Application for a Permit to Use

For Department Use: App. Number: ____

Surface Water



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 JUL 1 0 2024 503-986-0900 www.oregon.gov/OWRD

OWRD

SECTION 1: APPLICANT INFORM Applicant	MATION AN	ID SIGNATU	IRE	
NAME				PHONE (HM)
Nancy Roberts				n/a
PHONE (WK)		CELL		FAX
n/a		410-627-6890)	n/a
MAILING ADDRESS 1808 Belfast Road				
CITY	STA.		E-MAIL *	
Sparks	MD	21152	ngm2@aol.com	
Organization				
NAME Edgewater Cove LLC			PHONE n/a	FAX n/a
MAILING ADDRESS 1808 Belfast Road				CELL 410-627-6890
CITY Sparks	STA [*] M D	TE ZIP 21152	E-MAIL * ngm2@aol.com	
Agent – The agent is authorized to re	present the a	pplicant in all	matters relating to this	application.
AGENT / BUSINESS NAME			PHONE	FAX
Kurt Williams			509-522-2272 (wo	ork) n/a
MAILING ADDRESS 918 Newtown Road				509-386-3357
CITY	STA*		E-MAIL *	
Walla Walla Note: Attach multiple copies as ne	WA	99362	kurt@asapww.com	
* By providing an e-mail address, of electronically. (Paper copies of the By my signature below I confirm to I am asking to use water special Evaluation of this application I cannot legally use water unto I have been been been been been been been be	he proposed hat I unders cifically as des will be based til the Water all applicants nce of this ap to the issuance ot waste wate use is not accuratible with lo s a permit, I re	d and final or stand: scribed in this d on information Resources Dep to wait for a plication does e of a permit, er. sording to the cal comprehe	application. on provided in the application application application. controlled in the application app	cation. it. ore beginning construction of any will be issued. ated with my actions.
Nangen Robe	Nar	ncy Roberts	lication is true and ac , Managing Membe tle if applicable	er 7-1-24
Applicant Signature	Prin	civame and H	не іг арріісаріе	Date
Applicant Signature	Prin	nt Name and T	tle if applicable	Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the conveyed, and used.	ne project from which the water is to be diverte	ed,
		Received
YES, there are no encumbrances. YES, the land is encumbered by easements, rights of	way, roads or other encumbrances.	JUL 1 0 2024
NO, I have a recorded easement or written authorization or easement is not necessary.	easement permitting access.	OWRD t own are
state-owned submersible lands, and this application NO, because water is to be diverted, conveyed, and/o		274.040).
Affected Landowners: List the names and mailing address the applicant and that are crossed by the proposed ditch written authorization or an easement from the owner. (Ann/a	, canal or other work, even if the applicant has	
Legal Description: You must provide the legal description diverted, 2. Any property crossed by the proposed ditch, water is to be used as depicted on the map.		
SECTION 3: SOURCE OF WATER		
A. Proposed Source of Water		
Provide the commonly used name of the water body from stream or lake it flows into (if unnamed, say so), and the		of the
Source 1: Wallowa Lake Reservoir Permit R347	Tributary to: Wallowa River	
TRSQQ of POD:T3S, R45EWM, S5, SWNW		
Source 2: Tributary to:		
TRSQQ of POD:		
If any source listed above is stored water that is authorize attach a copy of the document or list the document num name).		
Dobbin Ditch Company and assignees (Wallows Permit R 347, Certificate 9310	a Lake Irrigation District)	

B. Applications to Use Stored Water

OWRD

Do you, or will you, own the reservoir(s) described in Section 3A above?				
	No. (Enclose a copy of your written notification to the operator of the reservoir of you file this application, which should have been mailed or delivered to the operator.)	ır intent to		
	es listed in Section 3A are stored water, the Department will review your application using process provided in ORS 537.147, unless you check the box below. Please see the instruction formation.			
process	king this box, you are requesting that the Department process your application under the soutlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS an application under the standard process, you must enclose the following:			
•	A copy of a signed non-expired contract or other agreement with the owner of the reservou) to impound the volume of water you propose to use in this application.	oir (if not		
•	A copy of your written agreement with the party (if any) delivering the water from the reyou.	servoir to		
	: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST			
INFORMA	TION			
Departmen	ation must be provided for your application to be accepted as complete. The Water Reso t will determine whether the proposed use will impair or be detrimental to the public interestive, threatened or endangered fish species.			
whether 1	er the following questions, use the map provided in <u>Attachment 3</u> or the link below to deter the proposed point of diversion (POD) is located in an area where the Upper Columbia, the statewide public interest rules apply.			
For more detailed information, click on the following link and enter the T,R,S,QQ 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/				
	ed help to determine in which area the proposed POD is located, please call the customer 503) 986-0900.	service		
Upper Colu	mbia - OAR 690-033-0115 thru -0130			
Is the POD I	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 <u>not</u> involve appropriation of direct streamflow during the time period April 15 to September 30, <u>except as provided in OAR 690-033-0140</u>.

