

FILE#: R 70851

U.S. SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS, OR 97526

Date filed NOVEMBER 2, 1990.

Priority

Action suspended until

Return to applicant

Date of approval

CONSTRUCTION

Date for beginning

Date for completion

Extended to

Date for application of water

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

Application No.

Permit No.

Certificate No.

Stream Index, Page No.

15-1680-0440-0370-040

V 8 A Briggs Grumise
See Dam file S-131 for As Built Plans
JOSEPHINE COUNTY

Date _____

To Whom

ASSIGNMENTS

Address

Volume

Page

REMARKS

Return to Dam Safety before issuing permit - I think
we have all we need. HD 12/14/90

IMPORTANT MESSAGE

FOR	THREZ.	DATE	11-19	TIME	855	A.M. P.M.
M.	AZICE	R-70851				
OF	BRUCE SUND	##				☒ PHONED
PHONE	☐ FAX ☐ MOBILE					☐ RETURNED YOUR CALL
MESSAGE	GRANTS	PASS				☒ PLEASE CALL
	COPY	PERMIT				☐ WILL CALL AGAIN
	MAP	R-11559				☐ CAME TO SEE YOU
SIGNED						☐ WANTS TO SEE YOU

TOPS FORM 4006

Form B (690-9-77)

Application No. R-70851

NOTICE OF COMPLETION OF CONSTRUCTION

I, J. Michael Lumm, Forest Supervisor, the holder of Permit No. R-11559
to appropriate the public waters of the state of Oregon, completed the construction of the works described
therein on the 30th day of October, 1990.

Remarks: If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-
ment, you should so state

IN WITNES
J. Michael Lumm
(S)
Fill out, det

Form A (690-9-77)

I, J. Mich
to appropriate the
therein on the

Remarks:

IMPORTANT MESSAGE

FOR	WED 499	DATE	1-21	TIME	212	A.M. P.M.
M.	HOWARD	SUBITZ				
OF	SISKIYOU N.F.					☒ PHONED
PHONE	☐ FAX ☐ MOBILE	541 - 471 - 6760				☐ RETURNED YOUR CALL
MESSAGE	1-13-98	YOU GUYS				☒ PLEASE CALL
	A#R - 70851	MAP				☐ WILL CALL AGAIN
	P#R - 11559					☐ CAME TO SEE YOU
SIGNED						☐ WANTS TO SEE YOU

TOPS FORM 4006

acquired for the water system up to the date of this permit, and any additional information which shows a substantial beginning of construction as
authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this day of February, 1996
J. Michael Lumm
(Signature of Applicant)
Siskiyou NF, P.O. Box 440, Grants Pass, OR.
(Address)
Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

Return to Dam Safety before issuing permit - I think
we have all we need. HD 12/14/90

IMPORTANT MESSAGE

FOR <u>THREZ.</u>	DATE <u>11-19</u>	TIME <u>855</u> A.M.
M <u>AZICE</u>	<u>R-70851</u>	
OF <u>BRUCE SUND</u>	<u># #</u>	☒ PHONED
PHONE ☐ FAX ☐ MOBILE		RETURNED YOUR CALL
MESSAGE <u>GRANTS PASS</u>	AREA CODE <u>-</u> NUMBER <u>-</u> EXTENSION <u>FAX</u>	☒ PLEASE CALL
<u>COPY</u>	<u>PERMIT</u>	WILL CALL AGAIN
<u>MAP</u>	<u>R-11559</u>	CAME TO SEE YOU
SIGNED		WANTS TO SEE YOU

TOPS FORM 4006

Form B (690-5)

I, J. M.

to appropriate the

therein on the

Remarks:

described

proposed develop-

ment, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this day of February, 1996.

J. Michael Lunn
(Signature of Applicant)

Siskiyou NF, P.O. Box 440, Grants Pass, OR.
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Form A (690-9-77)

Application No. R-70851

NOTICE OF BEGINNING OF CONSTRUCTION

I, J. Michael Lunn, Forest Supervisor, the holder of Permit No. R11559

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 15th day of July, 1990.

Remarks:

The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this day of February, 1996.

J. Michael Lunn
(Signature of Applicant)

Siskiyou NF, P.O. Box 440, Grants Pass, OR.
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

SP*35567-690

OK
DSM

APPLICATION
CHECK-OFF LIST

RECEIPT POSTED
~~STREAM INDEXED & STREAM CODED~~
~~CONTENTS MARKED/STAMPED~~
~~SCENIC WATERWAY NOTED~~
~~FILE FOLDER TYPED~~
~~CALENDAR CARD TYPED~~
~~MAPS COPIED~~
APPLICATION COPIED
ACK LETTER TYPED

FPO 90

R-70851

Application No.

Permit No. R11559

11-2-90

Name US of A, SISKIYOU NATIONAL FOREST

Address 200 N GREENFIELD RD, GRANTS PASS, OR 97526

Assigned

Address

Beginning construction .. 11-17-90

Completion of construction 10-1-987

Extended to

Complete application of water 10-1-98 98

Extended to

APPLICATION PROCESSING OUTLINE

Basin: Rogue River
 Sub-basin: Illinois River
 Fees paid: Examination fee: _____
 Recording fees: _____
 Total: _____

Application No. R 70851
 Permit No. _____

RATE AND DUTY _____ for irrigation

1. Check for minimum information (OAR 690-11-020)

yes	no	
☒	☐	Name and mailing address of the applicant.
☒	☐	Source of the water.
☒	☐	Quantity of water to be appropriated.
☒	☐	Location of point of diversion to 1/4 1/4 Section.
☒	☐	Nature and place of use.
☒	☐	Name and mailing address of all legal owners of the properties involved.
☒	☐	Signature of the applicant
☒	☐	Examination fees.

If minimum information not supplied, excepting legal owner information, then return to applicant with letter explaining deficiencies.

yes	no	
☐	☒	Water Resources Commission classification limits or restrictions -- If yes, note: _____
☐	☒	State Engineer's withdrawals -- If yes, note: _____
☐	☒	Legislative withdrawals -- If yes, note: _____
☐	☒	If policy statement is unclear check with Resources Management Division.
☒	☐	Scenic Watervay: <u>Illinois & Rogue Rivers</u>
☐	☒	on <u>up-stream</u> w/in <u>1/4</u> mile
☐	☒	Notify Parks and Recreation Department
☐	☒	Out-of-basin diversion
☐	☒	Need to route to Geology Section due to:
☐	☒	well within one mile of a stream
☐	☒	well within restricted surface water area
☐	☒	wells with request for greater than 5 cfs
☐	☒	well is for heating &/or cooling
☐	☒	well constructed by land owner
☐	☒	well is artesian
☐	☒	artificial ground water recharge project
☐	☒	ground water area under study
☐	☒	Within Irrigation District: _____
☐	☒	Notify _____ Need excerpt from District
☐	☒	Legal description of property
☐	☒	Ownership statement
☐	☒	Other parties to Notify: _____
☐	☒	Water Resources Commission review if:
☐	☒	Request for greater than 5 cfs
☐	☒	Dam height greater than 10 feet
☐	☒	Storage of more than 9.2 acre-feet
☐	☒	Out-of-basin diversion
☐	☒	within or above a scenic watervay
☐	☒	conditional uses under basin programs
☐	☒	requests for larger rate or duty than allowed
☐	☒	ground water recharge project
☐	☒	other substantial public interest issues
☐	☒	requests for review by an agency or person
☒	☐	Watermaster comment form sent with copy of draft permit
☐	☒	application and map
☐	☒	Watermaster comments received
☐	☒	Hydrographic section comments requested
☐	☒	Hydrographic section comments received
☒	☐	O.D.F.W. sent copy of application and map (except groundwater) requesting comment
☐	☒	O.D.F.W. comments received
☒	☐	Report from D.E.O. received
☒	☐	Publish application information in weekly public notice.
☐	☒	Notify other owners of development
☐	☒	PROTESTED
☐	☒	filed _____
☐	☒	resolved _____

*Diack Ac
Dec 92
Need Special Act Ltr.*

STATE OF OREGON
WATER RESOURCES DEPARTMENT
3850 PORTLAND ROAD NE
SALEM, OR 97301

TO: U.S. Department of Agriculture
National Finance Center

DATE: November 9, 1990

ADDRESS: PO Box 60075
New Orleans, LA 70160

INVOICE # 0232

RE: Purchase Order 40-OM00-1-2001

Filing fees for Application R-70851 for permit to construct a reservoir:

Examination fee

\$ 200 00

Permit Recording fee

100 00

TOTAL DUE

\$ 300 00

Please make remittance payable to the Water Resources Department and
please enclose the canary copy of this billing with your remittance.

White - Customer Copy Canary - Please Return with Payment
Pink - Agency Copy Goldenrod - Fiscal Section Copy

United States Department of Agriculture

PURCHASE ORDER

(See back or attached)

AD838 - Vendor (APOS 7/90)

Order Number: 40-0M00-1-2001 Sub:

Page 01 of 01	Contract Number OM	Order Date November 1, 1990	This Number must appear on all Invoices, Packages, and Papers Relating to this Order.
Seller's Ident. No.	Form 1099 No	Taxpayer's Ident. No.	
To: (Seller's Name and Address) STATE DEPARTMENT OF WATER RESOURCES 3850 PORTLAND RD. NE SALEM OR 97310		SHIP TO -> -> ->	Consignee: USDA - Forest Service Galice Ranger District 1465 NE Seventh Street Grants Pass OR 97526

Line Item	Description	Quantity	Unit	Issue	Price	Amount
01	EXAMINATION AND RECORDING FEES FOR PERMIT TO CONSTRUCT A DAM ON SOLDIER CRK FOR SPALDING POND	1		EA	300.000	300.00

Application No. R-70851
Permit No.

RECEIVED
NOV 02 1990
WATER RESOURCES DEPT.
SALEM, OREGON

F. O. B. Point Destination	Deliver to Consignee Address on or Before November 30, 1990	TOTAL >	300.00
Ship Via	Discount Terms Net 30 Days		

Billing Address (DO NOT SHIP ORDER HERE) (Ship to Consignee Address above) U.S. DEPARTMENT OF AGRICULTURE National Finance Center P.O. Box 60075 New Orleans LA 70160	BILLING INSTRUCTIONS: Do not submit bill in advance of shipment. Send invoice with our Order Number to Billing Address at left. Failure to show our Order Number will delay payment. If available, include your nine position DUNS number on each invoice. Freight charge over \$100 requires bill of lading.
Issuing Office: USDA - Forest Service Galice Ranger District 1465 NE Seventh Street Grants Pass OR 97526	Ordered By: (Name and Title) MARGARET ODLE PURCHASING AGENT Commercial Phone Number: (503) 476-3830 Authorized Signature: <i>Margaret Odle</i>

SELLER'S ORIGINAL

11/01/90

Final Proof Survey Report
Application R-70851 Permit R-11559
Spalding Pond Reservoir

RECEIVED
DEC 10 1998
WATER RESOURCES DEPT.
SALEM, OREGON

U.S. DEPARTMENT OF AGRICULTURE
SISKIYOU NATIONAL FOREST
P.O. BOX 440
GRANTS PASS, OREGON 97526

This report is to comply with Oregon Revised Statutes Chapter 537 and Final Order instructions as outlined by the Water Resources Department, State of Oregon.

1. Spalding Pond Reservoir Dam has been completed as per the approved plans and specifications dated December 30, 1991.
2. Total area submerged by Spalding Pond Reservoir: Spalding Pond Reservoir consists of a 2.6 acre area containing 21.0 acre-feet of water.
3. Location: The dam is located in the SW1/4SE1/4 Section 13, Township 37 South, Range 9 West, Willamette Meridian, Josephine County, Oregon. A survey tie to the SE Section Corner for section 13 is shown on the attached final proof survey map. A GPS tie was also made to control point number 2 as shown on the attached final proof survey map. Elevations used for this project correspond to the original plans and specifications. Elevations determined by GPS are 33.25 feet lower than the reported project elevations.
4. Dam cross-section: A cross-section of the existing dam taken generally over the center of the dam is as follows: Elevation of current water level = 3346.0 feet. Assumed elevation for cross-section is 100.0 feet.

PWL	HWL	UPC	DNC	TOE
100	101	104.9	105.1	68.2
0	3.49	17.2	33.7	101.8

5. Outlet of Dam: The outlet is an 8-inch diameter metal pipe located to the center-left of the dam as shown on the attached Final Proof Survey Map. The outlet bears N.31°22'09"W., 85.5 feet distance from the Gate Lift Pedestal located on top of the dam.
6. Dam Length: The center top of the dam bears N.62°35'45"E., 124.1 feet distance. The left (West) end of the dam is at elevation 3350.7 feet. The right (East) end of the dam is at elevation 3351.1 feet.
7. Spillway profile: The spillway is a concrete structure located on the right (East) side of the dam as shown on the attached Final Proof Survey Map.

Final Proof Survey Report
Application R-70851 Permit R-11559
Spalding Pond Reservoir

RECEIVED
DEC 10 1998
WATER RESOURCES DEPT.
SALEM, OREGON

Elevation of current water level is 3346.0 feet. Assumed elevation for spillway profile is 100.0 feet. SP/W C=Crest at top of weir.

PWL	SP/W C	SP/XX	SP/XX	SP/XX	SP/XX	SP/XX	SP/XX	SP/XX
100	101	99.5	98.4	96.7	92.0	80.9	70.9	60.3
0	13.9	62.4	84.7	104.9	123.0	152.4	183.0	226.0

8. The gate lift pedestal is functioning properly and has an 8-inch diameter conduit/gate assembly. It is shown on the attached final proof survey map.
9. Diversion points/inlets (a spring and Soldier Creek) are generally located at the southeast end of the reservoir as shown on the attached final proof survey map.

The final proof survey and inspection of the use as found to be to be completed under the terms and conditions of permit R-11559 was completed by me on September 30, 1998, and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.

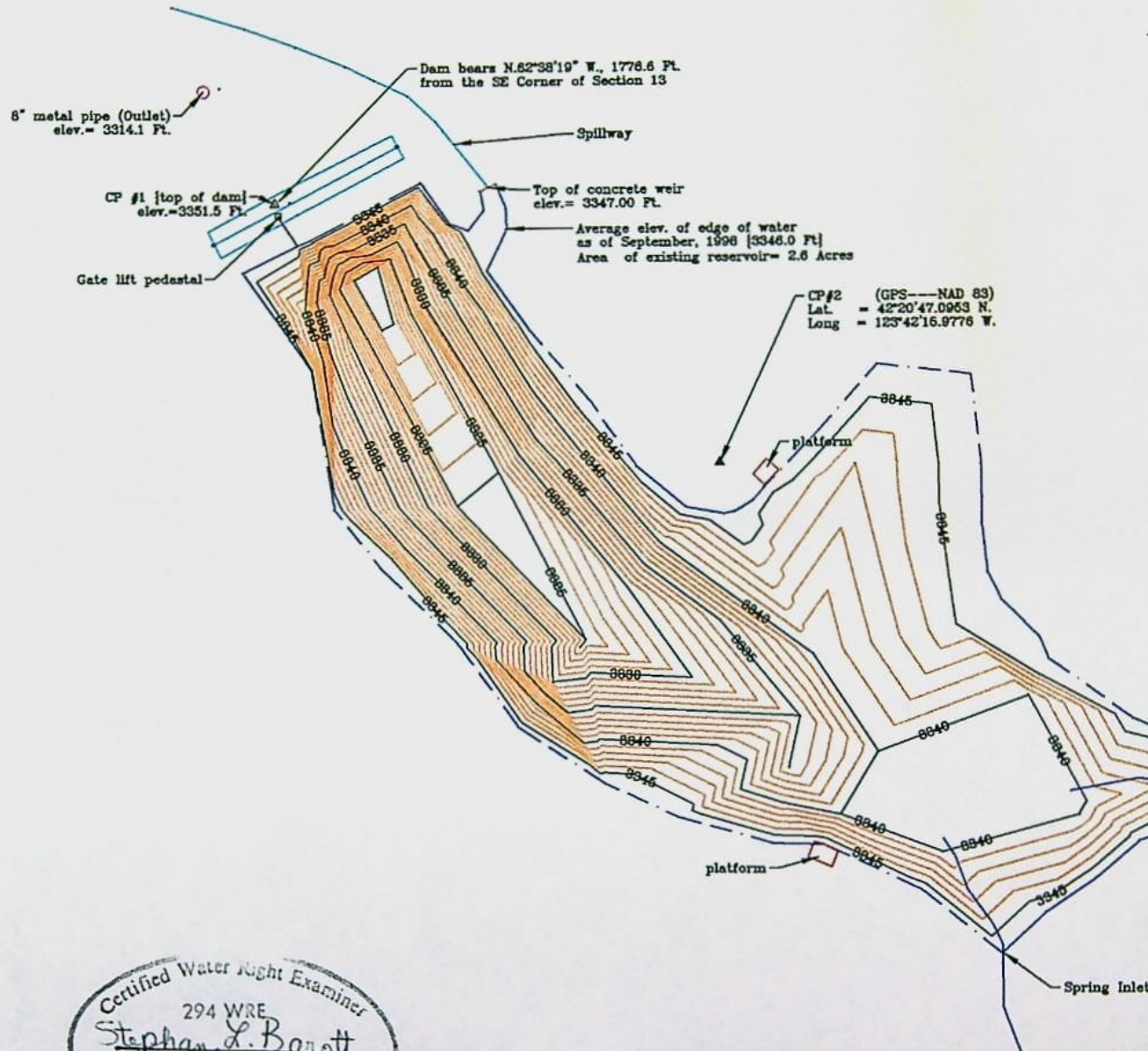


I, J. Michael Lunn, agree to the findings of the CWRE and do submit this site report and map as my Claim of Beneficial Use of the water as provided under the terms and conditions of my permit R-11559.

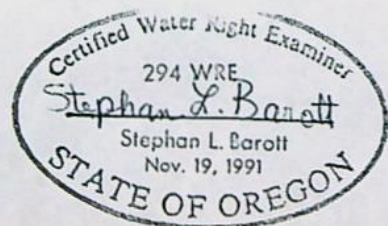
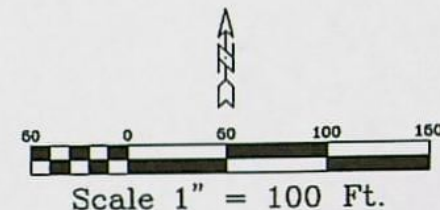
Forest Supervisor

Final Proof Survey
Spalding Pond Reservoir
Appl. R-70851 Per. R-11559
September 30, 1998

SW 1/4 SE 1/4 SECTION 13
T.37 S., R.9 W., W.M.
JOSEPHINE COUNTY, OREGON



PRISMOIDAL METHOD
ORIGINAL SURFACE
FINAL SURFACE
CUT COMPACTION FACTOR 0.00 %
FILL COMPACTION FACTOR 0.00 %
RAW CUT VOLUME 0.00 CY
RAW FILL VOLUME 33,888 CY = 21.0 Acre-Feet



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal ownership lines.

RECEIVED
DEC 10 1998
WATER RESOURCES DEPT.
SALEM, OREGON

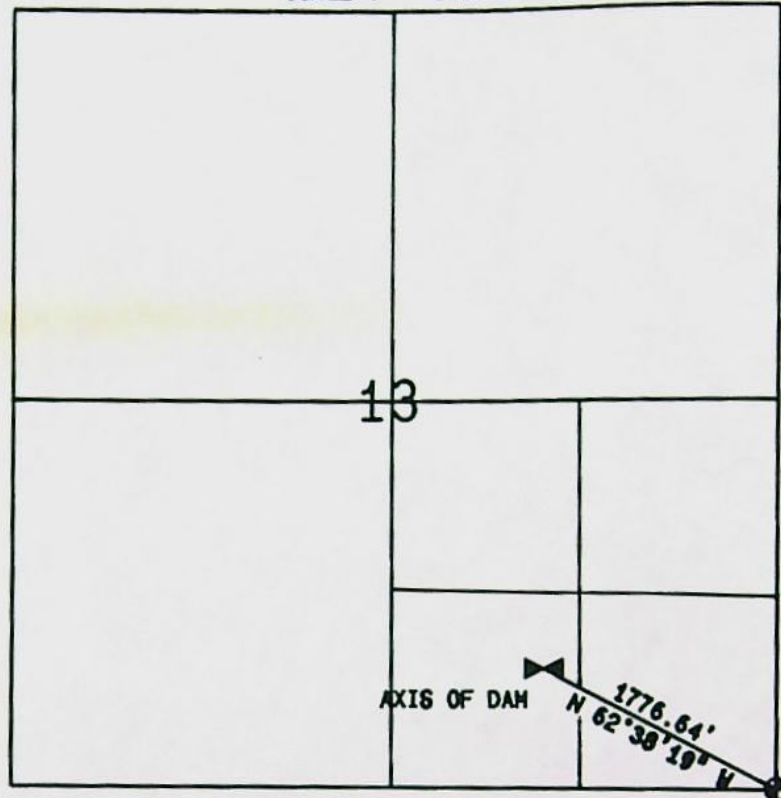
RECEIVED

NOV 02 1990

SEC. 13, T.37S., R.9W., W.M.

WATER RESOURCES DEPT.
SALEM, OREGON

SCALE 4" = 1 MILE



APPLICATION NO. R-70851

PERMIT NO. R11559

IN THE NAME OF

USDA FOREST SERVICE

SURVEYED MAY 22, 1989

THOMAS J. HOWIE, W.R.E. 070

THE PREPARATION OF THIS MAP IS FOR THE
PURPOSE OF IDENTIFYING THE LOCATION OF A
WATER RIGHT ONLY AND HAS NO INTENT TO
PROVIDE DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES.



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

US SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS OR 97526

4a. Article Number

P-56695

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

NOV 16 1998

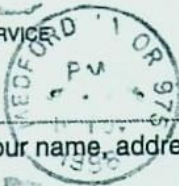
5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X E.A. Strack

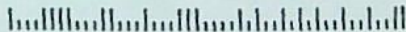
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

WATER RESOURCES DEPT
158 12TH ST NE
SALEM OR 97310





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

November 3, 1998

US SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS OR 97526

REFERENCE: File R-70851

This letter is in regard to your water use Permit R-11559. As we pointed out to you in our letter of January 28, 1998, your claim of beneficial use must be received in this office by **January 8, 1999**.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before **January 8, 1999**, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Bruce Sund, Watermaster
Thomas Howie, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

January 28, 1998

US SISKIYOU NAT FOREST
PO BOX 440
GRANTS PASS OR 97526

REFERENCE: File R-70851

We have received your notice that complete application of water has been made under Permit R-11559.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **January 8, 1999**. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

enclosure

cc: Bruce Sund, Watermaster
Thomas Howie, CWRE



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

January 13, 1998

US SISKIYOU NAT FOREST
PO BOX 440
GRANTS PASS OR 97526

REFERENCE: File R-70851

We have received your notice that complete application of water has been made under Permit R-11559.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **January 8, 1998**. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or tract map of beneficial use. All permit conditions need to be addressed in the claim.

