

Application for a Permit to ~~Construct Reservoirs and to~~ Store for Beneficial Use the Unappropriated Waters of the State of Oregon

I, The United States of America, acting through the Regional Director, Region 1, Bureau of Reclamation, under a delegation from the Secretary of the Interior, pursuant to the Federal Reclamation Laws, these being the act of June 30, 1902 (32 Stat. 388) and all acts amendatory thereof or supplemental thereto, including among others, section 8 of the act of December 22, 1974 (58 Stat. 887), whose post office address is Box 937, Boise, Idaho does hereby make application for a permit to construct the following described reservoirs to store the unappropriated waters of the State of Oregon, subject to existing rights.

If the applicant is a corporation, give date and place of incorporation

1. The names of the proposed reservoirs are: Cottage Grove, Borena, Fern Ridge, Lookout Point, and Detroit.

2. The names of the streams from which the reservoirs are to be filled and the appropriation made are, respectively, the Coast Fork Willamette, Row River, Long Tom River, Middle Fork Willamette, and North Santiam River tributary of the Willamette River, Oregon.

3. The amount of water to be stored is, for purposes other than irrigation, a maximum collective total of 835,000 acre-feet for the five reservoirs, with each reservoir to have a maximum as shown in the tabulation appearing under "Remarks".

4. The use to be made of the impounded water under this permit is irrigation (see "Remarks").

5. The locations of the proposed reservoirs are shown on the attached "Exhibit A". Tp. , R. , W. M., in the county of

(a) State whether situated in channel of running stream and give character of material at outlet. All situated in channels of running streams.

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal give name and dimensions

6. The dams are located as shown on attached "Exhibit A". Tp. , R. , W. M. The maximum height will be feet above stream bed or ground surface on center line of dam. The length on top will be feet; length on bottom feet; width on top feet; slope of front or water side ; slope on back ; height of dam above water line when full feet.

\* A different form of application should be used for the appropriation of stored water for beneficial use without charge together with instructions, by addressing the State Engineer, Salem, Oregon.

7\* The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: See note.

8\* The location of wasteway with dimensions are as follows: See note. (State whether over or around the dam)

9\* The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: See note. (All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time.)

10\* The area submerged by the proposed reservoir, when full, will be See note. acres, with a maximum depth of water of feet; and approximate mean depth of water feet.

11\* The estimated cost of the proposed work is \$ See note.

12. Construction work will begin on or before Now underway or completed.

13. Construction work will be completed on or before December 31, 1954.

The United States of America

By W. H. Tuller (Signature of applicant)

Acting Regional Director, Region 1, Bureau of Reclamation, pursuant to Departmental Order 2018 and Commissioner's Order of September 13, 1948, 13 F.P. 5494.

STATE OF OREGON, ss. County of Marion,

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before , 19

WITNESS my hand this day of , 19

\*Note: The information required by items 5 through 11 has heretofore been furnished and is available in your office and the office of the Willamette Basin Commission, the state agency through which the State of Oregon has participated in the planning, authorization and construction of the Willamette Basin Project reservoirs. A print of all the same and reservoirs, as constructed, showing the topography and general plan for each dam and reservoir, is being provided.

Reservoir Permit No. 1625

"Exhibit B"

Letter agreement between Bureau of Reclamation, Department of the Interior, and Corps of Engineers, Department of the Army, as to irrigation water available from Federal reservoirs constructed in the Willamette Basin.

COPY R- 1625

NPDGP (8 Jan 53) 1st Ind  
NPD 801.5 (Willamette Riv. Basin ) 1.15C  
SUBJECT: Irrigation Policy for the Willamette Basin, Oregon.

Office, Division Engineer, North Pacific Division, Corps of Engineers  
500 Pittock Block, Portland 5, Oregon 14 January 1953

TO: Chief of Engineers, Corps of Engineers, Department of the Army  
Washington 25, D. C.

