

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 TOWN OF BONANZA		PHONE (HM) 541-545-6566	
PHONE (WK) 541-545-6566	CELL	FAX 541-363-0730	
ADDRESS PO BOX 297			
CITY BONANZA	STATE OR	ZIP 97623	E-MAIL * TOBTREASURER@GMAIL.COM

**Organization**

NAME TOWN OF BONANZA		PHONE 541-545-6566	FAX 541-363-0730
ADDRESS PO BOX 297			CELL
CITY BONANZA	STATE OR	ZIP 97623	E-MAIL * TOBTREASURER@GMAIL.COM

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

AGENT / BUSINESS NAME ANDERS RASMUSSEN, SHN		PHONE 541-827-7855	FAX
ADDRESS 803 MAIN STREET, SUITE 401			CELL
CITY KLAMATH FALLS	STATE OR	ZIP 97601	E-MAIL * ARASMUSSEN@SHN-ENGR.COM

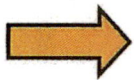
Note: Attach multiple copies as needed

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

**By my signature below I confirm that I understand:**

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application 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.**



*Cheri Stewart*  
 Applicant Signature

Cheri Stewart  
 Print Name and Title if applicable

11/3/2021  
 Date

For Department Use: App. Number: \_\_\_\_\_

C Stewart  
Applicant Signature

Cheri Stewart  
Print Name and Title if applicable

1/14/22  
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.

- 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*).

\_\_\_\_\_

**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:** WASTEWATER TREATMENT FACILITY

**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.

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Source 1: TREATED WASTEWATER FROM TREATMENT AND STORAGE PONDS	Tributary to: N/A
TRSQQ of POD: T.39S, R.11E, S.9, QQ.1/4 SE 1/4 SE	
Source 2:	Tributary to:
TRSQQ of POD:	

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- 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: Municipal wastewater from the town of Bonanza is conveyed to a pump station which in turn pumps the wastewater to the treatment facility ponds.

**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: Wastewater treatment and winter storage
- b) The amount of water to be stored is: 27.87 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 7.5 acres.

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## SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 6 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: \_\_\_\_\_

## 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.*

PONDS 1 AND 2 ARE 12", POND 3 HAS AN IRRIGATION PUMP SO NO PENETRATION THROUGH THE OUTLET

b) How and when will the outlet be operated?

TREATED EFFLUENT FROM PONDS 1 AND 2 IS MOVED TO POND 3 VIA A PUMP STATION YEAR ROUND.

RECYCLED WATER IN POND 3 IS PUMPED OUT DURING THE IRRIGATION SEASON WHICH IS APRIL-OCTOBER.

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)?

## SECTION 8: EMERGENCY SPILLWAY

a) Describe the location and the dimensions of the spillway channel.

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

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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. PONDS 1 AND 2 ARE FACULTATIVE WASTEWATER TREATMENT PONDS, POND 3 IS FOR STORAGE OF RECYCLED WATER (TREATED EFFLUENT).
- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.
- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

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

- a) Proposed date construction work will begin: ALREADY CONSTRUCTED (Fish passage approval is necessary prior to construction.)
- b) Proposed date construction work will be completed: ALREADY CONSTRUCTED
- c) Proposed date water use will be completed: ALREADY IN USE

**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 HORSEFLY IRRIGATION DISTRICT	Address 2797 MARKET STREET		
City BONANZA	State OR	Zip 97623	

**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  
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## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

# Land Use Information Form



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 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 503-986-0900  
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**Applicant**

NAME TOWN OF BONANZA		PHONE (HM) 541-545-6566	
PHONE (WK) 541-545-6566	CELL	FAX 541-363-0730	
ADDRESS PO BOX 297			
CITY BONANZA	STATE OR	ZIP 97623	E-MAIL* TOBTREASURER@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:
39 S	11 E	9	SE SE	100 0	RR	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG ATION
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

KLAMATH COUNTY, TOWN OF BONANZA

**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: 27.87 ACRE-FEET     cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for \_\_\_\_\_ household(s)  
 Municipal     Quasi-Municipal     Instream     Other \_\_\_\_\_

Briefly describe:



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



## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): A-430
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME <u>Cheri Stewart</u>	TITLE: <u>Treasurer</u>
SIGNATURE <u>C Stewart</u>	PHONE: <u>541-545-6566</u> DATE: <u>1/14/22</u>
GOVERNMENT ENTITY <u>Town of Bonanza</u>	