Upon receipt of the map and claim of beneficial use, the information will be reviewed. An inspection may be conducted by a representative of this office. Following approval, the certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 319 Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

enclosure

cc: Bruce Sund, Watermaster
Thomas Howie, CWRE

Janet
The CWRE
date should be
1999
- Please send map
letter & CWRE
list
DSM



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

January 13, 1998

US SISKIYOU NAT FOREST
PO BOX 440
GRANTS PASS OR 97526

REFERENCE: File R-70851

We have received your notice that complete application of water has been made under Permit R-11559.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **January 8, 1998**. A list of Certified Examiners is enclosed for your information.

99

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

enclosure

cc: Bruce Sund, Watermaster
Thomas Howie, CWRE

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. ~~R-11559~~ 70851

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

J. Michael Lunn, Forest Supervisor, the holder of Permit No. R-11559

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1st day of February, 1996

Remarks: Spalding Pond Reservoir was filled with storm water runoff during the 1996-1997 wet season.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of January, 1998.

J. Michael Lunn
(Signature of Applicant)

Siskiyou NE, PO Box 440, Grants Pass, OR 97528
(Address)

RECEIVED

JAN - 8 1998

WATER RESOURCES DEPT
SALEM, OREGON

February 29, 1996

US SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS OR 97526

REFERENCE: File R-70851

By law, water cannot be applied to the beneficial use described in your Permit R-11559 until **after** that permit, allowing the use of water, was signed by the Director of the Water Resources Department. The permit was not signed until January 17, 1996. The date you indicated for complete application of water was December 1, 1990.

With the thought that the date was in error, I am enclosing another Form C for reporting the correct date. The complete application of the water would have to have occurred after January 17, 1996.

We did accept your notice of completion of construction. Under the provisions of the permit, the time limit for completion of the appropriation by making beneficial use of the water to the full extent intended will expire October 1, 1998.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

enclosure



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

U.S. SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS, OREGON 97526

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-70851

SOURCE OF WATER: SOLDIER CREEK, A TRIBUTARY OF BRIGGS CREEK

STORAGE FACILITY: SPALDING POND RESERVOIR

RATE/VOLUME: 25.0 ACRE-FEET

PERIOD OF ALLOWED USE: Water may be appropriated for storage during the period DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: November 2, 1990

DAM LOCATION: SW 1/4 OF SE 1/4 OF SECTION 13, T37S, R9W, W.M.; 1776.64 FEET NORTH 62 DEGREES 38 MINUTES 19 SECONDS WEST OF THE SOUTHEAST CORNER OF SECTION 13

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:
SW 1/4 OF SE 1/4 OF SECTION 13, TOWNSHIP 37 SOUTH, RANGE 9 WEST, W.M.

The total area to be submerged by the reservoir, when full, is 3.0 acres; the maximum depth of water is 37.0 feet. The maximum height of the dam will not exceed 37.0 feet.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. 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 outlet gate shall be cycled at least once each year and shall be fully operational. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated December 30, 1991 on file with the Water Resources Department.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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.

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.

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.

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.

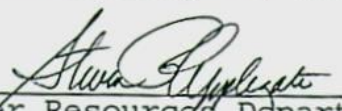
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin on or before December 22, 1996, and shall be completed on or before October 1, 1997. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1998.

SEE NEXT PAGE

This permit is issued to correctly describe the permit number. The permit numbered R-70851 is superseded by this instrument and is of no further force or effect.

Issued January 17, 1996


for Water Resources Department
Martha O. Pagel
Director

Application R-70851
Basin 15
CCE

Water Resources Department
Volume 8A, Briggs Creek & Misc
MGMT CODES 2AD, 2AW, 2BD, 2BW

PERMIT R-11559
District 14

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Application No. R-11559

J. Michael Lunn, Forest Supervisor the holder of Permit No. R-11559

Remarks: Spalding Pond Reservoir was filled with storm water runoff during the season.

Siskiyou NF, PO Box 440, Grants Pass, OR
(Address) 97528

Application No.

I,, the holder of Permit No.

Remarks: _____
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-

ment, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this day of 19.....

.....
(Signature of Applicant)

.....
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Application No.

I, _____, the holder of Permit No. _____

Remarks: _____
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment

acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this day of 19.....

(Signature of Applicant)

(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

WATER RESOURCES DEPT
SALEM, OREGON

US Skiyou National Forest

RECEIVED

NOV 20 1995

WATER RESOURCES DEPT.
SALEM, OREGON

I/We certify that the information I have provided in application # R-70851 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Name

Title

Date

Name

Title

Date

Name

Title

Date

Name

Title

Date

* ATTENTION: Jerry Rainey and

Joe Denhoff: R-70851 change Soldien Creek is
Tributary to Briggs Creek as
Amended on the Faxed copy from
Jerry Rainey. This change will complete
the accuracy and true representation
for water use. R. J. J. 11/17/95

PH#

541-

471-

6760

RECEIVEDApplication No. R-70851Permit No. NOV 02 1990

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

I, United States of America, Siskiyou National Forest

(Name of Applicant)

of 200 North Greenfield Road

(Mailing Address)

Grants Pass

(City)

State of Oregon97526

(Zip Code)

Phone No. 503: 479-5301do hereby make application for a permit to construct the Spalding Pond 4716724 reservoirand to store the unappropriated waters of the State of Oregon, subject to existing rights. 6710
65001. The name of the stream from which the reservoir is to be filled is Soldier Creektributary to Illinois River BRIGGS CREEK

2. If not in channel of a stream, state how it is to be filled.

3. The dam will be located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section L3Township 37S, Range 9W, W. M.4. The maximum height will be 37 feet above stream bed or ground surface at the centerline. The top width will be 15 feet, slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full feet.5. The dam will be (check one) X earthfill, concrete, flashboard, other.

If "other", give description:

6. Give the location, description, and dimensions of the outlet conduit: 8-inch corrugated steelpipe on bedrock bench along East side.

(All dams across natural stream channels must be provided with an outlet conduit of such capacity and location to pass the normal flow of the stream at any time)

per phone conversation with Jerry Hany

11/17/95

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # R-70851

WATERMASTER # 14

REGIONAL MANAGER: SW Al Cook

ODF&W - Josephine County:

CWRE (if agent): Thomas J. Howie #70

DEQ

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: _____ COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;
(CHECK ONLY IF APPLICABLE) _____ NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

SEE ATTACHED

CASEWORKER : JMD

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of	)	FINAL
Reservoir Application	)	ORDER
R-70851 submitted by	)	
U.S. SISKIYOU NATIONAL FOREST		

FINDINGS OF FACT

Water Use Request

1. U.S. SISKIYOU NATIONAL FOREST requested to construct THE SPALDING POND RESERVOIR and to store the waters of SOLDIER CREEK, A TRIBUTARY OF BRIGGS CREEK, for RECREATION TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING within the Rogue Basin.
2. The amount of water to be stored each year is not more than 25.0 ACRE-FEET.
3. The area to be submerged by the reservoir is located in Josephine County within THE SW 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 37 SOUTH, RANGE 9 WEST, W.M.
4. The total area proposed to be submerged by the reservoir, when full, is 3.0 acres; the proposed maximum depth of water is 37.0 feet. The maximum height of the dam will not exceed 37.0 feet.
5. The request was made in Application R-70851 which was received by the Water Resources Department on November 2, 1990.

Affected Waters

1. SPALDING POND RESERVOIR AND SOLDIER CREEK, A TRIBUTARY OF BRIGGS CREEK, are above a State Scenic Waterway.
2. ODFW has advised that this reservoir has a low probability for negative impact to aquatic life in the subject stream. Consequently, no fish passage or screening devices will be required.
3. There are no senior water rights on SPALDING POND RESERVOIR. There are senior water rights on SOLDIER CREEK, A TRIBUTARY OF BRIGGS CREEK, and on downstream waters.

Department Actions

1. The application was determined to be complete and not defective.
2. A technical review of the application was completed and a report of the results of that review was mailed to the

applicant on December 28, 1994.

3. The technical review determined:
 - a. RECREATION TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING is allowed under the Rogue Basin Program;
 - b. The use is not prohibited by Statute;
 - c. Water is available for storage and further appropriation at a 50 percent exceedance probability for the period December 1 through April 30;
 - d. The use would not injure existing water rights.
4. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in PERMIT R-70851.
5. A Proposed Final Order for this application was completed and a copy of that review was mailed to the applicant on October 17, 1995.

Assessment

1. In proceeding with evaluation of Application R-70851, the following criteria were found to be relevant by the Department:
 - a. The Rogue Basin Program (OAR Chapter 690, Division 515);
 - b. The Josephine County Comprehensive Plan and Zoning Ordinance;
 - c. Dam Construction Standards (OAR Chapter 690, Division 20);
 - d. The amount of water available in SOLDIER CREEK, A TRIBUTARY OF BRIGGS CREEK;
 - e. Pending, senior applications and existing water rights of record;
 - f. All comments received.

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the Proposed Final Order remain valid.
2. Period of allowed use is December 1 through April 30 for the accumulation of stored water.
3. The Department finds that no more than 25.0 ACRE-FEET would be necessary for RECREATION use. The amount of water requested, 25.0 ACRE-FEET, is allowable for the proposed use.
4. This application requests the use of water on federally owned lands; therefore, as outlined in the Department's Land Use Planning Procedures Guide, the submission of land use information with the application is not required.
5. Pursuant to ORS 390.835, the proposed use, as conditioned, will not reduce streamflows needed to maintain the

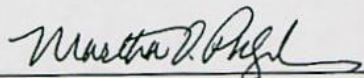
free-flowing character of THE ILLINOIS RIVER Scenic Waterway in quantities necessary for recreation, fish and wildlife uses.

6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and proposed conditions, would not result in injury to existing water users.
7. The proposed use complies with all other rules of the Commission.
8. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in PERMIT R-70851.
9. No protests were timely filed in response to the Proposed Final Order of October 17, 1995, and no significant issues or disputes are known to the Department at this time.
10. Therefore, the proposed use, as conditioned, and described in PERMIT R-70851, would not impair or be detrimental to the public interest.

ORDER

IT IS HEREBY ORDERED that Application R-70851 in the name of U.S. SISKIYOU NATIONAL FOREST be approved for RECREATION USE, TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING as provided in PERMIT R-70851.

DATED December 22, 1995


Martha O. Page
Director
Water Resources Department

NOTICE:

This Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

If this Final Order has modified the Department's prior findings or conditions, the applicant may request a contested case hearing within 14 days from the date of this order.

Issues on which a contested case hearing may be requested and conducted are limited to issues based on modifications to the Proposed Final Order.

Requests for a contested case hearing must be made in proper form, submitting the information required under Section 11(6), Chapter 416, Oregon Laws, 1995.

Requests for a contested case hearing must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on January 5, 1996.

Only the applicant and any persons who timely filed a protest may appeal the provisions of this final order.

STATE OF OREGON
COUNTY OF JOSEPHINE
PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

U.S. SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS, OREGON 97526

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-70851

SOURCE OF WATER: SOLDIER CREEK, A TRIBUTARY OF BRIGGS CREEK

STORAGE FACILITY: SPALDING POND RESERVOIR

RATE/VOLUME: 25.0 ACRE-FEET

PERIOD OF ALLOWED USE: Water may be appropriated for storage during the period DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: November 2, 1990

DAM LOCATION: SW 1/4 OF SE 1/4 OF SECTION 13, T37S, R9W, W.M.; 1776.64 FEET NORTH 62 DEGREES 38 MINUTES 19 SECONDS WEST OF THE SOUTHEAST CORNER OF SECTION 13

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:
SW 1/4 OF SE 1/4 OF SECTION 13, TOWNSHIP 37 SOUTH, RANGE 9 WEST, W.M.

The total area proposed to be submerged by the reservoir, when full, is 3.0 acres; the proposed maximum depth of water is 37.0 feet. The maximum height of the dam will not exceed 37.0 feet.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. 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 outlet gate shall be cycled at least once each year and shall be fully operational. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated December 30, 1991 on file with the Water Resources Department.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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.

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.

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.

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.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

SEE NEXT PAGE

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1997. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1998.

Issued December 22, 1995



Water Resources Department
Martha O. Pagel
Director

Application R-70851 Water Resources Department
Basin 15 Volume 8A, Briggs Creek & Misc
CCE MGMT CODES 2AD, 2AW, 2BD, 2BW

PERMIT R-70851
District 14

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of	)	PROPOSED
Reservoir Application	)	FINAL
R-70851 submitted by	)	ORDER
U.S. SISKIYOU NATIONAL FOREST		

FINDINGS OF FACT

Water Use Request

1. U.S. SISKIYOU NATIONAL FOREST requested to construct THE SPAULDING POND RESERVOIR and to store the waters of SOLDIER CREEK, A TRIBUTARY OF ILLINOIS RIVER, for RECREATION TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING within the Rogue Basin.
2. The amount of water to be stored each year is not more than 25 ACRE-FEET.
3. The area to be submerged by the reservoir is located in Josephine County within THE SW 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 37 SOUTH, RANGE 9 WEST, W.M.
4. The total area proposed to be submerged by the reservoir, when full, is 3.0 acres; the proposed maximum depth of water is 37.0 feet. The maximum height of the dam will not exceed 37.0 feet.
5. The request was made in Application R-70851 which was received by the Water Resources Department on November 2, 1990.

Affected Waters

1. SPAULDING POND RESERVOIR AND SOLDIER CREEK, A TRIBUTARY OF ILLINOIS RIVER, are within a State Scenic Waterway.
2. ODFW has advised that this reservoir has a low probability for negative impact to aquatic life in the subject stream. Consequently, no fish passage or screening devices will be required.
3. There are no senior water rights on SPAULDING POND RESERVOIR. There are senior water rights on SOLDIER CREEK, A TRIBUTARY OF ILLINOIS RIVER, and on downstream waters.

Department Actions

1. The application was determined to be complete and not defective.
2. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on December 28, 1994.

3. The technical review determined:

- a. RECREATION TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING is allowed under the Rogue Basin Program;
- b. The use is not prohibited by Statute;
- c. Water is available for storage and further appropriation at a 50 percent exceedance probability for the period December 1 through April 30;
- d. The use would not injure existing water rights.

4. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

Assessment

1. In proceeding with evaluation of Application R-70851, the following criteria were found to be relevant by the Department.

- a. The Rogue Basin Program (OAR Chapter 690, Division 515);
- b. The Josephine County Comprehensive Plan and Zoning Ordinance;
- c. Dam Construction Standards (OAR Chapter 690, Division 20);
- d. The amount of water available in SOLDIER CREEK, A TRIBUTARY OF ILLINOIS RIVER;
- e. Pending, senior applications and existing water rights of record;
- f. All comments received.

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the technical review remain valid.

2. Period of allowed use is December 1 through April 30 for the accumulation of stored water.

3. The Department finds that no more than 25.0 ACRE-FEET would be necessary for RECREATION TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING. The amount of water requested, 25.0 ACRE-FEET, is allowable for the proposed use.

4. Josephine County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Josephine County Comprehensive Land Use Plan.

5. Pursuant to ORS 390.835, the proposed use, as conditioned, will not reduce streamflows needed to maintain the free-flowing character of THE ILLINOIS RIVER Scenic Waterway in quantities necessary for recreation, fish and wildlife uses.

6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and proposed conditions, would not result in injury to existing water users.

7. The proposed use complies with all other rules of the Commission.

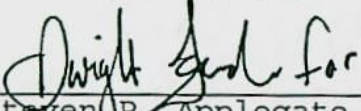
8. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.

9. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that Application R-70851 in the name of U.S. SISKIYOU NATIONAL FOREST be approved for RECREATION TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING as provided in the attached draft permit.

DATED October 17, 1995


Steven P. Applegate
Administrator

Water Rights and Adjudications Division

NOTICE:

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on December 1, 1995.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON

COUNTY OF JOSEPHINE

DRAFT PERMIT TO STORE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

U.S. SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS, OREGON 97526

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-70851

SOURCE OF WATER: SOLDIER CREEK, A TRIBUTARY OF ILLINOIS RIVER, within the Rouge basin.

STORAGE FACILITY: SPAULDING POND RESERVOIR

RATE/VOLUME: 25.0 ACRE-FEET

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR FOR STORED WATER ONLY

DATE OF PRIORITY: November 2, 1990

The total area proposed to be submerged by the reservoir, when full, is 3.0 acres; the proposed maximum depth of water is 37.0 feet. The maximum height of the dam will not exceed 37.0 feet.

DAM LOCATION: SW 1/4 OF SE 1/4 OF SECTION 13, T37S, R9W, W.M.; 1776.64 FEET NORTH 62 DEGREES 38 MINUTES 19 SECONDS WEST OF THE SOUTHEAST CORNER OF SECTION 13

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:
SW 1/4 OF SE 1/4 OF SECTION 13, TOWNSHIP 37 SOUTH, RANGE 9 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. 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 outlet gate shall be cycled at least once each year and shall be fully operational. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated December 30, 1991 on file with the Water Resources Department.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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.

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.

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.

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.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1997. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1998.

Issued _____, 199_

DRAFT

Water Resources Department
Martha O. Pagel
Director

Application R-70851 Water Resources Department
Basin 15 Volume 8A, Briggs Creek & Misc
JMD

PERMIT DRAFT
District 14

RECEIVED

MAR - 3 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon



DEPARTMENT OF
FISH AND
WILDLIFE

ROGUE DISTRICT
OFFICE

February 28, 1995

Water Rights Section
Water Resources Department
158 12th Street, NE
Salem, OR 97310

RE: Water Right Application #R 70851; Report of Technical Review

This reservoir has a low probability for negative impact to fish or other aquatic life in the subject stream and in downstream reaches. ODFW does recommend, however, that the conditions of the permit be modified to allow storage from December 1 through March 31, since the irrigation season begins April 1.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry Vogt".

Jerry Vogt
Assistant District Fish Biologist

cc: HCD
WaterWatch
File



1495 E Gregory Road
Central Point, OR 97502
(503) 826-8774
FAX (503) 826-8776

MEMO

DATE: December 27, 1991

TO: WATER RIGHTS

FROM: DAM SAFETY

Subject: Application R-70851 (Spalding Pond)

Please include the following conditions in the permit for the above application:

2A

The outlet gate shall be cycled at least once each year and shall be fully operational. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

2B

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated 12/30/91 on file with the Water Resources Department.

Howard Daggett

RECEIVED

NOV 02 1990

Application No. R-70851

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

I, United States of America, Siskiyou National Forest
(Name of Applicant)
of 200 North Greenfield Road, Grants Pass
(Mailing Address) (City)

State of Oregon, 97526, Phone No. 503: 479-5301
(Zip Code)

do hereby make application for a permit to construct the Spalding Pond reservoir
and to store the unappropriated waters of the State of Oregon, subject to existing rights.

1. The name of the stream from which the reservoir is to be filled is Soldier Creek
tributary to Illinois River

2. If not in channel of a stream, state how it is to be filled.
.....
.....

3. The dam will be located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13,
Township 37S, Range 9W, W. M.

4. The maximum height will be 37 feet above stream bed or ground surface at the
centerline. The top width will be 16 feet, slope of upstream face 3:1,
slope of downstream face 2:1, and height of dam above water line when full
feet.

5. The dam will be (check one) ☒ earthfill, ☐ concrete, ☐ flashboard, ☐ other.
If "other", give description:.....
.....
.....
.....

6. Give the location, description, and dimensions of the outlet conduit: 8-inch corrugated steel
pipe on bedrock bench along East side.
(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

Application No. R-70851

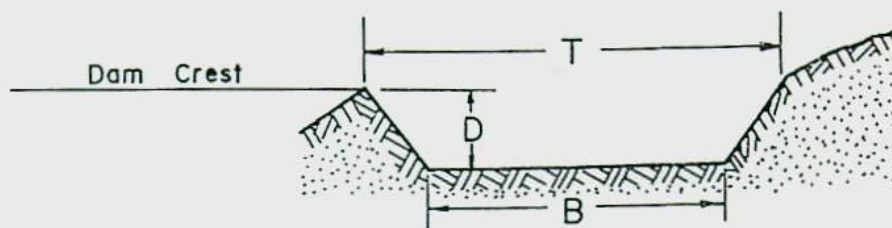
Permit No.

7. The impounded water will be used for... Recreation to include fishing, swimming,
... abd non-motorized boating

8. The amount of water to be stored is... 25 acre feet.

9. The area submerged by the reservoir, when full, will be... 3.0 acres,
and the maximum depth of water will be ... 37 feet.

10. Give the location and dimensions of the spillway ... Around East side of dam.
(State whether over or around dam)



The bottom width of the spillway, *B*, will be ... 4.0 feet.

The top width of the spillway, *T*, will be ... variable; 12' minimum feet.

The distance between the crest of the dam and the crest of the spillway, *D*, will be ... 4.0 feet.
(Must be at least 2½ feet)

If any other type of spillway describe and give dimensions:

.....
.....
.....
.....

11. Construction work will begin on or before... July 15, 1990

12. Construction work will be completed and the reservoir filled by ... December 31, 1990

Remarks: ... Construction is planned for completion prior to November 15, 1990

.....
.....
.....
.....

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Forrest J. McConick
Signature of Applicant

Forest Supervisor

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before....., 19.....

WITNESS my hand this day of, 19.....

Water Resources Director

By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 2nd day of November, 1990, at 3:00 o'clock P.M.

Application No. R-70851

Permit No.

Application No. R-70851

Permit No.

**Permit to Construct a Reservoir
and Store for Beneficial Use the Public Waters
of the State of Oregon**

This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions. The right herein granted is limited to the construction of

.....
.....
.....
.....
.....
.....

The right hereunder shall be limited to the storage of acre feet.

The priority date of this permit is

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

WITNESS my hand this day of, 19.....

.....
Water Resources Director

December 28, 1994

U.S. SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS, OR 97526

WATER
RESOURCES
DEPARTMENT

Reference: File R 70851

Dear Applicant:

The Water Resources Department has finished the first stage of its analysis of your application for a water right. Enclosed is a copy of this first report, which is called the Report of Technical Review.