1. Inclosed exchange of correspondence between the District Engineer and the Regional Director, Bureau of Reclamation, constitutes an agreement on basic policy for irrigation in the Willamette Basin from water stored in projects of the Corps of Engineers. The policy set forth therein conforms with those contained in your letter of 1 May 1952, same subject, and approval is recommended.

2. This office concurs in the position taken by the District Engineer that the allocations of costs for the Corps of Engineers projects concerned is the responsibility of the Corps of Engineers. In view of the number of factors involved with respect to irrigation however, which will be the responsibility of the Bureau of Reclamation, an opportunity will be given that agency to present their views prior to final decision on the allocation of costs.

3. Approximately 60,000 acre feet of stored water will be made available for irrigation from Detroit, Forena, Cottage Grove and Fern Ridge reservoirs combined during the 1953 season. It is not anticipated that contracts will be arranged for full use of this amount; however, provision will be made for the use of some water as soon as necessary arrangements can be made. It is necessary therefore that final policy decisions be made as soon as possible. As yet undetermined is the charge to be made for use of stored water. This will be essentially a decision by the Bureau of Reclamation, based to a large degree on project costs allocated to irrigation by the Corps of Engineers. Accordingly the District Engineer is being requested to expedite cost allocation studies to the extent necessary to arrive at a recommended charge for stored water. In order that the initial charge may be consistent with later charges for irrigation water obtained from future reservoirs, consideration will be given to the cost of other projects in the Willamette Basin Plan, in addition to the allocation of cost of the projects to be used initially.

FOR THE DIVISION ENGINEER:

L. W. SCHELL  
Lt. Col., Corps of Engineers  
Executive Officer

1 Incl  
1 copy to/d  
Portland District  
Ref: NPDGP-1

COPY

DEC 15 1952

Colonel T. H. Lioscomb  
District Engineer  
Corps of Engineers  
Portland 5, Oregon

Dear Colonel Lioscomb:

I have received your letter of November 7 relating to the irrigation use of water stored in the Willamette Basin Project reservoirs and regret that other commitments have prevented a more prompt reply.

The general statements of policies in your letter follow quite closely those contained in the proposed joint agreement which was submitted to you by our letter of March 7, and later forwarded to Mr. Oakes by our letter of September 22. I note, however, that you propose to have the responsibility for determining cost allocations relating to irrigation, rest with the Corps of Engineers rather than have this matter the subject of joint action. On the understanding that there will be opportunity for presentation of our views prior to final determination of these matters, consistent with allocation procedures followed with the Corps in projects of the Bureau, this arrangement is acceptable to me. I would prefer that the agreement on principles and policies take the form of a joint statement as heretofore proposed. If, however, your procedures require that there be a preliminary formalization of views through the issuance of an exchange of letters, you may use this letter as effecting concurrence.

Sincerely yours,

/s/ H. T. Nelson

Regional Director

R- 1625

April 24, 1953

C  
O  
P  
Y

Mr. F. M. Clinton  
Acting Regional Director  
U. S. Bureau of Reclamation  
Box 937  
Boise, Idaho

Dear Sir:

In reply to your letter of April 7, 1953, I am very glad to supply a copy of the document by which the Chief of Engineers approved the letter agreement between our respective offices on Willamette Basin irrigation policy which you requested for reference and files of your office. The approval by the Chief of Engineers is a teletype message to the Division Engineer, North Pacific Division, in reply to the indorsement and recommendation of that office for approval of the letter agreement. I am inclosing, therefore, copies of this 1st Indorsement, dated January 14, 1953, and the teletype, dated February 20, 1953.

It is believed that these documents are self-explanatory, however, should you have any questions on them, I will be very glad to furnish additional information upon your request.

