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Application for a Permit to

Store Water in a Reservoir

(Standard Review)

OWRD



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

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		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL *

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Organization

NAME Malheur National Forest, Prairie City Ranger District		PHONE 541/820-3800	FAX
ADDRESS 327 SW Front Street			CELL
CITY Prairie City,	STATE OR	ZIP 97869	E-MAIL *

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

AGENT / BUSINESS NAME <i>Allen Taylor</i>		PHONE <i>541-820-3864</i>	FAX
ADDRESS <i>327 SW Front St.</i>			CELL
CITY <i>Prairie City</i>	STATE <i>OR</i>	ZIP <i>97869</i>	E-MAIL * <i>allen.taylor@usda.gov</i>

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.

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

Ann Niesen Ann Niesen, Forest Supervisor, MNF *7/24/2023*
 Applicant Signature Print Name and Title if applicable Date

 Applicant Signature Print Name and Title if applicable Date

For Department Use: App. Number: _____

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).

T 14S, R35E, Tax Lot 1600 is owned by 3 different people and has a ditch that feeds the pond. See attachments.

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: Trout Farm

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: Unnamed Spring	Tributary to: John Day River
TRSQQ of POD: T15S, R35E, Sec 6, NENE	
Source 2: Unnamed Tributary	Tributary to: John Day River
TRSQQ of POD: T14S, R35E, Sec 31, SWSE	

- 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: Spring, unnamed trib, snow

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_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

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

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

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Yes No

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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:

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

- a) The use of the impounded water will be: Recreation, fish
- b) The amount of water to be stored is: 9.5 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 1.7 acres.

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SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 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' 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

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.

Dam has a headgate that is 12" and is located in the old channel in the pond.

b) How and when will the outlet be operated?

Outlet manually operated for annual maintenance and repair and annual cycling.

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)?

ODFW currently stocks pond. See attached sheet.

SECTION 8: EMERGENCY SPILLWAY

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

ODFW currently stocks pond. See attached sheet.

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

ODFW currently stocks pond. See attached sheet.

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?)

ODFW currently stocks pond. See attached sheet.

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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.

ODFW currently stocks pond. See attached sheet.

b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.

ODFW currently stocks pond. See attached sheet.

- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.
ODFW currently stocks pond. See attached sheet.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

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

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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	Address	
City	State	Zip

SECTION 12: REMARKS

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

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Pond already exists and has since at least the early 1950's.

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ATTACHMENT TO WATER STORAGE PERMIT

SECTION 8:

- a. Describe the location and the dimensions of the spillway channel?
The spillway channel is a 12" pipe under the existing dam and then drains into the old channel. Also, there is an overflow that backs up water into a meadow on the NW end of the dam. Water is channeled into a meadow and doesn't enter the pond.
- b. How will the emergency spillway be designed to prevent erosion?
The emergency spillway is a pair of 20" CMPs that channel water into the old channel. Has worked well for 80 years +/-.
- c. What is the maximum design flow for the Spillway?
There is a 12" "glory hole pipe "at the elevation of the two existing overflow pipes in addition to the headgate pipe that are 20" each and the meadow that is flooded in high water.

SECTION 9:

- a. Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream?
There is continuous fill from the spring and intermittent fill from the unnamed tributary. If need be, there is valving to release water into the stream.
- b. Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.
The current site and dam and surrounding area are already vegetated over by trees, brush, and meadows which the overflow runs into.
- c. Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

Maintenance does not mean that water is released from the reservoir. The headgate can be closed if necessary, so that water does not escape the overflow pipes and then backs up into the meadow on the north end instead. If water is released it is released into another meadow that runs to the river and water is filtered through the meadow and not discharged directly into the river.

Section 12: Remarks

- a. This reservoir has been in existence since the early 1950's. It is off stream and fed by a spring and an unnamed tributary of the John Day River. The Oregon Fish and Wildlife annually stock the reservoir which provides for a popular recreation site. The Forest Service purchased the property because of the reservoir in place. It was done privately by an unknown constructor.

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1:20 POTENTIAL LIABILITY

REAL PROPERTY

INQUIRY

A10100

REF # 2023 R 39644

SPLIT ACCTS - CMD-18 Last Viewd

MAP#	LOT#	A	NUM	CODE	PCL	MCL	AP	VA	ZONE	PAR#	%.xxxx	REAL#	PR
14S35	1600	D	4	400	601	601	3						

OWNER LYNCH, DANIEL

ET ALS

CNTRCT _____

Pg 1 _____

ADDR _____

650 GILMAN AVE

CTY/ST SAN FRANCISCO, CA 94124

SC DEF _____ SITUS:

SITUS:

HOME ID:

FIRE PT ACTION CDS MAPCODE 0400

YR AP 2017 APPR SF STEVE FISCHER

ACRES 67.69 SPC ASM

	RMV	M5 VALUE	TOTAL AV
LAND	92,040	14,970	
IMPROV	16,750	16,750	
SUBTOT	108,790	31,720	
LESS EXEMPTIONS:		0	
LESS VET EXEMPT:			
NET VALUES:		31,720	

NOTES

1/8TH INTEREST

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

ZONED: PRIMARY FOREST

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5/25/23

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1:20 POTENTIAL LIABILITY

REAL PROPERTY

INQUIRY

A10100

REF # 2023 R 2730

SPLIT ACCTS - CMD-18 Last Viewd

MAP#	LOT#	A NUM	CODE	PCL	MCL	AP	VA	ZONE	PAR#	% .xxxx	REAL#	PR
<u>14S35</u>	<u>1600 D</u>	<u>2</u>	<u>400</u>	<u>601</u>	<u>601</u>	<u>3</u>				<u>250000</u>		

OWNER LARSON, PATRICIA - TRUSTEE

ET ALS

CNTRCT _____

Pg 1 _____

ADDR _____

1598 CORDILLERAS ROAD

CITY/ST REDWOOD CITY, CA 94062

SC DEF _____ SITUS: _____

SITUS: _____

HOME ID: _____

FIRE PT ACTION CDS MAPCODE 0400

YR AP 2017 APPR SF STEVE FISCHER

ACRES 135.37 SPC ASM

	RMV	M5 VALUE	TOTAL AV
LAND	184,040	29,910	
IMPROV	34,870	34,870	
SUBTOT	218,910	64,780	
LESS EXEMPTIONS:		0	
LESS VET EXEMPT:			
NET VALUES:		64,780	

