

R5

Name R-87465
 By WESLEY STUCKER
 Address 10886 SOUTHVIEW RIDGE LN SE
JEFFERSON OR 97352

C14

Priority JUNE 4 2009
 County MARION WM# 16

RELATED FILES

DEVELOPMENT

Date

Completion 10-5-2014

Extended to _____

Final Proof received _____

Proposed Cert. Mailed _____

Application No. R 87465 ACT FEES PAIDPermit No. R 14780

Certificate No. _____

Date

DENIED _____

MISFILED _____

WITHDRAWN _____

CANCELLED _____

Volume Page

FEES REFUNDED

Date

Amount

Receipt No.

Date	Amount	Receipt No.
<u>6-4-09</u>	<u>260.00</u>	<u>96665</u>
<u>9-11-09</u>	<u>400.00</u>	<u>97782</u>

Cert. Fee

ASSIGNMENTS

Date

To Whom

Address

REMARKS _____

MAP LOCATION _____

Rev. 04/03

STATE OF OREGON

COUNTY OF MARION

PERMIT TO CONSTRUCT A RESERVOIR AND STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

WESLEY STUCKER
10886 SOUTHVIEW RIDGE LANE SE
JEFFERSON OR 97352

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87465

SOURCE OF WATER: RUNOFF, TRIBUTARY TO MILLER CREEK

STORAGE FACILITY: A RESERVOIR

MAXIMUM VOLUME: 9.0 ACRE FEET

DATE OF PRIORITY: JUNE 4, 2009

WATER MAY BE APPROPRIATED DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 1

USE: MULTIPLE PURPOSE

Dam Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	3 W	WM	10	SW SE	580 FEET NORTH AND 2600 FEET WEST FROM SE CORNER, SECTION 10

The Area To Be Submerged:

Twp	Rng	Mer	Sec	Q-Q
9 S	3 W	WM	10	SW SE

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a staff gage or other suitable measuring device(s) as approved by the Department. If the Director notifies the permittee to install a measuring device(s), the permittee shall install such devices within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the devices in good working order and shall allow the Watermaster access to the devices. The Director may provide an opportunity for the permittee to submit alternative measurement procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.

The permittee shall pass all live flow outside the storage season described above.

The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish-screening and by-pass devices to prevent fish from entering the proposed diversion, and to provide adequate upstream and downstream passage for fish.

The permittee shall not release stored water from the reservoir(s) July 1 through October 1 unless determined necessary by the Water Resources Department to satisfy prior downstream rights.

STANDARD CONDITIONS

1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
2. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
3. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
4. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
5. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, shall be followed.
6. The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

7. If the volume of the completed reservoir is 9.2 acre feet or more and a dam is used to impound the water, the height of the dam shall be less than 10.0 feet.
8. Construction shall be completed and up to the permitted annual volume of water shall be stored within five years of the date of permit issuance.
9. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.
10. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.
11. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
 - a. the dimensions of the reservoir;
 - b. the maximum capacity of the reservoir in acre-feet; and
 - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued OCTOBER 5 2009.

E. Timothy Ward. for

Phillip C. Ward, Director
Water Resources Department

Mailing List for FO

Scheduled Mailing Date:

Application: R-87465

Permit: R-14780

Original mailed to Applicant with CBU form:

Wesley Stucker
10886 SOUTHVIEW RIDGE LANE SE
JEFFERSON OR 97352

Copies of FO sent to:

1. File R-87465
2. Water Availability (Ken Stahr)
3. Watermaster District 16

Copies of FO sent to other interested persons (CWRE, Agent, Commenter, etc.):

- 1.

Copies of Map sent to (remember to reduce copy margins):

1. Watermaster District 16
- 2.

Copies Mailed

by: JS

(STAFF)

on: 10/6/09

(DATE)

RAILROAD RAILROAD RIGHT-OF-WAY
 STREAM, LAKE, ETC. TAX LOT BOUNDARY STREAM, LAKE, ETC. NON-BOUNDARY
 SUBDIVISION BOUNDARY PARTITION PLAT Bdy.
 TAX CODE BOUNDARY EASEMENT

SYMBOL TYPES

DLC RECEIVED
 JUN 04 2009
 WATER RESOURCES DEPT
 SALEM, OREGON

SECTION 1/4 SEC 1/10 SEC
 1/4 SEC 1/10 SEC

NUMBERS

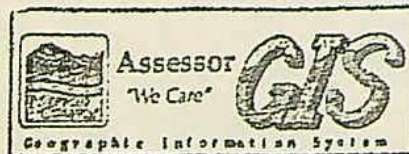
TAX CODE NO.
 000 00 00 0

ACREAGE - ALL ACREAGES EXCLUDE
 ANY PORTION THAT MAY LIE
 WITHIN THE INDICATED PUBLIC
 RIGHT OF WAYS.

