



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

Landowner: Oregon Department of Fish and Wildlife Steven Allen (F&W Habitat Program Manager)  
First Last

Mailing Address: P.O. Box 93

Daville OR 97825  
City State Zip

Phone: (541) 987-2171  
Home Work Other

\*Fax: (541) 987-2172 \*E-Mail Address: steven.r.allen@state.or.us  
*Optional Information*

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## 2. LOCATION AND SOURCE

A. Reservoir Name: Site #2

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: Seepage & Runoff Tributary to: Columbia River

### C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
5N	27E	20	NE NE	100

D. County of use: Morrow

E. Dam: Maximum height of dam: Excavated 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: 11.16

App. No. _____	For Department Use Permit No. _____	Date _____
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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

**4. PROPERTY OWNERSHIP**

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

- Yes (Skip to section 5)
- 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 an easement permitting access to lands not under my ownership.
  - 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 irrigation 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:

Landowner-U.S. Army Corps of Engineers (See Lease Agreement)  
The Dalles, John Day, & Willow Cr Projects- Attn: Brett Call  
P.O. Box 564, The Dalles, OR, 97058

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**5. ENVIRONMENTAL IMPACT**

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- A. **Channel:** Is the reservoir in stream \_\_\_\_\_ or off channel X?
  - 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? 36+ years.
  - D. **Fish Habitat:** Is there fish habitat upstream of 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.

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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.

Steve Allen  
Landowner Signature

2-4-08  
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.

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## Attachment A

### Water Use Under OAR 690-33-0120 and 0140 (5)

It is realized by the John Day Watershed Wildlife Habitat Program that, to date, water is a scarce resource and valuable commodity for numerous projects and purposes. The Columbia River system seems to be no exception to this with issues pertaining to fish passage, hydro-electricity, agriculture, and transportation. The JD Watershed Wildlife Habitat Program feels that this water right application is in compliance with OAR 690-33-0120(2)(a) and (b) and is within the merit and best intentions of Exemption (5) listed as OAR 690-33-0140 (5). As defined in OAR 690-33-0120(2) this appropriation of water does not involve direct streamflow (a) or yield potential for substantial interference as listed in Division 9. Exemptions or OAR 690-33-0140 states that "Notwithstanding OAR 690-33-0120(2)(a) and (b), the Department may approve a water right permit for: . . . (5) Multipurpose storage projects or other projects with measurable public benefits".

The Irrigon Wildlife Management Area (WMA) is owned by the U.S.A.C.E. and managed by the Oregon Department of Fish and Wildlife (ODFW). As per the ODFW mission statement, the JD Watershed Wildlife Habitat Program protects fish, wildlife, and their habitats for the use and enjoyment of present and future generations. At the Irrigon WMA, examples of this may be seen in various contexts such as: known species presence/absence (Table 1), State/Federal species of special concern which may be likely to occur within the WMA (Table 2), and public use of the area. Obtaining a Water Right will allow the control of invasive species such as cattails within the wetland/riparian area by allowing a means of water level control. This would not only enhance proper functioning condition of the wetland/pond areas and allow recruitment of native flora, but once again connect the wetland/ponds with the greater upland areas. This, in turn, shall facilitate an increase in use, survival, and recruitment of a variety of wildlife including waterfowl, shorebirds, and such species as the sensitive Painted Turtle and Oregon Spotted Frog. Water allocated from these sub-surface fed wetlands/ponds shall be utilized in the greater upland area to provide food/cover crops which shall provide a viable food source for all wildlife as well as crucial hiding and nesting cover for upland, passerine, and neo-tropical birds.

Regarding public use, the most recent hunter survey conducted over 27 days of the regular hunt season, estimated approximately 746 users (2965 hrs) for waterfowl hunting while 269 users (931 hrs) utilized the area for upland game bird hunting. These estimates total 1015 consumptive users for 3896 hrs which closely resembles the 16 year average of 902 consumptive users totaling 3336 hrs. What was not estimated however, was the number of non-consumptive users. Rough estimates of this type of use yield an ever increasing figure which double that of consumptive use. In today's standards, it is important for public areas such as this to provide an increase in quality and quantity of wildlife and wildlife habitat as use of the area increases from private land closures. Especially, in areas such as the Columbia Basin which is 99% privately owned and any closure significantly decrease the opportunity for both consumptive and non-consumptive recreation.

As one may see, this allocation of water has a tremendous benefits to the State of Oregon's wildlife populations, natural resources, and those who enjoy them. Further more, allocation shall provide only benefits and not involve direct streamflow or yield potential for substantial interference as listed in Division 9.