NOTES

1/4 INTEREST

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

ZONED: PRIMARY FOREST

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5/25/23

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1:20 POTENTIAL LIABILITY

REAL PROPERTY

INQUIRY

A10100

REF # 2023 R 2729

SPLIT ACCTS - CMD-18 Last Viewd

MAP#	LOT#	A NUM	CODE	PCL	MCL	AP	VA	ZONE	PAR#	%xxxx	REAL#	PR
14S35	1600	D 1	400	601	601	3				750000		

OWNER GRAY, CATHERINE - TTEE-ETAL

ET ALS

CNTRCT _____

Pg 1 GRAY, LAWRENCE A JR TTEE

ADDR _____

1505 SPINNAKER LANE

CTY/ST HALF MOON BAY, CA 94019

SC DEF _____ SITUS:

SITUS:

HOME ID:

FIRE PT ACTION CDS MAPCODE 0400

YR AP 2017 APPR SF STEVE FISCHER

ACRES 338.44 SPC ASM

	RMV	M5 VALUE	TOTAL AV
LAND	460,120	74,770	
IMPROV	87,860	87,860	
SUBTOT	547,980	162,630	
LESS EXEMPTIONS:		0	
LESS VET EXEMPT:			
NET VALUES:		162,630	

NOTES

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

ZONED: PRIMARY FOREST

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5/25/23

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1:20 EXEMPT CLASS

REAL PROPERTY

INQUIRY

A10100

REF # 2023 R 8895

Last Viewd

MAP#	LOT#	A NUM	CODE	PCL	MCL	AP	VA	ZONE	PAR#	%.xxxx	REAL#	PR
14S35	1601		400	971	401	3						

OWNER U S A

ET ALS

CNTRCT _____

Pg 1

ADDR _____

U S A

CTY/ST U S A

99999

SC DEF _____

SITUS: COUNTY

SITUS: 21500

SUMMIT PRAIRIERD

HOME ID: _____

ACTION CDS MAPCODE 0400

YR AP 1996 APPR TF

ACRES

5.00

SPC ASM

RMV

M5 VALUE

TOTAL AV

LAND

43,140

0

NOTES

IMPROV

47,200

0

SUBTOT

90,340

0

LESS EXEMPTIONS:

0

LESS VET EXEMPT:

NET VALUES:

0

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

ZONED: PRIMARY FOREST

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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.15S. R.35E. W.M. GRANT COUNTY

1"=2000'

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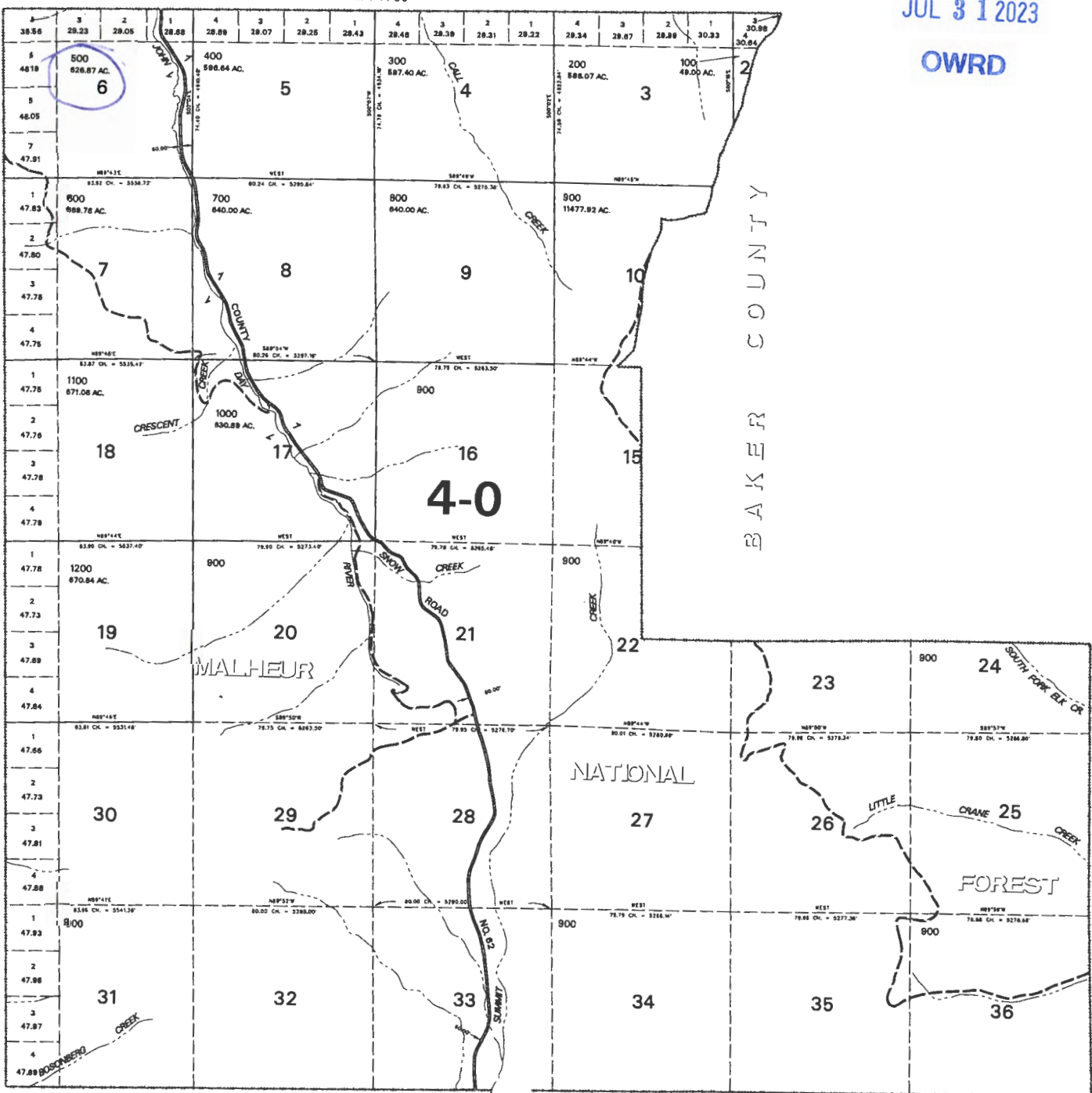
15 35

