

APR 03 2024

Application for a Permit to **Salem, OR**
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 JOHN AND DEBORAH COLE		PHONE (HM) (541) 934-2080	
PHONE (WK)	CELL (541) 620-0019	FAX	
MAILING ADDRESS 37816 COTTONWOOD ROAD			
CITY MONUMENT	STATE OR	ZIP 97864	E-MAIL * goodoutfitter@hotmail.com

Organization

NAME		PHONE	FAX
MAILING ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME DAVID NEWTON/H.A. MCCOY ENGINEERING & SURVEYING, LLC		PHONE	FAX
MAILING ADDRESS 2083 MOUNTAIN VIEW COURT			CELL (541) 325-3905
CITY WEST LINN	STATE OR	ZIP 97068	E-MAIL * dnewton@newtonconsultants.com

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally store water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.



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

	owner	03/21/2024
Applicant Signature	Print Name and Title if applicable	Date
	owner	3/21/24
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.

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

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

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. *LEGAL DESCRIPTION INCLUDED IN APPENDIX A.*

SECTION 3: SOURCE OF WATER

A. Reservoir Name: HOME PLACE POND

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 INTERMITTENT DRAINAGE COURSE & SPRING	Tributary to: Cottonwood Creek, Tributary to North Fork, John Day River
TRSQQ of POD: TOWNSHIP 10 SOUTH, RANGE 27EAST, SECTION 25, NW1/4SE1/4	
Source 2:	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know *X¹*
- 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 *X² X² NOT IN COTTONWOOD CREEK 100-YEAR FLOODPLAIN; WITHIN THE DRAINAGE CHANNEL FLOODPLAIN*
- If the reservoir is not in the channel of a stream, state how it is to be filled:

X¹ NO WETLANDS ON NATIONAL WETLANDS INVENTORY MAP.

For Department Use: App. Number: _____

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

HOME PLACE POND

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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Superseded

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

HOME PLACE POND

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: MULTIPLE USES
- b) The amount of water to be stored is: 0.73 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 0.17 acres.

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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 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: LIVESTOCK, FIRE PROTECTION
- b) The amount of water to be stored is: 0.73 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 0.17 acres.

HOME PLACE POND

SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be (is) 15 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:

SEE FOLLOWING SUPPLEMENTAL SHEETS FOR APPLICATION SECTIONS 6 THRU 9

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.

b) How and when will the outlet be operated?

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)?

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SECTION 8: EMERGENCY SPILLWAY

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

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

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

SECTION 9: WATER QUALITY

a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.

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

INFORMATION SHEET SUPPLEMENTAL TO APPLICATION SECTIONS 6 THROUGH 9

SECTION 6: DAM HEIGHT AND COMPOSITION – HOME PLACE POND

The maximum height of the structure is **15** 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) 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 Department Dam Safety Section prior to storage of water.

The dam is: Earth-Fill Other

If "other," provide the description:

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This is an existing earth-fill dam and small impounded pond built circa 2005. The dam is constructed across an intermittent drainage channel that conveys small amount of spring discharge with limited amounts of surface runoff generated by storm events. The maximum dam height above the bed of the drainage channel is 15 feet, the crest width is 13 feet, the pond surface area is 0.17 acre, and maximum storage is 0.73 acre-feet. Sketch drawings of the dam cross-section and plan view of the dam, and notes are included in Appendix B of this application.

SECTION 7: PRIMARY OUTLET WORKS – HOME PLACE POND

- 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.*

There is no outlet pipe through the dam. Small pond and small storage volume of 0.73 acre-feet for livestock and fire protection. No need to vacate water from the pond in normal operation.

- b) How and when will the outlet be operated?

A pump is planned for vacating pond of water if necessary.

- 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 dam is across an intermittent drainage course, the remanent of which below the pond is a relatively broad, shallow, dry (October 2023, March 2024 observations), partially grass-covered swale with some trees, flanked on each side by pasture grass areas. The swale is flanked on both sides by areas of pasture grass. There is no streambed with rock, or gravel-

boulder complexity, or riparian vegetation in the reach from the pond, through the pasture grass area. There is no evidence of stream flows through the swale in recent times. Distance from dam to Cottonwood Creek (perennial stream) is approximately 500 feet.

INFORMATION SHEET SUPPLEMENTAL TO APPLICATION SECTIONS 6 THROUGH 9

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SECTION 8: EMERGENCY SPILWAY – HOME PLACE POND

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

Overflow channel located in natural ground abutment area near north end of dam. Channel is roughly trapezoidal in cross-section shape with minimum flow depth of 1 foot. Patchy grass and sod exist on channel bottom and sides. The bottom width varies, with an average width of 2.1 feet. The average width of the channel at an approximate elevation of 1 foot above the bottom is about 6.8 feet. Overflow channel details are shown on pond plan view in Appendix B of this application.

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

Overflow channel mostly patch work of grass and sod, with minimal historic erosion evidence. Channel changes to heavily vegetated ditch which carries overflow water into pasture grass fields downstream of dam. No ditch erosion observed. The ditch extends toward Cottonwood Creek; however, it disappears in the pasture area without reaching Cottonwood Creek. Maximum estimated flow velocity in overflow channel at dam for 1 foot flow depth is 1.6 feet per second. Permissible maximum velocity relative to erosion of unlined channel in sand is 2.5 feet per second (Practical Hydraulics, Simon, 1981). The estimated channel slope at 1 percent is permissible for flow velocity up to 4 feet per second for sandy silt soils (Practical Hydraulics, Simon, 1981).

- 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?)

Watershed area 0.30 square miles; 10-year peak watershed discharge 0.96 cfs; 25-year peak discharge 1.39 cfs; 50-year peak discharge 1.75 cfs; 100-year peak discharge 2.14 cfs (OWRD-Cooper Regression Equations).

Maximum capacity of overflow channel estimated at approximately 7 cfs, with estimated velocity of 1.6 feet per second. Estimated flow capacity exceeds 100-year peak discharge without additional overflow capacity of primary outlet works.

SECTION 9: WATER QUALITY – HOME PLACE POND

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.

1. ***Periodic treatments of pond with Beneficial Bacteria (commercially available for pond use); 2. Addition of vegetation barrier at pond edge to limit runoff and livestock waste access to pond; 3. Control aquatic weeds; removals at end of warm season (pond raking).***
- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.

Buffer pond perimeter with vegetation barrier; use beneficial plants at pond edge to minimize runoff and minimize shoreline erosion.

- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

Pond is small at 0.17 acre surface area and storage at 0.73 acre-feet. Annual maintenance will not require water discharge from pond. Maintenance accompanied by Beneficial Bacteria treatment. Flow distance from pond, through the above-described, intermittent swale, through pasture grass areas to nearest perennial flowing stream (Cottonwood Creek) is approximately 1,008 feet.

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HOME PLACE POND

c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

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

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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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: \$ 1,492.00
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)

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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

NAME JOHN AND DEBORAH COLE			PHONE (541) 934-2080		
MAILING ADDRESS 37816 COTTONWOOD ROAD					
CITY MONUMENT		STATE OR	ZIP 97864	EMAIL goodoutfitter@hotmail.com	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
T10S	R27E	25	NWSE	2600	mur	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
						<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:

GRANT

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) Unnamed drainage & spring

Estimated quantity of water needed: 0.73 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 Multiple Uses

Briefly describe:

Existing HOME PLACE POND impounded by earth fill dam on intermittent drainage. Pond surface area approximately 0.17 acre. Water source for storage from occasional storm runoff and small spring. Water is for multiple use, with primary uses for fire protection and livestock.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

//

Cole
105 275 25 TL 2600

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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Article 11 Cell Grant Co Land development code
- Land uses to be served by the proposed water use(s), 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

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

Use stock used allowed in agriculture zone.

Name: Shannon Springer Title: Planning Director
 Signature: [Signature] Date: 4/2/2024
 Governmental Entity: Grant County Phone: 541-575-1519

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:
 Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note 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 all other applications.

