

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FREED VESTING DEED PG. 1

2015-009118

EXHIBIT "A"

PARCEL I:

A portion of property as decreed to Judith A. Freed per Volume 205, Page 1562, Polk County Book of Records, lying in the North one-half of Section 3, Township 10 South, Range 6 West of the Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast corner of said Freed tract lying South 29°46'06" East, 59.98 feet from a 3/4 inch iron rod at the North one-quarter corner of said Section 3; thence along the Easterly line of said Freed tract by the following courses: South 29°46'06" East, 116.72 feet; thence South 16°31'06" East, 400.00 feet; thence South 9°13'06" East, 150.00 feet; thence South 20°19'06" East 125.00 feet; thence South 30°00'06" East, 180.00 feet; thence South 19°30'06" East, 135.00 feet; thence South 43°09'06" East, 100.00 feet; thence South 65°15'06" East, 219.00 feet to the most Easterly corner thereof; thence along the Southerly line of that portion described in the second paragraph of said Freed tract, South 63°11'54" West, 733.40 feet to the Southwest corner thereof, on the East line of the Northwest one-quarter of said section; thence along said East line, South 0°36'10" East, 1.84 feet to the Southeast corner of the North one-half of the Northwest one-quarter of said section; thence along the South line of said North one-half of the Northwest one-quarter, North 88°53'29" West, 595.37 feet to a 5/8 inch iron rod; thence leaving said South line, North 0°36'10" West, 597.31 feet to a 5/8 inch iron rod; thence North 88°53'29" West, 1552.35 feet to a 5/8 inch iron rod; thence South 9°32'34" West, 603.57 feet to a 5/8 inch iron rod on said South line; thence along said South line, North 88°53'29" West, 400.00 feet to the North one-sixteenth corner of the West line of said section; thence along said West line, North 1°10'19" West, 1572.04 feet to an aluminum capped monument at the Northwest corner of said Section 3; thence along the North line of said Section 3, South 89°07'43" East, 2093.12 feet, more or less, to the Northwest corner of that tract of land conveyed to Scott and Annette Berry per Document No. 2001-008701, Polk County Book of Records; thence along the Southerly line of said Berry tract by the following courses: South 18°17'09" East, 15.04 feet to an iron pipe; thence continuing 18°17'09" East, 338.76 feet to an iron pipe; thence North 60°36'33" East, 227.75 feet to an iron pipe; thence North 67°33'03" East, 241.60 feet to an iron pipe, thence North 46°06'03" East, 101.96 feet to the point of beginning.

PARCEL II:

A portion of property as decreed to Judith A. Freed per Volume 205, Page 1562, Polk County Book of Records, lying in the North one-half of Section 3, Township 10 South, Range 6 West of the Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

**EXHIBIT "A"**  
(Continued)

Beginning at a 5/8 inch iron rod on the South line of the North half of the Northwest one-quarter of said Section 3, lying South  $0^{\circ}36'10''$  East 1582.55 feet and North  $88^{\circ}53'29''$  West 595.37 feet from a 3/4 inch rod at the North quarter corner of said section; thence leaving said South line, North  $0^{\circ}36'10''$  West, 597.31 feet to a 5/8 inch iron rod; thence North  $88^{\circ}53'29''$  West, 1552.35 feet to a 5/8 inch iron rod; thence South  $9^{\circ}32'34''$  West, 603.57 feet to a 5/8 inch iron rod on said South line; thence along said South line, South  $88^{\circ}53'29''$  East, 1658.71 feet to the point of beginning.

TOGETHER WITH an easement for ingress and egress across a portion of said Freed property, said easement centerline being more particularly described as follows:

Beginning at a point in the center of County Road No. 968 (Ira Hooker Road) at the intersection of a graveled driveway to the West and Northeasterly line of said Freed tract lying South  $29^{\circ}46'06''$  East 70.29 feet from a 3/4 inch iron rod at the North Quarter corner of said Section 3; thence leaving said County Road, along a centerline of said driveway by the following courses; thence South  $46^{\circ}03'24''$  West 275.06 feet; thence South  $23^{\circ}01'07''$  West 171.48 feet; thence South  $4^{\circ}53'31''$  West 106.31 feet; thence South  $36^{\circ}57'21''$  West 168.36 feet; thence along the arc of a 75.00 foot radius curve left (long chord = South  $5^{\circ}07'$  East 100.45 feet) 110.06 feet; thence South  $47^{\circ}07'35''$  East 154.64 feet; thence South  $3^{\circ}13'17''$  West 171.59 feet; thence South  $20^{\circ}25'52''$  West 132.77 feet; thence along the arc of a 326.54 foot radius curve right (long chord = South  $55^{\circ}15'48''$  West 373.03 feet) 397.04 feet to the terminus on the East line of the tract described above.

**PARCEL III:** 

Beginning at the Northwest corner of the South one-half of the Northwest one-quarter of Section 3, Township 10 South, Range 6 West of the Willamette Meridian; thence South  $88^{\circ}50'51''$  East, along the North line of said South one-half of the Northwest one-quarter, a distance of 400.43 feet to a 5/8 inch iron rod; thence continuing along said North line, South  $88^{\circ}55'33''$  East, 610.00 feet to a 1 inch iron pipe, said pipe being the TRUE POINT OF BEGINNING; thence South  $76^{\circ}10'51''$  East 462.78 feet to a 5/8 inch iron rod; thence North  $89^{\circ}43'34''$  East, 203.03 feet to a 5/8 inch iron rod; thence North  $61^{\circ}54'40''$  East 199.72 feet to a 3/4 inch pipe on said North line; thence North  $88^{\circ}55'53''$  West, 828.76 feet to the TRUE POINT OF BEGINNING.