CANCELLED NO. 1300



SEE MAP 14 35

SEE MAP 15 34



BAKER COUNTY

SEE MAP 15 35

SEE MAP 18 34

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RECEIVED AUG 24 2023 OWRD

REVISED: JD 09/28/01

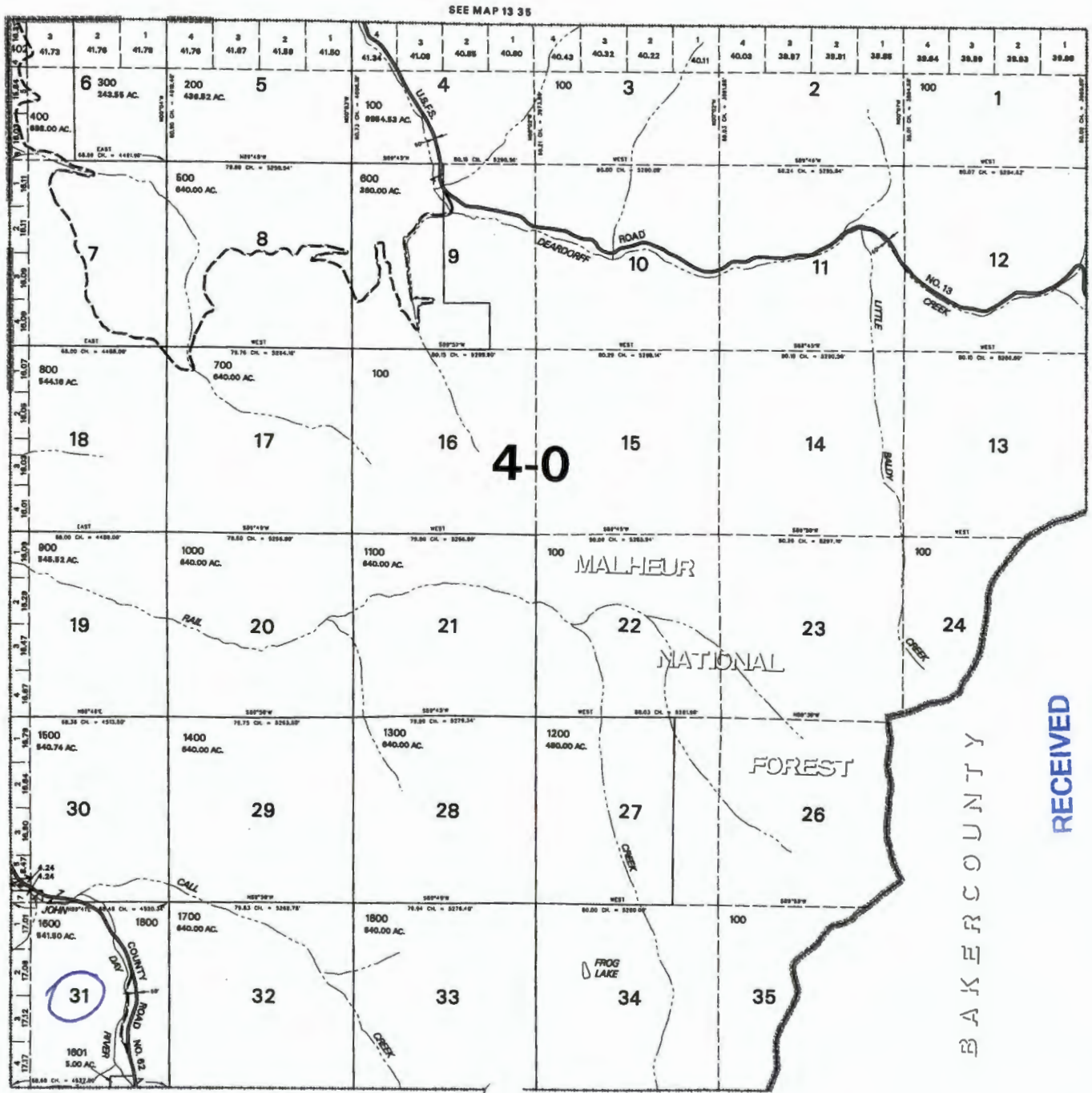
15 35

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.14S. R.35E. W.M. GRANT COUNTY 1"=2000'

14 35

CANCELLED NO. 401 1501 1900



SEE MAP 13 35

SEE MAP 14 35V

SEE MAP 14 34

SEE MAP 16 35

4-0

MALHEUR NATIONAL FOREST

BAKER COUNTY

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RECEIVED JUL 31 2023 OWRD

RECEIVED AUG 24 2023 OWRD

REVISED: JO 03/20/02

COMPUTATION SHEET

SHEET _____ OF _____

MADE BY _____

CHECKED BY _____
(Initial and date)

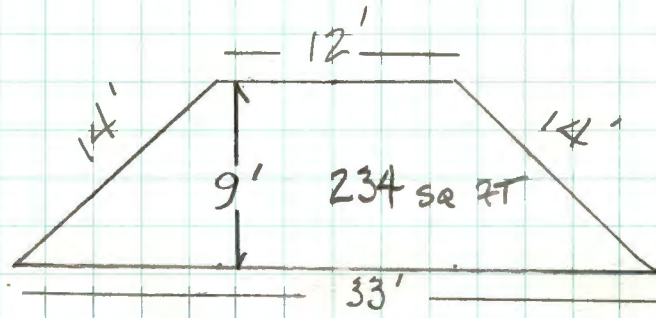
Subject:

TOTAL LENGTH OF DAM 760'
LENGTH ACROSS CHANNEL 160'

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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.wrd.state.or.us

NOTE TO APPLICANTS

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

This form is NOT required if:

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

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NOTE TO LOCAL GOVERNMENTS

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

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Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

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Applicant(s): Malheur National Forest, Prairie City Ranger District

Mailing Address: 327 SW Front Street

City: Prairie City

State: Oregon Zip Code: 97869

Daytime Phone: 541-820-3800

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>15S</u>	<u>35E</u>	<u>6</u>	<u>NENE</u>	<u>500</u>	<u>PF 80(240)</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Recreation, Fisheries Habitat, Fire Suppression</u>
<u>14S</u>	<u>35E</u>	<u>31</u>	<u>SWSE</u>	<u>1600</u>	<u>PF 80(240)</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Recreation, Fire Suppression, Fisheries Habitat</u>
<u>14S</u>	<u>35E</u>	<u>31</u>	<u>SWSE</u>	<u>1601</u>	<u>PF 80(240)</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Recreation, Fisheries Habitat, Fire Suppression</u>
_____	_____	_____	_____	_____	_____	<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:

Grant County, Oregon

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B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) Spring, Unnamed Trib to John Day River

Estimated quantity of water needed: 9.5 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 Rec, Fisheries Habitat, Fire Suppression

Briefly describe:

Divert Spring and Unnamed Tributary into existing pond for Fire Suppression, Fisheries Habitat and Recreation

145 35E TL 1601
 145 35E TL 1600
 155 35E TL 500

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): existing use - pre-dating comp plan
- 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JUL 31 2023	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

The pond has been in existence since before the Grant county comprehensive plan was acknowledged by the state of Oregon - use on USFS not under County authority. source diversion on private lands - allowed to continue

Name: Shannon Springer Title: Planning Director
 Signature: *Shannon Springer* Phone: 541-575-4519 Date: 7/26/2023
 Government Entity: Grant County Planning Department

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

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Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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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.