Applicant Name: _____
 Staff Name: _____ Title: _____
 Staff Signature: _____ Date: _____
 Governmental Entity: _____ Phone: _____

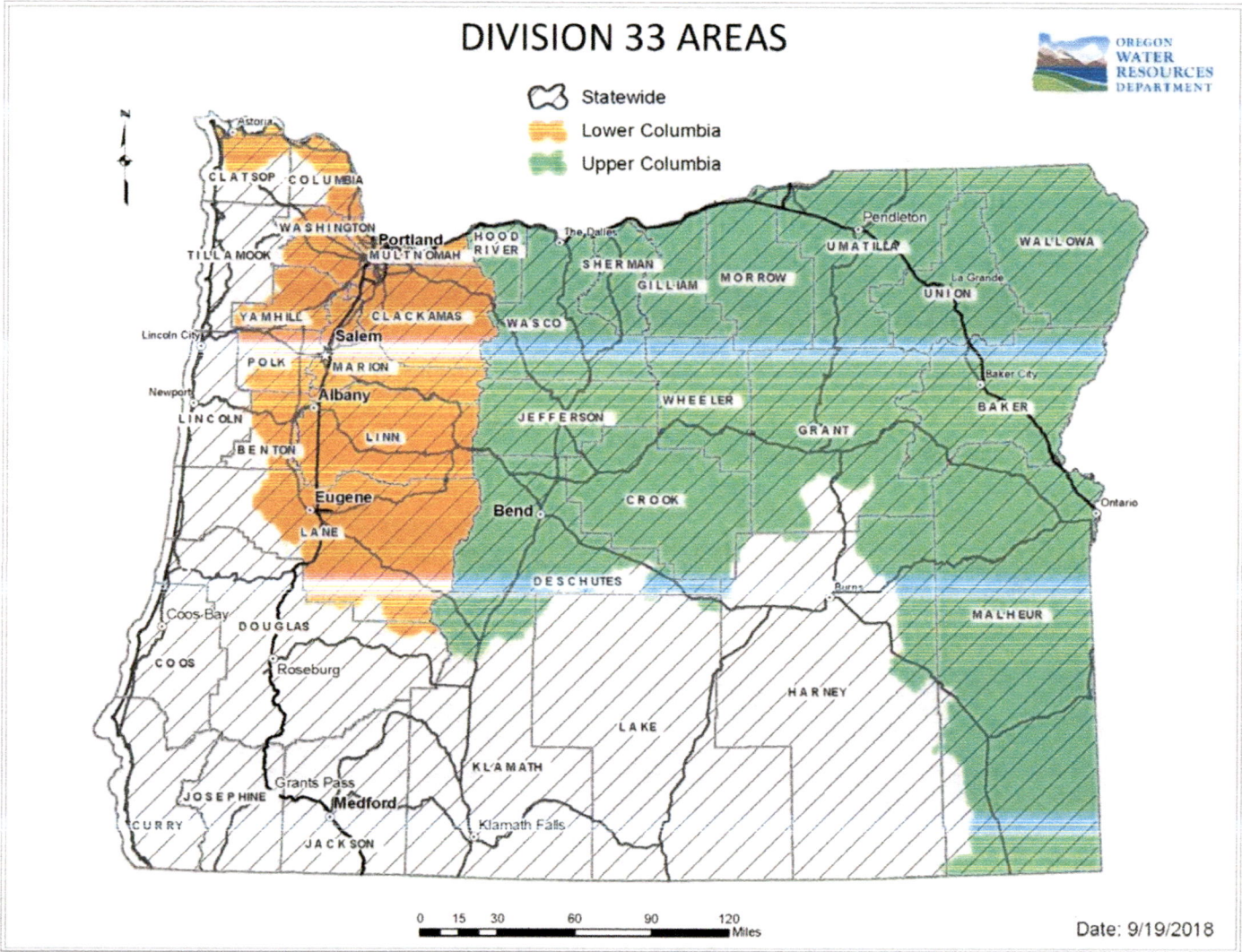
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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a 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/

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SECTION 2: PROPERTY OWNERSHIP

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

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

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

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. *LEGAL DESCRIPTION INCLUDED IN APPENDIX A.*

SECTION 3: SOURCE OF WATER

A. Reservoir Name: UPPER CAPTAIN MORGAN POND

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 INTERMITTANT DRAINAGE CHANNEL & SPRING	Tributary to: COTTONWOOD CREEK
TRSQQ of POD: TOWNSHIP 10 SOUTH, RANGE 27 EAST, SECTION 24, SW1/4 SE1/4	
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? 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:

**1 NO WETLANDS ON NATIONAL WETLANDS INVENTORY MAP.*

**2 *2 NOT IN COTTONWOOD CREEK 100-YEAR FLOODPLAIN; WITHIN THE DRAINAGE CHANNEL FLOODPLAIN*

For Department Use: App. Number: _____

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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 *UPPER CAPTAIN MORGAN POND.*

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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UPPER CAPTAIN MORGAN POND

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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 [x] 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?

[x] 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: LIVESTOCK, FIRE PROTECTION
b) The amount of water to be stored is: 0.35 acre-feet.
c) The area submerged by the reservoir, when filled, will be 0.09 acres.

Superseded

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

UPPER CAPTAIN MORGAN POND

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

Yes No

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

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

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

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

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

Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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

SECTION 5: WATER USE

- a) The use of the impounded water will be: MULTIPLE USES
- b) The amount of water to be stored is: 0.35 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 0.09 acres.

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For Department Use: App. Number: _____

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UPPER CAPTAIN MORGAN POND

SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be (is) 15 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:

SEE FOLLOWING SUPPLEMENTAL SHEETS FOR APPLICATION SECTIONS 6 THRU 9

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.
- b) How and when will the outlet be operated?
- c) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?

SECTION 8: EMERGENCY SPILLWAY

- a) Describe the location and the dimensions of the spillway channel.
- b) How will the emergency spillway be designed to prevent erosion?
- c) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?)

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SECTION 9: WATER QUALITY

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.
- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination.

For Department Use: App. Number: _____

INFORMATION SHEET SUPPLEMENTAL TO APPLICATION SECTIONS 6 THROUGH 9

SECTION 6: DAM HEIGHT AND COMPOSITION – UPPER CAPTAIN MORGAN POND

The maximum height of the structure is 15 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) 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 Department Dam Safety Section prior to storage of water.

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The dam will be: Earth-Fill Other

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If "other," provide the description:

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This is an existing earth-fill dam and small impounded pond built circa 2005. The dam is constructed across an intermittent drainage channel that conveys small amount of spring discharge and some surface runoff generated by storm events. The maximum dam height above the drainage channel bed is 15 feet, the crest width is 14 feet, the pond surface area is 0.09 acre, and maximum storage is 0.35 acre-feet. Riprap boulders in roughly 8" to 24" sizes observed on upper part of upstream dam slope in general maximum water level zone. A local gap in riprap allows cattle access to pond water. Sketch drawings of the dam cross-section and plan view of the dam, and notes are included in Appendix B of this application.

SECTION 7: PRIMARY OUTLET WORKS – UPPER CAPTAIN MORGAN POND

- 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.*

Primary outlet works includes 18" diameter, corrugated metal pipe (CMP) connected to a vertical water level control structure. Pond water level is controlled by stop log settings at various elevations in the control structure, which releases pond water into the outlet pipe. Control structure is located near center of dam, is 2 feet square, extending from near the top of the (on the pond side of the dam) to depth of 12 feet, to near base of dam. Stop log settings can be set to raise pond water level to maximum and can be set to release all water from pond. Outlet works details are shown on the sketch drawings for the Upper Captain Morgan Pond in Appendix B of this application.

- b) How and when will the outlet be operated?

Outlet works is operated by setting stop logs in water level control structure at desired pond water surface elevation. The range of stop log settings allows the pond to be filled

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INFORMATION SHEET SUPPLEMENTAL TO APPLICATION SECTIONS 6 THROUGH 9

to maximum capacity, and fully drained. Water is released over stop log into outlet pipe to achieve desired pond water surface elevation. Typical operation would be related to periodic pond maintenance.

- 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)?

Dam is across intermittent drainage course conveying runoff from storm events and conveying minor spring flows to Cottonwood Creek, approximately 1,015 feet downstream of the pond dam. Minor spring surface flows do not always reach Cottonwood Creek. The environment of the drainage course downstream of the pond does not appear conducive to supporting fish.