TICK MARKS - WHEN A TICK MARK IS
 INDICATED ON THE EXTENSION OF
 A LINE, THEN THE DIMENSION GOES
 TO THE TICK MARK. GENERALLY THIS
 IS USED WHEN DIMENSIONS GO INTO
 PUBLIC RIGHT OF WAYS.

ARROWS ARE USED WITH DIMENSIONS
 IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was
 created for Assessor's
 Office use ONLY.



SCALE 1" = 200'
 or 1:2400

Plot file created: July 30, 2003



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON**

In the Matter of Water Rights Application)
R-87465, Marion County)

**FINAL ORDER
APPROVING THE STORAGE OF
SURFACE WATER**

Authority

Oregon Revised Statutes (ORS) 537.409 establishes the process by which an application to store waters of the public may be submitted.

Findings of Fact

1. On June 4, 2009, Wesley Stucker submitted an application for a permit to store water pursuant to ORS 537.409. The Department provided public notice of the application in the Department's weekly public notice on June 16, 2009. A 60-day comment period followed.
2. The Department has not received comments related to the possible issuance of the attached permit.
3. The Department has evaluated the application and any comments received, and finds that as conditioned, the proposed use will not impair or be detrimental to the public interest described in ORS 537.409(6).
4. The Department received a review from Oregon Department of Fish and Wildlife related to the possible issuance of a permit. The attached permit is conditioned to address concerns raised in that review.
5. Water is available for the proposed use as described in the attached permit.
6. The use, as described in the attached permit, will not injure existing water rights and does not pose a significant detrimental impact to existing fishery resources.

APPEAL RIGHTS

Appeal to a circuit court: This is a final order in other than a contested case. Any party affected by a final order in other than a contested case issued by the Water Resources Commission or Water Resources Department may appeal the order to the appropriate circuit court (ORS 536.075). A petition for judicial review must be filed within the 60-day time period specified by ORS 183.484 (2).

Petition to the Department for Reconsideration of the Final Order: A person entitled to judicial review of this order may also file a petition for the Department's reconsideration of the order. The petition for reconsideration must be filed with the Department within 60 calendar days after the date of the order. A copy of the petition must also be delivered or mailed to all other persons and agencies requiring notification under statute or rule (OAR 137-004-0080). The petition must set forth the specific grounds for reconsideration, and may be supported by a written argument. The petition may include a request for a stay of the order if the petition complies with the requirements of OAR 137-003-0090 (2). The Department may grant or deny the petition by summary order. If the Department takes no action, the petition is deemed denied as provided by ORS 183.484 (2). A final order remains in effect during reconsideration until stayed or changed. Following reconsideration, the agency must enter a new order, which may be an order affirming the existing order (OAR 137-004-0080). Reconsideration cannot be granted after the filing of a petition for judicial review, unless permitted by the court (OAR 137-004-0080 (6)).

ORS 537.409 does not provide an opportunity to request a contested-case hearing. Appeal rights on this final order approving the application are limited to the above procedures.

Conclusions of Law

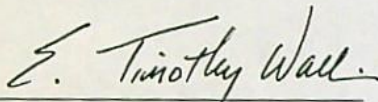
Application R-87465 is consistent with the requirements of ORS 537.409. Therefore, the proposed use will not impair or be detrimental to the public interest.

Now Therefore, it is Ordered:

Application R-87465 is approved pursuant to ORS 537.409. **Upon payment of the permit recording fee of \$400, a permit shall be issued authorizing the proposed water use.** Failure to meet this requirement within 60 days from the date of this Final Order may result in the proposed rejection of the application.

If you need to request additional time, your written request should be received in the Salem office of the Department within 60 days of this Final Order. The Department will evaluate the request and determine whether or not the request may be approved.

Dated at Salem, Oregon on SEPTEMBER 3 2009.



for Phillip C. Ward, Director
Water Resources Department

This order was produced by Joel Plahn. If you have any questions about any of the statements contained in this document, I am probably the best person to answer your questions. You may reach me at 503-986-0815 or Joel.M.Plahn@wrdd.state.or.us.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE, Suite A, Salem OR 97301-1266, Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF MARION

DRAFT PERMIT TO CONSTRUCT A RESERVOIR AND STORE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO:

WESLEY STUCKER
10886 SOUTHVIEW RIDGE LANE SE
JEFFERSON OR 97352

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-87465

SOURCE OF WATER: RUNOFF, TRIBUTARY TO MILLER CREEK

STORAGE FACILITY: A RESERVOIR

MAXIMUM VOLUME: 9.0 ACRE FEET

DATE OF PRIORITY: JUNE 4, 2009

WATER MAY BE APPROPRIATED DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 1

USE: MULTIPLE PURPOSE

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9 S	3 W	WM	10	SW SE	580 FEET NORTH AND 2600 FEET WEST FROM SE CORNER, SECTION 10

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 - a. the dimensions of the reservoir;
 - b. the maximum capacity of the reservoir in acre-feet; and
 - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued _____ 2009.