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Oregon Water Resources Department
Land Use Information Form

See lease

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:
Mailing Address:
City: State: Zip: Day Phone:

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.

Table with 8 columns: Township, Range, Section, 1/4 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use.

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 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

Briefly describe:

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

Receipt for Request for Land Use Information

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

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**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): \_\_\_\_\_.
  
- 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 a ppeal 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.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*This form is not required see above*

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Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_  
 Government Entity: \_\_\_\_\_

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

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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Table 1

Species Known to Occur on the Irrigon Wildlife Area

	Common Name	Common Name
Avian	American Coot	Mallard
	American Kestral	Marsh wren
	American Robin	Mourning Dove
	American White Pelican	Nashville Warbler
	Bank Swallow	Northern Flicker
	Barn Swallow	Northern Harrier
	Belted Kingfisher	Northern Rough Winged Swallow
	Bewick's Wren	Northern Shoveler
	Black-billed Magpie	Osprey
	Black-capped Chickadee	Pied-billed Grebe
	Black Crowned Night Heron	Pintail Duck
	Black Headed Grosbeak	Prairie Falcon
	Brewers blackbird	Redhead Duck
	Bufflehead	Red-tailed Hawk
	Bullock's Oriole	Red-winged Blackbird
	California Quail	Ring Neck Duck
	California Gull	Ring Neck Pheasant
	Caspian Tern	Ring-billed Gull
	Cinnamon Teal	Rough-legged Hawk
	Common Goldeneye	Sandhill Crane
	Common Merganser	Savana Sparrow
	Common Raven	Sharp-shinned Hawk
	Common Snipe	Short-billed Dowitcher
	Coopers Hawk	Snow Geese
	Crow	Song Sparrow
	Double-crested Cormorant	Swainson's Hawk
	Downy Woodpecker	Taverner's Canada Goose
	European Starling	Tree Sparrow
	Eastern Kingbird	Vesper Sparrow
	Forster's Tern	Warbling Vireo
	Gadwall	Western Canada Goose
	Great Blue Heron	Western Grebe
	Great Egret	Western Kingbird
Great Horned Owl	Western Meadow Lark	
Green-winged Teal	Western Tanager	
Horned Lark	White-crowned Sparrow	
House Finch	Widgeon	
Killdeer	Wilson's Warbler	
Lesser Canada Goose	Wood Duck	
Lewis' Woodpecker	Yellow Warbler	
Loggerhead Shrike	Yellow-headed Blackbird	
Long-billed Curlew		
Mammal	Badger	Mule Deer

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<b>Mammal</b>	<b>Beaver</b>	<b>Muskrat</b>
	<b>Black-tailed Jackrabbit</b>	<b>Northern Pocket Gopher</b>
	<b>Cottontail Rabbit</b>	<b>Ords Kangaroo Rat</b>
	<b>Coyote</b>	<b>Otter</b>
	<b>Deer Mouse</b>	<b>Porcupine</b>
	<b>Great Basin Pocket Mouse</b>	<b>Raccoon</b>
	<b>Little Brown Myotis</b>	<b>Sagebrush Vole</b>
	<b>Lon-tailed Vole</b>	<b>Striped Skunk</b>
	<b>Mink</b>	<b>Yellow-bellied Marmot</b>
	<b>Montane Vole</b>	
<b>Rep/Amphib</b>	<b>Chorous Frog</b>	<b>Painted Turtle</b>
	<b>Great Basin Spadefoot</b>	<b>Woodhouse Toad</b>
	<b>Long-toed Salamander</b>	
<b>Plant</b>	<b>Wood's Rose</b>	<b>Needle &amp; Thread grass</b>
	<b>Annual Rye</b>	<b>Indian Ricegrass</b>
	<b>Russian Knapweed</b>	<b>Sandberg Bluegrass</b>
	<b>Locust</b>	<b>Prickly Pear Cactus</b>
	<b>Nootka Rose</b>	<b>Western Dock</b>
	<b>Chickory</b>	<b>Blackberry</b>
	<b>Evening Primrose</b>	<b>Winterfat</b>
	<b>Common Reed</b>	<b>Cheatgrass</b>
	<b>Teasel</b>	<b>Basin Big Sage</b>
	<b>Larkspur</b>	<b>Bitterbrush</b>
	<b>Chokecherry</b>	<b>Rabbitbrush</b>
	<b>White Willow ?</b>	<b>Cattail</b>
	<b>Tapertip Hawksbeard</b>	<b>Russian Olive</b>
	<b>Gold Stars</b>	<b>Black Cottonwood</b>
	<b>Intermediate Wheatgrass</b>	<b>Coyote Willow</b>