The technical review is the Department's legal and scientific analysis of the application, including a calculation of the expected availability of water for your proposed use, an analysis of whether the use would conflict with other existing water rights, and if the use is compatible with the Department's river basin programs and local land use plans. Stage two, the Public Interest Review, is the next step.

In the case of your application, the Technical Review was satisfactory, and it concluded that water would be reliably available for this use for the time period described in the attached report. The report also includes other conditions which may be placed in the water right permit to protect other water users, the public or fish and wildlife habitat.

The Report of Technical Review report is only the first stage of the review process and does not authorize construction of a water system or the use of public waters. Nor does the report represent any commitment by the Department ultimately to approve your application. Before your water right may be granted, the Department must complete a public interest review.

In this second stage of the review process, state regulations require that other water users and the general public be given an opportunity to object to your proposed water use. You also may object to any of the Department's findings or proposed permit conditions contained in the technical report. If you wish to object, you must file your objection with the Department in writing by 5 p.m. on or before March 8, 1995. Interested parties must also submit their objections before the same deadline.

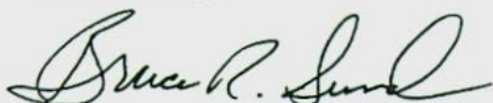


101 N.W. "A" Street, Rm 202
Grants Pass, OR 97256-2091
(503) 474-5385
FAX (503) 474-5389

Please review the enclosed informational sheet which describes the appeals process and the steps that must be taken by any party objecting to your Report of Technical Review or by parties wishing to protest issuance of the permit.

If you have questions, please feel free to telephone me or any of the Department's Water Rights Division staff members. My telephone number is 378-3739 in Salem, or you may call toll-free from within the state to 1-800-624-3199.

Sincerely,

A handwritten signature in cursive script, reading "Bruce R. Sund". The signature is written in dark ink and is positioned above the typed name.

Bruce R. Sund
Watermaster Dist. 14

Enclosures

Report Date: December 28, 1994

OREGON WATER RESOURCES DEPARTMENT
SATISFACTORY REPORT OF TECHNICAL REVIEW
FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 158 12th ST N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: March 8, 1995

1. APPLICATION FILE NUMBER -R 70851

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

U.S. SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS, OR 97526
COUNTY OF JOSEPHINE

503-479-5301

Date application received for filing and/or tentative date
11/ 2/1990

SOURCE: SPAULDING POND RESERVOIR AND STORE THE WATERS OF
SOLDIER CREEK, A TRIBUTARY OF ILLINOIS RIVER

Purpose and/or use: RECREATION TO INCLUDE FISHING,
SWIMMINGNON-MOTORIZED BOATING.

Flow: 25.0 ACRE-FEET

Point of Diversion Location:
SW 1/4 SE 1/4, SECTION 13, T 37 S, R 9 W, W.M.;
1776.64 FEET NORTH 62 DEGREES 38 MINUTES 19 SECONDS WEST.

Reservoir location:

SW 1/4 SE 1/4
SECTION 13
TOWNSHIP 37 SOUTH, RANGE 9 WEST, W.M.

SURFACE WATER AVAILABILITY

Water is likely available in excess of needs for all existing rights and scenic waterway needs 50% of the time during each

monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 25 ACRE-FEET is likely available for 5 months.

Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: R 70851

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Water may be appropriated for storage during the period: December 1 through April 30
3. Volume of use: 25 ACRE-FEET
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. 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.
6. Failure to comply with any of the provisions of the

permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.

7. The 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.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The total area proposed to be submerged by the reservoir, when full is 3 ACRES; the proposed maximum depth of water in feet is 37 FEET; the maximum height of the dam is 37 feet.
10. The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

WaterWatch

By FAX and Regular Mail

March 8, 1995

Oregon Water Resources Department
Water Rights Section
158 12th Street NE
Salem, Oregon 97310

Re: Objection to Technical Reports for:
G13654, County of Josephine School Dist., Supp. Irrig., Murphy Creek Basin
G13653, County of Josephine School Dist., Group Domestic, Murphy Creek Basin
69538, Clendenen, Irrigation, Rogue
69467, Oran, Irrigation, Rogue
R70851, U.S. Siskiyou NF, Recreation, trib. to Illinois
R69943, 69944, Rein, Irrigation, Little Butte Creek
69574, Shoemaker, irrigation, Little Butte Creek
S69627, Wolf, Irrigation, Rogue
S69745, R69746, Lee, Irrigation, Rogue
R71655, 71656, Broughton, irrigation, Ditch Creek
R69478, Ehlig, Recreation, Dog Creek
S70225, R70210, Omega Ministries, Recreation, SF Little Butte Creek
Rogue River Basin

WaterWatch submits the following objections pursuant to OAR 690-11-170:

♦ **The Technical Reports are Defective**

The technical reports fail to contain many of the elements and evaluations required in OAR 690-11-160(1).

♦ **The Water Availability Analyses in the Technical Reports are Defective**

The analyses are defective for the following reasons:

- The technical reports fail to contain any analysis of water availability, contrary to OAR 690-11.
- The analyses for all these applications fail to take into account existing water rights of record. Failure to account for future increases in water use pursuant to rights of record results in an over-estimation of water availability and over-allocation of the resource. This is contrary to the statewide Water Allocation Policy. OAR 690-400-010.

Water Resources Department
Page 2

♦ The Uses As Proposed are Not in the Public Interest

The proposed uses fail to pass the public interest considerations in ORS 537.170, ORS 537.620. *See also*, OAR 690-11-195(3)(d), (4)(a), (4)(c)(A), (4)(d)(A), (4)(f). The Rogue River and its surrounding tributaries and wetlands support a variety wildlife and fish life. Coho and Chinook salmon and winter steelhead rely on flows in the Rogue River system for different stages of their life cycles. In addition, the Rogue River is one of Oregon's premier recreational rafting rivers. In recognition of the river's exceptional values, several segments of the river have been received protection under both the state and federal scenic waterways statutes.

1. **The proposed uses are not in the public interest because they will interfere with flows needed to support public instream uses of water.**

The proposed uses will deplete flows needed for numerous public instream uses of the Rogue River and its tributaries. This river system supports a variety of fish life including cutthroat trout, winter steelhead and coho salmon. Petitions have been filed requesting listing of coastal coho and steelhead under the Federal Endangered Species Act. Low flows during summer months impair fish survival by among other things raising water temperatures and decreasing aquatic habitat and fish rearing areas. Low flows in the winter adversely affect fish habitat by among other things exposing spawning gravel and reducing feeding and rearing areas in the river. Water diversions create problems for fish passage and survival in the basin.

The existing instream water rights and the designation of the Lower Rogue as a state scenic waterway all protect flows needed for fish life in and recreational use of river. These fish populations have statewide and even national significance and streamflows are essential for maintenance of these fish. The additional diversion of water from these creeks will reduce flows in the Rogue system. In addition, the presence of sensitive fish populations places an even a greater duty upon the state to protect instream values. The federal and state endangered species acts require protection of habitat for listed species. Water is essential habitat for fish. Failure of the state to act now will essentially ensure that the fish are listed. Thus, the proposed uses are not in the public interest because they will interfere with flows which are needed for the instream values.

2. **Measurement and reporting.**

These conditions should allow the Director to require measurement and reporting of both rate and duty of water stored and used. The proposed permit conditions restrict use based upon a specific rate. If measurement and reporting of water use is to be a useful informational and regulatory tool for the Department, it should provide the information needed to ensure that water use is within the terms of the permit.

Water Resources Department
Page 3

The surface waters of the Rogue River system are overallocated several months of the year. The information generated by these proposed conditions are essential to the management and control of the water resource. If these uses were to be permitted, water use measurement and reporting should be a mandatory condition of use. This information is essential for protection of the public interest in the resource. However, we question the Department's ability to control these uses, even with these requirements.

3. The proposed uses are contrary to Oregon policy.

ORS 537.170(5)(a) and (c) require the Department to ensure that waters in the basin will be used and controlled for all purposes, not just consumptive purposes. The Statewide Instream Flow Protection Policy states that "(w)here streamflows have been depleted to the point that public uses have been impaired, methods to restore the flows are to be developed and implemented." OAR 690-410-030(1). When considering applications for new water rights the agency is required to consider the needs of instream and out-of-stream uses and the need to develop streamflow restoration programs. OAR 690-410-030(2)(a): No such consideration has been done.

If hypothetically, these proposed uses were allowed they should be conditioned to protect the senior instream flows. Critical to the protection of instream flows is knowing and controlling water use in the basin. These and other potential water users in the basin should be required to contribute to activities that enable the state to better manage and control the resource - such as measuring and reporting streamflows or contributing funds for installation and maintenance of gauging stations in key locations.

The recent petition for listing of coho and steelhead populations coast wide makes the protection of instream flows even more important for achieving a balance in this basin. The establishment and protection of instream water rights will help to achieve a balanced allocation of water between public instream and other uses in Basin and throughout the state.

Establishment of the instream water right also furthers statewide policies, priorities and goals for streamflow restoration including those in OAR 690-11-030(1), 690-410-070, and 690-77-015. Providing streamflow protection for fish is also necessary in order to carry out the state policy of restoring native fish stocks. ORS 496.435. Thus, protection of the public interest requires denial of these applications.

Failure by the State to look for or provide other sources of water, in the face of potential listing of the steelhead and coastal coho, creates expectations for water that may not be fulfilled if/when the species are listed. Instream flows in the Rogue Basin provide critical habitat for fish - without water instream there is no habitat. Continuing to issue water rights on a river with a possibility of a listed species, as well as existing water availability and water quality problems makes little sense.

Water Resources Department
Page 4

There are many small uses in the basin consuming both ground and surface waters, all vital sources for instream flow. Individually, the quantity of water consumed may not be large, but cumulatively these uses adversely effect instream flows and water quality. Ignoring this problem is bad public policy. The state should be looking for alternate sources for these uses and ways to provide regional water supplies for these uses in a way that will result in the least amount of impact for the resource.

4. Conservation Conditions are Inadequate

Oregon statutes and rules also call for the state to "aggressively promote" water conservation and places a high priority on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a) and OAR 690-410-060(1). The proposed conditions do little to further these policies. Given the presence of potentially listed species, the water quality problems and the fact water diversions are one of the causes of anadromous fish declines it is imperative that the water use be as efficient as possible. The proposed uses should be held to a high efficiency standard prior to any permit issuance and should be required to submit and implement a water use efficiency and management plan.

5. The uses will impair the public interest because fish screening and passage facilities are not mandatory conditions of use.

The technical reports do not require mandatory fish screening and passage facilities prior to any use of water. Given the critical status of fish populations in the this basin, the adverse impact diversions and dams have on fish habitat, screening and passage should clearly be required to be in place before any diversion or storage of water. In addition, failure to maintain screening and passage facilities must be grounds for shutting off water use. There should be a condition which clearly states these requirements.

6. Water Quality

Sections of the Rogue River are designated by the DEQ as water quality limited for several pollution assessment parameters. When evaluating applications for new uses, the Department has a duty to ensure that the use will not harm either the quantity or the quality of surface waters. The governing statutory and regulatory schemes make this self evident. See e.g. ORS 537.170(5)(a)&(c). Other statutory mandates amplify this requirement. ORS 468B.015 specifies that pollution of the water of the state of Oregon:

constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life and impairs domestic, agriculture, industrial, recreational, and other legitimate beneficial uses of water, ***.

Water Resources Department
Page 5

It is the public policy of the state:

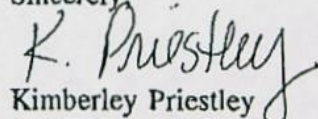
To protect, maintain, and improve the quality of the waters of the state *** (and) [t]o provide for the prevention, abatement and control of new or existing water pollution. ORS 468B.015(2), (4).

ORS 468B.020 declares that:

Pollution of any of the waters of the state is declared to be not a reasonable or natural use of such waters and to be contrary of the public policy in the state of Oregon.

The statutes and rules under which the Water Resources Commission and Department operate mandate that the agency act in a fashion which is consistent with ORS 468B.015 et seq. See e.g. ORS 536.220(1)(b) (requiring coordinated integrated state water resources policy). See also ORS 536.220(2)(a) (requiring "proper and adequate consideration of the multiple aspects of the beneficial use and control" of Oregon's waters); ORS 537.332(4)(c) (pollution abatement is a beneficial use of water); OAR 690-11-010(3) (defining beneficial use as use that is "consistent with" the laws, rules, and the best interests of the people of the state); ORS 537.170(4)(a) & (c). Thus, the public interest determination made by the Commission and Department must include an evaluation of the effects of this proposed use on the water quality of the creek. See also OAR 690-11-195(4)(c).

Sincerely


Kimberley Priestley
Legal/Policy Analyst

RECEIVED

FEB 22 1991

OREGON DEPARTMENT OF FISH AND WILDLIFE FIELD REPORT
FOR WATER RIGHT APPLICATIONS

WATER RESOURCES DEPT.
SALEM, OREGON

TO: *MacLeod, Central Point*

Investigation by:

FROM: Greg Robart

File No. & Amount of water: *70851*

DATE: *12/27/90*

Respond to HCD by: *1/11/91*

APPLICANT: (name and address):

R 70851 U.S. SISKIYOU NATIONAL FOREST

* 200 N GREENFIELD RD GRANTS PASS, OR 97526

Water S, SPAULDING POND RESERVOIR AND STORE THE WATERS OF SOLDIER CREEK, A
TRIBUTARY OF ILLINOIS RIVER
for RECREATION TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING.
25.0 ACRE-FEET
SW 1/4 SE 1/4 Section 13 T 37 S R 9 W WM.

Point of Diversion:

This is the very headwaters of Soldier Creek and a series of springs flow directly into the reservoir.

Purpose:

Fish enhancement and recreation.

Intake type: (screening needs)

Direct flow into reservoir.

Dam construction: (passage needs)

A 35 foot high dam has been constructed with a control outlet near the bottom.
No fish passage provided or needed.

COMMENTS:

☒ No Comment (This water right is not damaging to fish and wildlife habitat)

A. Fish involved (species, size, age & number - specific anadromous and/or resident fish):

Trout will be stocked into the reservoir. No fish impacted.

Existing dam. Increasing size of the dam to create 2 acre lake from a 3 acre lake. Don King, fish biologist, USFS coordinating. High up on watershed, above fish passage needs. No secondary permit for water use. once filled, inflow will equal outflow. No water withdrawal for fire suppression. ODFW will stock the pond with legal Rb trout.

B. Type of habitat (spawning, rearing or migration route):

Headwater area, no significant fish habitat present.

C. Problems this water diversion will impose (include impact on angler use):

None

D. Recommendations for limiting, restricting, mitigating, conditioning this permit are: for example, season of use, flow adjustment, metering requirements, erosion, control instream habitat improvement, etc.):

None

E. Describe stream or watershed or fish habitat enhancement projects completed or currently in progress.

Construction of this reservoir creates a lake for fish use and recreation.

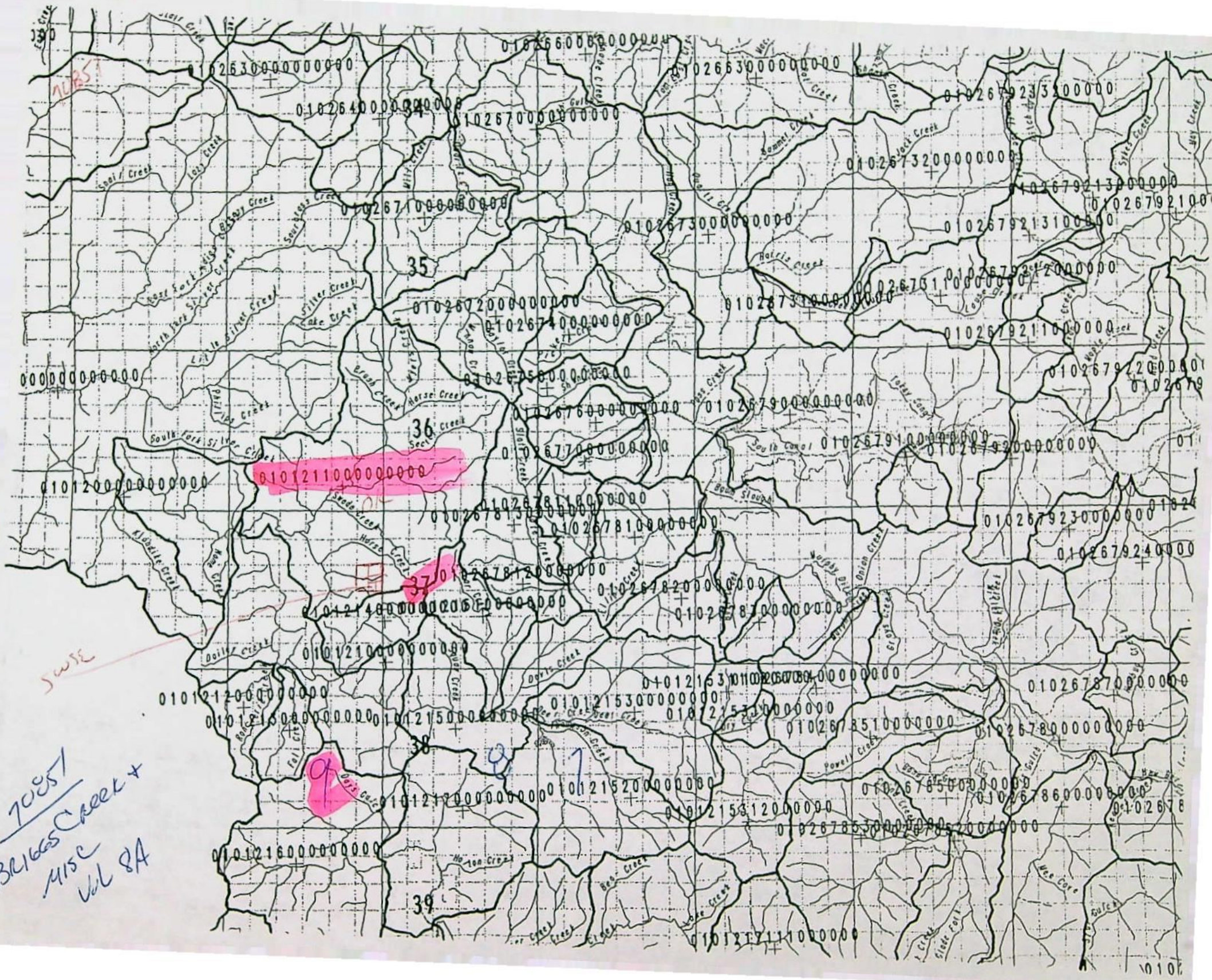
F. Particular significance of this stream or this system?

- Fish species?

Will be stocked annually with trout

- Recreation days?

Will create increased recreational days for anglers and other users.



70851
BRIGGS Creek +
MISC
Vol 8A

Select Any Option

1. Show Details of the Water Availability Calculation
2. Show Details for Consumptive Uses and Storage After 1/1/93
3. Show Details of the ISWRs for this Water Availability Subbasin
4. List Water Rights for this Water Availability Subbasin
5. QUIT - Return to Previous Menu

Enter the Water Availability Subbasin ID Number: 010121000000
WATER AVAILABILITY TABLE

Basin: Rogue

Water Availability Subbasin: 0101210000000000 (and Nested Subbasins)

Exceedance Level: 50

Time: 16:28

Date: 12/14/1994

Select an Item Number for More Details

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
2	0101000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
3	0101200000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES
4	0101210000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES
5	LIST Limiting Water Availability Subbasins													
6	LIST Stream Names for Water Availability Subbasins													
7	WRITE the Water Availability Table													
8	RETURN to Previous Menu or Table													

Selection: 4

WATER AVAILABILITY DETAILS MENU

Basin: Rogue

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
2	0101000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
3	0101200000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES
4	0101210000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES
5	LIST Limiting Water Availability Subbasins													
6	LIST Stream Names for Water Availability Subbasins													
7	WRITE the Water Availability Table													
8	RETURN to Previous Menu or Table													

Selection: 8

DISPLAY WATER USE ACCUMULATIONS

Select Any Option

SET UP

1. Select a Basin (Rogue)
2. Enter the Exceedance Level (50)

LIST Subbasins and Permits

3. List Water Availability Subbasins
4. List Applications and Permits for the Basin
5. List Applications and Permits for a Subbasin
6. List the Monthly Water Uses for a Specified Application/Permit

DISPLAY a Water Availability Table for a Subbasin

7. By Stream Name
8. By Water Availability Subbasin Number
9. Output File for Tables (TABLES.OUT)
10. Print the Output File

QUIT

11. Return to ULTRIX

Selection: 8

Enter the Water Availability Subbasin ID Number: 0101211000000
WATER AVAILABILITY TABLE

Basin: Rogue

Water Availability Subbasin: 0101211000000000 (and Nested Subbasins)

Exceedance Level: 50

Time: 16:28

Date: 12/14/1994

Select an Item Number for More Details

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
2	0101000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
3	0101200000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES
4	0101210000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES
5	0101211000000000	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES	YES
6	LIST Limiting Water Availability Subbasins													
7	LIST Stream Names for Water Availability Subbasins													
8	WRITE the Water Availability Table													
9	RETURN to Previous Menu or Table													

WA DEC 1 THRU APR 30

Selection: 5

WATER AVAILABILITY DETAILS MENU

Basin: Rogue

Stream: BRIGGS CR

> ILLINOIS R

Water Availability Subbasin: 0101211000000000

Exceedance Level: 50

Select Any Option

1. Show Details of the Water Availability Calculation
2. Show Details for Consumptive Uses and Storage After 1/1/93
3. Show Details of the ISWRs for this Water Availability Subbasin
4. List Water Rights for this Water Availability Subbasin
5. QUIT - Return to Previous Menu

Selection: 1

DETAILED REPORT ON WATER AVAILABILITY

Basin: Rogue

Stream: BRIGGS CR

> ILLINOIS R

Water Availability Subbasin: 0101211000000000

Exceedance Level: 50

Time: 16:29

Date: 12/14/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	338.00	0.00	338.00	0.00	338.00	120.00	218.00
2	449.00	0.00	449.00	0.00	449.00	120.00	329.00
3	356.00	0.00	356.00	0.00	356.00	120.00	236.00
4	240.00	0.00	240.00	0.00	240.00	120.00	120.00
5	114.00	0.00	114.00	0.00	114.00	120.00	-6.00
6	42.40	0.20	42.20	0.00	42.20	42.40	-0.20
7	21.50	0.30	21.20	0.00	21.20	21.50	-0.30
8	13.60	0.20	13.40	0.00	13.40	13.60	-0.20
9	12.60	0.20	12.40	0.00	12.40	12.60	-0.20
10	23.00	0.10	22.90	0.00	22.90	23.00	-0.10
11	135.00	0.00	135.00	0.00	135.00	70.00	65.00
12	307.00	0.00	307.00	0.00	307.00	120.00	187.00
Stor	123000	60	123000	0	123000	54100	69200