- 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.

requirements.
Lower Columbia - OAR 690-033-0220 thru -0230 Is the POD located in an area where the Lower Columbia rules apply?
☐ Yes ■ No
If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.
If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.
If yes, provide the following information (the information must be provided with the application to be considered complete).
Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).
If yes, provide a description of the measures to be taken to assure reasonably efficient water use:
Statewide - OAR 690-033-0330 thru -0340
Is the POD located in an area where the Statewide rules apply?
☐ Yes ■ No
If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will

recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm

the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448	3.8 gpm. 1 acre-foot equals 3	325,851 gallons or 43,560 c	ubic feet)
SOURCE	USE	PERIOD OF USE	AMOUNT
Wallowa Lake Permit R34	Domestic Expanded	Year Round	1.00 ☐ cfs ☐ gpm ■ af
			☐ cfs ☐ gpm ☐ af
			cfs gpm af
			☐ cfs ☐ gpm ☐ af
Please indicate the num	ber of primary, supplementa	l and/or nursery acres to be	irrigated.
Primary: Acres	Supplemental:	_ Acres Nursery	y Use: Acres
If supplemental acres ar	e listed, provide the Permit o	or Certificate number of the	underlying primary water
right(s):	•		, , ,
	otal number of acre-feet you	expect to use in an irrigation	on season:
If the use is municip	al or quasi-municipal, attach	Form M	
•	c , indicate the number of ho		
• If the use is mining,	describe what is being mined	d and the method(s) of extra	action:
SECTION 6: WATER M	ANAGEMENT		
			Received
A. Diversion and Conve	e yance I you use to pump water fro	m vour cource?	
what equipment wi	ryou use to pump water no	iii your source:	JUL 1 0 202
Pump (give hors	epower and type):		OWRD
Other means (de	escribe):		SHID

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Existing 0.5 HP submersible pump on lake bottom, 1-inch poly line to shoreline

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Yard watered by underground sprinkler system

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Human consumption in residence, watering yard area at night

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		_	

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of
fish and other aquatic life.
Describe planned actions:

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental
Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe planned actions and additional permits required for project implementation:

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions:

Received

List other federal and state permits or contracts to be obtained, if a water right permit is granted.

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SECTION 8: PROJECT SCHEDULE

a) Date construction will begin: Existing

b) Date construction will be completed: Existing

c) Date beneficial water use will begin: At date of permit issue

SECTION 9: 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 Wallowa Lake Irrigation District	Address 65196 Dobbin Ro	pad
City	State	Zip
Joseph	Oregon	97846

SECTION 10: REMARKS

For

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

Requesting water right for domestic expanded use, for residence and yard areas less than 0.5 acre. Total quantity requested is 1.00 acre-foot per year. Existing system has been in place since the 1990's. Point of Diversion on lake bottom is about 40 feet below surface at low water level, within Wallowa Lake.

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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 items is included. 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.

Applicant Information and Signature

Property Ownership

Source of Water

SECTION 1:

SECTION 2:

SECTION 3:

=	SECTION 4: SECTION 5: SECTION 7: SECTION 8: SECTION 9:	Sensitive, Threatened or Endangered Fish Species Public Interest Information Water Use Water Management Resource Protection Project Schedule Within a District						
	SECTION 10:	Remarks						
nc	lude the follo	wing additional items:						
	Land Use Information Form with approval and signature of local planning department (<i>must be an original</i>) 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 - Amou	Fees - Amount enclosed: \$ 1,261						
	See the Depa	artment's Fee Schedule at <u>www.oregon.gov/owrd</u> or call (503) 986-0900.						
	Map that inc	ludes the following items:	Received					
	Pe	rmanent quality and drawn in ink	JUL 1 0 2024					
	Ev	en map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)	011170					
	■ No	rth Directional Symbol	OWRD					
	То	wnship, Range, Section, Quarter/Quarter, Tax Lots						
	Re	ference corner on map						
	Contract Con	cation of each diversion, by reference to a recognized public land survey corner (dis rth/south and east/west)	stances					
	■ Inc	licate 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						
	☐ Lo	cation of main canals, ditches, pipelines or flumes (if well is outside of the area of u	se)					

