

Received  
SEP 12 2025

Application for a Permit to  
**Store Water in a Reservoir**  
Alternate Review (ORS 537.409)



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

You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

**SECTION 1: APPLICANT INFORMATION AND SIGNATURE**

**Applicant**

NAME Laura Lehman, City of Portland Parks & Recreation		PHONE (HM) (971) 930-0104	
PHONE (WK)	CELL (971) 930-0104	FAX	
MAILING ADDRESS 1120 SW Fifth Avenue, Suite 858			
CITY Portland	STATE OR	ZIP 97204	E-MAIL * laura.lehman@portlandoregon.gov

**Organization**

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

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

AGENT / BUSINESS NAME Marshall Johnson / City of Portland Parks & Recreation		PHONE 503-310-0223	FAX
MAILING ADDRESS 4000 SW Fairview Blvd, Suite B190			CELL 503-310-0223
CITY Portland	STATE OR	ZIP 97221	E-MAIL * marshall.johnson@portlandoregon.gov

Note: Attach multiple copies as needed

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

**By my signature below I confirm that I understand:**

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

Applicant Signature	Laura Lehman, Senior Environmental Planner	02/05/2025
	Print Name and Title if applicable	Date

Applicant Signature	Print Name and Title if applicable	Date
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## SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	Newton Wetland				
Source*:	precipitation only	Tributary:			
County:	Multnomah				
Quantity:	1 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	1N	1W	3	NA	300
Maximum Height of Dam:	3 feet. If excavated write "zero feet."				

\* Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, an unnamed stream, or spring.

## SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Wildlife habitat

**NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir.** Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses, which may include stock water, fish and wildlife, domestic, irrigation, agriculture, fire protection and pollution abatement.

## SECTION 4: PROPERTY OWNERSHIP

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

☒ Yes (please check appropriate box below then skip to section 5)

☒ There are no encumbrances.

☐ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances.

☐ No (please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:



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**SECTION 5: ENVIRONMENTAL IMPACT**

**Channel:** Is the Reservoir: ☐ in-stream or ☒ off channel?

**Wetland:** Is the project in a wetland? ☒ YES ☐ NO ☐ unknown

**Existing:** Is this an existing reservoir? ☐ YES ☒ NO

If YES, how long has it been in place? \_\_\_\_\_ years.

**Fish Habitat:** Is there a fish habitat upstream of the proposed structure? ☐ YES ☒ NO ☐ unknown

If YES, how much? \_\_\_\_\_ miles.

**Existing:** Have you been working with other agencies? ☐ YES ☒ NO

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

**SECTION 6: WITHIN A DISTRICT**

☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME		ADDRESS	
CITY	STATE	ZIP	

**SECTION 7: DESCRIPTION**

Provide a short description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

Please see attached Narrative for SECTION 7: DESCRIPTION.

If the diversion involves a dam, use this space below (or attached pages) for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

Please see attached Narrative for SECTION 7: DESCRIPTION.

## **Newton Wetland Enhancement Project Narrative**

### **SECTION 7: DESCRIPTION**

The City of Portland Parks & Recreation (PP&R) is investigating the potential to improve wildlife habitat through a restoration project that would enhance an existing small palustrine forested wetland located in the City's Forest Park (45.594571, -122.803219).

The site is in north-central Forest Park along Newton Road where it would occupy an existing, approximate one-fourth-acre marshy area that contains pockets of standing water during the wet season. The source of the standing water appears to be precipitation that falls directly on the marshy area and runoff from the upslope hillside. The water accumulates in low-lying, closed depressions, perching over relatively impervious, clayey silt soils that underlie the marshy area. Based on field monitoring over the past two years, standing water is generally present in the two designated wetlands from about late October to mid-June. The existing standing water reaches a maximum dimension of approximately 20 ft by 20 ft and up to about 1-ft-deep, generally late in the wet season, depending on the timing and duration of precipitation events.

As documented in the 1995 Forest Park Natural Resource Management Plan, the marshy area was crossed and partially filled during the construction of Newton Road many years ago. The management plan recommends that portions of the wetland adversely affected by the road construction be restored and enhanced. The objective of the proposed pond construction described herein is to fulfill that recommendation.