See bottom of Page 3. →

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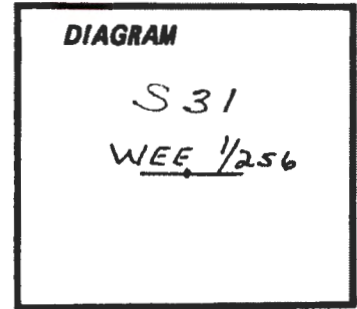
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CERTIFIED RECORD OF LAND CORNER MONUMENTATION

History of original corner establishment:

Nothing set in original survey



Description of corner evidence found:

None

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Description of monument and accessories I established to perpetuate the original location of this corner:

Set 3" ALuminum cap on 2½" Aluminum pipe 30" long & buried 26" in ground with mound of stone to cap.

New Bearing Trees:

- 6" Lodgepole Pine, N19⁰W, 16.5', Scribed WEE 1/256 S31, B.T.
- 8" Spruce, N35⁰E, 1.0', Scribed WEE 1/256 S31, B.T.

All B.T.'s have sign 54-4 & 54-3 attached. Set steel guard post with 54-9 & 54-2 sign, 3' east of monument. Painted red band around bearing trees.

Witnesses: David Scott, Party Chief
Richard Larson, Chainman

MONUMENT STAMPED:

REGISTERED
PROFESSIONAL
LAND SURVEYOR

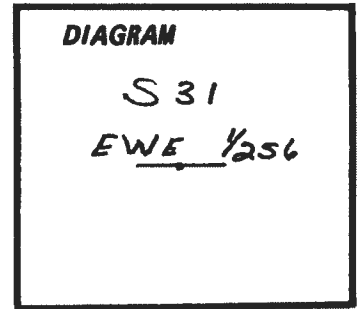
Edgar W. Graves
OREGON
JULY 14, 1972

7145 R35E
S 31
WEE 1/256
1980

CERTIFIED RECORD OF LAND CORNER MONUMENTATION

History of original corner establishment:

Nothing set in original survey



Description of corner evidence found:

None

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Description of monument and accessories established to perpetuate the original location of this corner:

Set 3" Aluminum cap on 2½" Aluminum pipe 30" long & buried 20" in ground with mound of stone to cap.

New Bearing Trees:

- 6" Spruce, N22°W, 17.6', Scribed EWE 1/256 S31, B.T.
- 4" Fir, N54°E, 18.7', Scribed X, B.T.

All B.T.'s have sign 54-4 & 54-3 attached. Set steel guard post with 54-9 & 54-2 sign, 3' west of monument. Painted red band around bearing trees. Tagged trees with L.S. 980 washer.

Witnesses: David Scott, Party Chief
Richard Larson, Chainman

MONUMENT STAMPED:

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Edgar W. Davis

OREGON
MAY 14, 1872

T14S R35E
S 31
EWE 1/256
1980

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PLAT OF SURVEY

of Sections 21, 22, 23, 24, 27, 35 & 36, T14S, R34E
and Sections 17, 19 & 31, T14S, R35E, WM
Grant County, Oregon



BASED FOR BEARINGS
Tied to H&Cay Cadastral Survey
performed by me in 1987
with a Solar Observation
at the SE corner of S18, T15S, R35E

0 500 1000 1500 2000 2500 3000
FEET

LEGEND

- Section & 1/4 Corners Previously Set
- Section & 1/4 Corners Set by Found Evidence
- Section & 1/4 Corners Set by Survey
- Section Subdivision Corner Previously Set
- Witness Corner Set by Found Evidence
- Section Subdivision Corners Set by Survey
- Original Closing Corners Monumented by Others
- Found Original Closing Corners Not Monumented
- Posted Wilderness Boundary Lines
- Posted National Forest Boundary Lines
- MP Boundary Not Posted This Survey
- Section Lines
- Center of Section Lines
- Projected Lines
- Record B.O. Bearing and Distance (S89°48'N, 39.73 ON)
- Legal Subdivision of USFS Property (N&1/4, S&1/4)
- Certified Corner Record Index No. (See Corner Restoration Record)
- Monuments Set this Survey are 2" Alum. Pipes with 21' Alum. Caps except as noted on the S1/4 Corner of Section 3, T15S, R35E

CERTIFICATION

I, Leland Lee Myers, a Professional Land Surveyor registered in the State of Oregon, office located at, 507 E. Ashburn St., PO Box 80, Sutherlin, OR 97577, do hereby certify that I did perform this survey from July 20, 1990 to October 28, 1991 at the request of USDA-Forest Service by Call Cadastral Survey Contract No. 33-D&C-9-0534 and that the information shown herein is correct to the best of my knowledge.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
LELAND LEE MYERS

Examined and accepted for the U.S. Forest Service this _____ day of _____ 199__.

I certify that this survey was performed at the request of the National Forest
Date: 4/23/92
Date:

See Sheet 2 for the NARRATIVE and PROOF OF RECORDING which also apply to this sheet.