Enter (1) to CONTINUE; (2) to WRITE the Table: 1

WATER AVAILABILITY DETAILS MENU

Basin: Rogue

Stream: BRIGGS CR

> ILLINOIS R

Water Availability Subbasin: 0101211000000000

Exceedance Level: 50

Select Any Option

1. Show Details of the Water Availability Calculation
2. Show Details for Consumptive Uses and Storage After 1/1/93
3. Show Details of the ISWRs for this Water Availability Subbasin
4. List Water Rights for this Water Availability Subbasin
5. QUIT - Return to Previous Menu

Selection: 5

WATER AVAILABILITY TABLE

Basin: Rogue

Water Availability Subbasin: 0101211000000000 (and Nested Subbasins)

Exceedance Level: 50

Time: 16:30

Date: 12/14/1994

Select an Item Number for More Details

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
2	0101000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
3	0101200000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES

Stream: ILLINOIS R > ROGUE R
Water Availability Subbasin: 0101210000000000
Exceedance Level: 50

Select Any Option

1. Show Details of the Water Availability Calculation
2. Show Details for Consumptive Uses and Storage After 1/1/93
3. Show Details of the ISWRs for this Water Availability Subbasin
4. List Water Rights for this Water Availability Subbasin
5. QUIT - Return to Previous Menu

Selection: 1

DETAILED REPORT ON WATER AVAILABILITY

Basin: Rogue
Stream: ILLINOIS R > ROGUE R
Water Availability Subbasin: 0101210000000000
Exceedance Level: 50
Time: 16:28

Date: 12/14/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	2690.00	0.00	2690.00	0.02	2690.00	1500.00	1190.00
2	3230.00	0.00	3230.00	0.03	3230.00	1500.00	1730.00
3	2520.00	0.00	2520.00	0.03	2520.00	1500.00	1020.00
4	2530.00	10.00	2520.00	0.00	2520.00	1500.00	1020.00
5	1320.00	10.00	1310.00	0.00	1310.00	800.00	510.00
6	501.00	22.00	479.00	0.00	479.00	130.00	349.00
7	214.00	29.00	185.00	0.00	185.00	87.00	98.00
8	142.00	25.00	117.00	0.00	117.00	87.00	30.00
9	107.00	17.00	90.00	0.00	90.00	130.00	-40.00
10	171.00	6.00	165.00	0.00	165.00	220.00	-55.00
11	1080.00	0.00	1080.00	0.00	1080.00	1500.00	-420.00
12	2360.00	0.00	2360.00	0.02	2360.00	1500.00	860.00
Stor	1010000	7130	1000000	6	1030000	626000	408000

Enter (1) to CONTINUE; (2) to WRITE the Table: 1
WATER AVAILABILITY DETAILS MENU

Basin: Rogue
Stream: ILLINOIS R > ROGUE R
Water Availability Subbasin: 0101210000000000
Exceedance Level: 50

SW DEC1 THRU AUG31

Select Any Option

1. Show Details of the Water Availability Calculation
2. Show Details for Consumptive Uses and Storage After 1/1/93
3. Show Details of the ISWRs for this Water Availability Subbasin
4. List Water Rights for this Water Availability Subbasin
5. QUIT - Return to Previous Menu

Selection: 5

WATER AVAILABILITY TABLE

Basin: Rogue
Water Availability Subbasin: 0101210000000000 (and Nested Subbasins)
Exceedance Level: 50
Time: 16:28

Date: 12/14/1994

Select an Item Number for More Details


```

4  010121000000000000 YES YES YES YES YES YES YES NO NO NO NO YES YES
5  010121100000000000 YES YES YES YES NO NO NO NO NO NO NO YES YES
6  LIST Limiting Water Availability Subbasins
7  LIST Stream Names for Water Availability Subbasins
8  WRITE the Water Availability Table
9  RETURN to Previous Menu or Table

```

Selection: 9

DISPLAY WATER USE ACCUMULATIONS

Select Any Option

SET UP

```

1. Select a Basin (Rogue )
2. Enter the Exceedance Level (50)
LIST Subbasins and Permits
3. List Water Availability Subbasins
4. List Applications and Permits for the Basin
5. List Applications and Permits for a Subbasin
6. List the Monthly Water Uses for a Specified Application/Permit
DISPLAY a Water Availability Table for a Subbasin
7. By Stream Name
8. By Water Availability Subbasin Number
9. Output File for Tables (TABLES.OUT )
10. Print the Output File
QUIT
11. Return to ULTRIX

```

Selection: 8

Enter the Water Availability Subbasin ID Number: 010000000000000000

WATER AVAILABILITY TABLE

Basin: Rogue

Water Availability Subbasin: 0100000000000000 (and Nested Subbasins)

Exceedance Level: 50

Time: 16:30

Date: 12/14/1994

Select an Item Number for More Details

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
2	LIST Limiting Water Availability Subbasins													
3	LIST Stream Names for Water Availability Subbasins													
4	WRITE the Water Availability Table													
5	RETURN to Previous Menu or Table													

Selection: 1

WATER AVAILABILITY DETAILS MENU

Basin: Rogue

Stream: ROGUE R

> PACIFIC OCEAN

Water Availability Subbasin: 0100000000000000

Exceedance Level: 50

Select Any Option

```

1. Show Details of the Water Availability Calculation
2. Show Details for Consumptive Uses and Storage After 1/1/93
3. Show Details of the ISWRs for this Water Availability Subbasin
4. List Water Rights for this Water Availability Subbasin
5. QUIT - Return to Previous Menu

```

Selection: 1

DETAILED REPORT ON WATER AVAILABILITY

Basin: Rogue

Stream: ROGUE R

> PACIFIC OCEAN

Water Availability Subbasin: 0100000000000000

Exceedance Level: 50

Time: 16:30

Date: 12/14/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	13100.00	900.00	12200.00	0.16	12200.00	3500.00	8700.00
2	16900.00	2200.00	14700.00	0.16	14700.00	3500.00	11200.00
3	13900.00	1900.00	12000.00	0.19	12000.00	3500.00	8500.00
4	11700.00	1200.00	10500.00	0.52	10500.00	3500.00	7000.00
5	8190.00	220.00	7970.00	0.97	7970.00	3000.00	4970.00
6	4890.00	430.00	4460.00	1.75	4460.00	2700.00	1760.00
7	2690.00	510.00	2180.00	2.50	2180.00	2000.00	178.00
8	1980.00	450.00	1530.00	2.05	1530.00	2400.00	-872.00
9	1930.00	370.00	1560.00	1.12	1560.00	2400.00	-841.00
10	2420.00	110.00	2310.00	0.31	2310.00	1600.00	710.00
11	5040.00	190.00	4850.00	0.07	4850.00	3500.00	1350.00
12	12300.00	400.00	11900.00	0.14	11900.00	3500.00	8400.00
Stor	5690000	532000	5160000	595	5260000	2100000	3160000

Enter (1) to CONTINUE; (2) to WRITE the Table: 1
WATER AVAILABILITY DETAILS MENU

Basin: Rogue

Stream: ROGUE R

> PACIFIC OCEAN

Water Availability Subbasin: 0100000000000000

Exceedance Level: 50

Select Any Option



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

December 18, 1998

US SISKIYOU NATIONAL FOREST
PO BOX 440
GRANTS PASS, OR 97526

REFERENCE: File R-70851 (SPALDING POND RESERVOIR)

This will acknowledge that your claim of beneficial use and map in the name of SPALDING POND RESERVOIR were received on DECEMBER 10, 1998. These will be reviewed in the future to insure they are complete and correct.

If you have any questions please contact me at (503) 378-8455, extension 263, or dial toll free (within Oregon only) at 1-800-624-3199, extension 263.

Sincerely,

STEVE BROWN
Program Analyst
Certificate Section

SCB:tcb

cc: STEPHAN L. BAROTT, CWRE #294

DEC 11 1991

WATER RESOURCES DEPT.
SALMON, OREGON



KEY MAP

T.32 S, R.9 W, S.13
JOSEPHINE COUNTY, OREGON

U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE REGION SIX
SISKIYOU NATIONAL FOREST
GALICE RANGER DISTRICT

SPALDING DAM
CONSTRUCTION



DEPARTMENT OF
WATER RESOURCES
DO NOT SEND OUT

PREPARED BY:	<u>Don Boyles</u>	<u>1-12-90</u>
		DATE
DESIGNED BY:	<u>Mark B. Kent</u>	<u>1-12-90</u>
		DATE
REVIEWED BY:	<u>Walter B. Korman</u>	<u>1/12/90</u>
		DATE
APPROVED BY:	<u>Louise K. Abernathy</u>	<u>1/18/90</u>
ZONE ENGINEER		DATE
APPROVED BY:	<u>Janet Ferguson</u>	<u>1-18-90</u>
DISTRICT RANGER		DATE
APPROVED BY:	<u>Don E. Mergler</u>	<u>1-18-90</u>
FOREST ENGINEER		DATE

WATER RESOURCES DEPARTMENT

APPROVED: 12/30 19 91

William A. Young

DIRECTOR

Ray A. [Signature]

ENGINEER DAM SAFETY DIVISION

NO.	INDEX TO SHEETS
1	TITLE SHEET
2	ESTIMATE OF QUANTITIES
3-5	VICINITY MAPS
6	DAM RATING CURVES
7-10	DAM SECTIONS
11-12	SPILLWAY SECTIONS
13-17	OUTLET WORKS
18-20	QUARRY PLANS
21-23	MATERIALS LISTING

DEPARTMENT OF
WATER RESOURCES
DO NOT SEND OUT

SPALD1



T.32 S, R.9 W, S.13
JOSEPHINE COUNTY, OREGON

PREPARED BY:	_____	DATE	_____
DESIGNED BY:	_____	DATE	_____
REVIEWED BY:	_____	DATE	_____
APPROVED BY:	_____	DATE	_____
ZONE ENGINEER	_____	DATE	_____
DISTRICT RANGER	_____	DATE	_____
FOREST ENGINEER	_____	DATE	_____

U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE REGION SIX
SISKIYOU NATIONAL FOREST
GALICE RANGER DISTRICT



SPALDING DAM
CONSTRUCTION

AS BUILT PLANS

WATER RESOURCES DEPARTMENT

APPROVED: 12/30 19 91

William A. Young
DIRECTOR

[Signature]
ENGINEER DAM SAFETY DIVISION

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SPALD1

ESTIMATE OF QUANTITIES

SHEET	TOTAL
2	23

PAY ITEM NUMBER	DESCRIPTION OF WORK	METHOD OF MEAS	UNIT	QUANTITIES	
				DAM	AREA IMPROVEMENTS
01200	MOBILIZATION	LSQ	L.S.	1	
01201	WASHING EQUIPMENT	LSQ	L.S.	1	
02101	CLEARING AND GRUBBING (DAM AND SPILLWAY)	DQ	ACRE	0.6	
02102	CLEARING AND GRUBBING (BEACH AND ROADS)	LSQ	L.S.		1
02103 	CLEARING AND GRUBBING (LAKE)	LSQ	L.S.		1
02104 	CLEARING AND GRUBBING (CAMPGROUND WATERLINE)	LSQ	L.S.		1
02220A	EXCAVATION AND EMBANKMENT (STRIPPING)	DQ	C.Y.	4000	
02220B	EXCAVATION AND EMBANKMENT (CUTOFF TRENCH)	DQ	C.Y.	1310	
02220B 	TRENCH GROUT	AQ	SACK	10	
02220B 	BENTONITE	AQ	SACK	120	
02220C	EXCAVATION AND EMBANKMENT (SPILLWAY)	DQ	C.Y.	1900	
02220C 	SPILLWAY GROUT	AQ	SACK	100	
02221	EXCAVATION AND EMBANKMENT	LSQ	L.S.		1
02222 	CORE EMBANKMENT	DQ	C.Y.	3000	
02223 	RED CORE EMBANKMENT	DQ	C.Y.	10000	
02224 	CHANNEL EXCAVATION	LSQ	L.S.	1	
02230A	OBSTRUCTION REMOVAL (CULVERT)	LSQ	L.S.		1
02230B	OBSTRUCTION REMOVAL (LOGS)	LSQ	L.S.		1
02240	PARKING AREA WHEEL GUARD	DQ	L.F.		40
02260	AGGREGATE SURFACING	DQ	C.Y.		255
02261	3/4" PEA GRAVEL	DQ	C.Y.		400
02262 	AGGREGATE SURFACING (WASTE AREA ROAD)	LSQ	L.S.		1
02600	OUTLET WORKS	LSQ	L.S.	1	
03303 	SPILLWAY CONCRETE	AQ	C.Y.	54	
04409 	UNCLASSIFIED ROCK RUBBLE	DQ	C.Y.	1500	
04410A	CLASS IV RIPRAP	DQ	C.Y.	500	
04410B	CLASS IV RIPRAP (FROM QUARRY)	DQ	C.Y.	200	

VICINITY MAP

SHEET

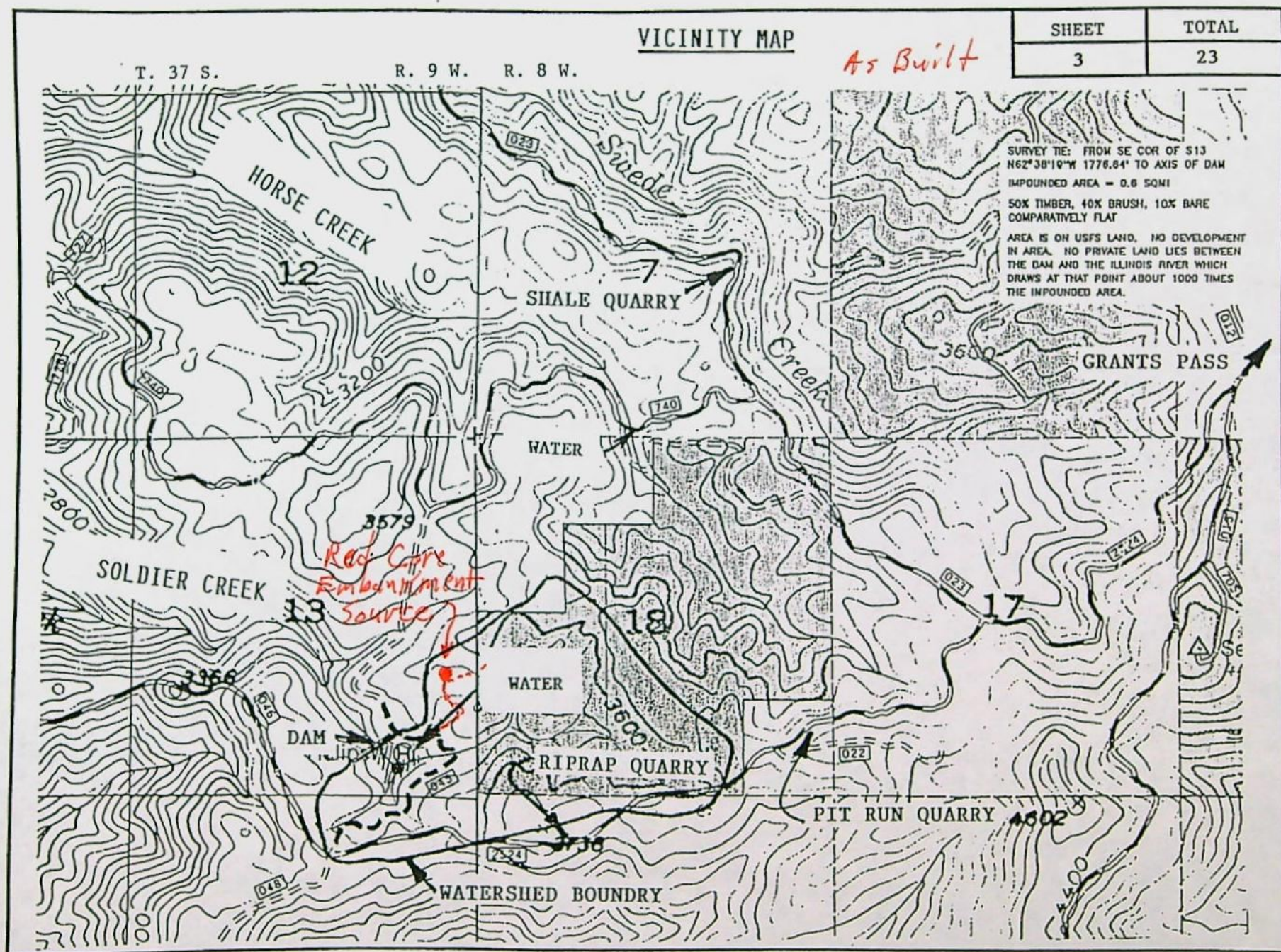
TOTAL

3

23

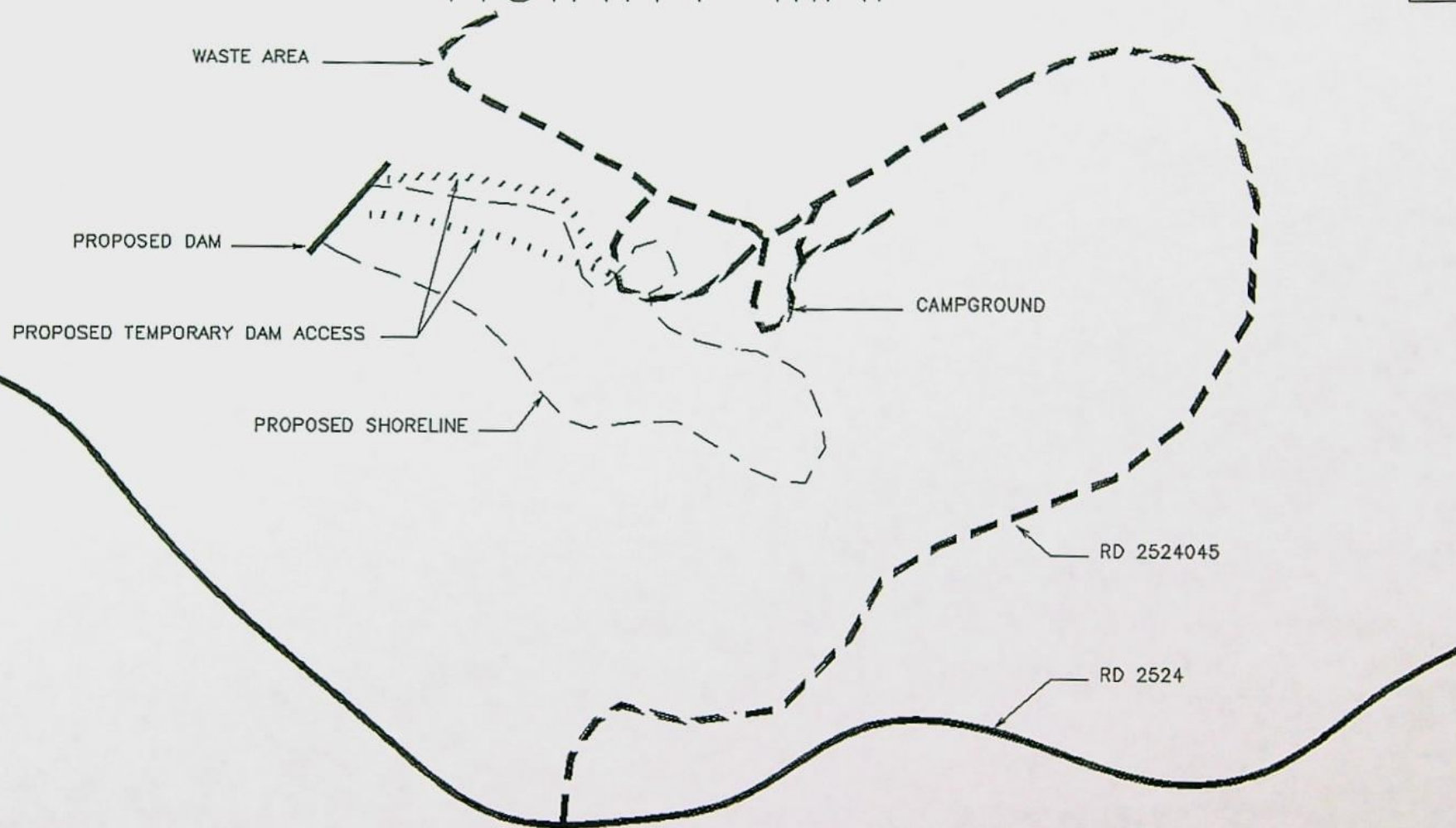
T. 37 S.