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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

Received

JUL 1 0 2024

NAME Edgewater Cove LLC (Nancy Roberts)								PHONE OW 410-627-6890		
	ADDRESS	- (Italio)	, respected			****		1,	021 0000	
1808 Bel	fast Road									
CITY				STATE	ZIP	EMAIL				
Sparks				MD	21152	ngm2@	ngm2@aol.com			
Please incl transporte	ed), and/o	llowing in	developed.	Applicants	ots where was s for municip daries for the	al use, or	irrigation us	es within irri	gation dis	
Township				Tax Lot	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:	
3S	45E	5	SWNW	900	R-2		Diverted	Conveyed	⊠ Used	Recreation
							Diverted	Conveyed	Used	
							Diverted	Conveyed	Used	
							Diverted	☐ Conveyed	Used	
NOTE: A se	a Count	nd Use Inf		orm must	be complete	ed and su	bmitted for <u>e</u>	each county a	and city, a	is applicable.
N Permi	plication to to Use or ed Water Use	Store Wate	er 🗌 Wa	egon Wat ter Right Tr hange of W	_	Permit			er Registra	ation Modificatio
ource of v	water:	Reservo	oir/Pond	Ground	d Water	Surfac	e Water (nam	e) Wallowa La	ake	
	quantity o	f water n	eeded:	1.00	cubic fee	et per seco	ond 🔲 gai	lons per minu	te 🛛	acre-feet
stimated		ar. 🗆	Irrigation	Com	nmercial	=	ustrial			_ household(s)
	ise of wate		Municipal	Qua	si-Municipal	Inst	tream	Other Ex	panded for y	ard water

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 ->

For Local Government Use Only

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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 info	ormation	
	ed water use(s), including proposed construction. Cite applicable ordinance section(s):	on, are allowed	outright or are not
approvals as listed in the table below. already been obtained. Record of Action	ed water use(s), including proposed construction (Please attach documentation of applicable lated on/land-use decision and accompanying finding have not ended, check "Being Pursued."	nd-use approv	als which have
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:	
		Obtained Denled	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denied	Being Pursued Not Being Pursued
		Obtained Denled	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
Name: Jung waits	Title: PA	min D	ypt Sp
Signature:	Date:	-421	29
Governmental Entity: VVOUS U	Phone: >41	724	+1170
Receipt Ack	nowledging Request for Land Use Info	ormation	
this form while the applicant waits, you m have 30 days from the date of OWRD's Pu Oregon Water Resources Department. Ple	the applicant. For new water right applications hay complete this receipt and return it to the app ablic Notice of the application to submit the complete note while OWRD can accept a signed receipt completed Land Use Information Form is require	plicant. If you sig pleted Land Use pt as part of inta	on the receipt, you will e Information Form to ake for an application
	Title:		
Staff Signature:	Date:		
Governmental Entity	Chane		

LEGAL DESCRIPTION:

00113:

AFTER Lot Line Adjustment

Parent Tract (TL 900)

TRACT 1

Township 3 South, Range 45 East of the Willamette Meridien, Wellowa County, Oregon

Section 5: A tract of land being within Government Lot 6 and being made further identifiable as Lot 2 of Tract 4 as it appears in a Survey by Verne H. Russell, Wallows County Surveyor, dated October, 1957, and filled January, 1980, in the Office of the County Surveyor, and being more particularly described as follows: 8EGINNING at a point North 1°05' East 51.45 feet North of a point marked by an iron pin, which point bears North 88°11' East (magnetic variation 21°30' East) 893.30 feet from the West quarter corner of said Section and on and along the East line of Tract 1 as surveyed by said Survey filled January, 1980; thence continuing North 1°05' East 51.45 feet along the East line of said Tract 1; thence East to the high water mark of Wallows Lake to a point 51.45 feet at right angles South from the above named East course; thence West parallel with and 51.45 feet at right angles South from said East course to the point of beginning.