SEE SHEET 2

RECEIVED AND FILED

NOV 30 1992
OFFICE OF COUNTY CLERK
Grant County, Oregon
Dennis R. Best

SHEET 1 OF 2

MAP OF SURVEY NO. 1197

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CADASTRAL SURVEY
LOCATED IN SECTION 31 T14S, R35E,
W.M., GRANT COUNTY, OREGON

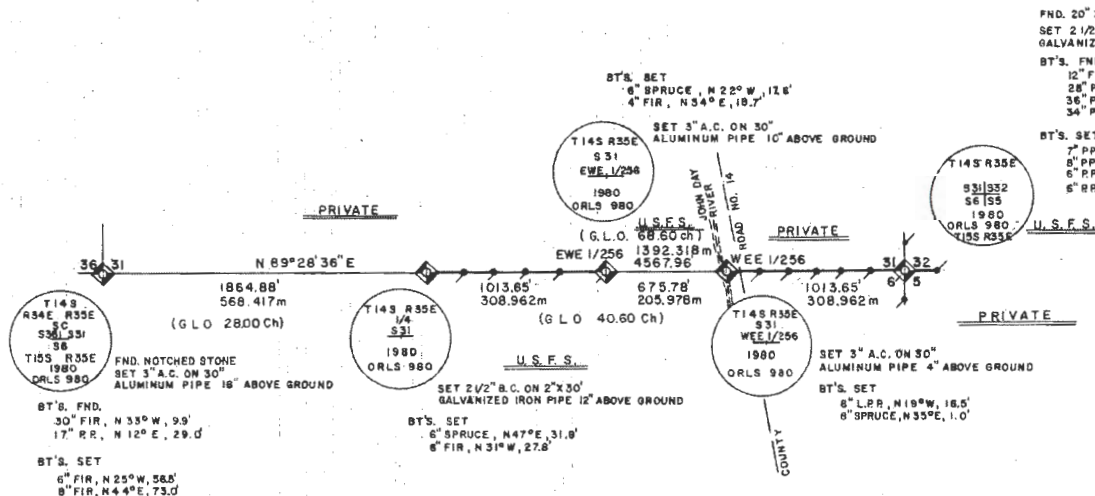
SURVEYOR'S CERTIFICATE:

I, EDGAR W. GRAVES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, DO HEREBY CERTIFY THAT THIS DRAWING AND THE NOTES HEREON OR ATTACHED ARE A CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY DIRECT SUPERVISION DURING AUGUST & SEPTEMBER, 1980 FOR THE U.S. FOREST SERVICE IN ACCORDANCE WITH THE ARTICLES OF CONTRACT NO. 53-04H1-0-7989H WITH GRAVES SURVEYING, INC., BEND, OREGON.

Edgar W. Graves 12/4/80
EDGAR W. GRAVES, O.L.S. NO. 980 DATE

LEGEND:

- ◆ DENOTES MONUMENT FOUND AS NOTED
- ◻ DENOTES BRASS CAPS SET AS NOTED
- |—|—| DENOTES FOREST SERVICE BOUNDARY POSTED
- () DENOTES DATA OF RECORD
- DENOTES APPROXIMATE ROAD LOCATION



FND. 20" X 10" X 10" NOTCHED STONE
SET 2 1/2" B.C. ON 2" X 30"
GALVANIZED IRON PIPE 8" ABOVE GROUND

BT'S. FND.
12" FIR, N11° W, 26.8'
28" PINE STUMP, N59° E, 31.0'
36" P.P., S 84° E, 89.0'
34" P.P., S52° W, 52.6'

BT'S. SET
7" P.P., N 66° W, 33.7'
8" P.P., N 12° E, 36.7'
6" P.P., S 70° E, 44.1'
6" P.P., S 3° W, 21.5'

NOTES:

1. ORIGINAL FIELD NOTES FOR THIS CONTRACT ARE ON FILE IN THE OFFICE OF GRAVES SURVEYING, INC., 224 S.E. TAFT, BEND, OREGON
2. BEARINGS ARE BASED ON SOLAR OBSERVATION.
3. EQUIVALENT DISTANCE IN METERS FOR LINES REQUIRED TO BE SURVEYED UNDER THIS CONTRACT ARE OBTAINED USING A CONVERSION OF 3.28083 FEET PER METER.
4. DIAMETER, SPECIES AND BEARING & DISTANCE TO THE TREES CENTER IS GIVEN FOR BEARING TREES.
5. G.L.O. DATA FROM OFFICIAL NOTES, BY GEORGE R. CAMPBELL IN SEPTEMBER 1900
6. ABBREVIATIONS USED ON THIS PLAT
AC — ALUMINUM CAP L.P. — LODGE POLE PINE
BC — BRASS CAP P.P. — PONDEROSA PINE
BT — BEARING TREE ch. — GUNTER CHAIN
7. ALL MONUMENTS FOUND ARE BASED ON RESURVEYS AND PRIVATE SURVEYS AS NOTED.

LEGAL DESCRIPTION OF PRIVATE LAND

1. ALL OF SECTION 31 EXCEPT THE SW 1/4 SW 1/4 SE 1/4 SE 1/4 AND THE SE 1/4 SE 1/4 SW 1/4 SE 1/4



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Edgar W. Graves
OREGON
JULY 14, 1979
EDGAR W. GRAVES
980

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JAN 10 1981

OFFICE OF COUNTY SURVEYOR
Robert D. Edgett
Attest: *Lucy Johnson*

CADASTRAL SURVEY LOCATED IN SECTION 31, T14S, R35E, W.M., GRANT COUNTY, OREGON		
SCALE: 1" = 500'	APPROVED BY:	DRAWN BY NG & EG
DATE: 12/4/80		REVISED
GRAVES SURVEYING, INC. 224 S.E. TAFT ST. BEND, OREGON.		
MALHEUR NATIONAL FOREST PENDULUM BOUNDARY CADASTRAL		DRAWING NUMBER 80-753

GRANTOR'S NAME AND ADDRESS

Catherine Eileen Gray (Trustee)
1505 Spinnaker Lane
Half Moon Bay, California 94019

Daniel Joseph Lynch (Trustees)
175 Boutwell Street
San Francisco, California 94124

and whom recorded, please deliver this deed and tax statements to:
Lawrence A Gray Jr. and Catherine Gray, Trustees
1505 Spinnaker Lane
Half Moon Bay, California 94019

Esrow No.:

Title Order No.:

STATE OF OREGON }
County of Grant } ss

I certify that this instrument was received and recorded in the book of records of said county.

KATHY MCKENNON
Grant County Clerk
by _____ Deputy,

DOC# 20082149D PG 5
RCPT: 82119 4350
8/18/2008 1:47 PM

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

THIS QUITCLAIM DEED, made and entered into on July 15th, 2008, between **CATHERINE EILEEN GRAY** and **DANIEL JOSEPH LYNCH**, as Trustees of the **GEORGETTE HELEN LYNCH 2000 Revocable Inter-Vivos Trust** hereinafter called Grantors whose addresses are 1505 Spinnaker Lane, Half Moon Bay, California 94019 and 175 Boutwell Street, San Francisco California, 94124, respectively and **LAWRENCE A GRAY JR** and **CATHERINE GRAY**, Trustees under The Gray Trust Agreement dated December 6, 2005 hereinafter called the Grantees whose address is 1505 Spinnaker Lane, Half Moon Bay, California 94019.