DRAFT – NOT A PERMIT

Phillip C. Ward, Director
Water Resources Department

Mailing List for FO

Scheduled Mailing Date:

Application: R-87465

Permit: DRAFT

Original mailed to Applicant with CBU form:

Wesley Stucker
10886 SOUTHVIEW RIDGE LANE SE
JEFFERSON OR 97352

Copies of FO sent to:


1. File R-87465
2. Water Availability (Ken Stahr)
3. Watermaster District 16

Copies of FO sent to other interested persons (CWRE, Agent, Commenter, etc.):

- 1.

Copies of Map sent to (remember to reduce copy margins):

1. Watermaster District 16
- 2.

Copies Mailed	
by:	 (STAFF)
on:	9/3/09 (DATE)

ORS 537.409 ALTERNATE RESERVOIR WORKSHEET

FILE #: R-87465
WM DIST: 16
REGION: W R
WID #: 2 - 183

PUBLIC NOTICE: ~~7/8/2009~~
4/14/09

 Land Use complete ☒ Yes ☐ No ☐ NA

 Appropriate Fees ☐ Yes ☐ No, need: 400 record
(\$80 base, \$20 per af) OR (\$300 base, \$25 per af, & \$300 recording)

 Secondary app necessary ☐ Yes, App S- ☒ No

 Stream withdrawn ☐ Yes ☒ No

 SWW ☐ In (may not be allowed) ☒ Out or Above

Mail forms to appropriate Interagency Review Team members. Mailed on July 15, 2009

ODFW Contact: Karen Hans

DEQ Contact: Nancy Gramlich

Watermaster: Mike McCord

If in Umatilla: Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, Pendleton, Oregon 97801

Water available: year-round

Allowed season: JAN FEB MAR APR MAY JUN 1 JUL AUG SEP OCT NOV DEC

Measurement Conditions: Small (≤ 9.2 af) | Medium (> 9.2 , but < 100 af) | Large (≥ 100 af or govt. entity, 537.099)
*use staff gage for runoff

Other Conditions: use fishmay if ODFW doesn't request screen/by-pass condition _____

Assign permit number R- 14780

Remarks: _____

WM - Nov - June
ODFW NOV - May - June 1 wq no release 7/1 - 10/1

Completed by Joel Plahn on 7/8/2009. Peer review: June 8/8/09

Point of Diversion Characteristics

Right:	App:R 87465 *
Name:	WESLEY STUCKER

TRSQQ: 09.00S-03.00W-10-SWSE Digital Map of TRSQQ

County: Marion

Basin: Willamette

WM District: 16

WM Region: NW

Withdrawn Area:

WAB: WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000 (183)

Priority WAB:

Rule 4D: Rules apply

Groundwater Restricted Area: LIMITED - SOUTH SALEM HILLS

Scenic Water Way:

Division 33: LOWER COLUMBIA

Water Quality Limited:

Water Availability Analysis

WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

WILLAMETTE BASIN

Water Availability as of 7/8/2009

Watershed ID #: 183

Exceedance Level: 50%

Date: 7/8/2009

Time: 11:30 AM

Water Availability

Select any Watershed for Details

Nesting Order	Watershed ID #	Stream Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	181	WILLAMETTE R> COLUMBIA R- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2	182	WILLAMETTE R> COLUMBIA R- AB MOLALLA R	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3	183	WILLAMETTE R> COLUMBIA R- AB MILL CR AT GAGE 14191000	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Limiting Watersheds

Monthly Streamflows in Cubic Feet per Second
Storage at 50% Exceedance in Acre-Feet

Month	Limiting Watershed ID #	Stream Name	Water Available?	Net Water Available
JAN	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	29,000.00
FEB	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	22,800.00
MAR	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	20,100.00
APR	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	17,600.00
MAY	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	15,600.00
JUN	182	WILLAMETTE R > COLUMBIA R - AB MOLALLA R	Yes	8,950.00
JUL	182	WILLAMETTE R > COLUMBIA R - AB MOLALLA R	Yes	2,960.00
AUG	182	WILLAMETTE R > COLUMBIA R - AB MOLALLA R	Yes	1,070.00
SEP	182	WILLAMETTE R > COLUMBIA R - AB MOLALLA R	Yes	1,450.00
OCT	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	4,410.00
NOV	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	14,900.00
DEC	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	32,500.00
STO	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000	Yes	10,300,000.00