The proposed pond design and construction includes relocating Newton Road around/outside of the existing marshy area and regrading within it to increase the depth, volume, and seasonal duration of standing water. The marshy area occupies a flat to very gentle, south to north-plunging swale. The proposed pond would be centered on the swale, roughly oval-shaped, and measure up to about 120 ft long in the north-south direction and up to about 60 ft wide in the east-west direction. The existing ground surface drops about 2 ft from south to north across the proposed pond footprint. A 3 to 4 - ft-deep excavation (roughly 500 cubic yards) within the pond footprint and construction of a 1-to 2-ft-high, 50-ft-long, 5- to 10-ft-wide compacted soil fill embankment (roughly 50 cubic yards) along the north (downslope) end of the pond would allow for a maximum 5-ft-deep pond water level. Excavation and embankment slopes would measure approximately 3H:1V. To the extent possible, the pond would be constructed as a balanced cut/fill operation (no import or export of site soils) with the relatively organic-free excavation soils (estimated at 400 cubic yards) placed in compacted fill embankments at the north end of the pond, beneath the relocated Newton Road along the east edge of the pond, and under a slightly elevated Newton Road north of the pond site.

Organic-rich topsoil stripped from the pond and relocated road areas (estimated at 100 cubic yards) would be spread approximately 1-ft-deep over completed compacted fill embankment slopes and adjacent Newton Road north of the pond area. A non-compacted layer of soil approximately 1-ft-deep placed along the top of the berm will be of an appropriate composition and density to allow water to readily pass through it by natural infiltration, providing outflow in a regular dispersed manner matching the conditions naturally occurring at the site.

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The site is currently a small depressional feature receiving rainwater only and is not in-line with any stream or other water body. The primary method proposed for the project is excavation, however, a small berm approximately three feet high may be created on the downslope side of the site to help reduce the amount of earthwork needed. This berm meets the definition of a dam according to the OWRD website. The attached sketch shows the proposed project, with cross-section of the berm provided (see Proposed Wetland Profile detail).

There is no portion of the year outside the authorized OWRD storage season, and so no means of flow passage specifically for that purpose are proposed. ODFW confirmed that the site is off channel with no fish obstruction issues, and so no fish passage measures are proposed.

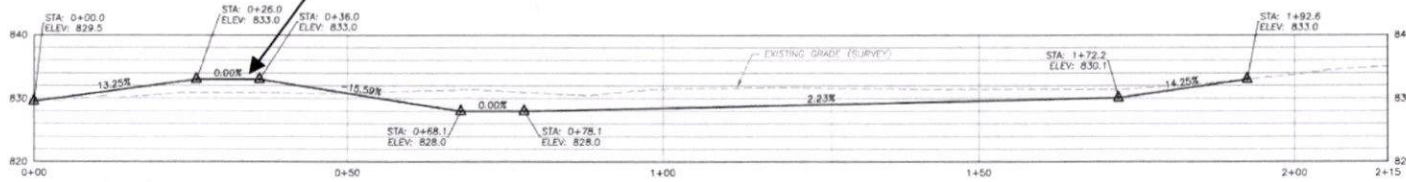
A non-compacted layer of soil approximately 1-ft-deep placed along the top of the entire berm which will be of an appropriate composition and density to allow water to readily pass through it by natural infiltration, providing outflow in a regular dispersed manner matching the conditions naturally occurring at the site currently.