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**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: \_\_\_\_\_

## Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

### Include this checklist with the application

**Check that each of the following sections are completed.** The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Dam Height and Composition
- SECTION 7: Primary Outlet Works
- SECTION 8: Emergency Spillway
- SECTION 9: Water Quality
- SECTION 10: Project Schedule
- SECTION 11: Within a District
- SECTION 12: Remarks

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#### Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ \_\_\_\_\_  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- Map that includes the following items:
  - Map must be prepared by a Certified Water Rights Examiner
  - Permanent quality and drawn in ink
  - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - North directional symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - Reference public-land survey corner on map
  - Location of each dam by reference to a recognized public land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot identified clearly
  - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

**Please note that a secondary application is required if there are out-of-reservoir uses associated with this application.**

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# LAND PARTITION 38-17

FOR TOWN OF BONANZA & LOST RIVER FARMS, LLC  
SITUATE IN A PORTION OF THE SE 1/4 OF SECTION 9 AND NE 1/4 OF SECTION 16,  
TOWNSHIP 39 SOUTH, RANGE 11 EAST  
WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON

## SURVEYOR'S CERTIFICATE

I, MICHELLE MCBRIDE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE PARTITIONED, PLATTED, PARCELS 1 & 2 (NOT SURVEYED) AND CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS PARCEL 3 AS SHOWN AS LAND PARTITION 38-17, SITUATE IN THE SE 1/4 OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 11 EAST WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY KLAMATH, STATE OF OREGON, BEING DESCRIBED AS FOLLOWS:

