

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

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 Perry A. Baker		PHONE (HM) na	
PHONE (WK) 503-947-6241	CELL 971-718-4422	FAX na	
MAILING ADDRESS 4034 Fairview Industrial Dr. SE			
CITY Salem	STATE OR	ZIP 97302	E-MAIL * perry.a.baker@odfw.oregon.gov

**Organization**

NAME Oregon Department of Fish and Wildlife		PHONE		FAX
MAILING ADDRESS 4034 Fairview Industrial Dr. SE			CELL	
CITY Salem	STATE OR	ZIP 97302	E-MAIL * perry.a.baker@odfw.oregon.gov	

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

AGENT / BUSINESS NAME Justine Brumm / Oregon Department of Fish and Wildlife		PHONE 541-799-4556		FAX
MAILING ADDRESS 26969 Cantrell Rd			CELL 541-799-4556	
CITY Eugene	STATE OR	ZIP 97402	E-MAIL * justine.a.brumm@odfw.oregon.gov	

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.)

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**MAR 07 2024**

**Salem, OR**

**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.**

Justine Brumm Justine Brumm, ODFW Project Biologist 2/08/2024  
 Applicant Signature Print Name and Title if applicable Date

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

  
Applicant Signature

ODFW Engineer CWRE  
Print Name and Title if applicable

2/26/24  
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.

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## SECTION 3: SOURCE OF WATER

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**A. Reservoir Name:** Coyote Creek Northeast

**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: Diffuse run-off	Tributary to: N/A
TRSQQ of POD: 17S, 5W, 35-36. Tax lot #502	
Source 2:	Tributary to:
TRSQQ of POD:	

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

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



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: Diffuse run-off

#### 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) 986-0900.

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

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

Yes  No

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

**If yes,**

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

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Store Water — Page 3

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

Rev. 07-21

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

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

Yes  No

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

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

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

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

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

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

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

Yes  No

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

**SECTION 5: WATER USE**

- a) The use of the impounded water will be: Wildlife
- b) The amount of water to be stored is: 24 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 41.75 acres.

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## SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 2.0 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:

## 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.*

Two water control structures will be installed. One for Berm #1 and one for Berm #2. Each structure will be identical, consisting of an 8" pvc pass thru pipe at the base of the berms with 8" hand operated valves. See Site Map for locations. Water will passively seep through the soil and around the edges of berms. These berms/dams are not across a natural stream channel.

b) How and when will the outlet be operated?

Upon permit issuance, water outlets will be operated in accordance with permitted use. Outside of the allowable storage season outlets will be opened to allow water to pass through berms.

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)?

The berms/dams are not across a natural stream channel; the pools are expected to dry out completely by June 30.

## SECTION 8: EMERGENCY SPILLWAY

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

N/A

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

N/A

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?)

N/A

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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.

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A suite of native wetland plant species will be seeded within the reservoir, on the berms, and across the property to aid in water filtration and maintain water quality within and downstream of the reservoir.

- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination. The entire buffer of the reservoir/pools will be seeded with native wetland forbs and graminoids, helping to filter water and limit contamination.
- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.  
These pools are no more than 2 ft deep and are expected to completely dry up by early to mid-summer. Any vegetation and other maintenance will be conducted during the summer months after water has been absorbed into the soil.

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

- a) Proposed date construction work will begin: September 2023  
(Fish passage approval is necessary prior to construction.)
- b) Proposed date construction work will be completed: November 2023
- c) Proposed date water use will be completed: January 2024

**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.  
The goal of this project is to benefit wetland habitat and provide local infrasustructure benefits by capturing and slowing the movement of run off waters, improving water quality, allowing the recharge of ground water reserves, lowering temperatures of water feeding into local tributaries, providing flood and erosion control, and creating critical habitat for species of conservation priority.

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# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

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This form is **NOT** required if:

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- 1) Water is to be diverted, conveyed, and used on federal lands only; **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.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD\_DL\_customerservice@water.oregon.gov.