SECTION 8: EMERGENCY SPILWAY – UPPER CAPTAIN MORGAN POND

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

Pond overflow is through a 24-inch diameter, corrugated metal pipe (CMP) located near the center of the dam. The pipe invert (bottom) at the discharge end is approximately 3.1 feet below the top of the dam. The pipe invert at the inlet is approximately 2.6 feet below the top of the dam. The slope of the overflow pipe is approximately 2.5 percent.

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

The discharge end of the overflow pipe protrudes from the downstream dam embankment fill slope. Discharge from the pipe is on the downstream slope of the dam embankment. Some limited and localized erosion evidence was observed at the discharge end of the pipe from historic pipe discharge; however, there is no current serious threat to the dam. The pond was constructed circa 2005 (based on Google Earth imagery) indicating satisfactory performance over approximately 19 years. Monitoring by the owner during normal periodic maintenance observations will indicate if any significant progressive erosion occurs and future remediation, such as with a rock (i.e., cobble-boulder size basalt) discharge apron may ultimately be required.

- 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?)

Pond watershed area is 0.63 square miles. 10-year storm runoff 2.71 cfs; 25-year storm runoff 3.82 cfs; 50-year storm runoff 4.75 cfs; 100-year storm runoff 5.73 cfs (OWRD, Cooper, regression equations). Capacity of overflow pipe at incipient overtopping stage is estimated at 26 cfs, exceeding estimated 100-year storm runoff flow rate without additional capacity of primary outlet works.

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**INFORMATION SHEET SUPPLEMENTAL TO APPLICATION SECTIONS
6 THROUGH 9**

SECTION 9: WATER QUALITY – UPPER CAPTAIN MORGAN POND

a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.

1. Periodic treatments of pond with Beneficial Bacteria (commercially available for pond use); 2. Grasses, cattails and other riparian vegetation exist on grounds in pond perimeter areas. Livestock access to the pond is limited primarily to one local area near northerly end of dam. Addition of vegetation barrier at pond edge to help limit runoff and livestock waste access to pond; 3. Control aquatic weeds; removals at end of warm season (i.e., pond raking).

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

Buffer pond perimeter with vegetation barrier; use beneficial plants at pond edge to minimize runoff and minimize shoreline erosion.

c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

Pond is small at 0.09 acre surface area and storage at 0.35 acre-feet. Annual maintenance will not require water discharge from pond. Maintenance accompanied by Beneficial Bacteria treatment. Flow distance from pond to nearest perennial flowing stream (Cottonwood Creek) is approximately 400 feet.

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Salem, OR

UPPER CAPTAIN MORGAN POND

- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

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

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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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: \$ 1,492.00
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)

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

NAME JOHN AND DEBORAH COLE			PHONE (541) 934-2080		
MAILING ADDRESS 37816 COTTONWOOD ROAD					
CITY MONUMENT		STATE OR	ZIP 97864	EMAIL goodoutfitter@hotmail.com	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
10S	27E	24	SWSE	200	MUR	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
						<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:

GRANT

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) Unnamed drainage & spring

Estimated quantity of water needed: 0.35 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 Multiple Uses

Briefly describe:

Existing UPPER CAPTAIN MORGAN POND impounded by earth fill dam. Pond surface area 0.09 acre. Water use for multiple purposes; primary use livestock and fire protection. Water source intermittent drainage and spring

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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For Local Government Use Only

Salem, OR

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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Article 11 (4) Grant County
Land Development Code
- Land uses to be served by the proposed water use(s), 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

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

Use stock used are allowed via a Farm Zone

Name: Shannon Springer Title: Planning Director
 Signature: [Signature] Date: 4/2/2024
 Governmental Entity: Grant County Phone: 541-575-1519

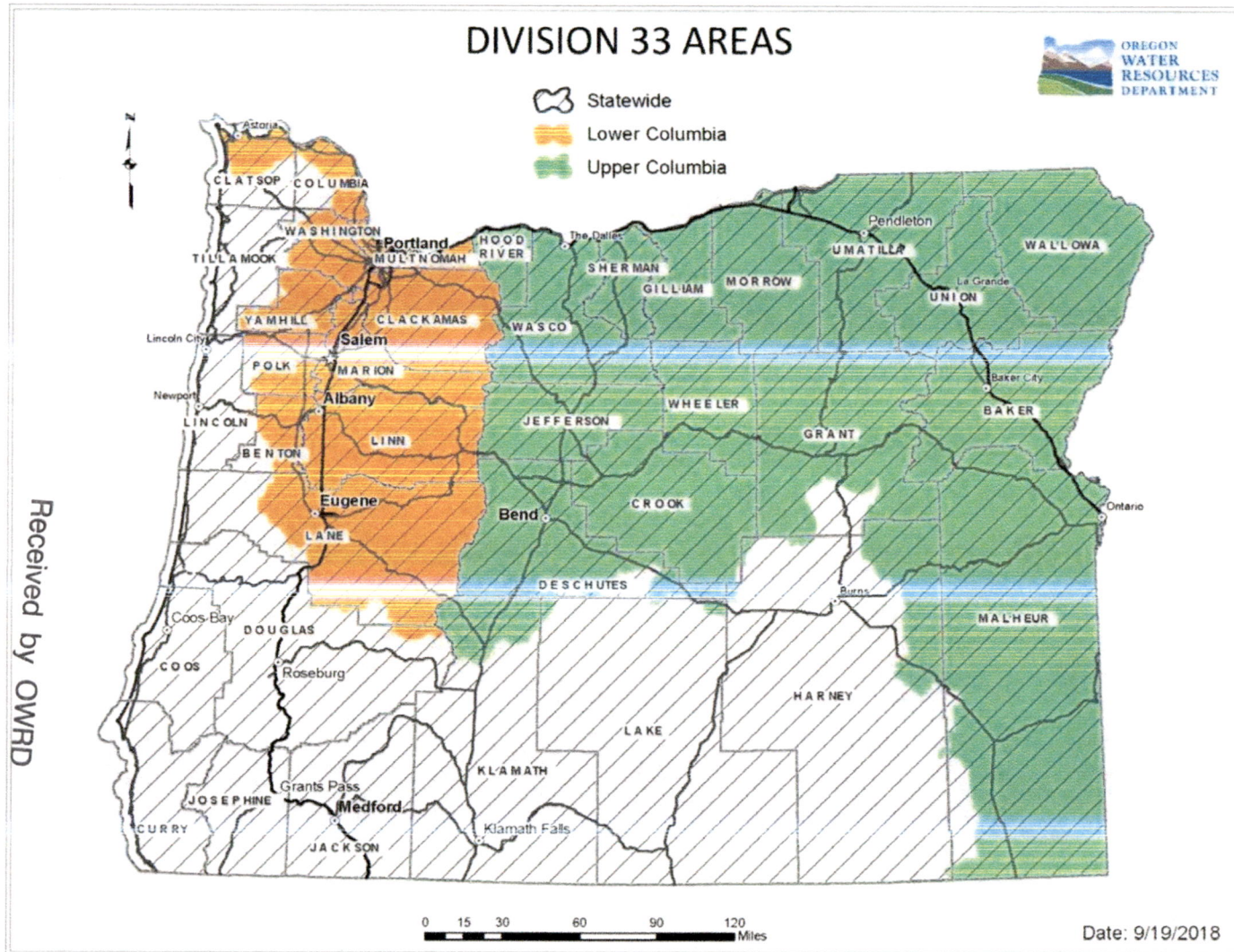
Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:
 Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note 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 all other applications.