A PORTION OF SOUTHWEST QUARTER OF SECTION 9 AND THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 SOUTH, RANGE 11 EAST, WILLAMETTE MERIDIAN, ALSO BEING A PORTION OF THE VACATED BOWNE ADDITION SUBDIVISION AS SHOWN IN DEED VOLUME 191, PAGE 421, KLAMATH COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE, BEING THE SECTION CORNER COMMON TO SECTIONS 9, 10, 15 AND 16, AS SAID IRON PIPE IS SHOWN UPON THAT CERTAIN KLAMATH COUNTY SURVEY NO. 6582; THENCE, SOUTH 89°50'00" WEST 76.43 FEET, TO THE INITIAL POINT OF THIS DESCRIPTION; THENCE NORTHERLY ALONG LINE PARALLEL WITH THE CENTERLINE OF CARROLL AVE (NOW HARPOLD ROAD) OF SAID SURVEY, NORTH 00°09'23" WEST 329.92 FEET, TO A 5/8" REBAR SHOWN ON SAID SURVEY, THENCE CONTINUING ALONG SAID LINE, NORTH 00°09'23" WEST 495.00 FEET, TO THE CENTERLINE OF THE ALLEY OF BLOCK 69 OF THE HERENABOVE DESCRIBED SUBDIVISION; THENCE ALONG SAID CENTERLINE, SOUTH 89°50'37" WEST 3.57 FEET, TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 2 OF SAID BLOCK; THENCE NORTHERLY ALONG SAID WEST LINE, NORTH 00°09'23" WEST 165.00 FEET, TO THE CENTERLINE OF VACATED PRICE STREET OF THE HERENABOVE DESCRIBED DEED; THENCE EASTERLY ALONG SAID CENTERLINE, NORTH 89°50'37" EAST 12.50 FEET, TO SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 23 OF BLOCK 48 OF THE HERENABOVE DESCRIBED SUBDIVISION; THENCE NORTHERLY ALONG SAID LINE, NORTH 00°09'23" WEST 39.39 FEET, TO THE SOUTHWEST CORNER OF THAT CERTAIN REAL PROPERTY DESCRIBED IN DEED VOLUME M05, PAGE 66198, KLAMATH COUNTY RECORDS; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID REAL PROPERTY, NORTH 77°03'37" WEST 300.32 FEET, TO A POINT ON THE CENTERLINE OF VACATED SEATTLE AVE OF THE HERENABOVE DESCRIBED DEED; THENCE SOUTHERLY ALONG SAID CENTERLINE, SOUTH 00°09'23" EAST 272.52 FEET, TO THE EASTERLY PROLONGATION OF THE ALLEY OF LOT 68 OF THE HERENABOVE DESCRIBED SUBDIVISION; THENCE WESTERLY ALONG SAID CENTERLINE, NORTH 89°50'37" EAST 80.00 FEET, TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 2 OF SAID BLOCK; THENCE NORTHERLY ALONG SAID WEST LINE, NORTH 00°09'23" WEST 165.00 FEET, TO THE CENTERLINE OF SAID VACATED PRICE STREET; THENCE WESTERLY ALONG SAID CENTERLINE, SOUTH 89°50'37" WEST 100.00 FEET, TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 19 OF BLOCK 49 OF THE HERENABOVE DESCRIBED SUBDIVISION; THENCE NORTHERLY ALONG SAID WEST LINE, NORTH 00°09'23" WEST 149.39 FEET, TO A POINT ON THE SOUTH LINE OF SAID REAL PROPERTY; THENCE WESTERLY ALONG SAID LINE, NORTH 77°03'37" WEST 39.39 FEET; THENCE NORTH 89°54'13" WEST 326.97, TO THE SOUTHWEST CORNER OF SAID REAL PROPERTY; THENCE NORTHERLY ALONG THE WEST LINE OF SAID REAL PROPERTY, NORTH 01°17'22" WEST 6.56 FEET, TO A POINT ON THE CENTERLINE OF THE ALLEY OF BLOCK 50 OF THE HERENABOVE DESCRIBED DEED; THENCE WESTERLY ALONG SAID CENTERLINE, SOUTH 89°50'37" WEST 380.31 FEET, TO THE INTERSECTION OF THE CENTERLINE OF VACATED PARK AVE OF THE HERENABOVE DESCRIBED DEED; THENCE SOUTHERLY ALONG SAID CENTERLINE, SOUTH 00°09'23" EAST 165.00 FEET, TO THE INTERSECTION OF THE CENTERLINE OF VACATED PRICE STREET OF THE HERENABOVE DESCRIBED DEED; THENCE WESTERLY ALONG SAID CENTERLINE, SOUTH 89°50'37" WEST 360.00 FEET, TO A 5/8" REBAR AS SHOWN UPON THAT CERTAIN KLAMATH COUNTY SURVEY NO. 2399, ALSO BEING THE INTERSECTION OF THE CENTERLINE OF VACATED BOWNE AVE OF THE HERENABOVE DESCRIBED DEED; THENCE SOUTHERLY ALONG SAID CENTERLINE, SOUTH 00°09'23" EAST 360.00 FEET, TO THE INTERSECTION OF THE EAST PROLONGATION OF BLOCK 80 OF THE HERENABOVE DESCRIBED SUBDIVISION; THENCE WESTERLY ALONG SAID PROLONGATION, SOUTH 89°50'37" WEST 30.00 FEET, TO THE NORTHWEST CORNER OF SAID BLOCK; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID BLOCK, SOUTH 00°09'23" EAST 1194.41 FEET, MORE OR LESS, TO THE NORTHERLY BANK OF LOST RIVER; THENCE ALONG SAID BANK, NORTH 52°26'21" EAST 453.19 FEET, MORE OR LESS; THENCE SOUTHERLY, SOUTH 98.30 FEET, MORE OR LESS, TO THE CENTERLINE OF LOST RIVER; THENCE EASTERLY ALONG SAID CENTERLINE, 1129.34 FEET, MORE OR LESS, TO A LINE PARALLEL WITH THE CENTERLINE OF CARROLL AVE (NOW HARPOLD ROAD) OF SAID SURVEY; THENCE NORTHERLY ALONG SAID LINE, NORTH 00°09'23" WEST 242.81 FEET, MORE OR LESS, TO A 5/8" REBAR SHOWN ON SAID SURVEY; THENCE NORTH 89°50'37" EAST 9.50 FEET TO THE INITIAL POINT OF THIS DESCRIPTION.

ALSO KNOWN AS:

PARENT PARCEL 1:

ALL THOSE PORTIONS OF VACATED BOWNE ADDITION TO THE TOWN OF BONANZA DESCRIBED AS FOLLOWS:

THE WEST 1/2 1/2 FEET OF LOTS 2 AND 23 AND ALL OF LOTS 3 TO 22 INCLUSIVE IN BLOCK 48; LOTS 1 TO 18 INCLUSIVE AND LOTS 23 AND 24 IN BLOCK 49; LOTS 13 TO 24 INCLUSIVE IN BLOCK 50; ALL OF BLOCK 67; LOTS 3 TO 24 INCLUSIVE IN BLOCK 69; LOTS 3 TO 22 INCLUSIVE AND THE WEST 4.5 FEET OF LOT 23 IN BLOCK 69; THE WEST 4.5 FEET OF LOTS 2 AND 23 AND LOTS 3 TO 22 INCLUSIVE IN BLOCK 76; ALL OF BLOCK 77; ALL OF BLOCK 78; ALSO THOSE PORTIONS OF STREETS AND ALLEYS WHICH ATTACH TO SAID LOTS AND BLOCKS BY OPERATION OF LAW BY ORDER OF VACATION SHOWN IN VOLUME 191, PAGE 421, DEED RECORDS OF KLAMATH COUNTY, OREGON, INCLUDING ALL OF VACATED PARK AVENUE, BETWEEN THE CENTERLINE OF UNION STREET AND THE CENTERLINE OF PRICE STREET

## SURVEYOR'S CERTIFICATE (CONT'D)

SAVING AND EXCEPTING FROM THE ABOVE THOSE PORTIONS OF BLOCKS 48, 49, AND 50 AND VACATED SEATTLE AVE AND TACOMA AVENUE, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE; BEGINNING AT A POINT IN THE ALLEY IN BLOCK 50 WHICH BEARS SOUTH 0°08' EAST 141.58 FEET FROM THE NORTHWEST CORNER OF LOT 6 IN SAID BLOCK 50; THENCE SOUTH 89°44'50" EAST 326.97 FEET; THENCE SOUTH 76°54'14" EAST 518.98 FEET TO A POINT ON THE EAST LINE OF THE W1/2 OF LOT 23, SAID BLOCK 48.

ALSO SAVING AND EXCEPTING THE NORTH 30 FEET OF LOTS 3 AND 4 IN BLOCK 69 OF SAID VACATED BOWNE ADDITION.

ALSO BEGINNING AT THE CORNER COMMON TO SECTIONS 9, 10, 15 AND 16, TOWNSHIP 39 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, WHICH POINT IS ON THE CENTERLINE OF CARROLL AVENUE AS PLATTED ON BOWNE ADDITION TO THE TOWN OF BONANZA; THENCE NORTH ALONG SAID CENTERLINE 330 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE CENTERLINE OF UNION STREET; THENCE WEST ALONG THE CENTERLINE OF UNION STREET 1110 FEET, MORE OR LESS, TO THE WEST LINE OF PARK AVE; THENCE SOUTH ALONG THE WEST LINE OF PARK AVE, AND SAID WEST LINE EXTENDED 710 FEET, MORE OR LESS, TO THE CENTER OF LOST RIVER; THENCE NORTHEASTERLY AND EASTERLY ALONG THE CENTER OF LOST RIVER TO THE EAST LINE OF SAID SECTION 16; THENCE NORTH ALONG SAID SECTION LINE A DISTANCE OF 250 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAVING AND EXCEPTING THE EAST 45 FEET OF SAID PARCEL HERETOFORE CONVEYED TO KLAMATH COUNTY BY DEED RECORDED NOVEMBER 28, 1947 IN VOLUME 214, PAGE 247, DEED RECORDS OF KLAMATH COUNTY, OREGON, FOR DEED PURPOSES.

EXCEPTING A PORTION OF LAND ALONG HARPOLD RD AS DEEDED TO KLAMATH COUNTY FOR STREET WIDENING IN VOLUME M99, PAGE 8856.

EXCEPTING A PORTION OF LAND BEGINNING AT A POINT WHICH IS NORTH 988.2 FEET WEST 360 FEET FROM SECTION CORNER COMMON TO SECTIONS 9, 10, 15 AND 16, TOWNSHIP 39 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN; THENCE NORTH ALONG CENTER LINE OF SEATTLE STREET 165 FEET; THENCE WEST ALONG CENTERLINE OF ALLEY 80 FEET TO WEST LINE OF LOT 23, BLOCK 49 EXTENDED; THENCE SOUTH 165 FEET ALONG THE WEST LINE OF LOT 23 TO CENTER OF PRICE STREET; THENCE EAST TO POINT OF BEGINNING, WHICH INCLUDES PORTIONS OF VACATED STREETS AND ALLEYS.

