



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

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

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

**Use a separate form for each reservoir**

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

**1. APPLICANT INFORMATION**

Applicant: Dave OBrist  
First Last

Mailing Address: PO Box 2560  
Clackamas Oregon 97015  
City State Zip

Phone: 503-778-1396  
Home Work Other

\*Fax: \_\_\_\_\_ \*Email Address: \_\_\_\_\_  
*\*optional information*

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**2. LOCATION AND SOURCE**

**A. Reservoir Name:** \_\_\_\_\_

**B. Source:** Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.  
 Source: Run-off and Parrott Creek Tributary to: Parrott Creek and Willamette River

**C. Reservoir Location**

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
3S	1E	26	SE SE	3000, 3003

**D. County of Use:** Clackamas

**E. Dam:** Maximum height of dam: 16 feet. If excavated, write "excavated" or "0 feet".

**F. Quantity:** Amount of water to be stored in the reservoir at maximum capacity.  
 List quantity in Acre-Feet: 8.8

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**3. WATER USE**

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

Multipurpose

App. No. R-87376 For Department Use Permit No. \_\_\_\_\_ Date \_\_\_\_\_

4. PROPERTY OWNERSHIP

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

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

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below)

I have a recorded easement or written authorization permitting access.

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

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

List Name and mailing addresses of all affected land owners:

[Empty box for listing land owners]

5. ENVIRONMENTAL IMPACT

A. Channel: is the reservoir  In Stream or  off channel ?

B. Wetland: is the project in a wetland?  Yes  No  Don't know

C. Existing: is this an existing reservoir?  Yes  No

If yes how long has it been in place? \_\_\_\_\_ years

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

If yes, how much? \_\_\_\_\_ miles

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

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

[Empty box for partnerships]

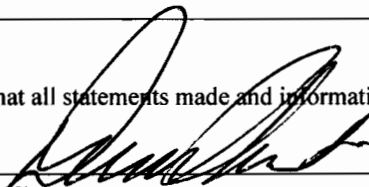
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6. SIGNATURE

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



1-13-09

Landowner Signature

Date

Before you submit your application be sure you have:

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

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



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan.

Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the 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 the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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R-87376

# Oregon Water Resources Department Land Use Information Form

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

Applicant Name: DAVID OBRIEN  
Mailing Address: P.O. BOX 2560  
City: CLACKAMAS State: OR Zip: 97015 Day Phone: 503-778-1396

This application is related to a Measure 37 claim.  Yes  No

### A. Land and Location

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

Township	Range	Section	1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
35	1E	26	SE	3000		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
				3003		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
				3001		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. CLACKAMAS

### B. Description of Proposed Use

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

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

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Source of water:  Reservoir/Pond  Ground Water  Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: \_\_\_\_\_  cubic feet per second  gallons per minute  acre-feet

Intended use of water:  Irrigation  Commercial  Industrial  Domestic for \_\_\_\_\_ household(s)  
 Municipal  Quasi-municipal  Instream  Other MULTIPURPOSE

Briefly describe: for recreational/ scenic & Xmas tree irrigation (future)

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

### Receipt for Request for Land Use Information

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

### For Local Government Use Only

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

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 401.04.0

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)  
**If approvals have been obtained but all appeal periods have not ended, check "Being pursued".**

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> 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
		<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 Water Resources Department regarding this proposed use of water below, or on a separate sheet.

\_\_\_\_\_ **RECEIVED**

\_\_\_\_\_ JAN 15 2009

\_\_\_\_\_ WATER RESOURCES DEPT

\_\_\_\_\_ SALEM, OREGON

Name: LORRAINE GONZALES Title: Senior Planner

Signature: Lorraine Gonzales Phone: 503-742-4541 Date: 1/13/09

Government Entity: Clackamas County

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

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

## Herb Mosgar

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**From:** Dwight French  
**Sent:** Wednesday, April 01, 2009 12:42 PM  
**To:** Brian Posewitz  
**Cc:** Patricia McCarty  
**Subject:** Adverse Comments, Request for Party Status, Public Records Request R-87376

Brian,

We've placed a copy of your comments in the file. They are the only item, besides a few address labels that we've created in case they are needed, that is in the file that is hasn't been scanned in. We have not received any other comments, from persons or agencies, for this file.

Dwight



Dwight French  
Water Rights & Adjudications Division Administrator  
**Oregon Water Resources Department**  
725 Summer Street NE, Salem, Oregon 97310  
503-986-0900 (Main line) 503-986-0819 (Direct)  
FAX: 503-986-0901  
More information regarding the Water Code Centennial!  
[http://www.wrd.state.or.us/OWRD/100\\_water\\_code\\_history.shtml](http://www.wrd.state.or.us/OWRD/100_water_code_history.shtml)