Applicant Name: _____
 Staff Name: _____ Title: _____
 Staff Signature: _____ Date: _____
 Governmental Entity: _____ Phone: _____

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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 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/

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. *LEGAL DESCRIPTION INCLUDED IN APPENDIX A.*

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SECTION 3: SOURCE OF WATER

A. Reservoir Name: LOWER CAPTAIN MORGAN POND

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 INTERMITTANT DRAINAG CHANNEL & SPRING	Tributary to: Cottonwood Creek/North Fk John Day River
TRSQQ of POD: TOWNSHIP 10 SOUTH, RANGE 27 EAST, SECTION 24, SW1/4 SE1/4	
Source 2:	Tributary to:
TRSQQ of POD:	

- Is the proposed reservoir in a wetland (as determined by DSL)? Yes No Don't know **1*
- 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 **2 *2 NOT IN COTTONWOOD CREEK 100-YEAR FLOODPLAIN; WITHIN THE DRAINAGE CHANNEL FLOODPLAIN*
- If the reservoir is not in the channel of a stream, state how it is to be filled: NA

**1 NO WETLANDS ON NATIONAL WETLANDS INVENTORY MAP*
For Department Use: App. Number: _____

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 *LOWER CANYON MORGAN POND*

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

Yes No

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

If yes,

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

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LOWER CAPTAIN MORGAN POND

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APR 09 2024

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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 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: LIVESTOCK, FIRE PROTECTION
- b) The amount of water to be stored is: 0.68 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 0.15 acres.

Superseded

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

LOWER CAPTAIN MORGAN POND

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: MULTIPLE USES
- b) The amount of water to be stored is: 0.68 acre-feet.
- c) The area submerged by the reservoir, when filled, will be 0.15 acres.

For Department Use: App. Number: _____

ZB

LOWER CAPTAIN MORGAN POND

SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be (is) 21 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:

SEE ATTACHED SUPPLEMENTAL SHEETS FOR APPLICATION SECTIONS 6 THRU 9

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.

b) How and when will the outlet be operated?

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)?

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SECTION 8: EMERGENCY SPILLWAY

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

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

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

SECTION 9: WATER QUALITY

a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.

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

For Department Use: App. Number: _____

Store Water — Page 5

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INFORMATION SHEET SUPPLEMENTAL TO APPLICATION SECTIONS 6 THROUGH 9

SECTION 6: DAM HEIGHT AND COMPOSITION – LOWER CAPTAIN MORGAN POND

The maximum height of the structure is 21 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) 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 Department Dam Safety Section prior to storage of water.

The dam is: Earth-Fill Other

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APR 03 2011

If "other," provide the description:

Salem, OR

This is an existing earth-fill dam and small impounded pond built circa 2005. The dam is constructed across an intermittent drainage channel that conveys small amount of spring discharge with some surface runoff generated by storm events. The dam height is 21 feet above the drainage channel bed, the crest width is 13 feet, the pond surface area is 0.15 acre, and maximum storage is 0.68 acre-feet. Riprap boulders in roughly 8" to 24" sizes observed on upper part of upstream dam slope in general maximum water level zone. A local gap in riprap allows cattle access to pond water. Sketch drawings of the dam cross-section and plan view of the dam, and notes are included in Appendix B of this application.

SECTION 7: PRIMARY OUTLET WORKS – LOWER CAPTAIN MORGAN POND

- 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.*

Primary outlet works includes 10" diameter (9.728" I.D.), pressure-rated (200psi) 0.511" wall, SDR 21 PVC pipe connected to a water level control structure. Pond water level is controlled by stop log settings in control structure, which releases pond water into the outlet pipe. The control structure is located pond side of dam, near center of the dam, is 14 inches square, extending from near the top of the dam to depth of 12 feet near base of dam. Stop log settings can be set with long-handled tool to raise pond water level to maximum and can be set to release all water from pond.

- b) How and when will the outlet be operated?

Outlet works is operated by setting stop logs in water level control structure at desired pond water surface elevation. Water is released over stop log into outlet pipe to achieve desired pond water surface elevation.

INFORMATION SHEET SUPPLEMENTAL TO APPLICATION SECTIONS 6 THROUGH 9

- 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)?

Dam is across intermittent drainage course conveying runoff from storm events and conveying minor spring flows to Cottonwood Creek, approximately 400 feet downstream of the pond dam. Minor spring surface flows do not always reach Cottonwood Creek. The environment of the drainage course downstream of the pond does not appear conducive to supporting fish.

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SECTION 8: EMERGENCY SPILLWAY – LOWER CAPTAIN MORGAN POND

Salem, OR

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

Pond overflow is through a 10" diameter (9.728" I.D.), pressure-rated (200 psi), 0.511" wall, SDR 21 PVC pipe located near the southwesterly end of the dam. The pipe invert (bottom) at the inlet is approximately 1.5 feet below the top of the dam. The pipe invert at the discharge end is 2 feet below the top of the dam. The slope of the overflow pipe is approximately 2.8 percent.

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

The discharge end of the overflow pipe protrudes from the downstream dam embankment fill slope. Discharge from the pipe is on the downstream slope of the dam embankment, onto a mat of grass with some angular gravel to cobble-size basalt. Minor erosion evidence was observed on the downstream face of the dam at the overflow pipe discharge area during site visit as part of this application. Normal, periodic maintenance observations by the owner will indicate any increase and/or progression of erosion, which could ultimately be remedied with a basalt rock discharge apron. The pond was constructed circa 2005 (based on Google Earth imagery) indicating satisfactory performance over approximately 19 years.

- 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?)

The pond watershed area is 0.65 square miles. 10-year storm runoff 2.77 cfs; 25-year storm runoff 3.91 cfs; 50-year storm runoff 4.87 cfs; 100-year storm runoff 5.87 cfs (OWRD, Cooper, regression equations). Capacity of overflow pipe at incipient overtopping of the dam is estimated at 2 cfs, corresponding to approximate 7-year runoff event. Accounting for flow out of the primary outlet pipe at approximately 1.7 cfs, total outflow capacity is about 3.7 cfs, corresponding approximately to a 22-year runoff event.

SECTION 9: WATER QUALITY – LOWER CAPTAIN MORGAN POND

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream.
1. *Periodic treatments of pond with Beneficial Bacteria (commercially available for pond use); 2. Livestock and livestock waste access to pond limited by brush, riparian vegetation and riprap primarily to northwest corner and short part of north shoreline. Addition of vegetation barrier at pond edge to limit runoff and livestock waste access to pond; 3. Control aquatic weeds if necessary; removals at end of warm season (i.e., pond raking).*

INFORMATION SHEET SUPPLEMENTAL TO APPLICATION SECTIONS 6 THROUGH 9

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

Buffer pond perimeter with vegetation barrier; use beneficial plants at pond edge to minimize runoff and minimize shoreline erosion.

- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

Pond is small at 0.15 acre surface area and storage at 0.68 acre-feet. Annual maintenance will not require water discharge from pond. Maintenance accompanied by Beneficial Bacteria treatment. Flow distance from pond to nearest perennial flowing stream (Cottonwood Creek) is approximately 400 feet.

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Salem, OR

LOWER CAPTAIN MORGAN POND

- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

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

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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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: \$ 1,492.00
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)

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

NAME JOHN AND DEBORAH COLE			PHONE (541) 934-2080		
MAILING ADDRESS 37816 COTTONWOOD ROAD					
CITY MONUMENT		STATE OR	ZIP 97864	EMAIL goodoutfitter@hotmail.com	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
T10S	R27E	24	SWSE	200	MUR	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
						<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:

GRANT

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water:
 Reservoir/Pond
 Ground Water
 Surface Water (name) Unnamed drainage & spring

Estimated quantity of water needed: 0.68
 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 Multiple Uses

Briefly describe:

Existing LOWER CAPTAIN MORGAN POND impounded by earth fill dam on intermittent drainage. Pond surface area approximately 0.15 acre. Water source for storage from occasional storm runoff and small spring. Water is for multiple use, with primary uses for fire protection and livestock.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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Salem, OR

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103 ^{Case} 27E 200

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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Article 164
- Land uses to be served by the proposed water use(s), 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

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

Investor uses are allowed in farm zones

Name: Shannon Springer Title: Planning Director
 Signature: [Signature] Date: 4/2/2024
 Governmental Entity: Grant County Phone: 541-575-1519

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:
 Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note 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 all other applications.