AND PARENT PARCEL 2

A PIECE OR PARCEL OF LAND SITUATED IN THE S1/2 SE1/4 OF SECTION 9, AND THE N1/2 NE1/4 OF SECTION 16, BOTH IN TOWNSHIP 39 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, BEING A PORTION OF THAT LAND CONVEYED TO ELSD DEJONG, ET AL., BY MARY L. SCHMIDT IN DEED RECORDED IN VOLUME M-73 AT PAGE 5723, BEING IN PART A PORTION OF THE NOW VACATED BOWNE ADDITION TO THE TOWN OF BONANZA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTER LINE OF PRICE STREET AND THE CENTER LINE OF BOWNE STREET, BOTH NOW VACATED, FROM WHICH THE CORNER COMMON TO SECTIONS 9, 10, 15 AND 16 BEARS SOUTH 1018 FEET AND EAST 1470 FEET, MORE OR LESS, DISTANT; THENCE SOUTHERLY ALONG SAID CENTERLINE OF BOWNE STREET 360 FEET MORE OR LESS TO THE SOUTHERLY LINE OF VACATED GRANT STREET; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 30 FEET TO THE WESTERLY LINE OF VACATED BOWNE STREET; THENCE SOUTH, ALONG THE WESTERLY BOUNDARY OF THAT PARCEL CONVEYED IN DEED VOLUME M-73 AT PAGE 5723, 1200 FEET, MORE OR LESS, TO THE NORTHERLY BANK OF LOST RIVER; THENCE NORTHEASTERLY ALONG THE NORTHERLY BANK OF LOST RIVER TO A POINT WHICH IS 360 FEET EAST OF, WHEN MEASURED AT RIGHT ANGLES TO, THE ABOVE DESCRIBED WESTERLY BOUNDARY OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH ALONG A LINE WHICH IS THE WESTERLY LINE OF NOW VACATED PARK STREET EXTENDED AND ALONG THE WESTERLY LINE OF NOW VACATED PARK STREET 1280 FEET, MORE OR LESS, TO THE INTERSECTION OF THE WESTERLY LINE OF NOW VACATED PARK STREET AND THE CENTERLINE OF NOW VACATED PRICE STREET; THENCE WEST ALONG THE CENTERLINE OF THE NOW VACATED PRICE STREET 330 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PIECE OR PARCEL OF LAND SITUATED IN THE S 1/2 SE 1/4 OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, BEING A PORTION OF THAT LAND CONVEYED TO ELSD DEJONG, ET AL., BY MARY L. SCHMIDT IN DEED RECORDED IN VOLUME M73, PAGE 5723, BEING A PORTION OF THE NOW VACATED BOWNE ADDITION TO THE TOWN OF BONANZA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHERLY 30.0 FEET OF LOTS 3 AND 4 IN BLOCK 69 OF NOW VACATED BOWNE ADDITION.

## NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO TRANSFER 12 ACRES FROM LOST RIVER, LLC TO TOWN OF BONANZA TO ALLOW FOR ADDITIONAL SEWER LAGOONS TO ACCOMMODATE TO NEEDS OF THE TOWN. TO SATISFY THE CONDITIONS OF APPROVAL FOR LAND PARTITION 38-17, PARCEL 3 WAS SURVEYED. MONUMENTS WERE RECOVERED PER RECORD OF SURVEYS 1854, 2399, 6582 & 7687. THE RECOVERED MONUMENTS AND THE BANKS OF THE RIVER WERE USED TO RESOLVE THE BOUNDARY. THE BASIS OF BEARING FOR THIS SURVEY IS BEND-KLAMATH FALLS ZONE OF THE OREGON COORDINATE REFERENCE SYSTEM (OCRS). EQUIPMENT USED FOR THIS SURVEY WAS A CARLSON BR6 GNSS RECEIVER AND CARLSON SURVEYOR 2 DATA COLLECTOR.

## COUNTY APPROVALS

APPROVED BY: \_\_\_\_\_ DATE \_\_\_\_\_  
KLAMATH COUNTY PLANNING DIRECTOR

APPROVED BY: \_\_\_\_\_ DATE \_\_\_\_\_  
KLAMATH COUNTY SURVEYOR

APPROVED BY: \_\_\_\_\_ DATE \_\_\_\_\_  
KLAMATH COUNTY PUBLIC WORKS DIRECTOR

## EASEMENTS

IN ADDITION TO THOSE SHOWN HEREON, THIS PLAN IS SUBJECT TO THE FOLLOWING EASEMENTS THAT ARE NOT SPECIFICALLY LOCATABLE FROM RECORD DATA (VOLUME AND PAGE REFERS TO DEED RECORDS OF KLAMATH COUNTY, OREGON)

- VOLUME 7, PAGE 343, DEED RECORDS
- VOLUME 217, PAGE 122, DEED RECORDS

## TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES, INTEREST, PENALTIES, ASSESSMENTS, FEES OR OTHER CHARGES REQUIRED BY O.R.S. 92.095 HAVE BEEN PAID.