Detailed Reports for Watershed ID #181

WILLAMETTE R > COLUMBIA R - AT MOUTH

WILLAMETTE BASIN

Water Availability as of 7/8/2009

Watershed ID #: 181

Exceedance Level: 50%

Date: 7/8/2009

Time: 11:30 AM

Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second
Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	51,100.00	2,720.00	48,400.00	0.00	1,500.00	46,900.00
FEB	49,100.00	8,000.00	41,100.00	0.00	1,500.00	39,600.00

MAR	42,400.00	7,570.00	34,800.00	0.00	1,500.00	33,300.00
APR	36,400.00	7,200.00	29,200.00	0.00	1,500.00	27,700.00
MAY	28,300.00	4,460.00	23,800.00	0.00	1,500.00	22,300.00
JUN	15,800.00	2,610.00	13,200.00	0.00	1,500.00	11,700.00
JUL	7,980.00	2,550.00	5,430.00	0.00	1,500.00	3,930.00
AUG	5,530.00	2,320.00	3,210.00	0.00	1,500.00	1,710.00
SEP	5,740.00	1,950.00	3,790.00	0.00	1,500.00	2,290.00
OCT	8,390.00	746.00	7,640.00	0.00	1,500.00	6,140.00
NOV	24,400.00	1,030.00	23,400.00	0.00	1,500.00	21,900.00
DEC	52,800.00	1,380.00	51,400.00	0.00	1,500.00	49,900.00
STO	19,700,000.00	2,550,000.00	17,200,000.00	0.00	1,090,000.00	16,100,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	1,930.00	0.00	485.00	99.60	9.49	23.80	131.00	43.70	2,720.00
FEB	7,200.00	0.00	485.00	99.60	9.49	23.80	131.00	43.70	8,000.00
MAR	6,770.00	6.41	485.00	99.60	9.48	23.80	131.00	46.80	7,570.00
APR	6,370.00	42.50	485.00	99.60	9.48	23.80	125.00	46.80	7,200.00
MAY	3,430.00	293.00	481.00	99.60	9.33	23.80	93.70	26.20	4,460.00
JUN	442.00	586.00	1,340.00	99.60	9.18	23.80	82.90	24.90	2,610.00
JUL	14.00	993.00	1,340.00	94.30	9.17	23.80	54.30	24.60	2,550.00
AUG	2.03	780.00	1,340.00	94.30	9.17	22.40	52.60	24.50	2,320.00
SEP	0.75	385.00	1,340.00	99.50	9.17	22.40	68.10	24.80	1,950.00
OCT	0.54	27.70	476.00	99.60	9.17	22.40	71.20	38.60	746.00
NOV	262.00	0.00	485.00	99.60	9.47	23.80	110.00	42.10	1,030.00
DEC	584.00	0.00	485.00	99.60	9.49	23.80	132.00	43.70	1,380.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF181A	APPLICATION	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Maximum		1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00

Detailed Reports for Watershed ID #182

WILLAMETTE R > COLUMBIA R - AB MOLALLA R
WILLAMETTE BASIN

Water Availability as of 7/8/2009

Watershed ID #: 182

Date: 7/8/2009

Exceedance Level: 50%

Time: 11:30 AM

Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second

Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	38,500.00	2,250.00	36,200.00	0.00	1,500.00	34,700.00
FEB	37,100.00	7,440.00	29,700.00	0.00	1,500.00	28,200.00
MAR	32,800.00	7,220.00	25,600.00	0.00	1,500.00	24,100.00
APR	28,300.00	6,870.00	21,400.00	0.00	1,500.00	19,900.00
MAY	22,200.00	4,200.00	18,000.00	0.00	1,500.00	16,500.00
JUN	12,500.00	2,050.00	10,500.00	0.00	1,500.00	8,950.00
JUL	6,330.00	1,870.00	4,460.00	0.00	1,500.00	2,960.00
AUG	4,290.00	1,720.00	2,570.00	0.00	1,500.00	1,070.00
SEP	4,420.00	1,470.00	2,950.00	0.00	1,500.00	1,450.00
OCT	6,690.00	717.00	5,970.00	0.00	1,500.00	4,470.00
NOV	19,000.00	851.00	18,100.00	0.00	1,500.00	16,600.00
DEC	40,700.00	924.00	39,800.00	0.00	1,500.00	38,300.00
STO	15,200,000.00	2,250,000.00	13,000,000.00	0.00	1,090,000.00	11,900,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	1,530.00	0.00	512.00	84.80	8.12	18.00	77.20	24.80	2,250.00
FEB	6,720.00	0.00	512.00	84.80	8.12	18.00	77.20	24.80	7,440.00
MAR	6,490.00	4.37	512.00	84.80	8.12	18.00	79.30	24.90	7,220.00
APR	6,120.00	29.10	512.00	84.80	8.12	18.00	75.80	24.90	6,870.00
MAY	3,300.00	201.00	509.00	84.80	8.12	18.00	65.70	9.66	4,200.00
JUN	420.00	404.00	1,040.00	84.80	8.12	18.00	63.50	9.51	2,050.00
JUL	3.91	676.00	1,040.00	79.60	8.12	18.00	35.60	9.22	1,870.00
AUG	1.99	528.00	1,040.00	79.50	8.12	16.60	34.20	9.14	1,720.00
SEP	0.70	261.00	1,040.00	84.70	8.12	16.60	49.80	9.40	1,470.00
OCT	0.36	19.00	512.00	84.80	8.12	16.60	53.10	23.20	717.00
NOV	126.00	0.00	512.00	84.80	8.12	18.00	76.10	24.80	851.00
DEC	198.00	0.00	512.00	84.80	8.12	18.00	77.20	24.80	924.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF182A	APPLICATION	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Maximum		1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00