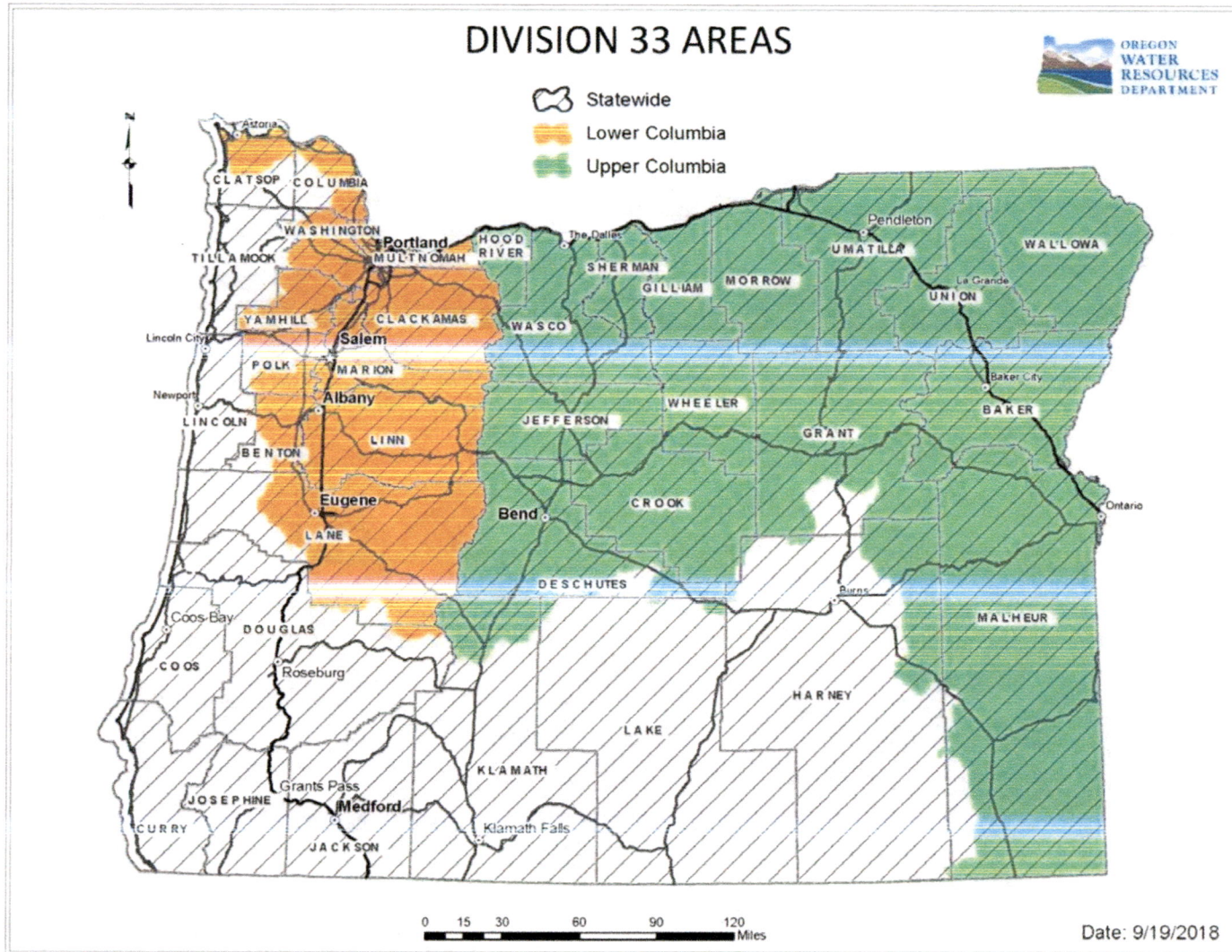
Applicant Name: _____
 Staff Name: _____ Title: _____
 Staff Signature: _____ Date: _____
 Governmental Entity: _____ Phone: _____

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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 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/

APPENDIX A

PROPERTY LEGAL DESCRIPTIONS

John and Deborah Cole Storage Permit Application

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APR 03 2024

Salem, OR

961702

12855, 10-27 (24)

LEGAL DESCRIPTION

Township 10 South, Range 27 East, Willamette Meridian, Grant County, Oregon:
Section 25: SW1/4NE1/4; S1/2NW1/4; NW1/4SE1/4; SAVE & EXCEPT that portion
conveyed to Grant County, Oregon, by deed dated Jan. 16, 1961, recorded Jan. 1961
in Book 84 of Deeds, page 355, and by Right of Way Deed dated Feb. 24, 1995,
recorded March 8, 1995, in the records of Grant County, Oregon, as Instrument No.
950456.
(Tax Acct. 8 10-27 2600; 05672) --END--

INST# 961702 REF# FEE 47.⁵⁰
FILED August 16th 19 96
RECORD OF PLG TIME 9:28 AM PGS
KATHY MCKINNON BY Dunham
COUNTY CLERK DEPUTY



- HOME PLACE -

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APR 03 2024
Salem, OR

COPY

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981526-2

EXHIBIT "A"

PROPERTY DESCRIPTION

All that land in Grant County, Oregon, more particularly described as:

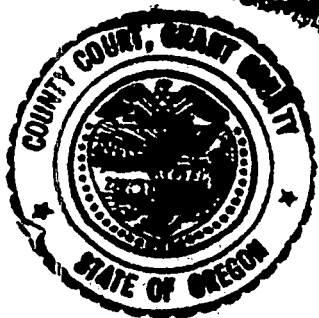
Township 10 South, Range 27 East, Willamette Meridian;
Section 24: SW1/4SE1/4; E1/2SE1/4. SAVE & EXCEPT that portion conveyed to Grant County, Oregon, by Deeds dated Dec. 16, 1960, recorded Dec. 16, 1960 in Deed Book 84, Page 248, and dated Jan. 16, 1961, recorded Jan. 17, 1961 in Deed book 84, age 353, for county road right of way.
Section 25: NW1/4NE1/4.
(Tax Acct. 8 10-27-200; Ref. 5661)

North Cottonwood Place

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Salem, OR

EXCEPTIONS

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If said land has been or is disqualified for such use, the property may be now, or will be, subject to additional taxes, penalties and interest.
2. Rights of the public in streets, roads and highways.
3. An easement, including the terms and provisions thereof, to Telephone Utilities of Eastern Oregon, Inc., an Oregon corp., dated February 15, 1985, recorded April 5, 1985, in Deed Book 131, Page 636, Records of Grant Count, Oregon. Right of way easement for utility and incidental purposes.



INST# 981526 REF# FEE 3750
FILED July 31 1998
RECORD 9:05 AM 2 PGS
KATHY McKINNON BY Deputy
COUNTY CLERK DEPUTY

EXHIBIT "A"
PAGE 1

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APPENDIX B

SKETCH DRAWINGS

Home Place Pond

Upper Captain Morgan Pond

Lower Captain Morgan Pond

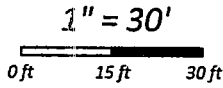
John and Deborah Cole Storage Permit Application