\_\_\_\_\_  
COUNTY TAX COLLECTOR DATE \_\_\_\_\_

## DISTRICT CERTIFICATE

I, DON RUSSELL, CONSULTANT OF THE HORSEFLY IRRIGATION, HEREBY CERTIFY THAT LAND PARTITION 38-17 IS ENTIRELY EXCLUDED FROM THE DISTRICT FOR PURPOSES OF RECEIVING SERVICES AND BEING SUBJECT TO THE FEES AND OTHER CHARGES OF THE DISTRICT.

\_\_\_\_\_  
DON RUSSELL, CONSULTANT DATE \_\_\_\_\_

## DECLARATION

THIS IS TO CERTIFY THAT LOST RIVER FARMS, LLC, AN OREGON LIMITED LIABILITY COMPANY OF THE STATE OF OREGON, IS THE OWNER OF LAND PARTITION 38-17, MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, THAT SAID OWNER DID CAUSE THE SAME TO BE PLATTED ALL PARCELS AND SURVEYED ONLY PARCEL 3 AS SHOWN ON THE ANNEXED PLAT AND DOES FOR ITSELF, ITS TRANSFERREES, SUCCESSORS AND ASSIGNS HEREBY CREATE THE NON-EXCLUSIVE 30-FOOT WIDE EASEMENT ACROSS PARCEL 2 FOR INGRESS AND EGRESS TO BENEFIT PARCEL 3.

\_\_\_\_\_  
ARIE DEJONG  
MANAGING MEMBER

STATE OF OREGON  
COUNTY OF KLAMATH S.S.

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, PERSONALLY APPEARED BEFORE ME ARIE DEJONG AND KNOWN TO ME TO BE THE IDENTICAL PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FREELY AND VOLUNTARILY AS SUCH OFFICER ON BEHALF OF LOST RIVER FARMS, LLC.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL NOTARY SEAL THIS DAY AND DATE WRITTEN ABOVE.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES \_\_\_\_\_

## DECLARATION

THIS IS TO CERTIFY THAT TOWN OF BONANZA, AN OREGON MUNICIPAL CORPORATION IS A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF OREGON, AND IS THE OWNER OF LAND PARTITION 38-17, MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, THAT AS SAID OWNER DID CAUSE THE SAME TO BE PLATTED ALL PARCELS AND SURVEYED ONLY PARCEL 3 AS SHOWN ON THE ANNEXED PLAT AND DOES FOR ITSELF, ITS TRANSFERREES, SUCCESSORS AND ASSIGNS HEREBY CREATE THE NON-EXCLUSIVE 30-FOOT WIDE EASEMENT ACROSS PARCEL 2 FOR INGRESS AND EGRESS TO BENEFIT PARCEL 3.

\_\_\_\_\_  
BETTY TYREE, MAYOR  
MANAGING OFFICER

STATE OF OREGON  
COUNTY OF KLAMATH S.S.

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, PERSONALLY APPEARED BEFORE ME BETTY TYREE AND KNOWN TO ME TO BE THE IDENTICAL PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FREELY AND VOLUNTARILY AS SUCH OFFICER ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS TOWN COUNCIL.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL NOTARY SEAL THIS DAY AND DATE WRITTEN ABOVE.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES \_\_\_\_\_

## PRELIMINARY

MICHELLE MCBRIDE DATE \_\_\_\_\_  
PLS 91128

REGISTERED PROFESSIONAL LAND SURVEYOR  
OREGON  
SEPTEMBER 13, 2016  
MICHELLE MCBRIDE  
91128PLS

EXPIRATION DATE: 12/31/2018

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
COUNTY CLERK BY DEPUTY



Michelle McBride, PLS  
P.O. Box 1885, Klamath Falls, OR 97601 • o. (541) 887-2446  
michelle@mcbridesurveying.com • www.mcbridesurveying.com

LAND PARTITION 38-17

PAGE  
1 of 2

SCALE: None DATE: May 7, 2018 PROJECT NO. 1018-17

# Water-Use Permit Application Processing

OWRD

## 1. Completeness Determination

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

## 2. Initial Review

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

## 3. Public Notice

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

## 4. Proposed Final Order Issued

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

## 5. Public Notice

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

## 6. Final Order Issued

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