# Land Use Information Form



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

**Applicant**

NAME Oregon Department of Fish and Wildlife			PHONE (HM)		
PHONE (WK) 541-799-4556		CELL		FAX	
ADDRESS 26969 Cantrell Rd					
CITY Eugene		STATE OR	ZIP 97402	E-MAIL* justine.a.brumm@odfw.oregon.gov	

**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:
17S	5W	35-36		502	Exclusive Farm Use/E40	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Wildlife
						<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:

Lane County, Eugene, OR

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**B. Description of Proposed Use**

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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) Diffuse runoff

Estimated quantity of water needed: 24 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 Wildlife

Briefly describe:

The goal of the project is to benefit wetland habitat and provide local infrastructure benefits by capturing and slowing movement of run off, improving water quality, allowing the recharge of ground water reserves, lowering temperatures of water feeding into local tributaries, providing flood and erosion control, and creating critical habitat for species of conservation priority.





## 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): LC 16.212(3)-1.5
- 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.

"creation of, restoration of, or enhancement of wetlands" allowed outright in EFV zone

NAME: <u>TED ALBERON</u>	TITLE: <u>LMO TECHNICIAN</u>
SIGNATURE: <u>[Signature]</u>	PHONE: <u>541-682-6446</u>
GOVERNMENT ENTITY: <u>LANE COUNTY</u>	DATE: <u>1-4-24</u>

**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: \_\_\_\_\_ **Received by OWRD** 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.

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RECEIVED

LAND MANAGEMENT DIVISION

Date Received DEC 21 2023



# TYPE I APPLICATION Zoning Determination Application

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # 509-PAZS-05743 FEE: \$170.00 PAID

Applicant (print name): Justine Brumm

PAID DEC 21 2023

Mailing address: 26969 Cantrell Rd, Eugene, OR 97402

Phone: (541) 799-4556 Email: justine.a.brumm@odfw.oregon.gov

Applicant Signature:

### PROPERTY LOCATION

17-05-36-00 Tax lot 502

Assessor's Map and Tax Lot

44.041769, -123.242888

Site address

The Zoning Determination Application (ZD) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

Review of a Land Use Information Form as part of an application for a Permit to Store Water in a Reservoir (for standard review by the Oregon Department of Water Resources). The proposed use of water is for wetland habitat and the benefit of wildlife.

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**EXHIBIT A**

**LEGAL DESCRIPTION**

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**PARCELS I AND II**

The South half of the South half of Section 36, and the South half of the North half of the South half of Section 36, Township 17 South, Range 5 West, Willamette Meridian, Lane County, Oregon.

LESS AND EXCEPT any portion thereof which is not described in that certain Quitclaim Deed recorded on November 17, 1977 as Instrument No. 7773679, Lane County Official Records, in Lane County, Oregon.

ALSO LESS AND EXCEPT the real property described in that certain Personal Representative's Deed recorded on August 1, 2014 as Instrument No. 2014-029963, Lane County Deeds and Records, in Lane County, Oregon.

ALSO LESS AND EXCEPT any portion of the real property described in Instrument No.7773679 lying within the real property described in that certain Warranty Deed recorded on May 21, 1965 as Instrument No. 4311, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO LESS AND EXCEPT any portion of the real property described in Instrument No.7773679 lying within the right-of-way of Cantrell Road, which occupies the South line of said Section 36, or within the existing right of way of Nielsen Road, which occupies the West line of said Section 36, in Lane County, Oregon.