THE TRUE CONSIDERATION for this conveyance is EIGHT THOUSAND DOLLARS (\$8000.00), the receipt and sufficiency of which is hereby acknowledged, Grantor hereby REMISES, RELEASES, AND FOREVER QUITCLAIMS to Grantee, all right, title, and interest consisting of an undivided one half interest in said property, unto Grantees and Grantees' heirs, successors and assigns along with all the buildings, appurtenances and improvements situated in the County of Grant and State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO.

TAX ACCOUNTS 4 14-35 1600 D1, D2, D3, and D4; Refs 2729, 2730, 2731 and 39644

SUBJECT TO all, if any, valid easements, rights of way, covenants, conditions, reservations and restrictions of record.

Quitclaim Deed - 1

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TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto Grantees, Grantees' heirs, successors and/or assigns forever; so that neither Grantor nor Grantor's heirs, successors and/or assigns shall have claim or demand any right or title to the undivided one-half interest in said property described above, or any of the buildings, appurtenances and improvements thereon.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed on July 15th 2008.

Catherine Eileen Gray
Catherine Eileen Gray (Trustee)
Daniel Joseph Lynch
Daniel Joseph Lynch (Trustee)

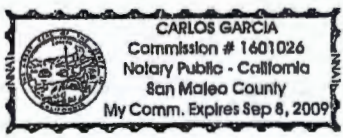
State of California }
County of San Mateo } ss.

On July 15, 2008 before me, Carlos Garcia Notary Public, personally appeared Catherine Eileen Gray and Daniel Joseph Lynch known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein contained.

Witness my hand and official seal.

Carlos Garcia
Signature of Notary Public

NOTARY SEAL



Carlos Garcia
Printed Name of Notary

My commission expires: Sep 8, 2009

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Quitclaim Deed - 2

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The following described real property located in Grant County, Oregon, more particularly described, to wit:

Township 14 South, Range 35 East, Willamette Meridian, Grant County, Oregon;

Section 30: Government Lot 7, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 31: All of said Section 31, EXCEPTING THEREFROM the following:

(a) the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

(b) that portion conveyed to Grant County, Oregon, by deed recorded October 6, 1959 in Deed Book 82, page 17, for right of way.

TAX ACCOUNTS: 4 14-35 1600 D1, D2 AND D3; REFS. 2729, 2730 AND 2731

SUBJECT TO all easements, reservations, restrictions and rights of way of record or apparent on the ground, as well as all liens and encumbrances thereon, including but not limited to the following:

1. As disclosed by the tax roll the premises herein described have been zoned or classified for forest land use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest.
2. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.
3. Rights of the public and governmental bodies in and to any portion of the premises herein described lying below the high water mark of the John Day River, including any ownership rights which may be claimed by the State of Oregon below the high water mark.
4. Such rights and easements for navigation and fishing as may exist over that portion of the property lying beneath the waters of the John Day River.
5. Any adverse claim based upon the assertion that:
 - (a) Said land or any part thereof is now or at any time has been below the ordinary HIGH water mark of the John Day River.
 - (b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
 - (c) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the John Day River, or has been formed by accretion to any such portion.

6. Mineral Reservation, including the terms and provisions thereof, in deed:

Grantor: Eastern Oregon Land Company, a corporation.

Recorded: January 26, 1943

Book: 45

Page: 585

Affects: Section 31, Township 14 South, Range 35 East of the Willamette Meridian

to wit: "Excepting, however, and reserving unto the vendor, its successors and assigns, all minerals in or on said premises (including metals, coal, gas, oil and other valuable deposits of minerals of whatsoever nature), and salt or saline springs or springs of any nature except water, which are now known to exist or

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which hereafter may be discovered in or upon the said lands, together with the right to go upon said lands and prospect or explore for, develop or work the veins or deposits of such minerals, and develop and utilize such springs and the products thereof, and for said purposes to use all surface ground necessary or convenient therefore; the purchaser or his successor in title to be paid the actual damage thereby caused, such damage to be paid within thirty days after the same shall be caused and the amount thereof determined."

- 7. Terms and provisions contained in that certain Quitclaim Deed:
 Grantor: George A. Deleau and Catherine F. Deleau, his wife
 Granted to: Grant County, Oregon
 Recorded: October 6, 1959
 Book: 82
 Page: 17

to wit: "The right of way above described runs through other lands now owned by the grantors herein; and said grantors now have access at several places along the above described right of way, from private roads on their remaining lands to the existing county road which roughly follows the right of way above described. The grantors reserve all of their existing rights of access from their remaining property to the right of way herein granted; and as a part of the consideration for this deed, the grantee agrees that if any future relocation or other road work along this right of way shall interfere with any of grantors' existing points of access, the grantee will, promptly and without cost to grantors, or cause to be done such work as may be necessary to provide the same or equally satisfactory means of access to the relocated county road for the benefit of the grantors, as now exists."

- 8. Reservations, including the terms and provisions thereof, in Patent:
 From: United State of America
 Recorded: June 14, 1965
 Book: 93
 Page: 95

Affects: That portion of the herein described property in Section 30, Township 14 South, Range 35 East of the Willamette Meridian
to wit: "Reserving, also, to the United States all minerals in the land described, with the right to mine and remove the same in accordance with the provisions of said Act of February 28, 1925 (43 Stat. 1090)."
"Reserving, also, to the United States an easement for existing Forest development road #1427, being 60 feet in width, lying equally on each side of the center line of said road, over and across the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, in accordance with the provisions of the Act of February 28, 1925 (43 Stat. 1090)."

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#53012

BOOK 32 PAGE 195

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal this 14th day of JANUARY, 1965.

Catherine F. Deleau (SEAL)

ACKNOWLEDGMENT

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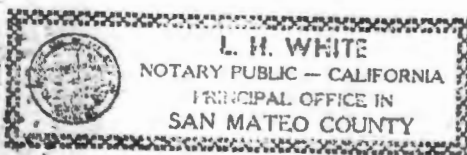
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STATE OF CALIFORNIA }
COUNTY OF SAN MATEO } ss:

On this day personally appeared the above-named Catherine F. Deleau and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me this 14th day of JANUARY, 1965.

(Seal)



L. H. White
Notary Public in and for the State of CALIFORNIA

My Commission Expires August 16, 1968

53112 John Luvina Feb. 3-1965 - 2:05 P.M. Edna Campbell

(Checked as to description, consideration, acreage and conditions. Dated this _____ day of _____, 19__.