Detailed Reports for Watershed ID #183

WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

WILLAMETTE BASIN

Water Availability as of 7/8/2009

Watershed ID #: 183

Date: 7/8/2009

Exceedance Level: 50%

Time: 11:30 AM

Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second
Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	32,500.00	2,190.00	30,300.00	0.00	1,300.00	29,000.00
FEB	31,500.00	7,380.00	24,100.00	0.00	1,300.00	22,800.00
MAR	28,600.00	7,170.00	21,400.00	0.00	1,300.00	20,100.00
APR	25,700.00	6,820.00	18,900.00	0.00	1,300.00	17,600.00
MAY	21,000.00	4,110.00	16,900.00	0.00	1,300.00	15,600.00
JUN	12,100.00	1,630.00	10,500.00	0.00	1,300.00	9,170.00
JUL	6,070.00	1,380.00	4,690.00	0.00	1,300.00	3,390.00
AUG	4,110.00	1,270.00	2,840.00	0.00	1,300.00	1,540.00
SEP	4,210.00	1,100.00	3,110.00	0.00	1,300.00	1,810.00
OCT	6,410.00	701.00	5,710.00	0.00	1,300.00	4,410.00
NOV	17,000.00	809.00	16,200.00	0.00	1,300.00	14,900.00
DEC	34,700.00	862.00	33,800.00	0.00	1,300.00	32,500.00
STO	13,500,000.00	2,120,000.00	11,400,000.00	0.00	942,000.00	10,400,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	1,500.00	0.00	569.00	58.30	3.53	12.70	24.00	23.80	2,190.00
FEB	6,690.00	0.00	569.00	58.30	3.53	12.70	24.00	23.80	7,380.00
MAR	6,470.00	3.08	569.00	58.30	3.53	12.70	25.10	23.80	7,170.00
APR	6,110.00	19.40	569.00	58.30	3.53	12.70	22.60	23.80	6,820.00
MAY	3,300.00	141.00	565.00	58.30	3.53	12.70	21.50	9.09	4,110.00
JUN	419.00	286.00	818.00	58.30	3.53	12.70	21.50	9.09	1,630.00
JUL	3.86	477.00	815.00	54.70	3.53	12.70	5.05	8.87	1,380.00
AUG	1.98	370.00	815.00	54.70	3.53	12.70	5.05	8.79	1,270.00
SEP	0.68	183.00	817.00	58.20	3.53	12.70	19.10	8.97	1,100.00
OCT	0.28	13.40	569.00	58.30	3.53	12.70	21.40	22.80	701.00
NOV	119.00	0.00	569.00	58.30	3.53	12.70	22.90	23.80	809.00
DEC	171.00	0.00	569.00	58.30	3.53	12.70	24.00	23.80	862.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF183A	APPLICATION	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00
Maximum		1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00

WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

The review of alternate reservoirs is limited to these criteria only.

Date: July 15, 2009
Please return to
WRAD before: August 18, 2009
Water is available: year-round

R-87465
WESLEY STUCKER
10886 SOUTHVIEW RIDGE LANE SE
JEFFERSON OR 97352

1) Does the proposed reservoir have the potential to injure existing water rights?

NO / ☒ YES

Explain:

See #2

2) Can conditions be applied to mitigate the potential injury to existing water rights?

NO / ☒ YES

If YES, which conditions are recommended:

Water is not available all year in
Miller Cr. Limit season to Nov - June.

3) Did you meet with staff from another agency to discuss this application?