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**Table 2**  
**Sensitive Species which may occur on the Irrigon WMA**

**Federal**

**T&E**

**Birds**

- **Bald Eagle** (*Haliaeetus leucocephalus*)

**Fish**

- **Steelhead-Snake River Basin** (*Oncorhynchus mykiss* spp.)
- **Steelhead-Middle Columbia River** (*Oncorhynchus mykiss* spp.)
- **Steelhead-Upper Columbia River** (*Oncorhynchus mykiss* spp.)
- **Sockeye Salmon-Snake River** (*Oncorhynchus nerka*)
- **Chinook Salmon-Upper Col. River** (*Oncorhynchus tshawytscha*)
- **Chinook Salmon-Snake River** (*Oncorhynchus tshawytscha*)

**Candidate**

**Mammals**

- **Washington Ground Squirrel** (*Spermophilus washingtoni*)

**Plants**

- **Northern Wormwood** (*Artemisia campestris* var. *wormskioldii*)

**Species of Concern**

**Mammals**

- **Pale Western Big-eared Bat** (*Corynorhinus townsendii pallescens*)
- **Silver-haired Bat** (*Lasionycteris noctivagans*)
- **Small-footed Myotis** (*Myotis ciliolabrum*)
- **Long-eared Myotis** (*Myotis evotis*)
- **Long-legged Myotis** (*Myotis volans*)
- **Yuma Myotis** (*Myotis yumanensis*)

**Birds**

- **Tricolored Blackbird** (*Agelaius tricolor*)
- **Willow Flycatcher** (*Empidonax trailli adastus*)
- **Yellow-breasted Chat** (*Icteria virens*)
- **Lewis' Woodpecker** (*Melanerpes lewis*)

**Amphibians and Reptiles**

- **Northern Sagebrush Lizard** (*Sceloporus graciosus graciosus*)

**Fish**

- **Margined Sculpin** (*Cottus marginatus*)
- **Pacific Lamprey** (*Lampetra tridentate*)
- **Interior Redband Trout** (*Oncorhynchus mykiss gibbsi*)

**Plants**

- **Robinson's Onion** (*Allium robinsonii*)
- **Laurence's Milk-vetch** (*Astragalus collinus* var. *laurentii*)
- **Dwarf Evening-primrose** (*Camissonia pygmaea*)
- **Disappearing Monkeyflower** (*Mimulus evanescens*)
- **Little Mousetail** (*Myosurus minimus* ssp. *apus* [=var *sessiliflorus*])

**State**

**T&E**

**Mammals**

- **Washington Ground Squirrel** (*Spermophilus washingtoni*)

**Birds**

- **Bald Eagle** (*Haliaeetus leucocephalus*)

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Plants

- Northern Wormwood (*Artemisia campestris* var. *wormskioldii*)

Fish

- Chinook Salmon-Snake R.-Spr./Sum. (*Oncorhynchus tshawytscha*)
- Chinook Salmon-Snake R.-Fall (*Oncorhynchus tshawytscha*)

Critical

Mammals

- Townsend's Big-eared Bat (*Plecotus townsendii*)

Birds

- Lewis' Woodpecker (*Melanerpes lewis*)
- Sage Sparrow (*Amphispiza belli*)

Fish

- Coho Salmon (*Oncorhynchus kisutch*)

Amphibians

- Northern Leopard Frog (*Rana pipiens*)
- Oregon Spotted Frog (*Rana pretiosa*)

Reptiles

- Painted Turtle (*Chrysemys picta*)

Vulnerable

Mammals

- Pallid Bat (*Antrozous pallidus*)

Birds

- American White Pelican (*Pelecanus erythrorhynchos*)
- Swainson's Hawk (*Bufo swainsoni*)
- Long-billed Curlew (*Numenius americanus*)
- Loggerhead Shrike (*Lanius ludovicianus*)
- Grasshopper Sparrow (*Ammodramus savannarum*)

Fish

- Pacific Lamprey (*lampetra tridentate*)
- Inland Steelhead/Redband Trout (*Oncorhynchus mykiss* spp)
- Margined Sculpin (*Cottus marginatus*)

Amphibians

- Western Toad (*Bufo boreas*)

Reptiles

- Sagebrush Lizard (*Sceloporus graciosus*)

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