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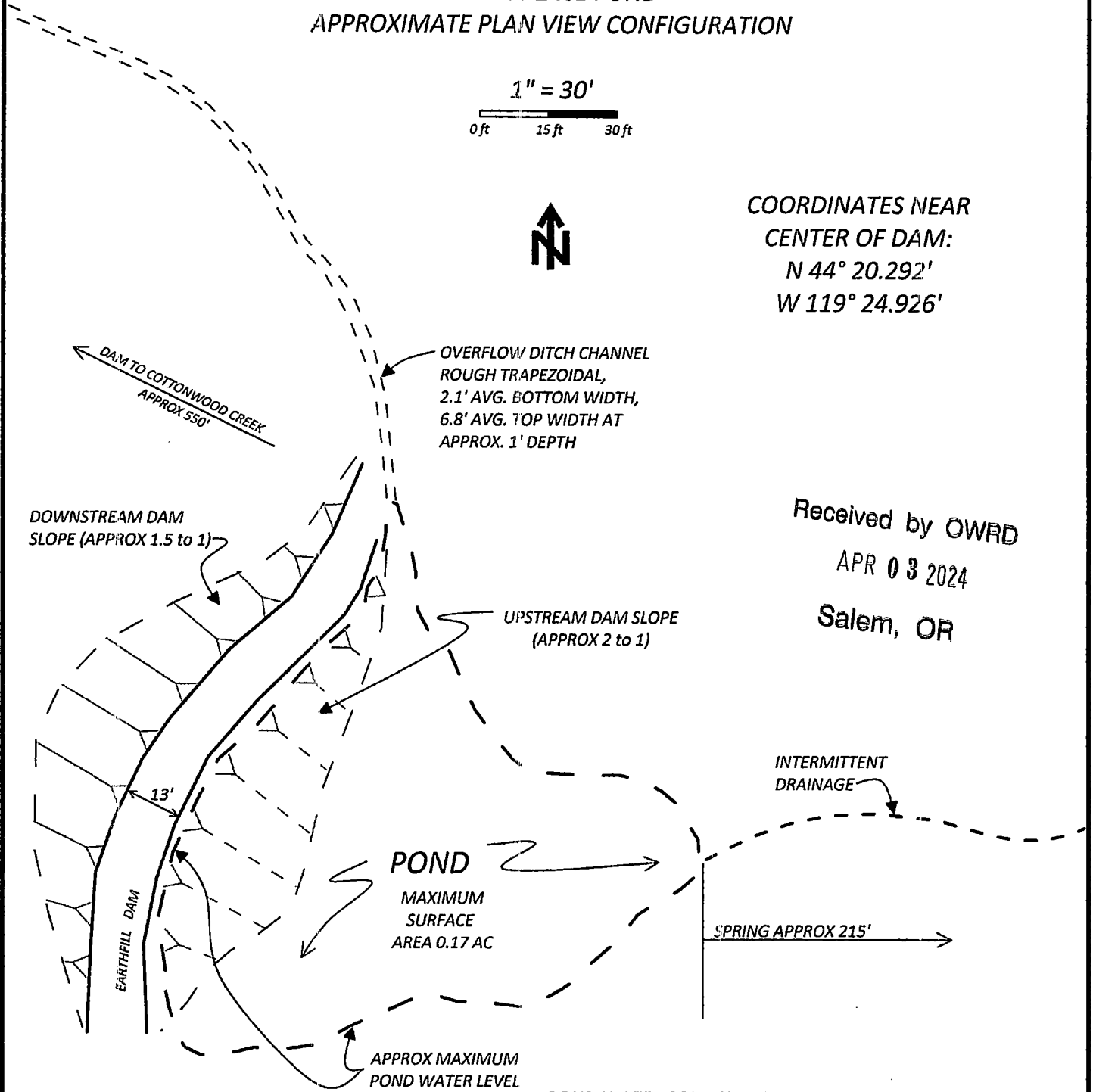
APR 03 2024

Salem, OR

**HOME PLACE POND
APPROXIMATE PLAN VIEW CONFIGURATION**



**COORDINATES NEAR
CENTER OF DAM:
N 44° 20.292'
W 119° 24.926'**



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**POND WATER SOURCE: UN-NAMED INTERMITTENT DRAINAGE
AND UN-NAMED SPRING**

XXXX
DRAWING:
DRAWN BY: BJE
PROJECT TITLE:
HOME PLACE POND
PLAN VIEW

PROJECT:
Storage Permit Application
PROJECT LOCATION:
DAYVILLE, OREGON
CLIENT:
John & Deborah Cole

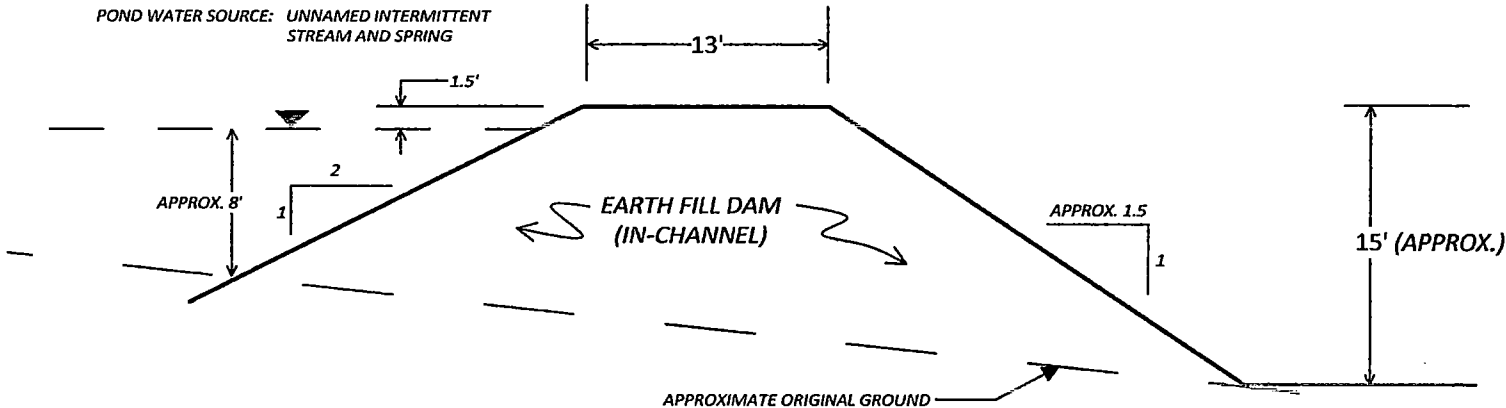
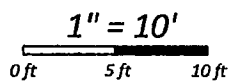
RSI Resource Specialists Inc.

20340 EMPIRE AVE. STE. E8 (541) 678-3969
BEND, OR 97703 benn@rsiengr.com

DRAWING STATUS	DATE	No.	REVISION	DATE
FINAL	3/27/24			

DRAWING STATUS	DATE	No.	REVISION	DATE
FINAL	3/27/24			

**HOME PLACE POND
CROSS-SECTION**



RSI Resource Specialists Inc.

20340 EMPIRE AVE. STE. E8
BEND, OR 97703

(541) 678-3969
benn@rsiengr.com

PROJECT: Storage Permit Application

PROJECT LOCATION: DAYVILLE, OREGON

CLIENT: John & Deborah Cole

SHEET TITLE:
HOME PLACE POND
CROSS-SECTION

DRAWN BY: BJE

DRAWING:
XXXX

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Salem, OR

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UPPER CAPTAIN MORGAN POND
APPROXIMATE PLAN VIEW CONFIGURATION

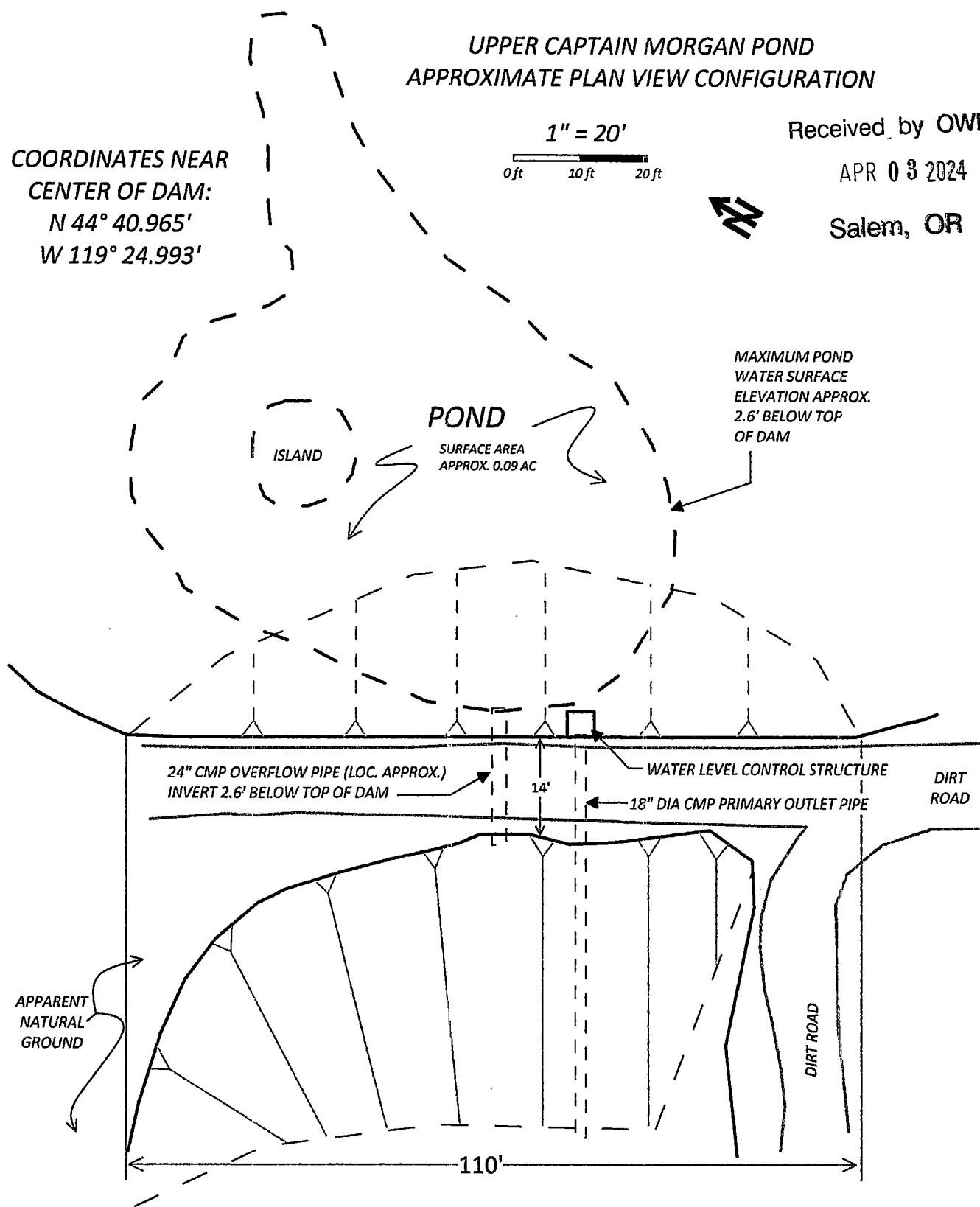
COORDINATES NEAR
CENTER OF DAM:
N 44° 40.965'
W 119° 24.993'