☒ NO / YES

Who: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

Watermaster signature: Michael J. McLean Date: 7/21/09

WRD Contact: Caseworker: Joel Plahn, Water Rights Division
503-986-0815/ Fax: 503-986-0901 / e-mail: Joel.M.PLAHN@ wrd.state.or.us

ODFW ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Karen Hans

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

The review of alternate reservoirs is limited to these criteria only.

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

Date: July 15, 2009

Please return to

WRD before: August 18, 2009

Water is available: year round

R - 87465

Wesley Stucker

10886 Southview Ridge Lane SE

Jefferson, OR 97352

1) Would the proposed reservoir pose a significant detrimental impact to an existing fishery resource? **YES**

Explain: (For example, list STE species or other existing fishery resources that would be negatively impacted.)

cutthroat trout, Pacific lamprey, other native fishes.

Diverting water from June through October could reduce water and habitat for fish in Miller Creek. Releasing warm water from reservoirs in to Miller Creek during summer months could raise water temperatures above suitable levels for salmonids species.

Please check either of the boxes below if appropriate:

X Any diversion or appropriation of water for storage during the period June 1 through October 31 poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)

☐ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area poses a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

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W. J. HANSEN
ODFW
OREGON

2) Can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource? **YES**

If YES, which conditions are recommended: (select from the Menu of Conditions listed on back)

wq; limit diversion of water to November 1 to June 1. Except for normal bypass flows after diversion allocation has been met, or in case of emergency, no release of water from reservoirs directly into stream channel leading to Miller Creek from July 1 to October 1.

3) Did you meet with staff from another agency to discuss this application?

NO

Who: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

ODFW Representative Signature: Karen Hans Date: August 18, 2009

WRD Contact: Caseworker: Joel Plahn, Water Rights Division

503-986-0808/ Fax: 503-986-0901 / e-mail: Joel.M.Plahn@ wrd.state.or.us

he following condition will be included in any permit issued unless ODFW explicitly requests that it be omitted:

he permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a shway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver or exemption ough the Oregon Department of Fish and Wildlife. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage oordinator before beginning construction of any in-channel obstruction.

- shself The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
- shapprove The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing b ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- shdiv33 If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- shmay Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, th permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- 52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- 5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- 51a The period of use has been limited to _____ through _____.
- 57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- 58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring device must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.
- rtile callThe use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- parian If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- q The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- nce The stream and its adjacent riparian area shall be fenced to exclude livestock.
- lv Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. Th use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

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WATER RESOURCES DEPT
SALEM, OREGON

Joel Plahn

From: Karen Hans [Karen.M.Hans@coho2.dfw.state.or.us]
Sent: Tuesday, August 18, 2009 10:20 AM
To: Joel Plahn
Subject: R 897465
Attachments: R87465 Stucker ODFW ALT RES REVIEW.doc

Joel,

See attached; let me know if you need more information.

Karen M Hans
Oregon Department of Fish and Wildlife
Salmon Trout Enhancement Program
7118 NE Vandenberg Ave
Corvallis OR 97330
541 757 4186 x 251
541 231 9562 (cell)
Karen.M.Hans@state.or.us

*"Eventually, all things merge into one,
and a river runs through it" Norm Mclean*

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SALEM, OREGON

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WATER RESOURCES DEPT
SALEM, OREGON

8/18/2009

DEQ ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

The review of alternate reservoirs is limited to these criteria only.

Date: July 15, 2009

Please return to

WRD before: August 18, 2009

Water is available: year-round

R-87465

WESLEY STUCKER

10886 SOUTHVUE RIDGE LANE SE
JEFFERSON OR 97352

- 1) Would the proposed reservoir pose a significant detrimental impact to an existing fishery resource? **(NO)** YES

Explain: Runoff Collection; off channel; limited potential for overflow to surface waters in critical summer months.

- 2) Did you meet with staff from another agency to discuss this application?

NO / YES

Who: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

Post-it® Fax Note	7671	Date	8/17/09	# of pages	2
To	Plahn	From	Gramlich		
Co./Dept.	WRD	Co.	DEQ		
Phone #		Phone #			
Fax #		Fax #			

DEQ Representative Signature: Nancy Gramlich Date: 8/17/09

WRD Contact: Caseworker: Joel Plahn, Water Rights Division
503-986-0815 / Fax: 503-986-0901 / e-mail: Joel.M.PLAHN@wrdd.state.or.us

RESERVOIR, ALTERNATE PROCESS ROUTE SLIP

RECEIPTING

☒ LKJ

POST CARD SENT

☒

Handled Arctic 6-4-09 H/LY
WATER RIGHTS SUPPORT

☐

ATTN: WATER RIGHTS

SUPPORT...>>>> Mark contents of file with application number;

Update the WRIS Database

and enter Public Notice Date 6/16/09 *MS* Route file to caseworker.