R. 9 W. R. 8 W.

As Built

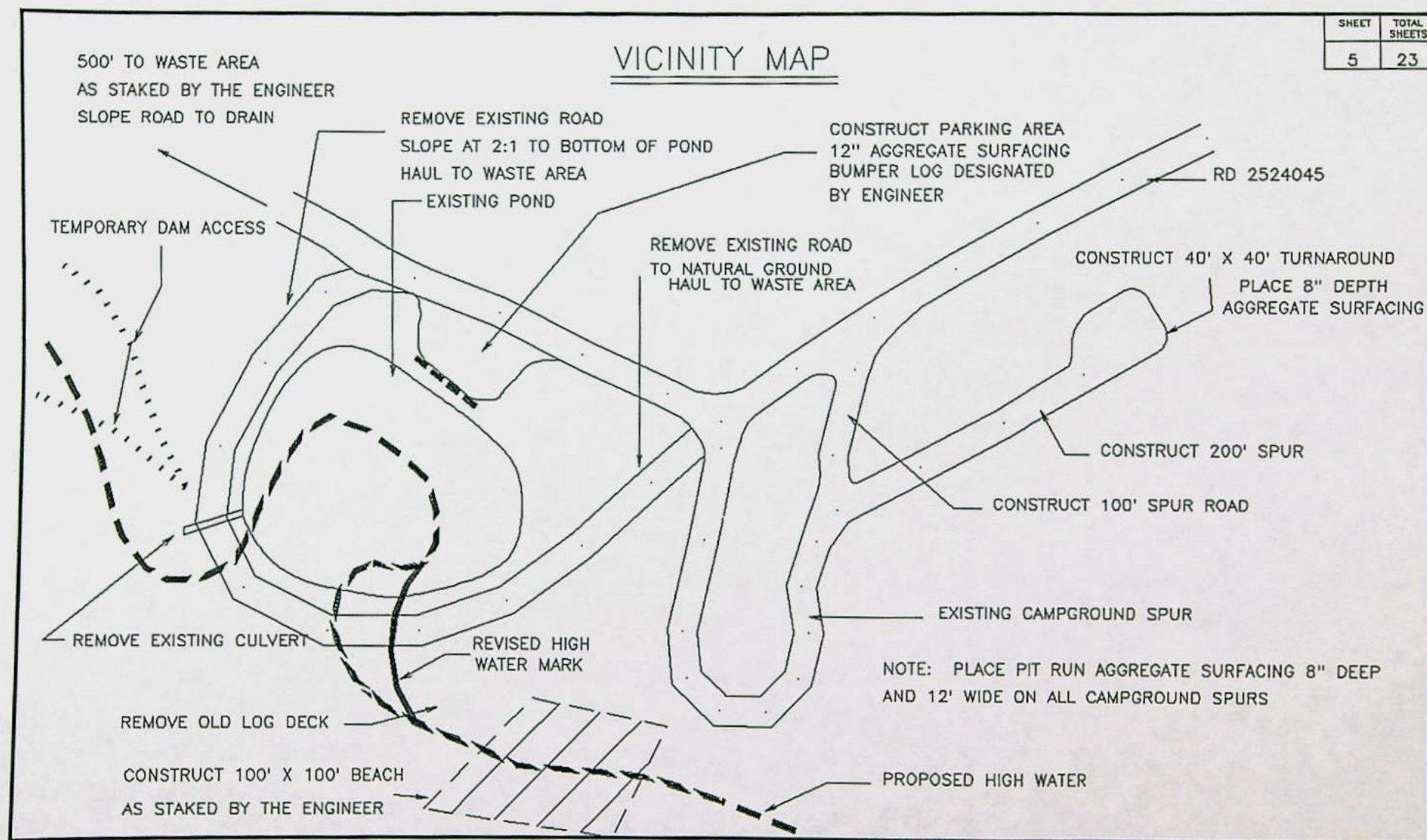
VICINITY MAP

SHEET	TOTAL SHEETS
4	23



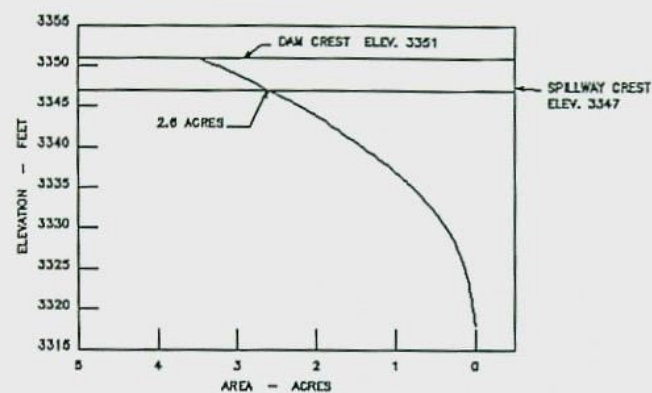
SHEET	TOTAL SHEETS
5	23

VICINITY MAP



SHEET	TOTAL SHEETS
6	23

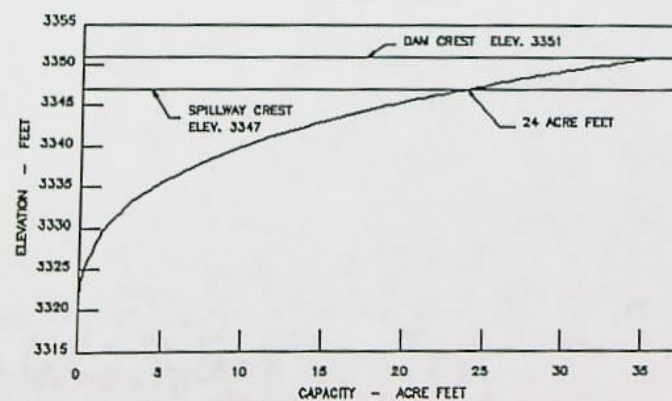
AREA



SPILLWAY RATING CURVE

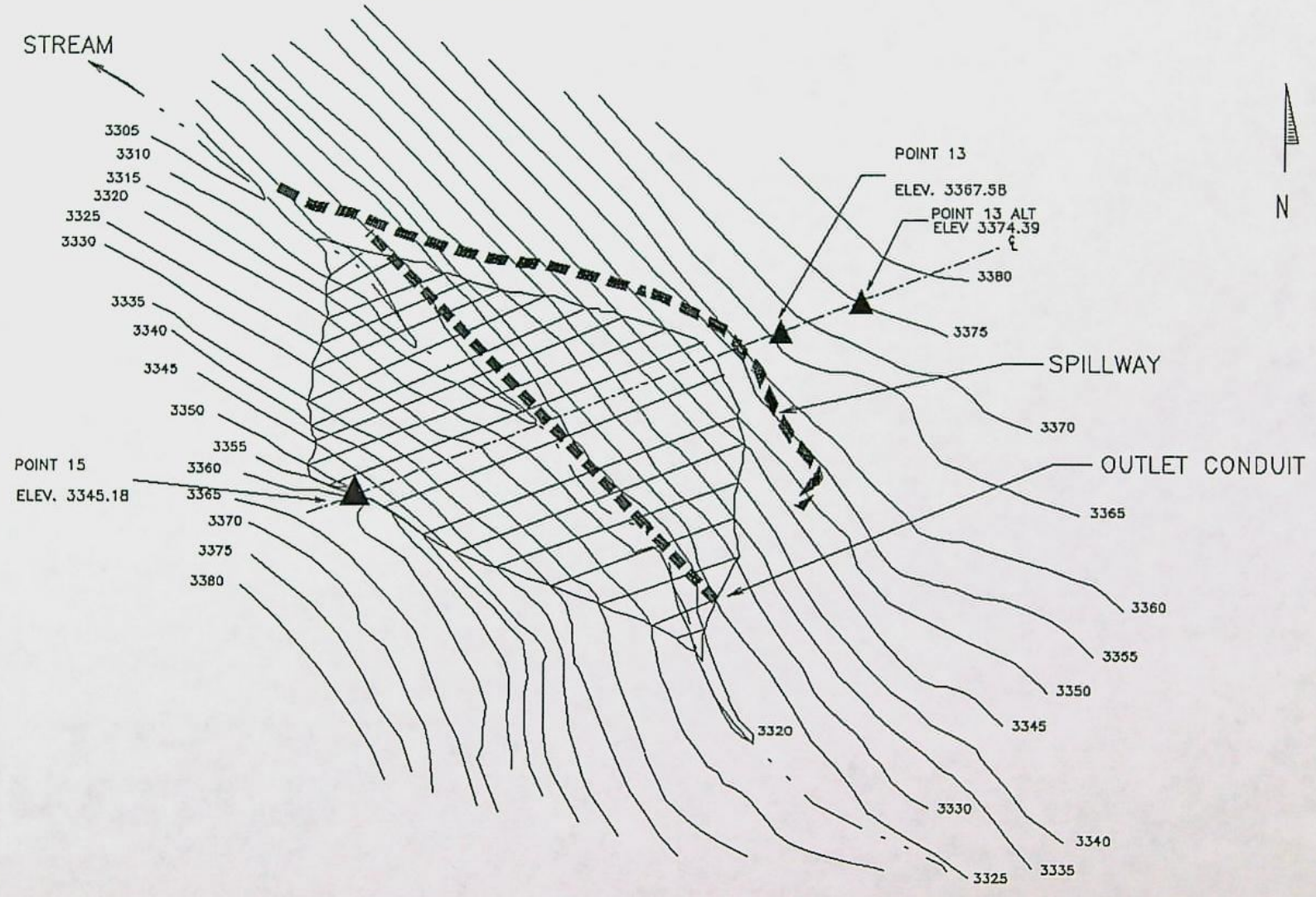


CAPACITY



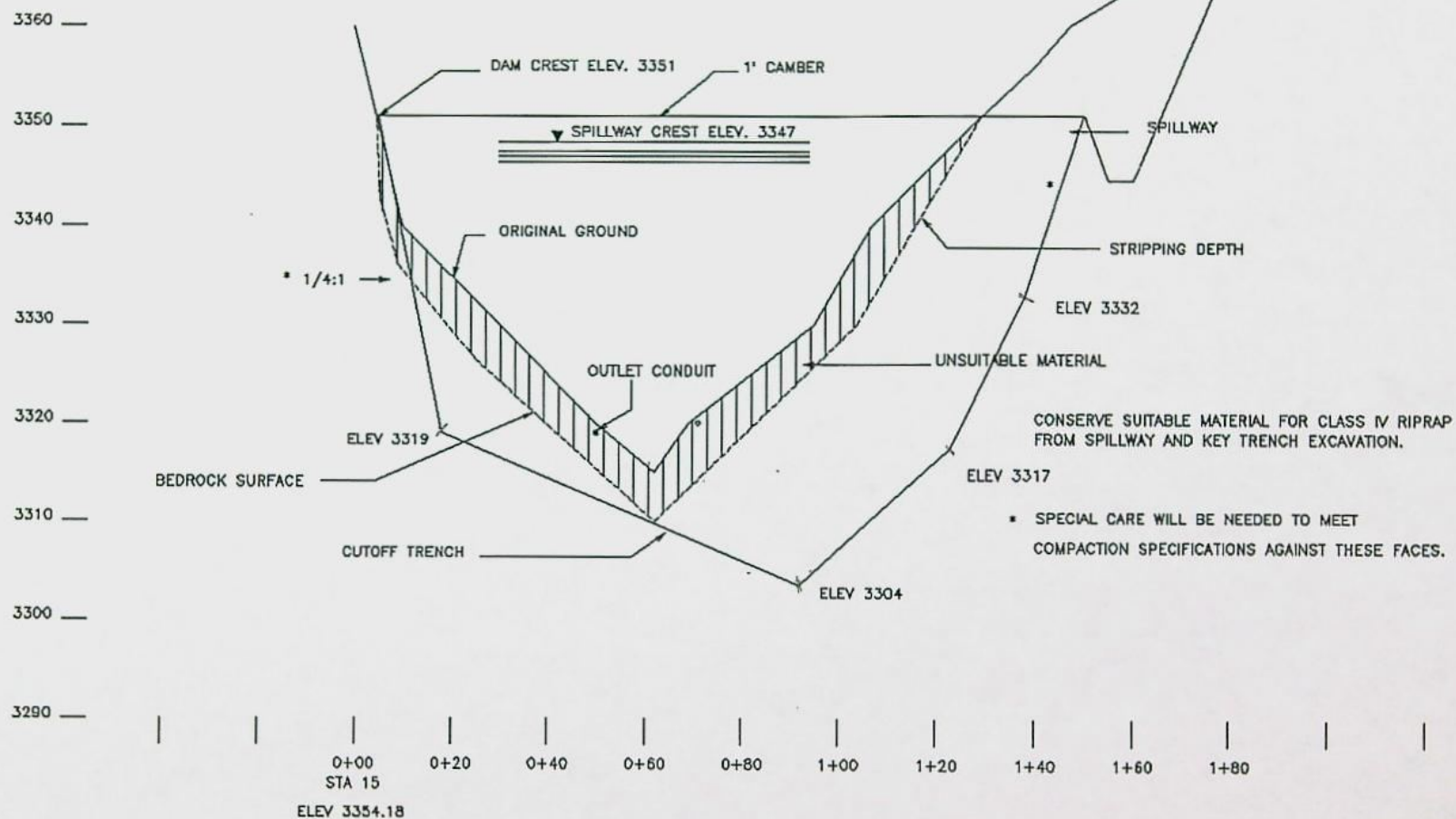
PLAN VIEW OF DAM

SHEET	TOTAL SHEETS
7	23



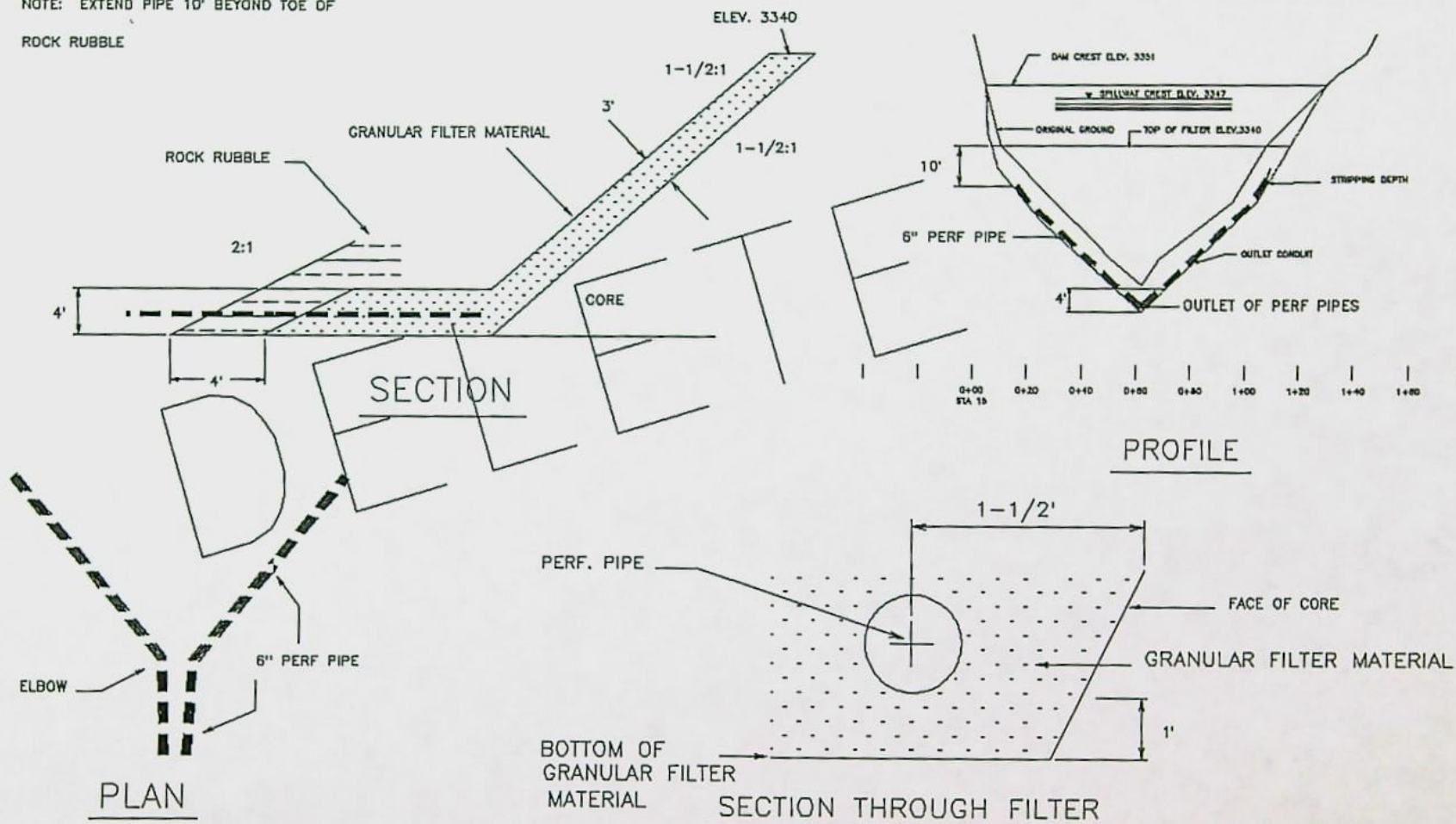
PROFILE VIEW

NO SCALE



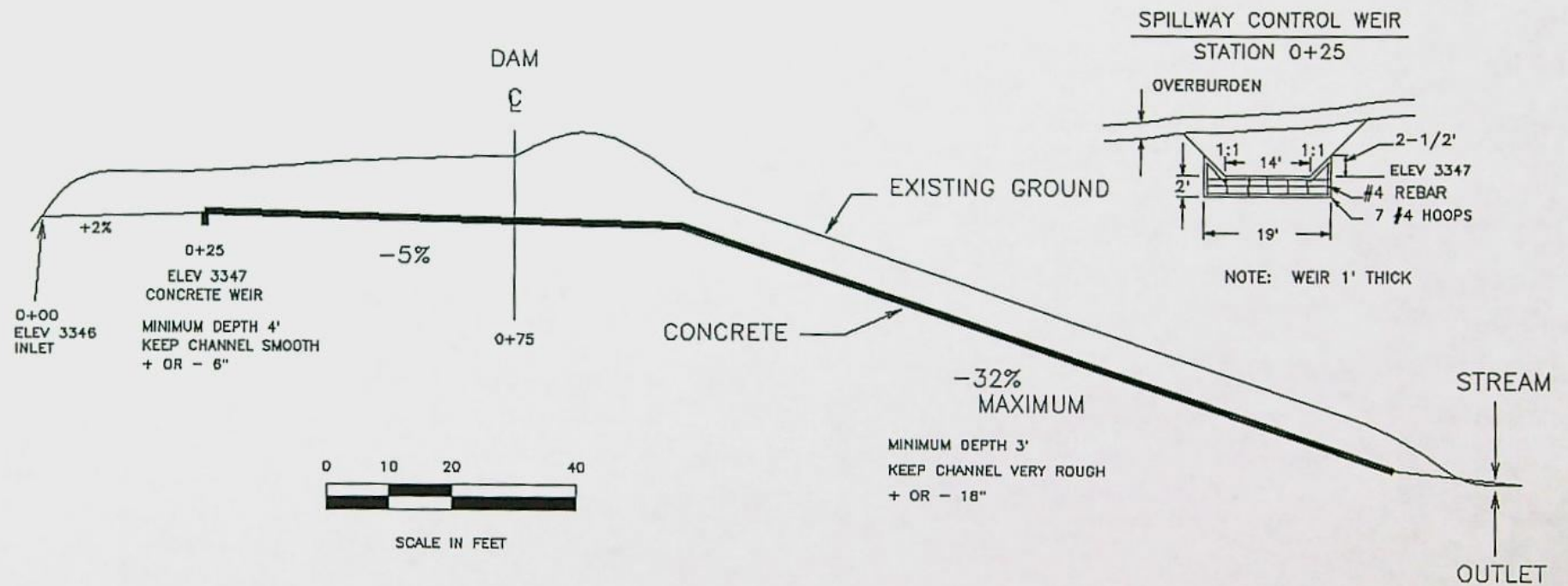
FILTER . DETAIL

NOTE: EXTEND PIPE 10' BEYOND TOE OF
ROCK RUBBLE

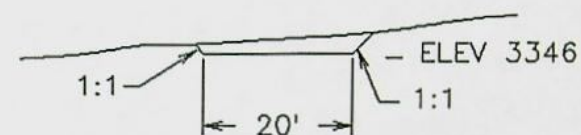
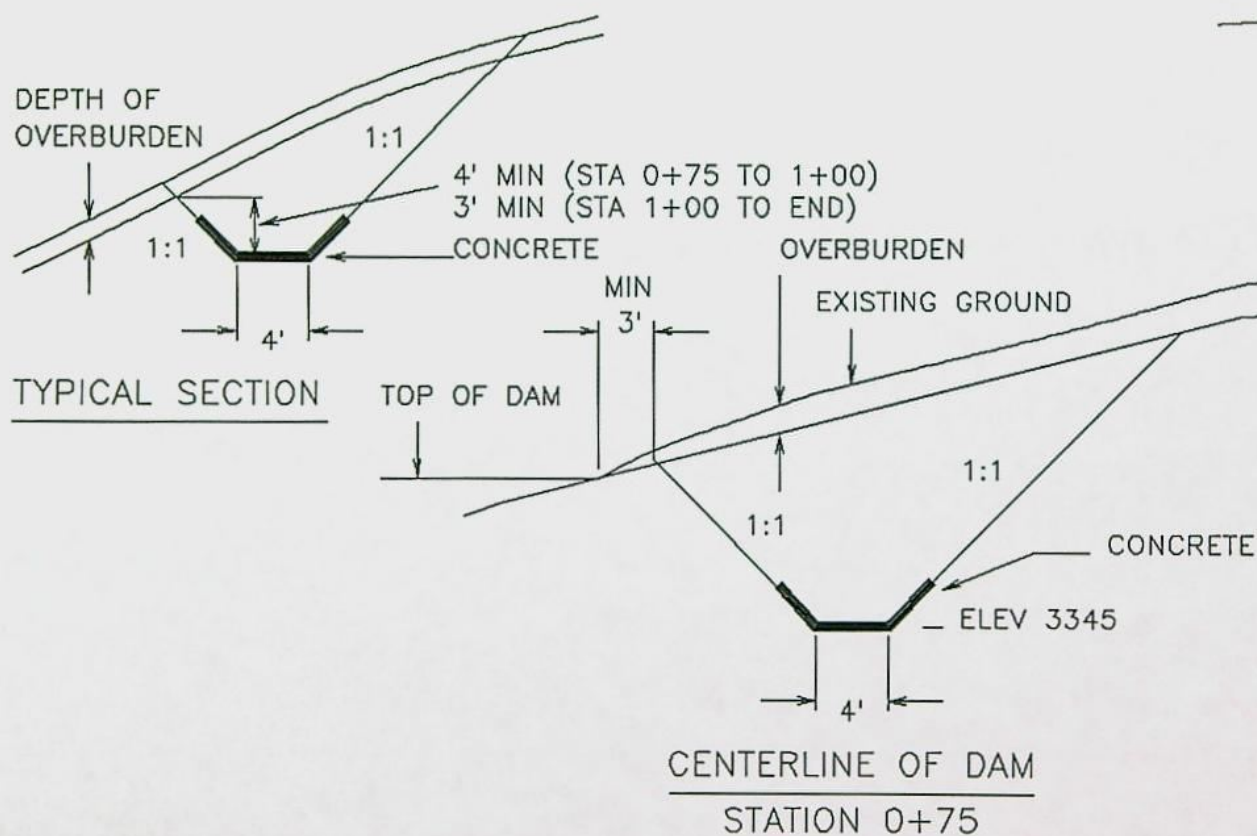