1" = 20'
0 ft 10 ft 20 ft

Received by OWRD

APR 03 2024

Salem, OR



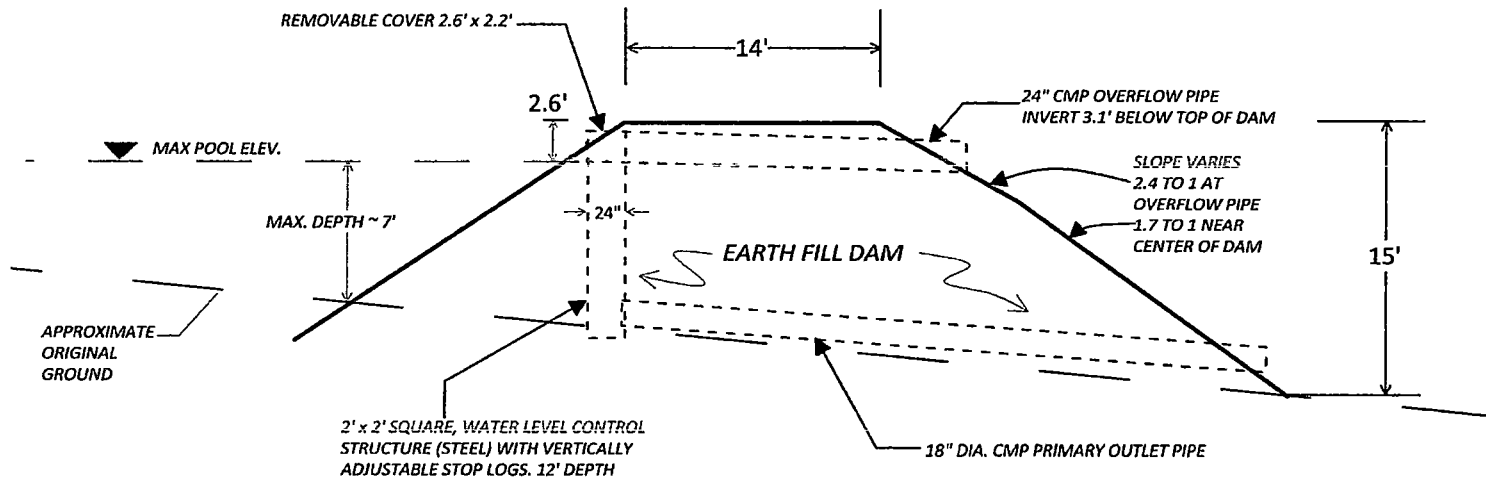
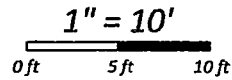
DRAWING: XXXX
DRAWN BY: BJE
SHEET TITLE:
UPPER CAPTAIN MORGAN
POND - PLAN VIEW

PROJECT:
Storage Permit Application
PROJECT LOCATION:
DAYVILLE, OREGON
CLIENT:
John & Deborah Cole

RSI Resource Specialists INC.
20340 EMPIRE AVE. STE. E8 BEND, OR 97703 (541) 678-3969 benn@rsiengr.com

DRAWING STATUS	DATE	No.	REVISION	DATE
FINAL	3/27/24			

UPPER CAPTAIN MORGAN POND
CROSS-SECTION



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APR 03 2024

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DRAWING STATUS	DATE	NO.	REVISION	DATE
FINAL	3/27/24			

RSI Resource Specialists Inc.

20340 EMPIRE AVE. STE. E8
BEND, OR 97703

(541) 678-3869
benn@rsiengr.com

PROJECT: Storage Permit Application

PROJECT LOCATION: DAYVILLE, OREGON

CLIENT: John & Deborah Cole

SHEET TITLE:
UPPER CAPTAIN MORGAN
POND - CROSS-SECTION

DRAWN BY: BJE

DRAWING:
XXXX

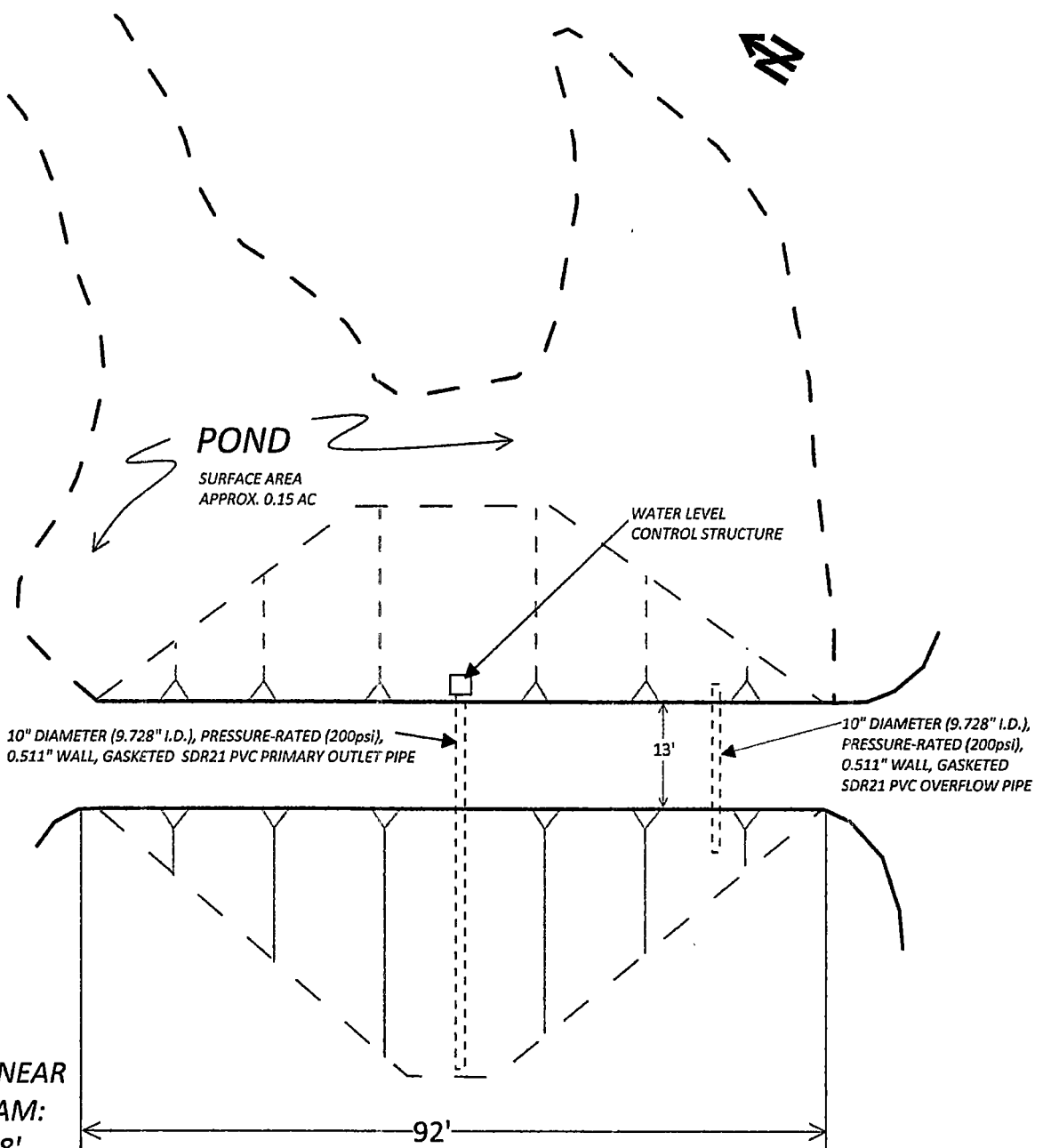
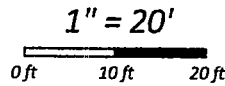
45