Very truly yours,

/s/ T. H. Lipscomb

T. H. LIPSCOMB  
Colonel, Corps of Engineers  
District Engineer

2 Incls.

- #1 - copy 1st Incl., NPT to  
OCE, dtd 1/14/53
- #2 - copy TT ENGTR 42 from OCE  
to NPT, dtd 2/20/53

COPY

RR NWKBD

FM ACTCOFFENORS, WASHINGTON DC  
TO NORADJVENGE PORTLAND ORE

TR GENC

FROM ENGTB 12

REMITT NRDGR 115-2 LTR PORTLAND DIST 8 JAN 53 SUBJECT IRRIGATION  
POLICY FOR WILLAMETTE BASIN OPE CMV AND YOUR LST INT DID 14 JAN 13  
APPROVAL GRANTED TO RECOMMENDATION CONTAINED IN PARA ONE OF YOUR  
INT RR PQST THISO BE ADVISED ON PROGRESS IRRIGATION CONTRACTS IN  
VALLEY RR COST ALLOCATION STUDIES SHOULD BE EXPED

CMV ENOTS 12 115-2 8 53 14 53 LST 14 53

NRDGR 100-2 dtl 2/25/53

R- 1625

COPY

November 7, 1952

Mr. Harold T. Nelson  
Regional Director  
U. S. Bureau of Reclamation  
Box 927  
Boise, Idaho

Dear Sir:

Reference is made to your letter of June 17, 1952, in which you present the determination by the Commissioner of the Bureau of Reclamation of the authority of the Bureau to contract for the sale of water for irrigation purposes to be released on the request of the Bureau from reservoirs of the Willamette Valley Project.

In view of the above determination of authority and the results of discussions and correspondence between our respective offices at field level and at the Washington level, and in conformance with the intent of the Columbia Basin agreement of April 11, 1922, between the Bureau of Reclamation and the Corps of Engineers, the following basic policies on administration of irrigation matters in Willamette River Basin are submitted for your consideration and approval:

Negotiations with local interests for the sale of that water reserved for irrigation purposes from all Corps of Engineers' reservoirs in Willamette River Basin, whether built before or after the passage of the Flood Control Act of 1924 and the administration of contracts for such sales and collection of revenues shall be the responsibility of the Bureau of Reclamation.

A copy of all contracts for the sale of water for irrigation will be furnished to the District Engineer.

Any filing for water required pursuant to Reclamation laws made by the Bureau of Reclamation with the State Engineer shall be subject to the stipulations of this agreement and the limitations of the stored water made available by the District Engineer for irrigation use at the time of the filing. It shall be the responsibility of the District Engineer to furnish the Bureau initially a statement of stored water to be made available now from present reservoirs to meet immediate needs and annually thereafter to make available such additional amounts of stored water as he considers available for irrigation from the several reservoirs to meet increased needs.



Annually, prior to the beginning of the irrigation season, the Bureau will submit to the District Engineer an estimate of the requirements of stored water to fulfill commitments to irrigators, giving the location, amount, and probable monthly distribution of the demand. Where the water requirements as determined by the Bureau can be supplied from more than one reservoir, the District Engineer reserves the right to decide, as the season progresses, from which reservoirs water is to be supplied. The District Engineer will be solely responsible for the operation of the reservoirs, both in the interest of irrigation and also for the other functions as stipulated by the project authorization.

The Corps of Engineers shall provide to the Bureau of Reclamation its determination of the allocations of appropriate capital and operation and maintenance costs to irrigation for the Willamette Basin Project as a whole and where practicable for each reservoir within the project. Such determination of allocation of costs is to be the basis for determination of reimbursement under Reclamation Law of irrigation costs attributable to storage.

The Corps of Engineers supports the basic premise that reimbursable irrigation costs as contemplated under existing legislation are to be paid back to the United States. The Corps will cooperate to the fullest extent in the construction, maintenance, and operation of storage dams in Willamette River Basin to the end that repayment by local interests to the United States of the cost of storage properly chargeable to irrigation is achieved. The Corps agrees that the Bureau should proceed by means of its own administrative procedures to secure repayment to the United States for irrigation costs of the reservoirs in the basin and the Corps of Engineers will cooperate to the fullest extent practicable in achieving this objective.