**PARCEL III:**

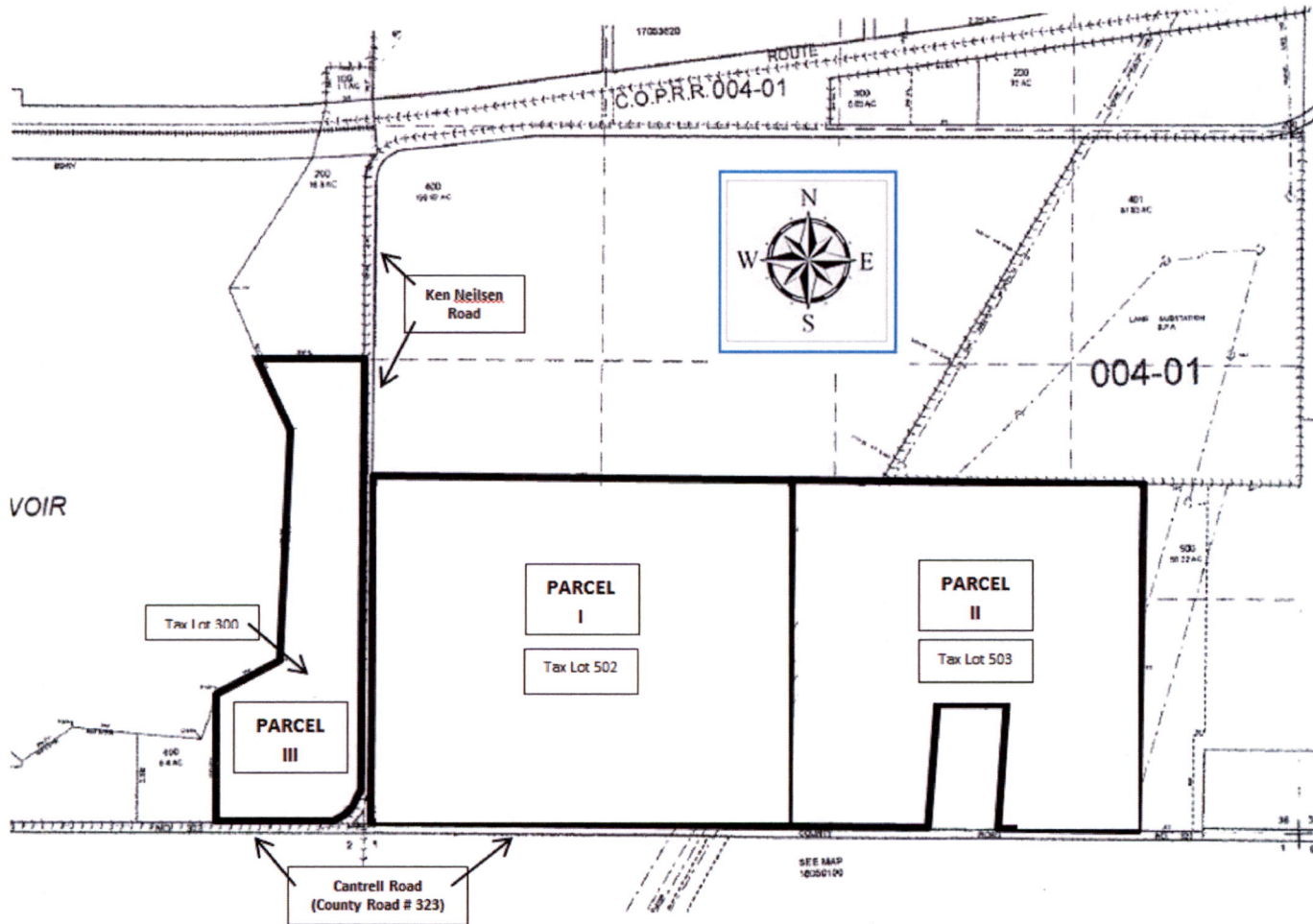
All of the East 50 rods of the Southeast quarter of Section 35, Township 17 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon.

EXCEPTING THEREFROM the following described premises:

Beginning at the quarter corner between Sections 35 and 36, Township 17 South, Range 5 West of the Willamette Meridian; thence West along the North line of the Southeast quarter of said Section 35, a distance of 640 feet to the intersection with the traverse along the 377-foot contour line and the true point of beginning; thence on the traverse along said 377-foot contour line as follows: South 23° 58' 32" East 440 feet; thence South 1° 58' 48" West 1299.95 feet; thence South 64° 13' 53" West 375 feet to the West line of the property of Annj Merryman; thence North along the West line of said property 1850 feet to the North line of the Southeast quarter of said Section 35; thence East along the North line of the Southeast quarter of said Section 35 to the true point of beginning, in Lane County, Oregon.

