

Application No. R-80425

(HB 2153)

State of Oregon
WATER RESOURCES DEPARTMENT

RECEIVED

DEC 28 1994

WATER RESOURCES DEP.
SALEM, OREGON

Application for a Permit to Construct a Reservoir

Applicant(s) Kelly Farms 79
(Please print or type - use dark ink)

Mailing Address: P.O. Box 234
Maupin OR 97037 (206) 631-4605
City State Zip Daytime Phone No.

I (We) make application for a permit to construct _____ reservoir and store the following described waters of the State of Oregon:

1. **SOURCE OF WATER** for the proposed use: livestock, irrigation,
a tributary of _____.
If not in channel of a stream, state how it is to be filled: ground Run off

2. **THE DAM:** The maximum height of the structure will be 10 feet above stream bed or ground surface at the centerline.
The dam will be (check one) ☒ earthfill, _____ concrete, _____ flashboard, _____ other.
If "other" give description: _____

Give the location, description, and dimensions of the outlet conduit: _____

Spillway in N.E. Corner

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. **THE USE(s)** of the impounded water will be: Livestock, Irrigation

4. **THE AMOUNT OF WATER** to be stored is: 12.5 acre-feet.
The area submerged by the reservoir, when filled, will be 4.5 acres,
and the maximum depth of water will be 6 feet.

5. **SPILLWAY DESCRIPTION** (location and dimensions). State whether over or around the dam. Around the N.E. corner of the dam.

6. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin _____

Proposed date construction ^{was} ~~work will be~~ completed approx. 1941

Proposed date water use will be completed _____

NOTE: Prior to issuance of a permit, it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

X Applicant _____ CWRE _____ Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

X Applicant _____ CWRE _____ Other (Identify in REMARKS section)

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS: _____

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

<u>Albert Mitchell</u>	<u>12-27-94</u>
Signature (Manager)	Date
<u>Sandra Kelly Mitchell</u>	<u>12/27/94</u>
Signature (Secretary)	Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions 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 12 day of June, 1995, at 8 o'clock, A M.

Priority Date January 1, 1993

APPLICATION NO: R-80425

Dear Gerry,
Please find attached
the information you
requested for
the pond app. # I-298
Thank-you, Laura Mitchell
(206) 631-4605

RECEIVED

JUN 12 1995

WATER RESOURCES
SALEM, OREGON

Oregon

WATER

RESOURCES

DEPARTMENT

OVERNMENTS

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.



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

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Kelly Farms 79
 Address: P.O. Box 234
Maupin, OR
97037
 Phone: (206) 631-4605

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SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- ☒ Irrigation (crop type, golf course, nursery or greenhouse): wheat, Grass land
- ☒ Livestock (type of livestock, feedlot, slaughterhouse): Beef cattle
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- ☐ Institutional (i.e., school, library, etc.): _____
- ☐ Mining (aggregate, metal, open pit, placer, etc.): _____
- ☐ Recreation (park, campsite, pond, etc.): _____
- ☒ Fish and Wildlife (pond, hatchery, etc.): Pond for wildlife habitat
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- ☐ Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. _____ Gallons per minute. <u>12</u> Acre-Feet
☒ Reservoir or pond	
☐ Ground Water	

Land Use Information Form: Permits, Hydroelectric Licenses,
Water Uses in Addition to Classified Uses

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WATER RESOURCES DEPT
SEASIDE, OREGON

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Kelly Farms 79
Address: P.O. Box 234
City: Maupin State: OR Zip: 97037 Day Phone: (206) 631-4605

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING Rural Residential/RR-5) (e.g.	WATER DIVERTED	WATER CONVEYED	WATER USE
3500	A-1(80) "Exclusive Farm Use" zone			X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

Wasco County

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

For Local Government Use Only

Application No. R 80425

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
Cite applicable ordinance section(s); 3.210. Go to section b) on reverse side.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____
Staff Contact: _____ Phone: _____
Signature: _____ Date of Information Request: _____

(for Local Use Continued)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

b) Please provide printed name and written signature.