Caseworker:

Brook Geffen 503-986-0808

☐

Jeana Eastman 503-986-0859

☐

Joel Plahn 503-986-0815

☒

Kerry Kavanagh 503-986-0816

☐

Michele McAleer 503-986-0853

☐

Alternate Reservoir Application Completeness Checklist

This is the checklist used by WRD staff

Application R 87465 County MARION SW SE
Priority Date JUNE 4 2009 Township 9S Range 3W Section 10 Taxlot 3200
Use M-P Caseworker JOEL P
Amount (AF) 9 Watermaster DIST #16

*Minimum Requirements (ORS 537.409)

- ☒ Landowner Name, Mailing Address* and Telephone Number.
- ☒ Source* and tributary listed. NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE !!
- ☒ Reservoir Location- Township, Range, Section, Quarter Quarter, Taxlot
- ☒ Dam height*, if applicable 18 FEET
- ☒ Total Quantity * of Storage Requested: 9 AF
- ☒ Proposed Use of the water....Cannot accept application for use of this stored water at the same time (E2)
- ☒ Property ownership indicated? * If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: lands not owned by applicant, upon which the source is locatedor..... that are crossed by the diversion works. This includes any roads or rights-of-way.)
- ☒ Environmental Impact section completed? Not fatal if omitted
- ☒ Application signed by the landowner(s)? All parties noted as applicants must sign the application. Must be an original "wet" signature.
- ☒ Completed Land-Use Form * or receipt signed by the appropriate planning department official enclosed? Does the use on land-use form match the proposed use on the application? Must be an original "wet" signature within the last 12 months.
- ☒ Acceptable map ** Indicates requirements of standards set forth by the Commission and causes fatal flaw if not provided by the applicant. MAR REPROD/ASSIST. H/M
- ☒ Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)*
- ☒ Scale of the Map (not less than 1"-1320') 300 **
- ☒ Reference corner on map
- ☒ North Directional Symbol **
- ☒ 1/4 1/4's clearly identified
- ☒ Reservoir clearly identified *
- ☒ Dam or POD (If off channel) Location coordinates referenced to a government land survey corner* If no dam, use coordinates to center of reservoir.**

☐ Fees enclosed*?

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SALEM, OREGON

Base Fee\$ 80

plus\$ 180

plus\$ 20 x 9

Total Paid \$ 260

Total Fees \$ 260

Completeness Check by: H/M

Date: JUNE 4 2009

Joel Plahn

From: Karen Hans [Karen.M.Hans@coho2.dfw.state.or.us]
Sent: Thursday, August 20, 2009 8:46 AM
To: Joel Plahn
Subject: RE: R 87465 Wesley Stucker

Yes, thank you for catching that for me. The no release of water condition should be from July 1 through October 1.

Karen M Hans
Oregon Department of Fish and Wildlife
Salmon Trout Enhancement Program
7118 NE Vandenberg Ave
Corvallis OR 97330
541 757 4186 x 251
541 231 9562 (cell)
Karen.M.Hans@state.or.us

*"Eventually, all things merge into one,
and a river runs through it" Norm Mclean*

From: Joel Plahn [mailto:plahnjm@wrdd.state.or.us]
Sent: Thursday, August 20, 2009 8:22 AM
To: Karen Hans
Cc: Joel Plahn
Subject: RE: R 87465 Wesley Stucker

Hello Karen,

Under #2 you stated no release of water from July 1 through October 1, did you intend for the season to be July 1 through October 31?

Thanks,

Joel Plahn
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, Oregon 97301
(503) 986-0815

From: Karen Hans [mailto:Karen.M.Hans@coho2.dfw.state.or.us]
Sent: Tuesday, August 18, 2009 10:20 AM
To: Joel Plahn
Subject: R 897465

Joel,

See attached; let me know if you need more information.

Karen M Hans
Oregon Department of Fish and Wildlife
Salmon Trout Enhancement Program
7118 NE Vandenberg Ave
Corvallis OR 97330
541 757 4186 x 251
541 231 9562 (cell)
Karen.M.Hans@state.or.us

*"Eventually, all things merge into one,
and a river runs through it" Norm Mclean*

8/20/2009

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **97782**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Wesley A. Stuckor +
BY: Holly B. Stuckor

APPLICATION	R87465
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 7172 ☒ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 400.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

**RECEIVED
OVER THE COUNTER**

A H Res

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$ _____	0202	RECORD FEE \$ <u>400.00</u>
0203 GROUND WATER	EXAM FEE \$ _____	0204	LICENSE FEE \$ _____
0205 TRANSFER	EXAM FEE \$ _____		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____	0219	LICENSE FEE \$ _____
LANDOWNER'S PERMIT		0220	LICENSE FEE \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$ _____