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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

T.15S. R.35E. W.M. GRANT COUNTY

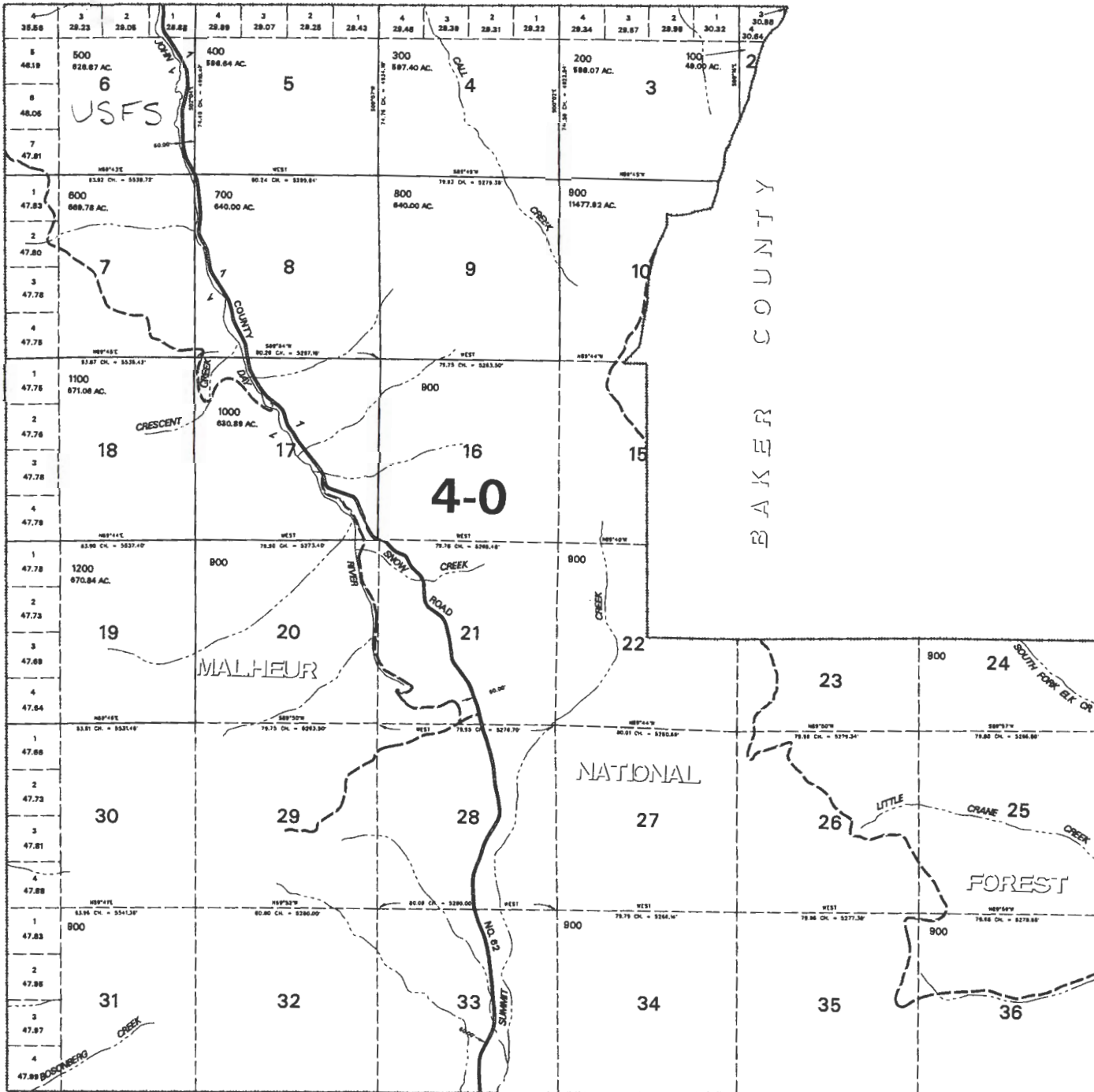
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15 35

CANCELLED NO.
1300



SEE MAP 14 35



BAKER COUNTY

SEE MAP 15 34

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SEE MAP 15 35V

REVISED: JD
09/28/01

15 35

SEE MAP 18 34

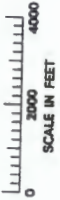
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

T.14S. R.35E. W.M. GRANT COUNTY

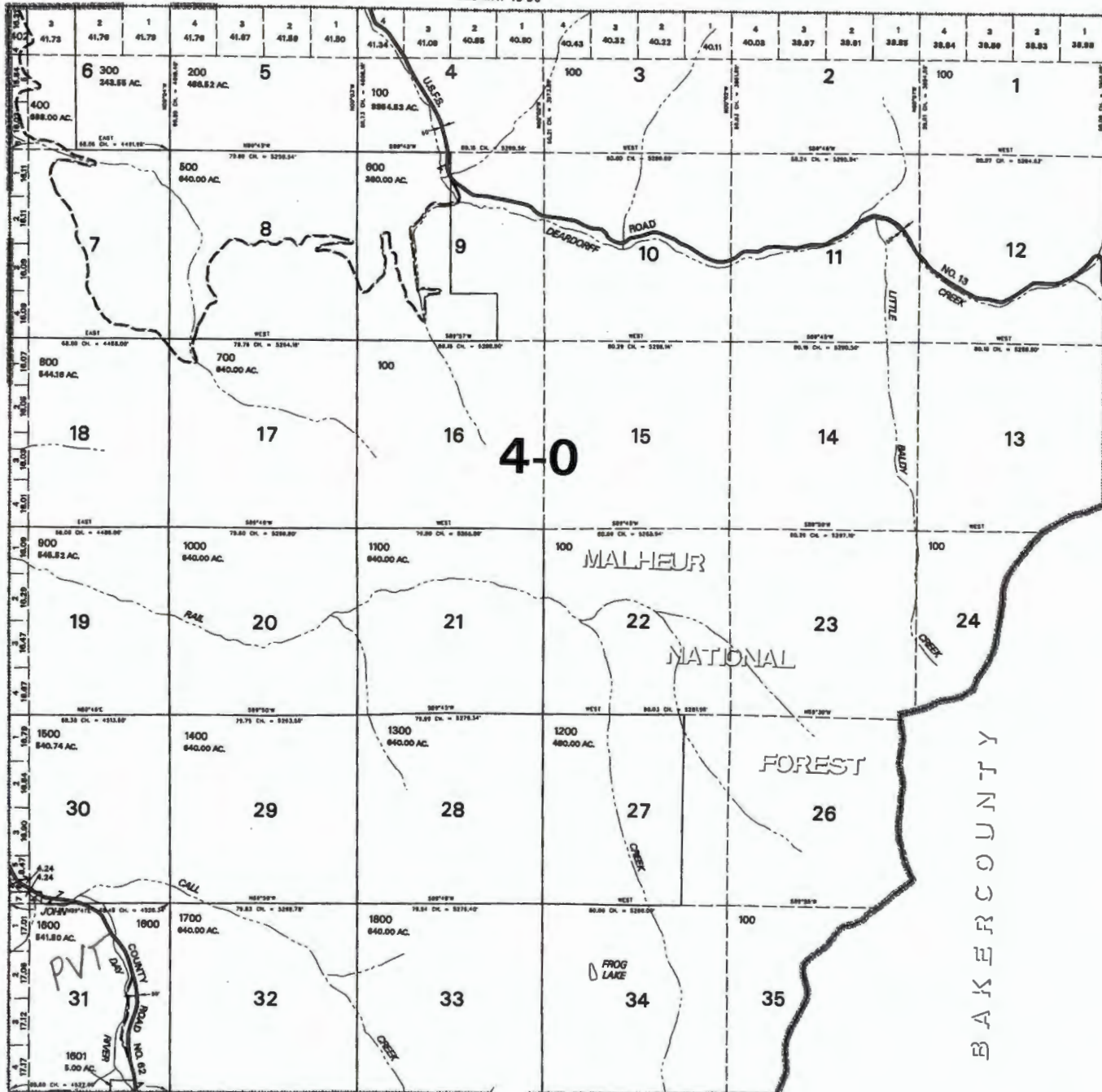
1"=2000'