LOWER CAPTAIN MORGAN POND
APPROXIMATE PLAN VIEW CONFIGURATION

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Salem, OR



COORDINATES NEAR
CENTER OF DAM:
N 44° 40.908'
W 119° 25.096'

XXXX

DRAWING:
DRAWN BY: SJE
PROJECT TITLE:
LOWER CAPTAIN MORGAN
POND - PLAN VIEW

PROJECT:
Storage Permit Application

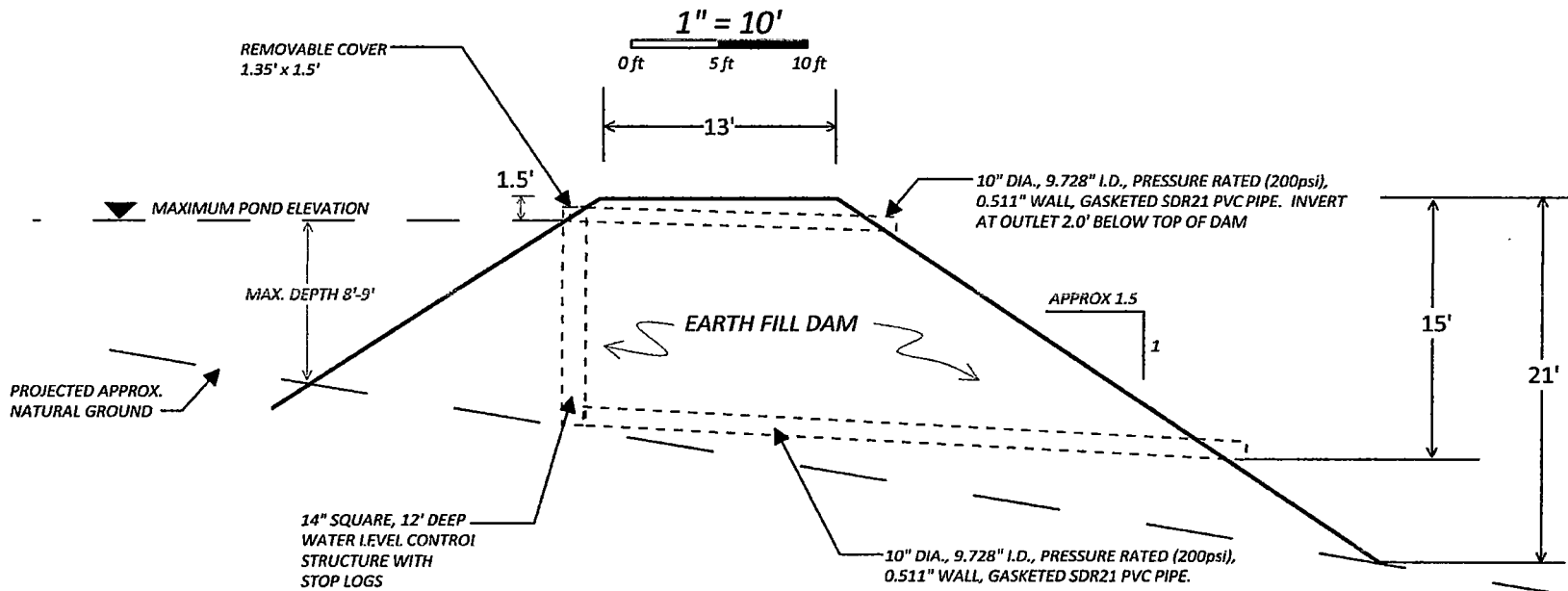
PROJECT LOCATION:
DAYVILLE, OREGON

CLIENT:
John & Deborah Cole

20340 EMPIRE AVE. STE. E8 (541) 678-3969
BEND, OR 97703 benn@rsiengr.com

DRAWING STATUS	DATE	No.	REVISION	DATE
FINAL	3/27/24			

LOWER CAPTAIN MORGAN POND
CROSS-SECTION



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DRAWING STATUS	DATE	No.	REVISION	DATE
FINAL	3/27/24			

RSI Resource Specialists Inc.
 20340 EMPIRE AVE. STE. E8
 BEND, OR 97703
 (541) 678-3969
 benn@rsiengr.com

PROJECT: Storage Permit Application
 PROJECT LOCATION: DAYVILLE, OREGON
 CLIENT: John & Deborah Cole

SHEET TITLE:
 LOWER CAPTAIN MORGAN POND - CROSS-SECTION
 DRAWN BY: BJE
 DRAWING:
 XXXX

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APPENDIX C

STORAGE PERMIT APPLICATION MAP

John and Deborah Cole Storage Permit Application

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: John and Deborah Cole
37816 Cottonwood Rd. Monument, OR 97864

Transaction Type: App

Fees Received: \$ 1492

Cash Check: Check No. 4408

Name(s) on Check: Same as Above

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: Nick Reece
(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.



1180 SW Lake Rd Ste 202
Redmond, OR 97756
(541) 771-6911

April 3, 2024

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

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APR 03 2024

Salem, OR

APPLICATIONS FOR PERMITS TO STORE WATER IN THREE PONDS; JOHN & DEBORAH COLE, MONUMENT, OREGON

Ladies and Gentlemen:

Transmitted with this letter is an application for permit (Standard Review) to store water in three existing small ponds located on property owned by John and Deborah Cole (Applicants). The ponds were constructed circa 2005 by a previous land owner and are located on intermittent drainages tributary to Cottonwood Creek, tributary to the North Fork John Day River, south of Monument, Oregon. The ponds are located in Grant County.

Since the application is for a permit to store water in three ponds, the enclosed application was structured for the three ponds. The structure of the enclosed application and related submittals includes the following:

1. Application Page 1 and Section 1, Applicant Information and Signature;
2. Application Sections 2 through 5 (pages 2 through 4), for each pond;
3. Supplemental sheets for Application Sections 6 through 9;
4. Land Use Information Form receipts for each of the 3 ponds signed by Grant County Planning Director;
5. Appendix A, legal descriptions for properties the 3 ponds are located on;
6. Appendix B, sketch drawings of the 3 ponds and related earth dams;
7. Appendix C, Application map showing all three ponds, containing required map information;
8. Application fees in amount of \$1,492.00 for the three ponds.


Applicant is aware of \$610.00 recording fee that must be paid prior to issuance of the permit.

The application provides for an agent to represent the applicant in all matters relating to the application. I will serve as the agent for the applicant.

Please contact me if there are any questions or concerns in regard to the application. I can be reached by cell phone at (541) 325-3905, or by e-mail at dnewton@newtonconsultants.com.

Respectfully submitted,

RESOURCE SPECIALISTS, INC.



David J. Newton, P.E., C.E.G., C.W.R.E.
Senior Engineer and Engineering Geologist



Enclosures

CC: John & Deborah Cole

Received by OWRD
APR 03 2024
Salem, OR