TRACT2

Township 3 South, Range 45 East of the Willamette Meridian, Wallows County, Oregon

Section 5: A tract of land being within Government Lot 6, originally described in Book 54 of Deeds, Page 26, and being made further identifiable as Lot 1 of Tract 4 as it appears in a Survey by Verne H. Russell, Wallowa County Surveyor, dated October, 1957, and filled January, 1980, in the Office of the County Surveyor, and being more particularly described as follows: BEGINNING at a point marked by a one-half inch pipe 18 Inches long, which point bears North 88*11' East (magnetic variation 21*30' E) 893.30 feet (886.2 by Deed 54/26) from the West quarter corner of Section 5, T3S, R45 EM; thence North 51.48 feet to the Southwest corner of Lot 2 of said Tract 4; thence East along the South line of said Lot 2 of Tract 4, to the high water mark of Wallowa Lake; thence Southerly along the high water mark of Wallowa Lake to a point 51.48 feet, at right angles South from above named East course, also being the Southeast corner of Lot 1 of said Tract 4; thence West along the South line of said Lot 1 of said Tract 4, parallel with and 51.48 feet, at right angles, South from said East course to point of beginning.

EXCEPTING THEREFROM: The following tract surveyed as shown on CS2022-031 filed in the office of the Wallows County Surveyor, more particularly described as follows: BEGINNING at a point monumented by a 5/8 inch diameter by 30 inch long iron Rod with yellow plastic cap marked "BROCKAMP LAND SURVEYING PLS 78556", said point being North 87"44'03" East a distance of 162.76 feet from the Northwest corner of Lot 2; thence South 55"03'58" East a distance of 53.49 feet to a point monumented by a 5/8 inch diameter by 30 inch long iron Rod with yellow plastic cap marked "BROCKAMP LAND SURVEYING PLS 78556"; thence North 64"37"22" East a distance of 82.24 feet; thence South 87"44"03" West a distance of 118.24 feet to the point of beginning, containing 0.04 acres.

ALSO WITH: The following tract surveyed as shown on CS2022-031 filed in the office of the Wallowa County Surveyor, more particularly described as follows: Commencing at a point monumented by a 5/8 inch diameter by 30 inch long iron Rod with yellow plastic cap marked "BROCKAMP LAND SURVEYING PLS 78556", said point being North 87*44"03" East a distance of 162.76 feet from the Northwast corner of Lot 2; thence South 55"03"58" East a distance of 53.49 feet to a point monumented by a 5/8 inch diameter by 30 inch long iron Rod with yellow plastic cap marked "BROCKAMP LAND SURVEYING PLS 78556"; thence North 64"37"22" East a distance of 82.24 feet to the Point of Beginning; thence North 64"37"22" East a distance of 52.74 feet to a point monumented by a 5/8 inch diameter by 30 inch long iron Rod with yellow plastic cap marked "BROCKAMP LAND SURVEYING PLS 78556"; thence South 42"27"19" East, a distance of 27.10 feet; thence South 87"44"03" West a distance of 66.00 feet to the point of beginning, containing 0.02 acres.

Edgewater Cove, LLC 1808 Belfast Road Sparks, MD 21152

May 21, 2024

Wallowa Lake Irrigation District 65196 Dobbin Road Joseph, OR 97846

RE: Applications for a Permit to Use Surface Water

As per Oregon Water Resources Department application requirements, we are providing notification to the Wallowa Lake Irrigation District of our intent to file applications for Permit to Use Surface Water from Wallowa Lake.

The following properties located along Wallowa Lake are submitting applications:

Property Ownership	Address	Map	Tax Lots	
Jones, Terry & Trena	62549 Edgewater Rd	03S4505BC	500	
Patterson-Wallowa Lake, LLC	62550 & 62552 Edgewater Rd	03S4505BC	600, 700, 800	
Edgewater Cove, LLC	62554 Edgewater Rd	03S4505BC	900	

Each application is for domestic expanded use (household use and yard water less than ½ acre). The properties have existing 0.5 HP submersible pumps located in Wallowa Lake and water delivery lines to the shoreline. The water delivery systems have been operated for 30 to 70 years.

Respectfully submitted,

Kurt Williams, Agent for Surface Water Applications

Cell: 509-386-3357

Email: kurt@asapww.com

Hand delivered to district board at monthly meeting 5-21-24

Received
JUL 1 0 2024

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