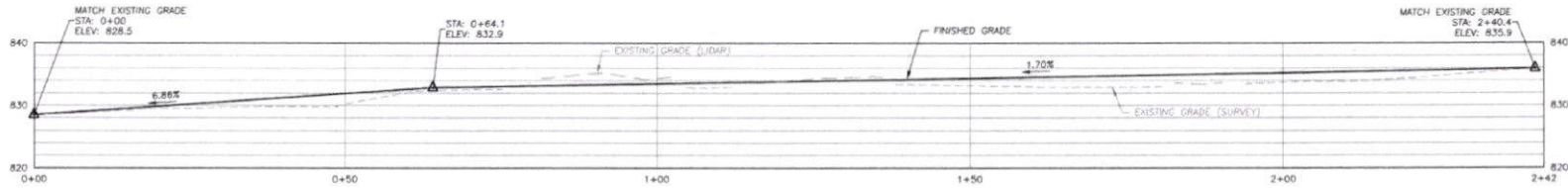


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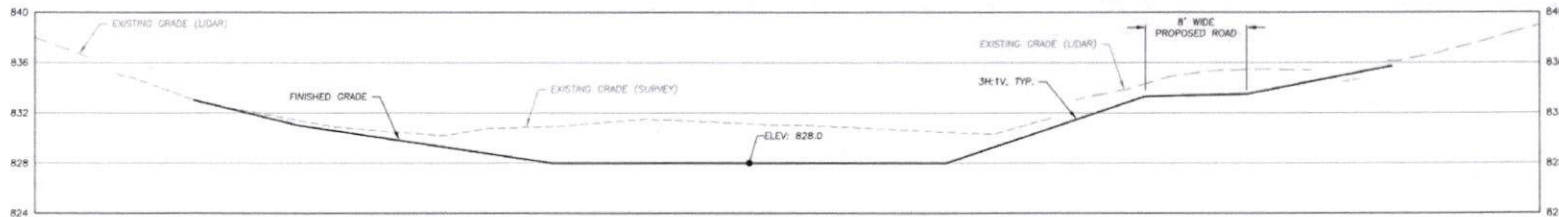
Berm - to include approximately 1-ft-deep layer of non-compacted soil to allow natural infiltration dispersed across entire berm length.



ALTERNATIVE 2 - PROPOSED WETLAND PROFILE 3  
SCALE: 1" = 10'



ALTERNATIVE 2 - PROPOSED ROAD PROFILE 4  
SCALE: 1" = 10'



PROPOSED WETLAND SECTION 5  
SCALE: 1" = 5'

WATERWAYS  
CONSULTING INC.  
5504 SWIFT ST.  
SAN ANTONIO, TX 78219  
PH: (214) 421-9291 / FAX: (214) 421-9847  
WWW.WATERWAYS.COM

DRAFT  
NOT FOR CONSTRUCTION

PREPARED AT THE REQUEST OF:  
OREGON WILDLIFE FOUNDATION

PROFILES AND  
SECTIONS -  
ALTERNATIVE 2

NEWTON WETLAND  
ENHANCEMENT PROJECT  
CONCEPT DESIGNS

DESIGNED BY: J.D.  
DRAWN BY: C.B.  
CHECKED BY: J.D.  
DATE: 2/13/25  
JOB NO.: 24-052

BAR IS ONE INCH ON  
ORIGINAL DRAWING.  
ADJUST SCALES FOR  
REDUCED PLOTS  
0 1" = 10'

FIG5  
5  
OF  
5



## Watermaster Alternate Reservoir Application Review Sheet

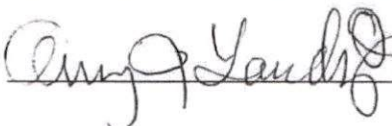
In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes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

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

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

<b>Applicant's Name</b> City of Portland-Newton Wetland		
1. Does the proposed reservoir have the potential to injure existing water rights? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Explain:		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input type="checkbox"/> YES <input type="checkbox"/> NO Explain: N/A		
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
4. If yes, during what period? Beginning: Jan 1                      End: Dec 31  Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))		
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Name:	Agency:	Date:
Name:	Agency:	Date:

Watermaster Name: 2/7/2025

Watermaster Signature:  Date: 2/7/2025

**NOTE: This completed form must be returned to the applicant**



## ODFW Alternate Reservoir Application Review Sheet

**This portion to be completed by the applicant.**

Applicant Name: City of Portland Parks & Recreation – Laura LehmanAddress: 1120 SW Fifth Ave, Suite 858, Portland Or. 97204Phone/Email: 971-930-0104 / laura.lehman@portlandoregon.govReservoir Name: Newton WetlandSource: PrecipitationBasin Name: WillametteTwp Rng Sec QQ: 1N 1W 3Volume (AF): 1☐ in-channel☒ off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

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**This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) staff.**

- 1) Is the proposed project and AO<sup>1</sup> off channel?.....☒ YES\* ☐ NO  
(if yes then proceed to #4; if no then proceed to #2)

*\*Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon's fish passage laws.*

- 2) Is the proposed project or AO located where NMF<sup>2</sup> are or were historically present?.....☐ YES ☐ NO  
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan?.....☐ YES ☐ NO  
b. Is there an ODFW-approved fish-passage waiver or exemption?.....☐ YES ☐ NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

- 4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?.....☐ YES ☒ NO

*Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)*

- ☐ Any diversion or appropriation of water for storage during the period type here through type here poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage

<sup>1</sup> AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

<sup>2</sup> NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

Applicant Name: City of Portland Parks & Recreation – Laura Lehman

Review Date: 3/20/2025

during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

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

Based on parameters assessed, ODFW has determined that the proposed reduction in flow will not pose a significant detrimental impact to existing fishery resources. The proposed restoration activity is solely intended to restore or enhance natural processes, will provide a net ecological benefit and long-term habitat benefits, and ODFW has identified the applicant as an individual, agency or restoration entity having experience or skills in durable habitat restoration. Therefore, ODFW concurs with the Watermaster's assessment that water is available for the use January through December. Additional conditions may also apply (see other sections of this review). If OWRD's determination regarding water availability changes, ODFW will need to re-assess the proposed use.

Impairment to Fishery Resource	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Water Quantity												
Water Quality												

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

☐ NO (explain) ☒ YES (select from Menu of Conditions on next page)

☒ See applicable conditions selected from "Menu of Conditions" on next page

describe Mitigation Obligation here, if applicable

Janna

Digitally signed by

Janna Guzman

Date: 2025.09.17

08:30:45 -07'00'

ODFW Signature: Guzman

Print Name: Janna Guzman

ODFW Title: Water Planning Coordinator

Date: 3/20/2025

**NOTE: This completed form must be returned to the applicant.**

Revised 10/4/12; reformatted 5/12/20

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## MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020, March 25, 2021

SEP 12 2025

Salem, OR

Use this menu to identify appropriate conditions to be included in the permit:

- ☒ **Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- ☐ **b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- ☐ **b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- ☐ **b51a** The period of use has been limited to type here through type here.
- ☐ **b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- ☐ **b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.
- ☐ **blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.
- ☐ **Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
  - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.
- Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.
- The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.
- ☐ **fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- ☐ **fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- ☐ **fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- ☐ **fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.
- ☐ **fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee

shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

- ☒ **Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting live fish in Oregon shall have a Fish Transport Permit (FTP) issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without an FTP approved by ODFW. As part of the FTP permitting process, the permittee may be required to screen the inlet and outlet of the reservoir to ensure that fish cannot escape into public waters and/or to keep wild fish from entering the reservoir.
- ☐ **futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- ☐ **In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- ☐ **Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- ☒ **Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- ☐ **On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- ☒ **riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- ☒ **Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- ☐ **wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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PR 25-032136 LUCS

# Land Use Information Form



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

NAME Laura Lehman			PHONE (971) 930-0104		
MAILING ADDRESS 1120 SW Fifth Avenue, Suite 858					
CITY Portland		STATE OR	ZIP 97204	EMAIL laura.lehman@portlandoregon.gov	

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
1N	1W	3	NA	300	Open Space	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	wildlife habitat
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Multnomah County, City of Portland

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

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1   
☐ cubic feet per second   
☐ gallons per minute   
☒ acre-feet

Intended use of water:   
☐ Irrigation   
☐ Commercial   
☐ Industrial   
☐ Domestic for \_\_\_\_\_ household(s)  
☐ Municipal   
☐ Quasi-Municipal   
☐ Instream   
☒ Other Wildlife habitat

Briefly describe:

The restoration project would enhance an existing small palustrine forested wetland located in the City's Forest Park that was historically impacted by creation of Newton Road. The project area is approximate one-fourth-acre. The proposed restoration would include approximately 3 to 4 ft deep excavation to expand the wetland area. Newton Road in this location is a small dirt/gravel service road for the Park. The road would be relocated slightly to the north in order to allow for restoration of the wetland. The project site would then be planted with a dense cover of native wetland/emergent, shrub and tree plantings that will enhance native plant communities and support aquatic, amphibian, avian and terrestrial wildlife. Any additional required mitigation would be provided nearby in Forest Park.

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

See Page 4 ➔

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OWRD

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

### Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): See note below
- ☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

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

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

The Newton Wetland Enhancement project is identified as project RE-11N in the Forest Park Natural Resource Management Plan (NRMP) as an allowed use in the NRMP and requires no further review.