Your written acceptance of the foregoing basic policies will constitute a letter agreement at field level which will be subject to approval of the Chief of Engineers and the Commissioner of the Bureau of Reclamation.

Any further action in this matter by this office will be deferred pending receipt of your reply.

Very truly yours,

/s/ W. H. Lincoln

W. H. Lincoln,  
Colonel, Corps of Engineers,  
District Engineer.

Remarks: These reservoirs have been constructed and are being operated and maintained by the Corps of Engineers, Department of the Army, pursuant to Federal statutes and regulations. These reservoirs are among several such reservoirs authorized, constructed, recommended, or being planned on the Willamette River and its tributaries that are to be coordinately operated as a single project to accomplish the purposes for which they were authorized and constructed—these purposes being, among others, flood control, river regulation, sediment control, navigation, power production, fish and wildlife conservation, recreation, domestic water, pollution abatement, and irrigation. This application relates only to irrigation storage but the reservoirs will be used for the foregoing joint purposes. Accordingly, the amount of water stored for irrigation will be variable as determined from time to time pursuant to a plan of operation made by the Corps of Engineers under an agreement between the Corps of Engineers and the Bureau of Reclamation in accordance with the Federal statutes under which the reservoirs are authorized, constructed, operated and maintained, and such stored waters for irrigation as designated by the Corps of Engineers will be made available for use through contracts made by the Bureau of Reclamation. The agreement and the operating plans made pursuant to it have been made available to the State Engineer and any supplements or modifications as they are determined from time to time will be provided. The initial agreement is attached as "Exhibit B". Supplemental filings will be made as additional reservoirs are

[continued on reverse]

STATE OF OREGON, }  
 County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same,

subject to the following limitations and conditions: The right herein granted is limited to the construction of and storage therein of 30,000 acre feet of water from the Coast Fork Willamette River in ~~near~~ Cottage Grove Reservoir; 70,000 acre feet of water from the Row River in Dorena Reservoir; 95,000 acre feet of water from the Long Tom River in Fern Ridge Reservoir; 340,000 acre feet of water from the Middle Fork Willamette River in Lookout Point Reservoir and 300,000 acre feet of water from the North Santiam River in Detroit Reservoir to be appropriated under secondary applications hereafter to be filed for irrigation, provided that all secondary applications shall be accompanied by a copy of the contract between the applicant and the Bureau of Reclamation for the purchase of the stored waters. This permit is issued subject to the terms and conditions as set out in "Exhibit B" of the application.

The right hereunder shall be limited to the storage of 835,000 acre feet.

The priority date of this permit is August 16, 1954

Actual construction work shall begin on or before August 20, 1955 and

shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1955

WITNESS my hand this 20th day of August, 1954.

*[Signature]*  
 STATE ENGINEER

[continuation from "Remarks"]

authorized and constructed, it being understood that the United States in contracting for the use of water under this and such other permits will treat all users equally irrespective of the particular reservoir or permit under which the water is stored. As contracts with individuals or group organizations for the diversion and use of storage waters from these reservoirs and others of the Willamette Valley Project for irrigation are proposed, and as plans for such use through projects authorized under the Federal Reclamation Laws are developed, secondary permits will be filed pursuant to section 537-300, Oregon Revised Statutes.

The tabulation referred to in item 3 is as follows:

<u>Reservoir</u>	<u>Acre-Feet</u>
Lookout Point	340,000
Cottage Grove	30,000
Dorena	70,000
Fern Ridge	95,000
Detroit	<u>300,000</u>
Total	835,000

Application No. *R-29397*  
Reservoir Permit No. *1625*

**PERMIT**

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the *16<sup>th</sup>* day of *August* 19*54* at *1:00* o'clock *P.* M.

Returned to applicant:

Approved:

*August 20, 1954*  
Recorded in Book No. *6* of  
Reservoirs, on Page *1625*

CHAS. E. STRICKLIN  
STATE ENGINEER

Drainage Basin No. *2* page *11A, 78A*  
*46a, 80D,*

Fee \$ *934.00*