14 35

CANCELLED NO.
401
1501
1800



SEE MAP 13 35



SEE MAP 14 35V

SEE MAP 14 34

4-0

MALHEUR

NATIONAL

FOREST

BAKER COUNTY

FROG LAKE

USFS

SEE MAP 15 35

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REVISED: JD
03/20/02

15



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 2, 2023

Malheur National Forest
Prairie City Ranger District
327 SW Front St
Prairie City, OR 97869

Dear Applicant:

The Water Resources Department has received your application for a permit to store water in a reservoir. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules 690-310-0040 and 0050.

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the reverse side of this letter.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801 or 503-986-0810.

Sincerely,

Corie Lovrien
Water Rights Customer Service Representative
Oregon Water Resources Department

WM District #4

Enclosures: Application.

This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.

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Application Completeness | Summary of Needed Items:

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. This requirement can be met by providing a copy of the deed, land sales contract, title insurance policy, or a lot book report prepared by a title company. Copies of tax bills are not acceptable.

A **Map** that includes the following items:

Location of each dam by reference to a recognized public land survey corner (distances north/south and east/west)

Application Fees: The application was submitted without a check. In order to accept the application, the Department must receive at least the exam fee of \$1500.00. Please see the attached fee calculator for a summary of how those fees are calculated.

Base Application Fee.		\$1,090.00
Number of acre feet to be diverted for Storage.	9.5	\$410.00
Number of reservoirs.	1	
Subtotal:		\$1,500.00
Permit Recording Fee. ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,110.00

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8/17/2023

RE: Malheur National Forest Application for a water rights permit at the existing "Trout Farm"

Please find the following:

A copy of the state form that addresses application completeness.

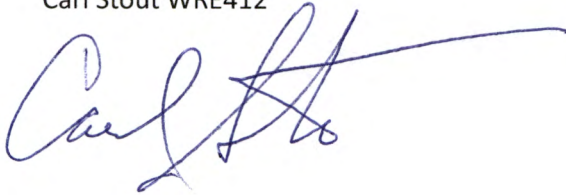
A map with the requested ties to the GLO section corner (not to scale and hand drawn) The reason that the dam was not tied to the GLO on the original map is this application is a request for a permit which in theory means that a dam has not been built and thus not germane to the initial process.

Page 2 of the original state form that shows the requested legal description.

Also provided is a copy of the tax maps for the affected properties as well as deeds for the properties.

A copy of the plat map for the survey that delineated the properties.

Carl Stout WRE412



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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: \$ 2110
See the Department's Fee Schedule at 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.

Water-Use Permit Application Processing

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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.

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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 \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

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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. 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 \$480.00 for the applicant and \$950.00 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

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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.

- 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).*

T 14S, R35E, Tax Lot 1600 is owned by 3 different people and has a ditch that feeds the pond. See attachments.

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: Trout Farm

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: Unnamed Spring	Tributary to: John Day River
TRSQQ of POD: T15S, R35E, Sec 6, NENE	
Source 2: Unnamed Tributary	Tributary to: John Day River
TRSQQ of POD: T14S, R35E, Sec 31, SWSE	

- 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: **Spring, unnamed trib, snow**



Oregon

Tim Cook, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 2, 2023

Malheur National Forest
Prairie City Ranger District
327 SW Front St
Prairie City, OR 97869

Dear Applicant:

The Water Resources Department has received your application for a permit to store water in a reservoir. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules 690-310-0040 and 0050.

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the reverse side of this letter.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801 or 503-986-0810.

Sincerely,

Corie Lovrien
Water Rights Customer Service Representative
Oregon Water Resources Department

WM District #4

Enclosures: Application.

This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.

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Application Completeness | Summary of Needed Items:

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. This requirement can be met by providing a copy of the deed, land sales contract, title insurance policy, or a lot book report prepared by a title company. Copies of tax bills are not acceptable.

A **Map** that includes the following items:

Location of each dam by reference to a recognized public land survey corner (distances north/south and east/west)

Application Fees: The application was submitted without a check. In order to accept the application, the Department must receive at least the exam fee of \$1500.00. Please see the attached fee calculator for a summary of how those fees are calculated.

Base Application Fee		\$1,090.00
Number of acre feet to be diverted for Storage	9.5	\$410.00
Number of reservoirs	1	
	Subtotal	\$1,500.00
Permit Recording Fee. ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,110.00

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August 17, 2023

This application payment will be made via ACH. We have received the instructions provided by Trisha Hage, Senior Accountant with Oregon State Water Resources Dept. Once this application is officially accepted, please call or email so we can start the ACH process.

Thank you!



Devrin Wike
Support Service Specialist *detail*
(She/Her/Hers)

Forest Service
Malheur National Forest,
Prairie City Ranger District



p: 541-820-3812
Devrin.Wike@usda.gov

327 SW Front St
Prairie City, OR 97869
www.fs.fed.us



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