Name: Marisol Caron Title: Senior City Planner

Signature: Marisol Caron Date: 6/2/2025

Governmental Entity: City of Portland Phone: 503-865-6436

### Receipt Acknowledging Request for Land Use Information

#### Note to Local Government Representative:

Please complete this form and return it to the applicant. **For new water right applications only**, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: \_\_\_\_\_

Staff Name: \_\_\_\_\_ Title: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Governmental Entity: \_\_\_\_\_ Phone: \_\_\_\_\_



BOOK 473 PAGE 156

Know All Men by These Presents, That

A. MEIER ESTATE,

a corporation duly organized and incorporated under the laws of the State of Oregon,

in consideration of TEN (\$10.00) Dollars,

to it paid by

CITY OF PORTLAND, OREGON, a Municipal corporation,

do hereby remise, release and forever QUITCLAIM unto the said

City of Portland, Oregon, and unto its successors and assigns

all its right, title and interest in and to the following described parcel of real estate, situate

in County of Multnomah, State of Oregon, to-wit:

All of the following land lying West of Linnton County Road beginning at the southeast corner of Richards D. L. C., thence South 60° West 82 chains, thence North 30° West 49.79 chains, thence North 60°, East 66.83 chains, thence South 30° east 6.34 chains, thence South 74° East 1.44 chains, thence South 30° 30' East 1.56 chains, thence South 1.23 chains, thence South 60° West 19.73 chains, thence 30° East 27.79 chains, thence North 60° East 34.28 chains, thence South 24° 45' East 12.05 chains to beginning, excepting a square piece of land on hill known as Methodist Camp Grounds containing 2.5 acres, and excepting 0.23 acres described in Book 106, page 264; excepting 1.17 acres described in Judgment #46123; excepting 1.06 acres added to Tax Lot 19, Section 2, 1 N. 1 W.; excepting 0.21 acres deeded to city for street, Book 351, page 271, Section 3, Township 1 North Range 1 West, Tax Lot 11, containing 228.03 acres, more or less.

To Have and to Hold, the same, together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining to the said

City of Portland, Oregon,

and to its successors and assigns forever.

In Witness Whereof, A. MEIER ESTATE, pursuant to a resolution of its Board of Directors, duly and legally adopted, has caused these presents to be signed by its President and Vice-President and its corporate seal to be hereunto affixed this 8th day of November, A. D. 1938.

EXECUTED IN THE PRESENCE OF

A. MEIER ESTATE,

By

A. MEIER ESTATE,

By

Vice-President.

Secretary.

Received  
SEP 12 2025  
OWRD



Received  
SEP 12 2025

OWRD

BOOK 473 PAGE 157

STATE OF Oregon, ss.  
County of Multnomah.

On this 8th day of November, 1938, before me appeared/

A. W. FRANK and JACK MEIER

both to me personally known, who being duly sworn, did say that he, the said

A. W. Frank is the President, and he, the said JACK MEIER

is the Vice-President Secretary of

A. MEIER ESTATE,

the within named Corporation, and that the  
seal affixed to said instrument is the corporate seal of said corporation, and that the said instrument  
was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and said

A. W. Frank and JACK MEIER

acknowledged said instrument to be the free act and deed of said Corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal,  
this, the day and year first in this, my certificate, written.



*Antonia Koberstein*  
Notary Public in and for said County and State.

My Commission Expires 22/28/40  
NOTARY  
MY COMMISSION EXPIRES MAY 16, 1941

**Quitclaim Deed**  
CORPORATION

A. MEIER ESTATE,  
a CORPORATION,  
TO

CITY OF PORTLAND, OREGON,  
a MUNICIPAL CORPORATION.

STATE OF OREGON, ss.  
County of Multnomah.

I, A. A. Bailey, County Clerk, do hereby certify that the within instrument of  
the hereto within party, the within instrument of  
writing was recorded for record and recorded in the  
record of

DEED

1938 NOV 13 PM 2 32

In Book 473 On Page 156  
Where my hand and seal of office are placed  
A. A. BAILEY,  
County Clerk.  
Deputy,  
Frank C. Clark, Recording Clerk.



Received  
SEP 12 2025  
OWRD

**From:** Johnson, Marshall  
**To:** Whitcomb, Annie  
**Cc:** Lehoczy, Zsolt; Lehman, Laura  
**Subject:** Check request for OWRD permit  
**Date:** Thursday, August 28, 2025 12:22:23 PM  
**Attachments:** image002.png  
image001.png  
Newton Wetland Restoration Project - OWRD permit application.pdf

Hi Annie,

Laura sent me instructions for requesting a check to submit along with an application to the Oregon Water Resource Dept (OWRD) for a permit. Would you be able to help me with a check for this?