RECEIPT: **97782**

DATED: 9-11-09 BY: QR

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **96665**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Wesley Stucker
BY: _____

APPLICATION	R 874165
PERMIT	
TRANSFER	

CASH: ☒ CHECK: # _____ OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 26000

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$ _____
OTHER: (IDENTIFY) _____	\$ _____
0243 I/S Lease _____	
0244 Muni Water Mgmt. Plan _____	
0245 Cons. Water _____	

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OVER THE COUNTER**

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$ _____
0410 RESEARCH FEES	\$ _____
0408 MISC REVENUE: (IDENTIFY) _____	\$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$ _____
0240 EXTENSION OF TIME	\$ _____

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$ <u>26000</u>	0202	RECORD FEE \$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____	0219	LICENSE FEE \$ _____
LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$ _____	CARD # _____
0210 MONITORING WELLS	\$ _____	CARD # _____
OTHER (IDENTIFY) _____		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$ _____
0231 HYDRO LICENSE FEE (FW/WRD)	\$ _____
HYDRO APPLICATION	\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT:

96665

DATED:

6.4.07

BY:

LAG



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

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JUN 04 2009

WATER RESOURCES DEPT
SALEM, OREGON

Application for a Permit to
**Store Water in
a Reservoir**
(Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: Wesley Stucker
First Last

Mailing Address: 10886 Southview Ridge LN. S.E.
Jefferson OR 97352
City State Zip

Phone: 503-585-1322 503-930-6736
Home Work Other

*Fax: _____
*optional information

*Email Address: Wes.stucker@juno.com

2. LOCATION AND SOURCE

A. Reservoir Name: N/A

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: run-off Tributary to: N/A

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
<u>9S</u>	<u>3W</u>	<u>10D</u>	<u>Sw 1/4 SE 1/4</u>	<u>3200</u>

D. County of Use: Marion

E. Dam: Maximum height of dam: 18 feet. If excavated, write "excavated" or "0 feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity.

List quantity in Acre-Feet: 9 Acre Ft.

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

3. WATER USE

Indicate the proposed use(s) of the stored water. NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement. If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose - fish/wildlife - aesthetics - domestic

App. No. R-87465 For Department Use
Permit No. _____ Date _____

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WATER RESOURCES DEPT
SALEM, OREGON

4. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (please check appropriate box below then skip to section 5)☐ There are no encumbrances☐ This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))☐ No (Please check the appropriate box below)☐ I have a recorded easement or written authorization permitting access.☐ I do not currently have written authorization or easement permitting access.☐ 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 irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multitpurpose" in #3 above)

List Name and mailing addresses of all affected land owners:

5. ENVIRONMENTAL IMPACT

A. Channel: is the reservoir ☐ In Stream or ☐ off channel? *No Stream Run off only*B. Wetland: is the project in a wetland? ☐ Yes ☒ No ☐ Don't knowC. Existing: is this an existing reservoir? ☐ Yes ☒ No

If yes how long has it been in place? _____ years

D. Fish Habitat: Is there fish habitat upstream from the proposed structure? ☐ Yes ☒ No ☐ Don't know

If yes, how much? _____ miles

E. Partnerships: Have you been working with other agencies? ☐ Yes ☒ No

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

6. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

Wesley A. Stucker

Landowner Signature

5/29/09

Date

Before you submit your application be sure you have:

- ☐ Answered each question completely.
- ☐ Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- ☐ The map must meet map requirements to be accepted.
- ☐ Included a land use form or receipt stub signed by a local planning official.
- ☐ Included a check payable to Oregon Water Resources Department for the appropriate amount.

FEE STRUCTURE: The fee is based on the number of acre-feet proposed to be stored. The base fee is \$80. In addition, there is a fee of \$20 per acre-foot or fraction thereof. Example: 0.3 AF = \$ 100 ; 1.5 AF = \$ 120 ; 20.0 AF = \$ 480 ; 30.0 AF = \$ 680.

R-87465



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Wesley Stucker
 Mailing Address: 10886 Southview Rdg. NW. SE.
 City: Jefferson State: OR Zip: 97352 Day Phone: 503-930-6736

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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:
9	3W	10D	SW, SE	3200	AD	<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	
						<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, or used. Marion

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) _____

Estimated quantity of water needed: 9 ☐ 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 Multipurpose

Briefly describe: Wildlife - aesthetics - domestic

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

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

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JUN 04 2009

WATER RESOURCES DEPT
SALEM, OREGON

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 128.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:			
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued

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

Name: Jennifer Brown Title: Assistant Planner
 Signature: [Signature] Phone: 503-588-5038 Date: 6-4-09
 Government Entity: Marion County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

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

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JUN 04 2009

WATER RESOURCES DEPT
SALEM, OREGON