SHEET	TOTAL SHEETS
11	23

SPILLWAY PROFILE

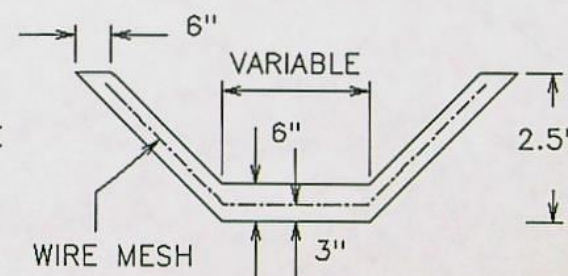


SPILLWAY SECTIONS



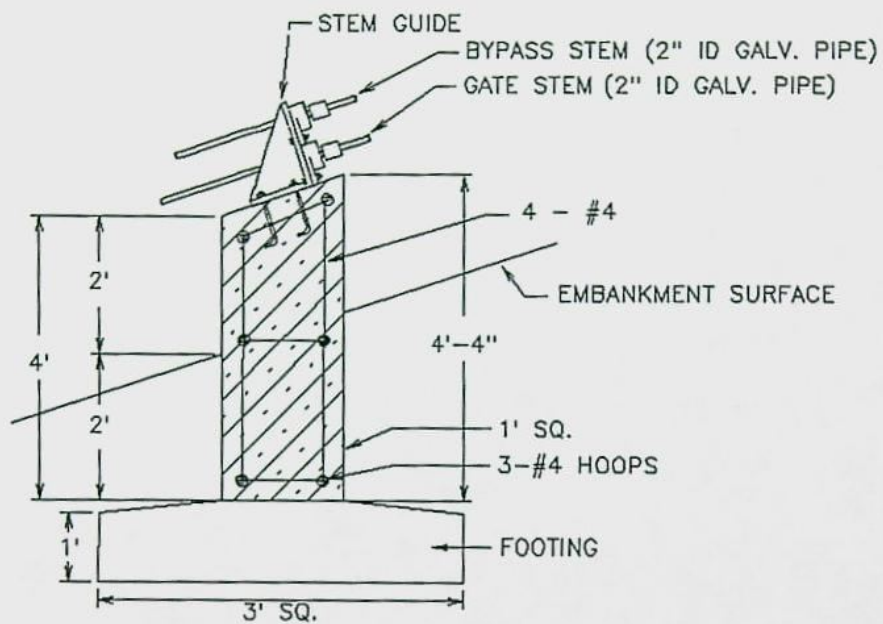
INLET OF SPILLWAY

STATION 0+00

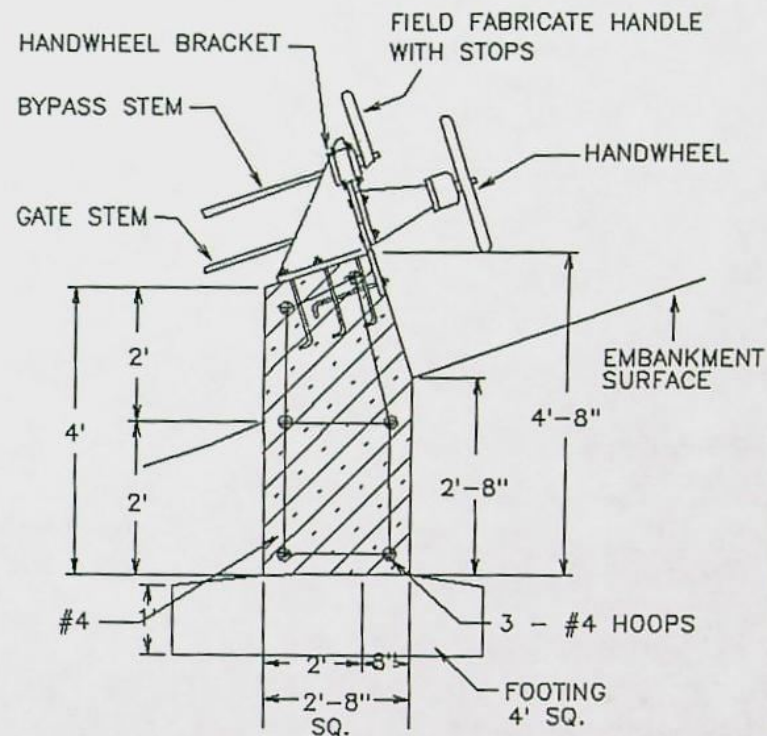


TYPICAL CONCRETE

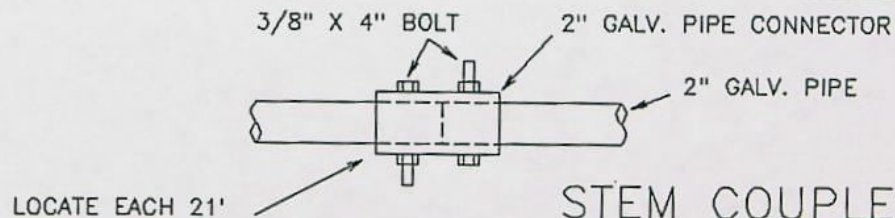
SHEET	TOTAL
14	23



GATE STEM PEDESTAL



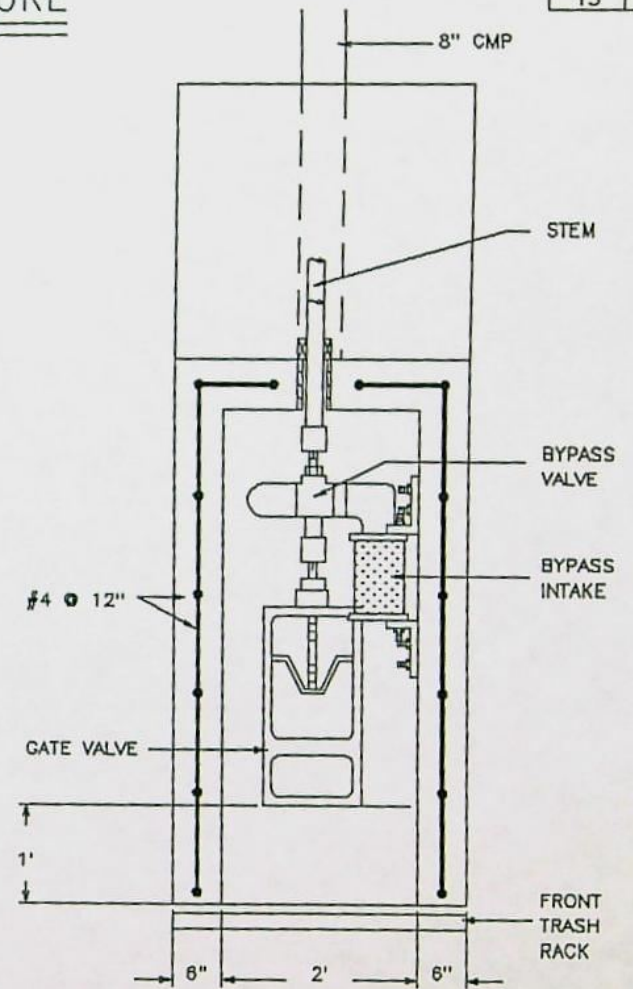
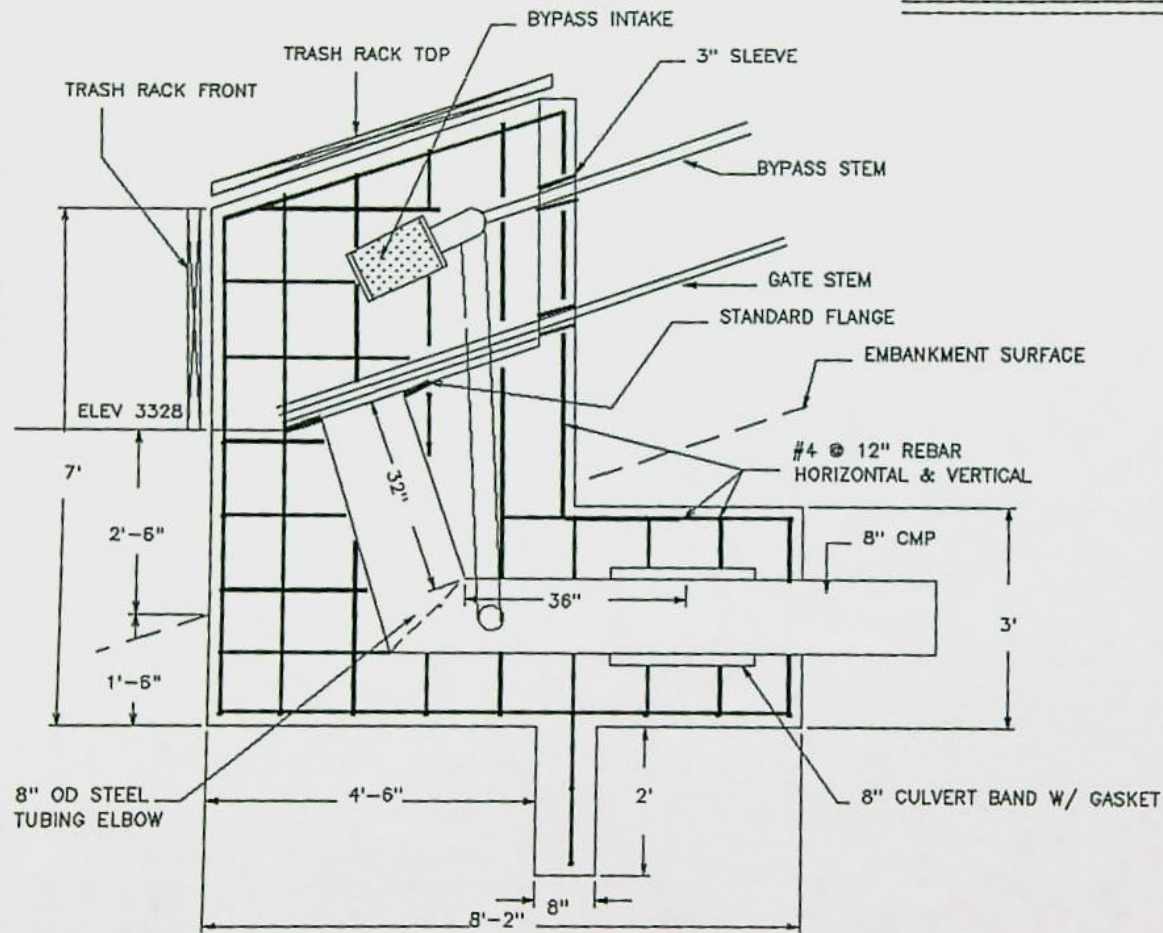
GATE LIFT PEDESTAL



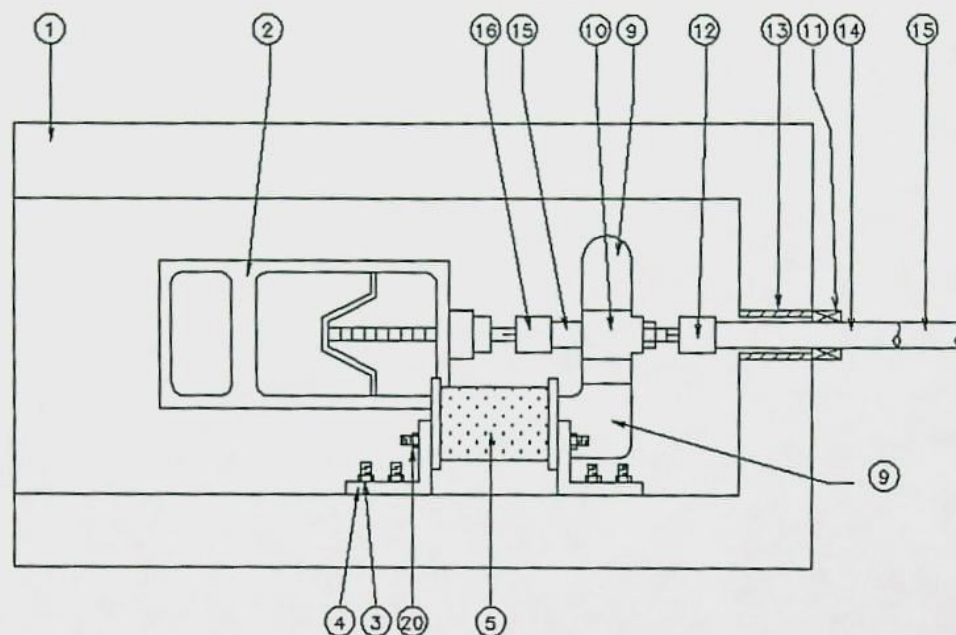
STEM COUPLER - THRUST BEARING

INTAKE STRUCTURE

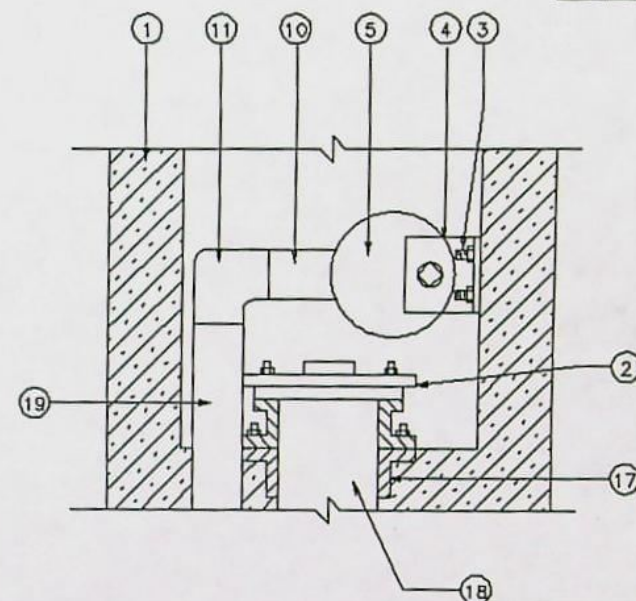
	TOTAL
15	23



SHEET	TOTAL SHEETS
16	23

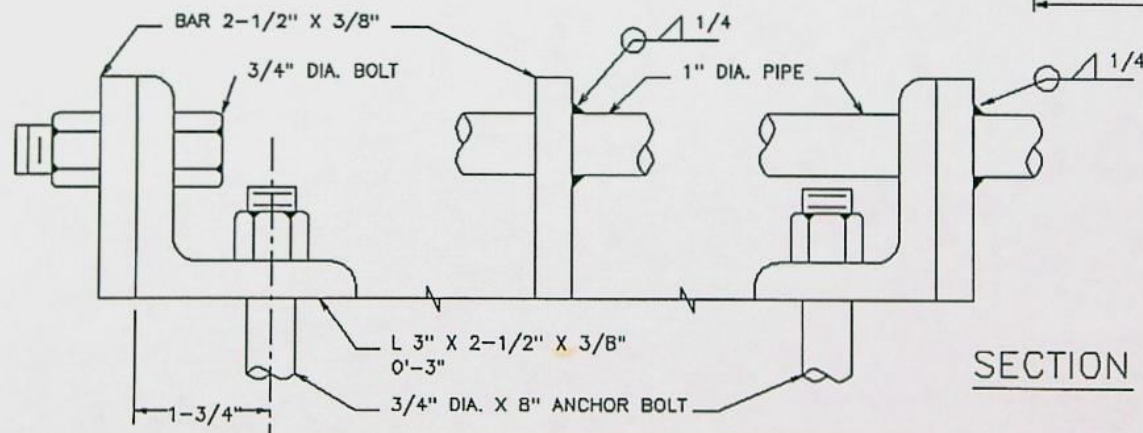
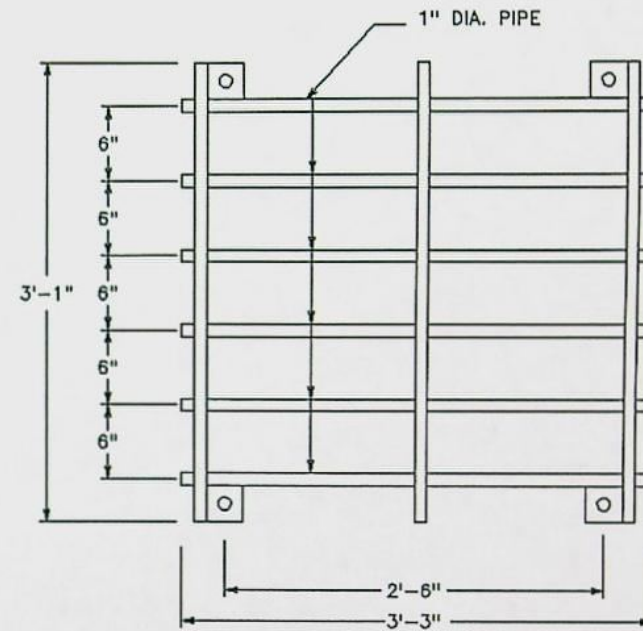
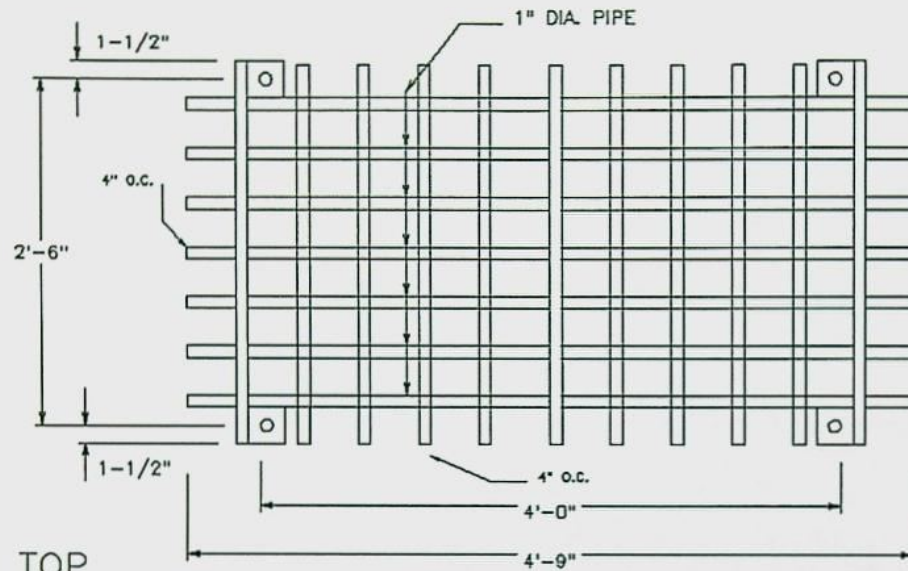


- | | | | |
|----|----------------------------------|----|-------------------------------|
| 1 | CONCRETE INLET STRUCTURE | 11 | 2" COUPLER |
| 2 | GATE VALVE | 12 | BYPASS VALVE STEM ADAPTER |
| 3 | 5" X 3/4" ANCHOR BOLTS | 13 | 3" DIA. X 6" LONG SLEEVE PIPE |
| 4 | L 6" X 5" X 3/8" 6" LONG BRACKET | 14 | BYPASS VALVE STEM |
| 5 | BYPASS INLET SCREEN | 15 | GATE VALVE STEM |
| 6 | NOT USED | 16 | GATE VALVE STEM ADAPTER |
| 7 | NOT USED | 17 | 8" 28# STANDARD WELD FLANGE |
| 8 | NOT USED | 18 | 8" OD STEEL TUBING |
| 9 | 4" X 2-1/2" 90 REDUCING ELBOW | 19 | 4" GALVANIZED STEEL PIPE |
| 10 | 2-1/2" BALL VALVE | 20 | 3/4" DIA X 1-1/2" BOLT |