EXHIBIT B

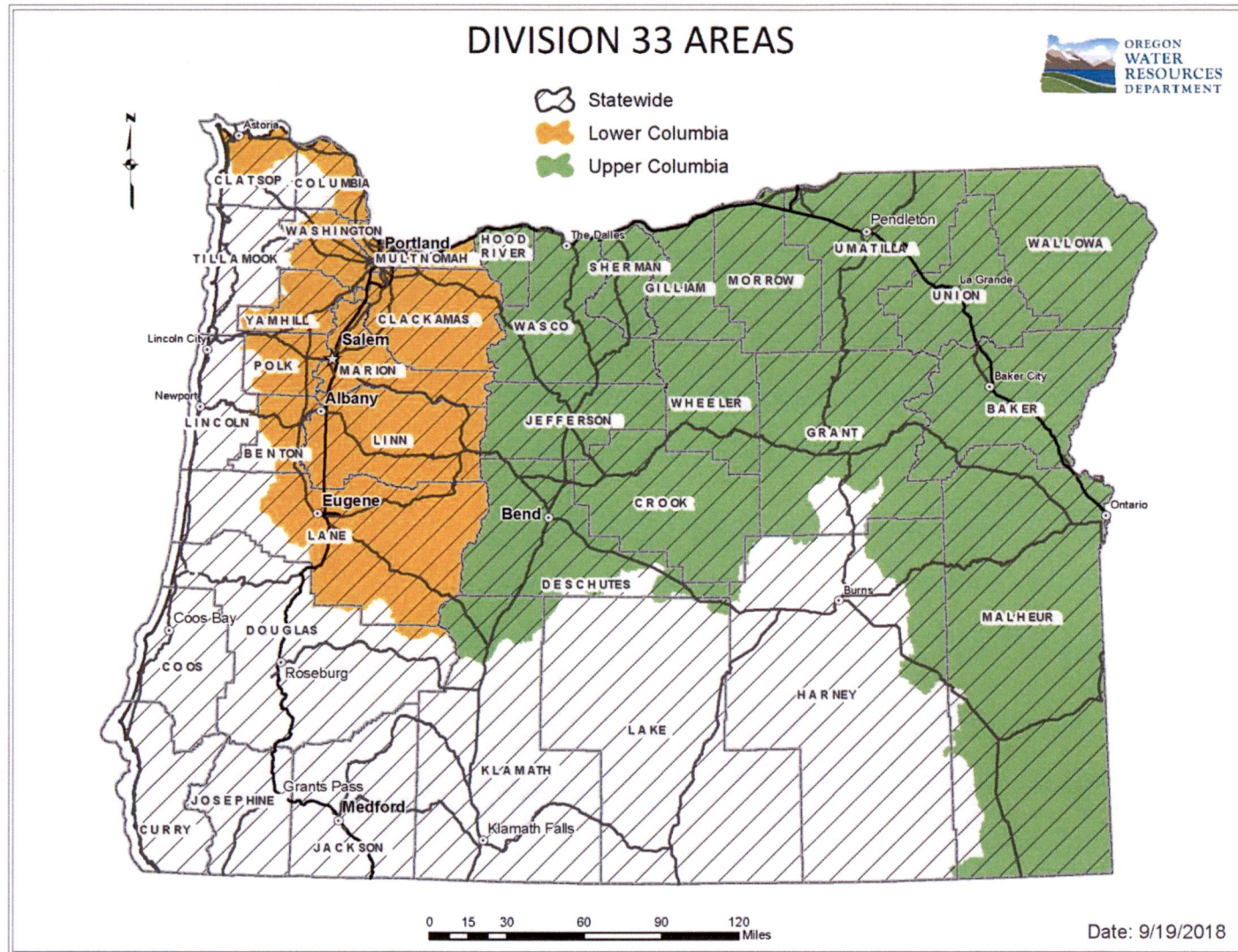
MAP



This map is for reference and assistance in locating the subject parcels only. It may not be to scale. Refer to Legal Description on Exhibit A for property boundaries.

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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: [https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)





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Salem, OR

Date Received (Date Stamp Here)

### OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Perry Baker  
4034 Fairview Industrial Dr. SE, Salem OR 97302

Transaction Type: Reservoir

Fees Received: \$ 2685.60

Cash     Check:    Check No. 126961068  
Name(s) on Check: Cashiers Check

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,  
OWRD Customer Service Staff

Submission received by: Corie Lornien  
(Name of OWRD staff)

#### Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

## 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

#### 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)

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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.

### 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.

### 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 \$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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