Name: ERIC D. WALKER Date: 6/2/95

Title: Planner Phone: 298-5169

Signature: Eric D. Walker

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

Additional Comments:

a pond used in conjunction with a farm use. Farm uses are
permitted outright in this zone.

May 11, 1995

Oregon

WATER
RESOURCES
DEPARTMENT

Kelly Farms 79
P.O. Box 234
Maupin OR 97037

RE: Reference Number I-298

Dear Applicant,

The Department has received your Application for a Permit to Construct a Reservoir. However, we need more information before we can accept, file, and review the application.

We will return your application and any supporting documentation to you if you fail to return the information requested on the "ADDITIONAL INFORMATION SHEET" within 60 days.

We will begin our analysis when the application and information noted above is received. Please feel free to contact me at 1-800-624-3199 Ext. 261 if you have any questions.

Sincerely,



Gerry E. Clark
Engineer Technician

enclosures

cc: general correspondence



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

ADDITIONAL INFORMATION SHEET

Please provide the following:

Reference File # I-298

- ☐ Additional fees in the amount of \$_____.00
A copy of the fee schedule is enclosed.
- ☐ Item (1) on the application concerning the source of the water was not completed. Please complete the statement below.
Source of Water for the proposed use:_____
a tributary of_____
If not in channel of a stream, state how it is to be filled:

- ☐ Item (2) on the application concerning The Dam was not completed. Please complete the statement below.
The maximum height of the structure will be _____ feet above stream bed or ground surface at centerline.
The dam will be (check one) _____ earthfill, _____ concrete, _____ flashboard, _____ other. If "other" give description:

_____ Give the location, description, and dimensions of the outlet conduit:

- ☐ Item (3) on the application concerning The Use was not completed. Please complete the statement below.
The use(s) of the impounded water will be:_____

- ☐ Item (4) on the application concerning The Amount of Water to be stored was not completed. Please complete the statement below.
The Amount of Water to be stored is:_____ acre-feet.
The area submerged by the reservoir, when filled, will be _____ acres.
and the maximum depth of the water will be _____ feet.
- A Quick Calculation For Reservoir Volumes:
- Volume= (length X width) (maximum depth) (0.4)
(cu/ft) (surface area)
 - To determine Acre Feet, divide above number by 43,560 which is the number of cubic feet in one acre foot.
(1 acre, 1 foot deep in water)
 - The "factor" of 0.4 is to be used in all cases where sufficient information is not available for use in determining a more precise reservoir volume.

- ☐ Item (8) on the application was not completed. Please complete the statement below.
Are the lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?_____. If not, list below the names and mailing addresses of the legal owners of all property involved in the proposed development.
- _____
- _____
- _____

- ☐ A map showing the place where water is to be used and the place where the water will be diverted. The map must show the township and range, and section corners near the property applied for.
- ☐ Evidence that the reservoir was constructed prior to January 1, 1993. Construction receipts, dated aerial photos, or a notarized affidavit by the landowner or other knowledgeable person will meet this requirement.
- ☒ Land Use Information Form signed by a county planner (a form is enclosed).
- ☐ Enclosed you will find the correct form to complete your application.
- ☐ There can only be a maximum of 10 reservoirs per application. The excess reservoirs must be applied for on another application. Please complete the enclosed application.
(ORS 595 Sec. 4(2)(a))
- ☐ A separate application must be submitted for each reservoir that stores 9.2 acre feet or more of water or that has a dam 10 feet or more in height. (ORS 595 Sec. 4(3)(a)) Each application will require a fee. A copy of the fee schedule is enclosed.
- ☐ An oath that the information contained in the application and in this Additional Information Sheet is a true and accurate representation of the proposed water use.
Please sign the oath statement below.

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

Name

Date

Name

Date

Other: 

Please mark the location of the reservoir on
the aerial photo. Thank you.