BYPASS VALVE DETAIL

SHEET NUMBER	TOTAL SHEETS
17	23

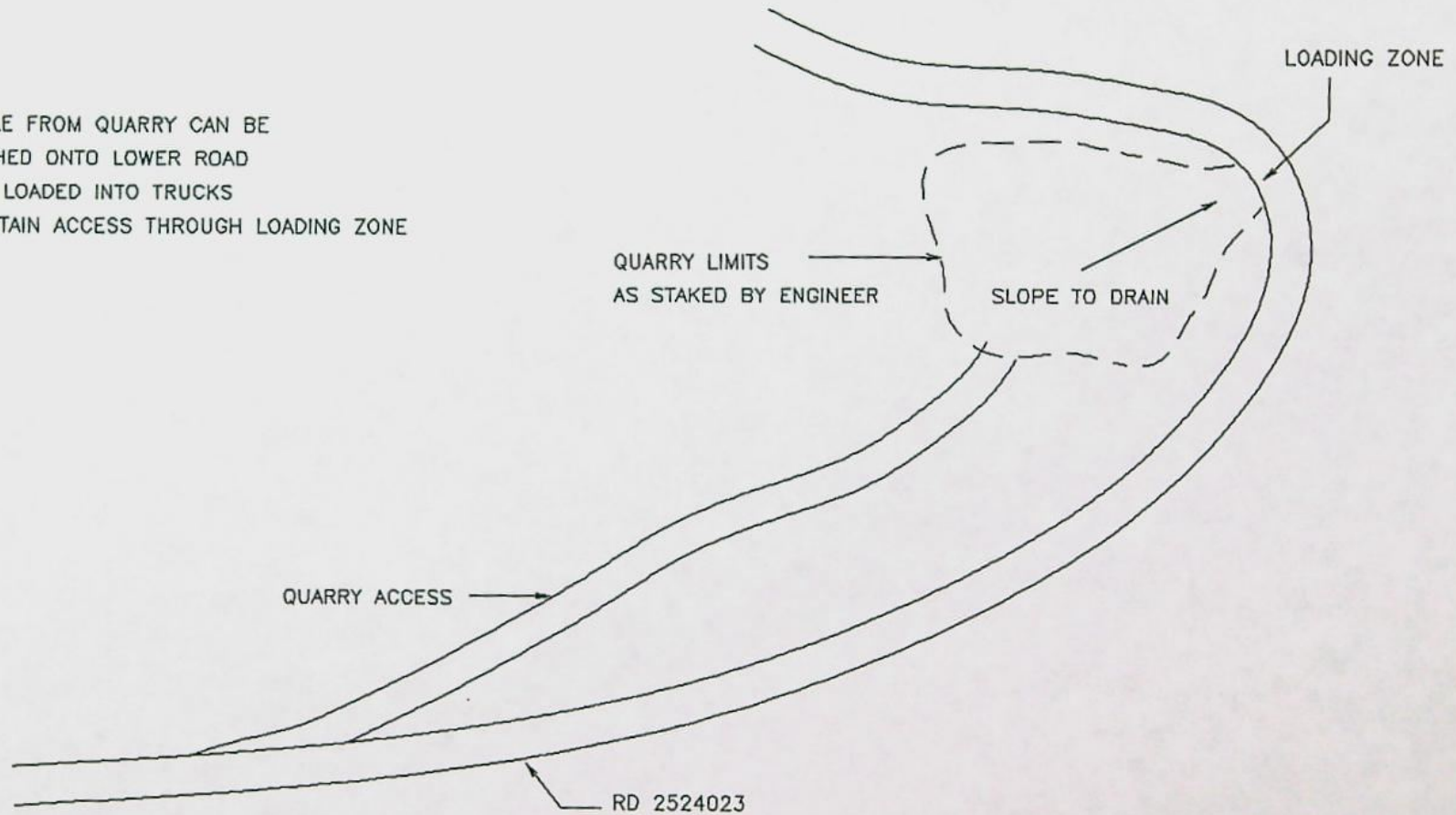


TRASH RACK

SHALE QUARRY

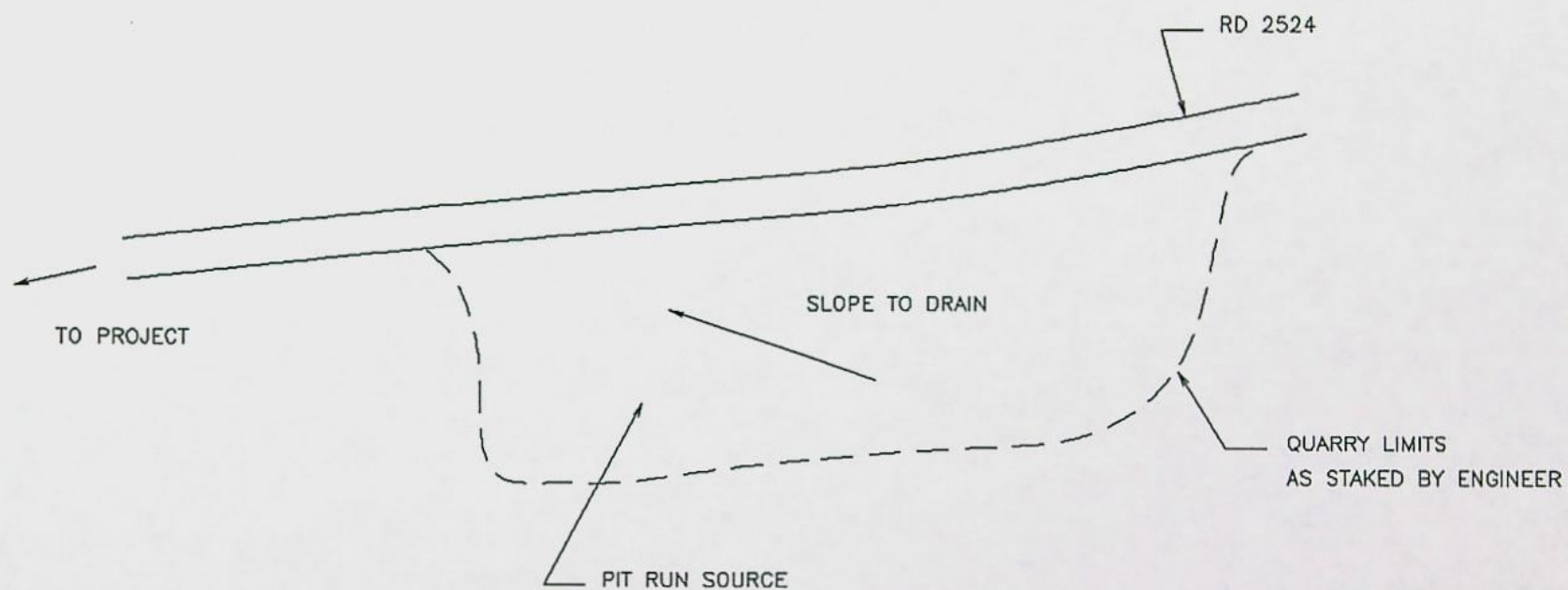
SHEET	TOTAL SHEETS
18	23

SHALE FROM QUARRY CAN BE
PUSHED ONTO LOWER ROAD
AND LOADED INTO TRUCKS
MAINTAIN ACCESS THROUGH LOADING ZONE



SHEET	TOTAL SHEETS
19	23

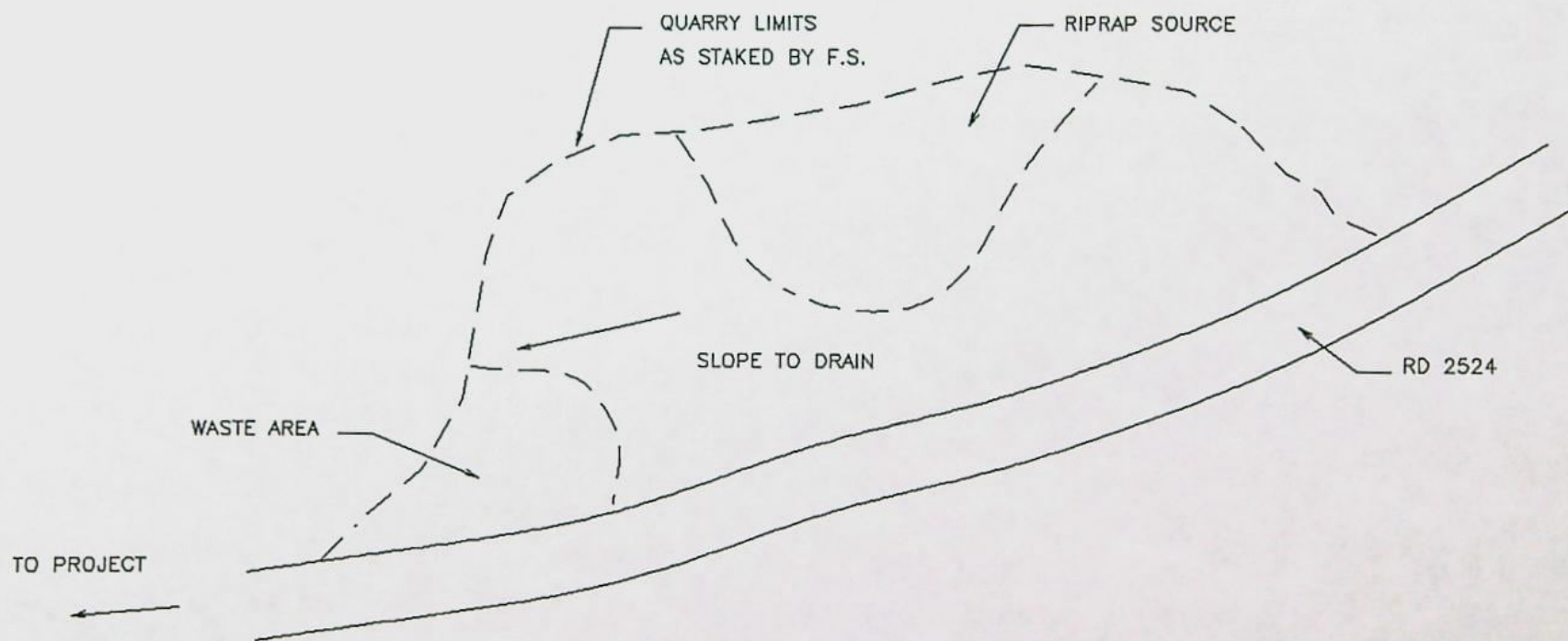
AGGREGATE QUARRY



SHEET	TOTAL SHEETS
20	23

RIPRAP QUARRY

NOTE: SLOPE QUARRY FLOOR TO DRAIN



MATERIALS LISTING

SHEET	TOTAL SHEETS
21	23

ITEM	QTY.	SIZE	DESCRIPTION	USE
1	1310 CY		KEY TRENCH EXCAVATION	
2	4000 CY		STRIPPING EXCAVATION	
3	13000 CY		CORE EMBANKMENT FROM SHALE QUARRY	DAM CORE
4	900 CY	MAX 3'	UNCLASSIFIED ROCK RUBBLE	DOWNSLOPE PROTECTION
5	700 CY	CLASS IV	MACHINE PLACED RIPRAP CLASS IV	UPSLOPE PROTECTION
6	600 CY		GRANULAR FILTER MATERIAL	FILTER DRAIN
7	220 LF	6" DIA	PERFORATED CORRUGATED STEEL PIPE	FILTER DRAIN
8	2 EA	6" DIA X 70 DEG	CORRUGATED STEEL PIPE ELBOW	FILTER DRAIN
9	400 CY	3/4"	PEA GRAVEL	BEACH
10	255 CY	PIT RUN	PIT RUN AGGREGATE FROM AGGREGATE QUARRY	ROAD SURFACING, PARKING AREA
11	1 EA	12" DIA	40 LF LOG (DESIGNATED BY FOREST SERVICE)	PARKING AREA WHEELGUARD
12	1900 CY		SPILLWAY EXCAVATION	
13	465 LBS	#4	REBAR	SPILLWAY CONTROL WEIR, PEDESTALS, INTAKE STRUCTURE
14	9 CY		CONCRETE	SPILLWAY CONTROL WEIR, PEDESTALS, INTAKE STRUCTURE , THRUST BLOCKS
15	200 LF	8" DIA	CORRUGATED STEEL PIPE, .060-INCH THICKNESS INCLUDING BANDS AND GASKETS	OUTLET CONDUIT
16	9 EA	2' X 2'	CORRUGATED STEEL CUT-OFF COLLARS FOR 8" CMP	OUTLET CONDUIT
17	4 EA	45 DEG X 8"	CORRUGATED STEEL ELBOW	OUTLET CONDUIT
18	1 EA	70 DEG X 8"	8" OD #109 STEEL TUBING ELBOW	OUTLET CONDUIT
19	1 EA	8" DIA	#28 FLANGE DRILLING	GATE VALVE TO STEEL ELBOW ADAPTOR

MATERIALS LISTING

SHEET	TOTAL SHEETS
22	23

ITEM	QTY.	SIZE	DESCRIPTION	USE
20	1 EA	8" DIA	WATERMAN P-30 PRESSURE SLIDE GATE	GATE VALVE
21	1 EA	8" DIA	FLANGE GASKET	GATE VALVE
22	8 EA	3/4" DIA X 2-1/2"	CADMIUM PLATED BOLTS AND NUTS	GATE VALVE
23	1 EA		GATE VALVE STEM ADAPTOR (FIELD FABRICATE)	SCREW HEAD TO STEM ADAPTOR
24	6 LF	4" DIA	GALVANIZED STEEL PIPE	BYPASS
25	1 EA	4" X 90 DEG	GALVANIZED STEEL ELBOW	BYPASS
26	2 EA	4" X 2-1/2"	GALVANIZED REDUCING ELBOW	BYPASS
27	1 EA	2-1/2"	BALL VALVE (MATCO 752T09)	BYPASS VALVE
28	1 EA	8" DIA X 12"	SURE-FLOW SFSJ-4 WITH 3/32" HOLES	BYPASS INTAKE SCREEN
29	2 EA	6" X 5" X 3/8"	6" LONG ANGLE BRACKET	BYPASS INTAKE SCREEN ANCHOR
30	4 EA	3/4" X 5"	ANCHOR BOLTS	INTAKE SCREEN
31	4 EA	3/4" X 1-1/2"	BOLTS	INTAKE SCREEN
32	1 EA		BYPASS VALVE STEM ADAPTOR (FIELD FABRICATED)	SCREW HEAD TO STEM ADAPTOR
33	2 EA	3" DIA X 6"	GALVANIZED STEEL PIPE	STEM SLEEVE
34	180 LF	2" ID	GALVANIZED STEEL PIPE	VALVE STEM EXTENSIONS
35	12 EA	2" ID	GALVANIZED STEEL COUPLINGS	VALVE STEM EXTENSIONS
36	24 EA	3/8" X 4"	CADMIUM PLATED BOLTS	VALVE STEM EXTENTION/THRUST BEARINGS
37	2 EA		WATERMAN K3C WALL MOUNT GATE LIFT BRACKET	HAND WHEEL BRACKET
38	16 EA		WATERMAN K2B STEM GUIDES	STEM GUIDES
39	74 EA	3/4" X 12"	ANCHOR BOLTS	HAND WHEEL BRACKET, STEM GUIDES
40	1 EA	12" DIA	WATERMAN TYPE 1 HANDWHEEL	GATE VALVE HANDWHEEL
41	44 LF	1" DIA	GALVANIZED STEEL PIPE	TRASH RACK

MATERIALS LISTING

SHEET	TOTAL SHEETS
23	23

ITEM	QTY.	SIZE	DESCRIPTION	USE
42	18 LF	2-1/2" X 3/8"	STEEL BAR	TRASH RACK
43	2 LF	3"X2-1/2"X3/8"	ANGLE IRON	TRASH RACK
44	8 EA	3/4" X 1-1/4"	BOLTS	TRASH RACK
45	8 EA	3/4" X 8"	ANCHOR BOLTS	TRASH RACK

TECHNICAL REVIEW CHECKLIST

10/7/94

1. Application: R-70851
2. Review Date: 12-14-94

S indicates information was completed or adequately addressed.
 U indicates information is needed, or incomplete, or inadequately addressed
 N/A indicates Not Applicable

SUMMARY	
<u>S</u>	Land Use
<u>NA</u> yes/no	Substantial SW interference w/GW (if yes, see results of surface water availability analysis)
<u>S</u>	Conflicts
<u>S</u>	Water Availability (<u>01012110000000</u>) (Water Availability Sub-basin#)
<u>U</u> OATH	The application, map and supporting data are complete and free of defects.
NEEDS PRIOR APPROVAL BY COMMISSION	
<u>yes/NA</u>	A TMDL letter has been received for this source or tributary. If yes, the period of use has been adjusted.

3. U The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge. An oath is required before a permit is issued regardless of the application's priority date.
5. S Application fees:

Examination fee:	\$ 200.00
Recording fee:	\$ 100.00
TOTAL REQUIRED	\$ 300.00
TOTAL SUBMITTED	\$
AMOUNT DUE prior to issuance of permit	\$ 0
AMOUNT OVERPAID refund due applicant	\$ 0
6. S Proposed dates of beginning and completion of construction, and complete application of water.
7. S A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.)
8. N/A *FOR REAL* A written copy of the legal description of the property on which the water is to be used.

9. N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
10. S ^{FOR} No statement of ownership was required for applications filed before August, 1990.
11. S The proposed use is not restricted or prohibited by statute.
12. S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. S One or more of the use(s) are allowed under the basin program; OAR 690 - _____.
- Uses applied for: SEE ATTACHED ^{initials} _____
- Discussion: _____
- _____
- _____

Water Quality Check

14. N/A DEQ has provided notice to the WRD concerning limitations of appropriation from surface water sources designated as TMDL streams. This application does not propose to approp water from a source that has been identified by the DEQ as a TMDL stream.
15. N/A This application proposes to appropriate water from a source that has been identified by the DEQ as a TMDL stream and has been limited so as not to impair water quality.

Land Use Compatibility: As expressed by the Planning Department of JOSEPHINE

15. S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section _____).
16. N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
17. N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For reservoir applications:

18. S Plans, specifications and supporting information for the dam and impoundment area must be approved by dam safety before a technical review is issued. Plans and specifications are not required for dams less than 10 feet in height and store less than 9.2 acre-feet. (OAR 690, Div 20) t:\chk5 10/7/94

APPLICATION NUMBER R 70851

Basin Plan Information

S

One or more of the use(s) are allowed under the basin program; OAR 690 - 515-006(1)(a)(A)(B)

WF
initials

Uses applied for: Recreation / fish life

Discussion: Soldier Cr appears to be TRib
to Briggs CR which is this to Illinois R AT
RM 32.5)

690-515-006(1)(a)(D)(xi)(I) Hydro Apps only

Application seems to be in order, dam safety issues?

OAR 690-515-006(2)(a) appears to apply to structures of this size. Rule indicates 3,000,000 G4/
And over $25 \text{ af} \times 325,850 = 8,146,250 \text{ gallons}$

(2) Storage

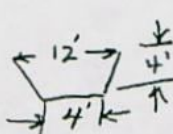
OAR 690-515-006(2)A

(a) All applications for appropriation of water for storage in structures impounding more than 3,000,000 gallons of water shall be reviewed by the Water Policy Review Board prior to approval. During the review, the Water Policy Review Board may establish additional minimum flows on the natural flow of the stream to support aquatic life or minimize pollution. Storage projects consistent with the purposes of minimum flows shall be encouraged.

DAM NAME: Spalding Pond
 APPL. NO.: R-70851
 DAM FILE: S-131
 MAP FILE: Plans in Dam file

CHECKED BY: Howard
 DATE: _____

CONCURRENCE OF APPLICATION AND PLANS

ITEM	APPL.	PLANS	CORRECTIONS MADE		REMARKS
			APPL.	PLANS	
Max Dam Ht.	37	✓			OK
Conduit	8"	✓			OK
Capacity	25	✓			OK
Surface Area	3	✓			OK
Wasteway		✓			OK
Remarks	Dam is constructed. See "As Built Plans"				

WM#14

WATER AVAILABILITY REPORT-SURFACE WATER APPLICATION

Name of Applicant United States of America
Siskiyou National Forest Application Number R-70851

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?

Yes _____ No X

If yes, please explain.

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FEB 12 1991

WATER RESOURCES DEPT.
SALEM, OREGON

2. Has the stream or basin that is the source for this application ever been regulated for minimum streamflows?

Yes _____ No X

If yes, please explain.

3. Do you observe this stream system during regular field work?

Yes _____ No X

If yes, what are your observations for the stream.

4. Based on your observations, would there be water available in the quantity and at time needed to supply the development proposed by this application.

Yes _____ No _____ Don't Know X

What would you recommend for conditions on a permit, that may be issued approving this application?

5. Any other recommendations you would like to make?

CHECK DATA SHEET. CONSTRUCTION AND DESIGN PLANS
NEED TO BE STUDIED

RECEIVED

NOV 26 1990

WM DIST 14
GRANTS PAGE ONE

Signature Bruce R. Lund WM District # 14 Date 2-11-1991

SURVEY DATA SHEET

Dam Name SPALDING POND RES. Date 2-8-91
 Inspector's Name B. SUND, R. MOORE County JOSEPHINE CO.
 Photos?? (Y or N) _____

Location T 37S R 9W Sec 13 Owner SISKIYOU NATIONAL FOREST / USA
SOLDIER CREEK 200 NORTH GREENFIELD RD.
 Tributary of TRIB OF ILLINOIS RIVER Address GRANTS PASS, OR 97526
 Reservoir Capacity 25 ACRE-FEET Drainage Area 1/2 SQ. MILE

DAM INFORMATION

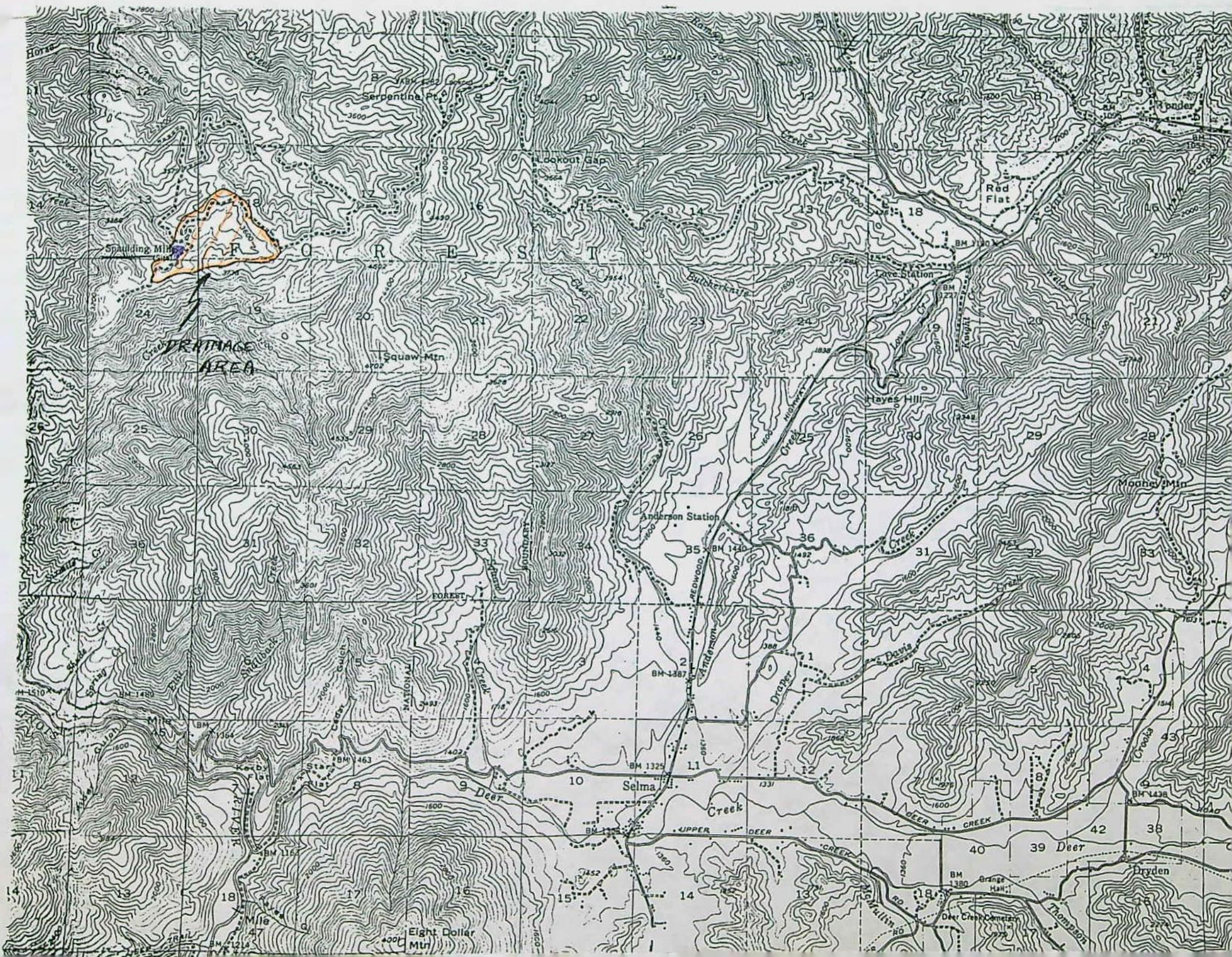
APPLICATION

Dam Type ? ROCK SURFACE Permit # R-70851
 Crest Width 20' Height 40' Length 150'
 Upstream Slope 3:1 Downstream Slope 1:1

SPILLWAY INFORMATION

Primary Spillway Location -
 Primary Spillway Depth - Primary Spillway Size -
 Emergency Spillway Location LEFT END OF DAM
 Emergency Spillway X-Section 1:1 \ 5' / 1:1
12'
 Emergency Spillway Depth 5'
 Outlet Conduit Size _____ Outlet Conduit Material _____

Remarks: LOG BOOM
TREES WERE LEFT IN RESERVOIR COULD CAUSE A TRASH PROBLEM.
EVEN THOUGH THERE IS A LOG BOOM. DOWNSTREAM SLOPE IS VERY STEEP
AND A MAJOR CONCERN WOULD BE THE TYPE OF EARTH FILL USED.
AREA USED TO BE A LOG POND AND FILL FROM MILL WOULD BE INFERIOR.