- The complete OWRD application is attached.
- The OWRD fee calculator (see below) indicates that we need to mail them a check for \$1,697 for this permit.
- The budget code to pay for this would be: PKCN000001 (Zsolt Lehoczy is my supervisor who approves the payment – he is cc'd on this message).

If I understood correctly, I think Laura said you would print out a hard copy of the attached permit application and mail it with the check directly to OWRD. Is that right? Or do I need to send them the application myself?


The OWRD address:

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

Please let me know if you are able to help with this, and if there is anything else you need from me to proceed.

Thank you!

Marshall

 Oregon Water Resources Department Alternate Reservoir Application		<a href="#">Main</a> <a href="#">Help</a> <a href="#">Return</a> <a href="#">Contact Us</a>	
For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.			
Today's Date: Wednesday, August 27, 2025			
Base Application Fee			\$720.00
Proposed Dam Height in feet	3		
Proposed Reservoir volume in Acre Feet	1		\$62.00
Subtotal			\$782.00
Permit Recording Fee. ***			\$915.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.			<a href="#">Recalculate</a>
Estimated cost of Permit Application			\$1,697.00

**Marshall Johnson** (he/him/his)

Natural Resource Ecologist | West Lands Stewardship  
Portland Parks & Recreation  
503-310-0223 (mobile)  
[Marshall.Johnson@portlandoregon.gov](mailto:Marshall.Johnson@portlandoregon.gov)

**From:** Lehman, Laura <Laura.Lehman@portlandoregon.gov>  
**Sent:** Monday, June 16, 2025 4:15 PM  
**To:** Johnson, Marshall <Marshall.Johnson@portlandoregon.gov>  
**Subject:** FW: Storage application

Hi Marshall-

## Application Completeness Checklist

Applicants are encouraged to use this checklist before submitting a complete application to the Department.

1. ☒ Landowner name, mailing address and telephone number provided
2. ☒ Application signed – All parties noted as applicants must sign the application
3. ☒ Source and tributary listed
4. ☒ Reservoir Location – TRSQQ and tax lot provided
5. ☒ Dam height indicated
6. ☒ Property ownership completed
7. ☒ If applicant does not own all the land, is the affected landowner's name and mailing address listed?
8. ☒ Environmental impact section completed?
9. ☒ **Completed Watermaster review sheet**, signed and dated. *Note: Must be completed within last 12 months.*
  - Will the reservoir injure an existing water right? ☐ YES ☐ NO
  - If YES, can conditions be applied to mitigate injury or is mitigation included? ☐ YES ☐ NO  
*If NO, return the application.*
10. ☒ **Completed ODFW review sheet**, signed and dated. *Note: Must be completed within last 12 months.*
  - Will the reservoir pose a significant detrimental impact to an existing fishery resource? ☐ YES ☐ NO
  - If YES, can conditions be applied to mitigate the impact or is mitigation included? ☐ YES ☐ NO  
*If NO, return the application.*
11. ☒ **Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?  
*Note: Does the use on land-use form match the proposed use on the application? Must be completed within the last 12 months.*
12. ☒ **Include a copy of a Legal Description** of all the property involved with this application. A copy of a deed, land sales contract, or title insurance often meets this requirement.
13. ☒ **Acceptable Map**. *Note: Requirements set forth by the Commission.*
  - ☒ Reservoir Location – Identifying Township, Range, Section, 1/4 1/4 and Tax Lot number(s)
  - ☒ Scale of the Map – Even scale such as 1" = 400', 1" = 1000', or 1" = 1320'
  - ☒ Reference public land survey corner shown on map – A tax lot corner is not acceptable unless it is also a public land survey corner.
  - ☒ North directional symbol
  - ☒ ¼'s clearly identified
  - ☒ Reservoir clearly identified
  - ☒ Dam location identified, with measured distances from survey corner. If no dam, use coordinates to the center of reservoir.
  - ☒ If diverting water from a river or stream to a reservoir located off-channel, include measured distances from survey corner and identify any main canals, ditches, pipelines, or flumes.
14. **Fees:** Are the appropriate fees included? Use this fee calculator to determine the application fees:

[https://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator/Permit\\_for\\_AltRes.aspx](https://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/Permit_for_AltRes.aspx)