February 12, 1991

MEMO

To: Steve Applegate *File*

From: Barry Norris

Re: Application R70851
Spaulding Reservoir

Please note my comment on the proposed permit. We have to require outlet pipes according to our administrative rules. It could be very embarrassing if we put a condition like the one proposed on a permit allowing construction in violation of our own rules.

Thanks.

*Assume that the permit will contain some condition
requiring conformance w/ the approved plans
& specs, which ~~may~~ ^{will} contain more concise reqmts -*

BN

Route Slip

Date 2-11-91

TO:	Name	Division/Section	Initial	Date
1.	BARRY NORRIS			
2.				
3.				
4.				
5.				

RECEIVED

☒	as requested	☒	investigate	per conversation
☐	approval	☐	justify	prepare reply
☐	comment	☐	necessary action	return with more detail
☐	confer	☐	initial and return	review and circulate
☒	for your information	☐	note and file	signature

WATER RESOURCES DEPT.
SALEM, OREGON

MAY BE ADVISABLE TO CHECK DESIGN
PLANS OF THIS RESERVOIR. NEED TO
FIND OUT WHAT FILL MATERIAL WAS USED
ALSO TREES WERE LEFT IN RESERVOIR
POOL

FROM: BRUCE SUND.

Phone No.

WM#14

WATER AVAILABILITY REPORT-SURFACE WATER APPLICATION

United States of America

Name of Applicant Siskiyou National Forest Application Number R-70851

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?

Yes _____ No X

If yes, please explain.

2. Has the stream or basin that is the source for this application ever been regulated for minimum streamflows?

Yes _____ No X

If yes, please explain.

3. Do you observe this stream system during regular field work?

Yes _____ No X

If yes, what are your observations for the stream.

4. Based on your observations, would there be water available in the quantity and at time needed to supply the development proposed by this application.

Yes _____ No _____ Don't Know X

What would you recommend for conditions on a permit, that may be issued approving this application?

5. Any other recommendations you would like to make?

*CHECK DATA SHEET. CONSTRUCTION AND DESIGN PLANS
NEED TO BE STUDIED*

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NOV 26 1990

WM. DIST. 14
GRANTS PAS. 17E.

Signature Bruce C. Lund WM District # 14 Date 2-11-1991

SURVEY DATA SHEET

Dam Name SPALDING POND RES. Date 2-8-91
 Inspector's Name B. SUND, R. MOORE County JOSEPHINE CO.
 Photos?? (Y or N) _____

Location T 37S R 9W Sec 13 Owner SISKIYOU NATIONAL FOREST / USA
SOLDIER CREEK 200 NORTH GREENFIELD RD.
 Tributary of TRIBUTARY OF ILLINOIS RIVER Address GRANTS PASS, OR 97526
 Reservoir Capacity 25 ACRE-Feet Drainage Area 1/2 SQ. MILE

DAM INFORMATION

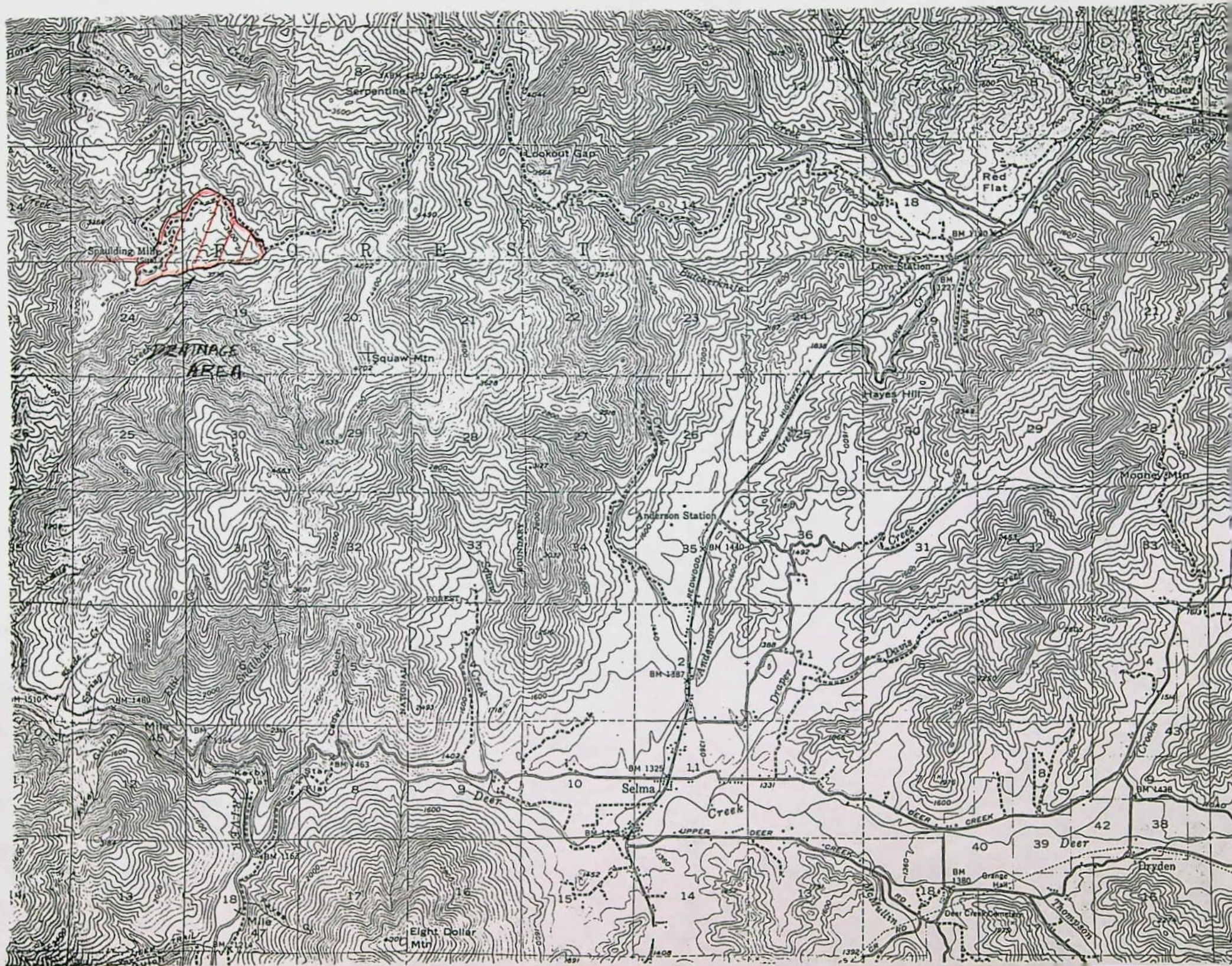
Dam Type ? ROCK SURFACE APPLICATION
PERMIT # R-70851
 Crest Width 20' Height 40' Length 150'
 Upstream Slope 3:1 Downstream Slope 1:1

SPILLWAY INFORMATION

Primary Spillway Location -
 Primary Spillway Depth - Primary Spillway Size -
 Emergency Spillway Location LEFT END OF DAM
 Emergency Spillway X-Section 1:1 \ 5' / 1:1
12'
 Emergency Spillway Depth 5'
 Outlet Conduit Size _____ Outlet Conduit Material _____

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EVEN THOUGH THERE IS A LOG BOOM. DOWNSTREAM SLOPE IS VERY STEEP
AND A MAJOR CONCERN WOULD BE THE TYPE OF EARTH FILL USED.
AREA USED TO BE A LOG POND AND FILL FROM MILL WOULD BE INFERIOR.



15-1680-0440-0370-040

3

STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO CONSTRUCT A RESERVOIR AND TO
STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

UNITED STATES OF AMERICA,
SISKIYOU NATIONAL FOREST
200 NORTH GREENFIELD ROAD
GRANTS PASS, OREGON 97526

503-479-5301

to construct SPALDING POND RESERVOIR and store the waters of SOLDIER CREEK, a tributary of ILLINOIS RIVER, to be appropriated under Application, Permit, for RECREATION TO INCLUDE FISHING, SWIMMING AND NON-MOTORIZED BOATING.

This Permit is issued approving Reservoir Application R-70851. The date of priority is NOVEMBER 2, 1990. The amount of water entitled to be stored each year is not more than 25.0 ACRE-FEET.

The dam will be located as follows:

SW 1/4 SE 1/4, SECTION 13, T 37 S, R 9 W, W.M.; 1776.64 FEET NORTH 62 DEGREES 38 MINUTES 19 SECONDS WEST.

The area submerged by the reservoir, when full, will be 3.0 acres and the maximum depth of water will be 37.0 feet.

The area to be submerged by the reservoir is located within:

SW 1/4 SE 1/4
SECTION 13
TOWNSHIP 37 SOUTH, RANGE 9 WEST, W.M.

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NOV 26 1990

WM DIST. 14
GRANTS PASS, ORE.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, ~~or the provisions of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.~~ *as shown on the approved plans.*

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1992. The reservoir shall be filled, and complete application of the stored water to the use shall be made on or before October 1, 1993.

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.

The 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.

54



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

November 14, 1990

United States of America
Siskiyou National Forest
200 N Greenfield Road
Grants Pass OR 97526

REFERENCE: File R-70851

We received your application on November 2, 1990, describing the proposed use of 25.0 acre-feet per second of water from Soldier Creek for recreation to include fishing, swimming and non-motorized boating. A copy of the billing is enclosed.

The permit issued approving your reservoir application will allow filling the reservoir once each water year. It will not authorize the use of water, beyond the initial annual filling, to maintain the water level or a suitable fresh water condition, or to divert water for any use outside the reservoir. A right may be perfected under the single reservoir permit only if the reservoir is constructed off-channel or on an intermittent stream and the stored water is beneficially used within the reservoir area.

If the application is approved, the use of water will be subject to the Water Resources Commission's Basin Program statements, instream flows, and demands of prior rights during periods of low water.

You are receiving this notice because you have a water right application pending with the Water Resources Department. Your proposed water development project is located within or upstream from a state scenic waterway. A recent Oregon Supreme Court decision (Diack) requires the Water Resources Commission to make certain findings about applications in these locations.

The Commission has directed the Department to postpone further processing of applications in these locations until the streamflows necessary for recreation and fish and wildlife uses within the scenic waterway have been determined. We are working with State Parks Division, Departments of Fish & Wildlife, and Environmental Quality to make these determinations as quickly as possible.

We expect the scenic waterway flows will be determined December 1991, for your area.

United States of America
Siskiyou National Forest
November 14, 1990
Page two

We advise you to avoid committing any resources toward your project on the assumption that your permit will be issued. Use of water cannot legally be made without the permit and the outcome of the scenic waterway study is not predictable at this time. Some streams are likely to have no water available except during high flow periods. It is possible that there will not be enough water left for your proposal after the studies are done.

Sincerely,

STEPHEN C. BROWN
Senior Water Rights Specialist

SCB:tcb

Enclosures

cc: Thomas J. Howie, CWRE

United States
Department of
Agriculture

Forest
Service

Siskiyou
National
Forest

Galice Ranger District
1465 NE 7th St.
Grants Pass, OR 97526

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NOV 02 1990

**WATER RESOURCES DEPT.
SALEM, OREGON**

Oregon Department of Water Resources
Attn: Steve Applegate
3850 Portland Rd. NE
Salem, OR. 97310

Reply To: 2540

Date: October 31, 1990

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NOV 02 1990

**WATER RESOURCES DEPT.
SALEM, OREGON**

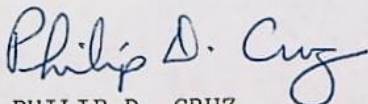
Enclosed is the application for a permit to construct a reservoir, plus some additional information on the Spalding Pond Enlargement project. This package is intended to help you visualize the project and understand project objectives, as well as obtain the permit.

In addition to the application, the following information is included in this package:

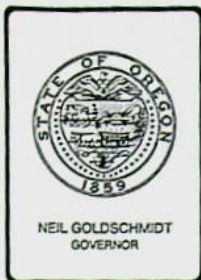
1. An Environmental Assessment correction notice and water balance, and summary.
2. A letter of support from the Oregon State Department of Fish and Wildlife.
3. A video of the project area.
4. The engineering report which includes the Environmental Assessment, preliminary plans, and geology report.
5. The fees for examination and recording of the application.

If you need any addition information or if you have questions, please feel free to contact Trish Carroll or Phil Cruz at telephone number 476-3830. Also, unless you have a need to keep the video tape, please return it at your convenience.

Sincerely,


PHILIP D. CRUZ
Acting District Ranger

Application No. R-70851
Permit No.



Department of Fish and Wildlife

5286 TABLE ROCK ROAD, CENTRAL POINT, OREGON 97502 PHONE 776-6170

Application No. *R-70851*
Permit No.

November 14, 1989

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NOV 02 1990

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Don King
Siskiyou National Forest
P.O. Box 440
Grants Pass, OR 97526

Dear Don:

After you called on November 13th concerning the effects of enlarging Spalding Pond on the population of wild rainbow trout in Soldier Creek, I called Jim Griggs, the trout program leader for our department, to see if he had any concerns about the project. He did not feel the project would adversely affect the wild trout in Soldier Creek. He felt that there will be little straying of the hatchery fish from the pond, and that the hatchery trout and wild trout spawn at different time of the year so there should be little chance for hybridization.

It appears that the benefits of this project will far outweigh the drawbacks. Since Jim Griggs does not feel this project will conflict with our wild fish policy, as far as we are concerned, you should not have any problems proceeding with the project.

Sincerely,

David R. Haight

David R. Haight
Assistant District
Fisheries Biologist
Rogue District

DRH:sha
cc: Jim Fessler
Jim Griggs

SPALDING POND ENLARGEMENT PROJECT
WATER BALANCE SUMMARY
October 29, 1990

The enclosed analysis was done to obtain a primary storage and fish culture water right from the Oregon State Department of Water Resources for the Spalding Pond enlargement project. Spalding Pond is located in the headwaters of Soldier Creek, which is within the Illinois River drainage basin. The Illinois River has State Scenic Waterway designation and is subject to the moratorium on issuance of water rights under the Diack decision. The analysis demonstrates that the project will have a beneficial, not detrimental impact, on the concerns which spurred the Diack decision.

The existing Spalding Pond will be enlarged from 1/4 acre to about 3 acres. The 37-foot high, 110-foot wide earthen impoundment will store about 24 acre-feet of water when full. The new pond is designed to remain full with the minimum summer flow, such that inflow would equal outflow at all times except when it is initially filling. Less than 1 percent of the total mean annual precipitation (a small portion of the winter flow) would be needed for the one-time filling of the new pond. The proposed water use would be non-consumptive and would benefit fisheries, wildlife, and recreation uses. The natural flow regime of the Illinois River would not be altered by this proposal.

Application No. R-70851
Permit No.

RECEIVED
NOV 02 1990
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. R-70851
Permit No.

SPALDING POND ENLARGEMENT PROJECT

ENVIRONMENTAL ASSESSMENT CORRECTION NOTICE AND WATER BALANCE

P. Carroll, Galice District Hydrologist

October 29, 1990

INTRODUCTION

This analysis is intended to help obtain a primary storage and fish culture water right for the Spalding Pond Project. Spalding Pond is fed by springs in the headwaters of Soldier Creek, a tributary to the Illinois River. Potential adverse impacts to the natural flow regime and beneficial uses in State Scenic Waterways, like the Illinois River, was the concern that created the moratorium on water rights per the Diack decision.

The analysis also demonstrates that the project will have a beneficial - not detrimental - impact on the concerns which spurred the Diack decision. An estimated water balance was calculated for the project drainage area to determine if any change in the natural flow regime would occur as a result of project implementation. Since no measurable change would occur in the water balance, no immediate or cumulative effects are anticipated.

The purpose of the Spalding Pond project is to enhance and protect recreation, fisheries and wildlife. An additional benefit of the project is improved fire protection for nearby areas.

OBJECTIVES

The project is intended to enhance lake fisheries habitat, fishing opportunities, developed recreation, and wildlife habitat. This will be done by expanding the existing 1/4 acre pond to 2.5 to 3 surface acres, thereby greatly increasing the actual fishing and recreational area. In addition, the fishery (which currently is annually stocked) will become self-sustaining.

The pond perimeter will be planted with native plants conducive to providing wildlife habitat for birds and small mammals. The campground and toilet facilities will also be upgraded. Adjacent roadways will be revegetated and stabilized to reduce erosion potential.

An environmental analysis was accomplished and documented in the Environmental Assessment. The Decision Notice for the project was signed in November, 1988. The Environmental Assessment discusses project purposes, alternatives to the proposal, and other considerations in further detail.

SCOPE AND SITUATION

The Spalding Pond project is located in the headwaters of the Soldier Creek drainage, approximately 8 miles upstream of the Illinois River. Soldier Creek is tributary to Briggs Creek which is tributary to the Illinois River. The Illinois River is part of the National Wild and Scenic River System (1984) and State Scenic Waterway System (1970).

The proposal requires construction of a 37-foot high, 110-foot wide earthen impoundment which will store about 24 acre-feet of water when full. The pond is designed to remain full with the minimum summer flow, such that inflow will equal outflow at all times. Also, an outflow pipe near the base of the impoundment will always be flowing a minimum of 0.2 cfs in addition to whatever flows over the spillway to maintain cooler water temperatures downstream for fisheries. The new pond would quickly fill the first season as the pond volume represents approximately 1 percent of the mean annual precipitation.

Permits to construct a dam and obtain a water right are needed to carry out the project. Current direction from the Oregon Water Resources Commission is not to issue water rights on waters which contribute to scenic waterways. This direction is based on the outcome of the Supreme Court ruling on the Diack vs. City of Portland decision appeal. A concern in this case was the diversion of water from one drainage into another affecting the natural flow regime and water balance of the diverted drainage. Minimum flows were reduced and a negative impact on the fisheries, recreational, and wildlife values in the drainage resulted; values which are considered the highest, best, and only uses in the scenic waterway.

The Diack decision appears to essentially be an instream flow needs situation. With a few exceptions, until inflow and minimum flow criteria can be determined for scenic waterways, water rights permits are not being issued.

The Spalding Pond project is significantly different from the particulars considered in the Diack case, and thereby should exempt from or subject to an exception or variance for the following reasons:

1. Water is not diverted from one drainage to another.
2. The natural flow regime will not be altered because the pond spillway design is such that outflow from the pond equals inflow (i.e., inflow and outflow are in equilibrium).
3. The drainage area and total water contributed from the project (pond) to the Illinois River is extremely small (see SPECIFICS section below).
4. The pond is a non-consumptive use. The less than 1% of the mean annual precipitation initially stored to fill the pond will be offset by the increase in summer streamflow.
5. There are no anticipated adverse effects on the natural flow of the Illinois River; under a worse case scenario, they are immeasurable.

Additionally, the purpose of the project is purely for the "enhancement" of fisheries, recreation, and wildlife. As such, the project is strongly supported by the Oregon Department of Fish and Wildlife.

SPECIFICS

The drainage area of Soldier Creek above the proposed dam is 0.6 square miles (360 acres), or 5 percent of the entire Soldier Creek watershed. This is less than 1 percent (0.8%) of Briggs Creek drainage, less than 1/10 of one percent (0.1%) of the Illinois River drainage just below where Briggs Creek enters the Illinois, and 1/20 of one percent (0.05%) of the entire Illinois River basin.

Minimum summer flows in Soldier Creek at the project location are between 0.3 and 0.5 cfs.² The mean daily flow during the low flow months for the Illinois River below Briggs Creek is 101 cfs.³ The low flows of the project area contribute less than 1 percent (0.5%) of the total low flow of the Illinois River below Briggs Creek, and even less when compared to the mean daily August and September low flow of the entire Illinois River basin.

WATER BALANCE

A pre-pond enlargement and post-pond enlargement water balance for the project area was estimated to ascertain the potential for changes in the natural flow regime.⁴ The only portion of the 360-acre drainage that would change is the 2.5 to 3 surface acres of pond and pond perimeter.

Pond evaporation is estimated to be slightly less than the evapotranspiration of the trees within the pond area. This is partially due to the year-around spring in the pond area which maintains adequate soil moisture. Trees that would normally go into a moisture deficit during the hot summer period and dry fall months are provided more than ample water for their uptake. Since evaporation would theoretically be less than the evapotranspiration, slightly more water should be available for streamflow after the dam is installed.

Although a small portion of the mean annual precipitation would be stored the first year to fill the new portion of the pond (less than 24 acre-feet), this amount would be offset by the increased summer streamflow due to reduced evapotranspiration. However, the area is so small that an increase is probably immeasurable. Thus pond enlargement and installation of the dam is not expected to alter the natural flow regime or water balance of the proposal area or the Illinois River basin.

CONCLUSION

Approval of a water right for the Spalding Pond project should not be subject to the restrictions created by the Diack decision even though it is tributary to the Illinois River because of its non-consumptive use and accompanying benefits to fisheries, recreation, and wildlife. The water balance, or natural flow regime, will not be measurably altered. There will be no effect on the natural flows of the Illinois River. Additionally, water can be released from the bottom of the dam to supplement flow to Soldier Creek during an extremely low-flow year.

Water quality standards for turbidity and temperature will not be adversely affected. Summer water temperatures in Soldier Creek may actually decrease slightly if additional water is released from the dam during extremely low years. Since exposed road cuts and nonvegetated areas will be stabilized as part of the project, potential erosion will be reduced. Also, because of improved ability to suppress fire, risk of erosion because of fire is reduced.

Footnotes:

- 1 Actual quantity of stored water would be less than 1% mean annual precipitation because the volume of water currently stored in the existing pond would be used to help fill the new pond.
- 2 Based on streamflow measurements made from July 1988 through November 1989 at the new pond location.
- 3 The average of August and September mean daily flow for the Illinois River near Selma, OR; gauging station (#14378000); statistical summary for 1957-67.
- 4 The water balance is filed in the process records for the project, located at the Galice Ranger District, Siskiyou National Forest.

MEMORANDUM

TO: HOWARD DAGGETT/BARRY NORRIS
DAM SAFETY

DATE: November 15, 1990

FROM: STEVE BROWN

RE: REVIEW OF APPLICATION R-70851
Siskiyou National Forest - Spalding Pond

Please review the application and supporting data for our Dam Safety requirements.

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