

LU SK

WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

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 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))

The review of alternate reservoirs is limited to these criteria only.

Date: 1-26-2004 30 day Deadline Date: _____

R-85850

RAY ANDREWS
BOX 64
UNITY OR 97884

1) Does the proposed reservoir have the potential to injure existing water rights? NO / YES

Explain: The reservoir collects diffuse spring water and runoff - The spring is caused by irrigation above. The spring flows off Andrews land onto neighbors land in a well defined channel then dissipates. No other rights have a call on the water.

2) Can conditions be applied to mitigate the potential injury to existing water rights? ~~NO~~ / YES

If YES, which conditions are recommended:
Conditions should include mnt above and below the reservoir, 8" minimum outlet conduit
I believe a right to store water in the reservoir could be granted without causing injury - as conditioned above

3) Did you meet with staff from another agency to discuss this application? NO / YES

Who: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

Watermaster Name: Richard M. Rush Date: 1-26-2004

WRD Contact: Caseworker: Anita Huffman, Water Rights Division

503-986-0185 / Fax: 503-986-0901 / e-mail: Anita.M.HUFFMAN@ wrd.state.or.us

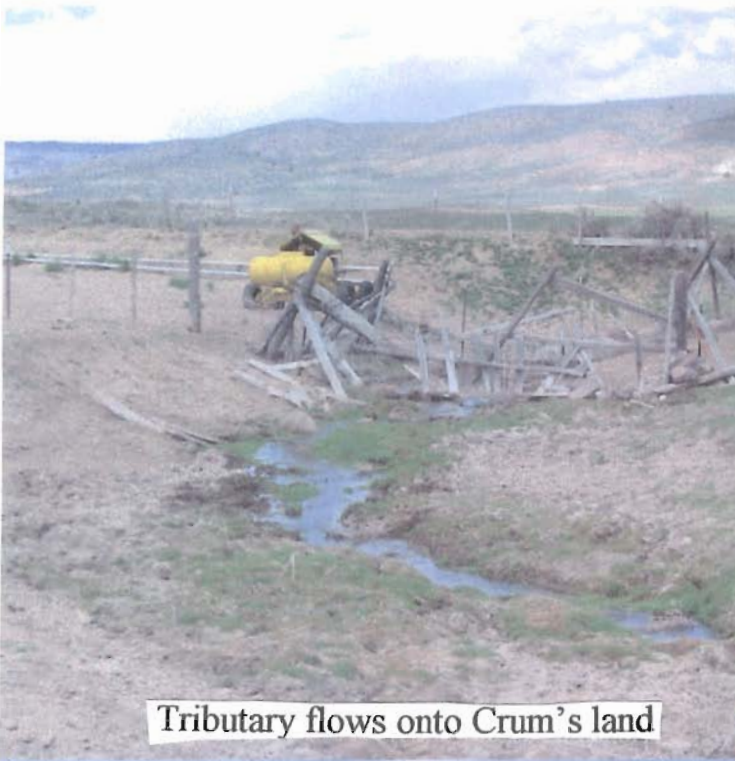
RECEIVED

JAN 28 2004

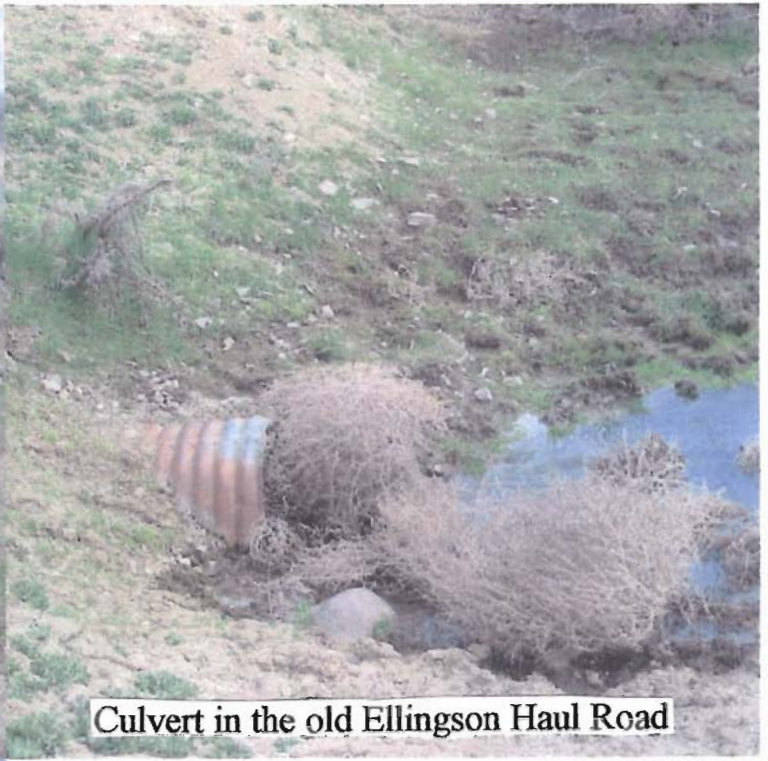
WATER RESOURCES DE
SALEM OREGON

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG
(Developed 6/27/97 - revised 2/26/02)

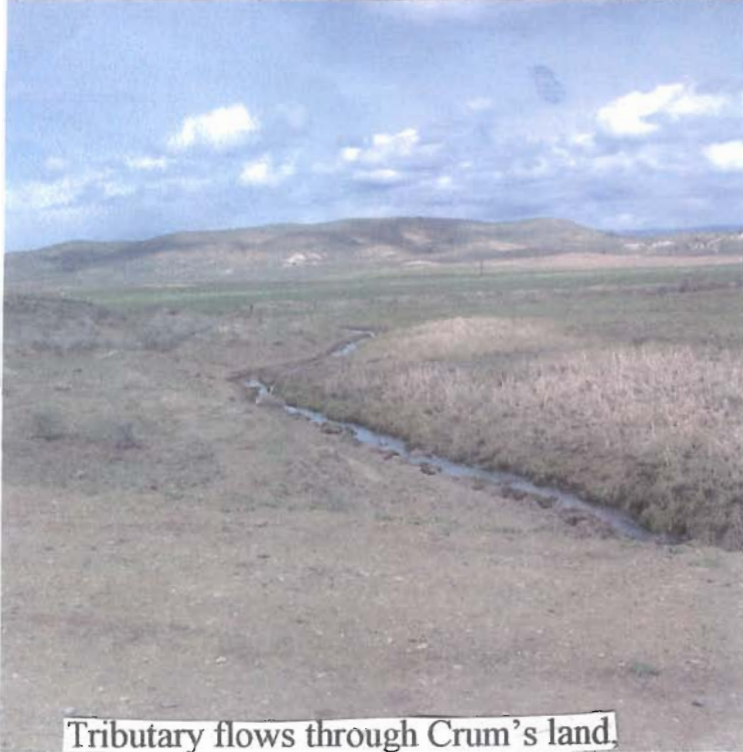
- fish** The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.
- odfw** The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.
- B54b** The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.
- b54c** The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.
- b54m** The permittee may be required in the future to install, maintain, and operate fish screening devices to prevent fish from entering the proposed diversion.
- 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 _____ through _____.
- b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.
- b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level 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. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.
- no id yet** (futile call) The use of water allowed herein may be made only at times when waters from the (SPRING OR WHATEVER) would not otherwise flow into a tributary of the (WHATEVER) River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- 4a** This use of water shall be limited when it reduces the flow of water in (NAME OF STREAM).(name of stream).
- pispc** 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.
- 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.
- The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.
- no id yet** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- b1v** 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.



Tributary flows onto Crum's land



Culvert in the old Ellingson Haul Road



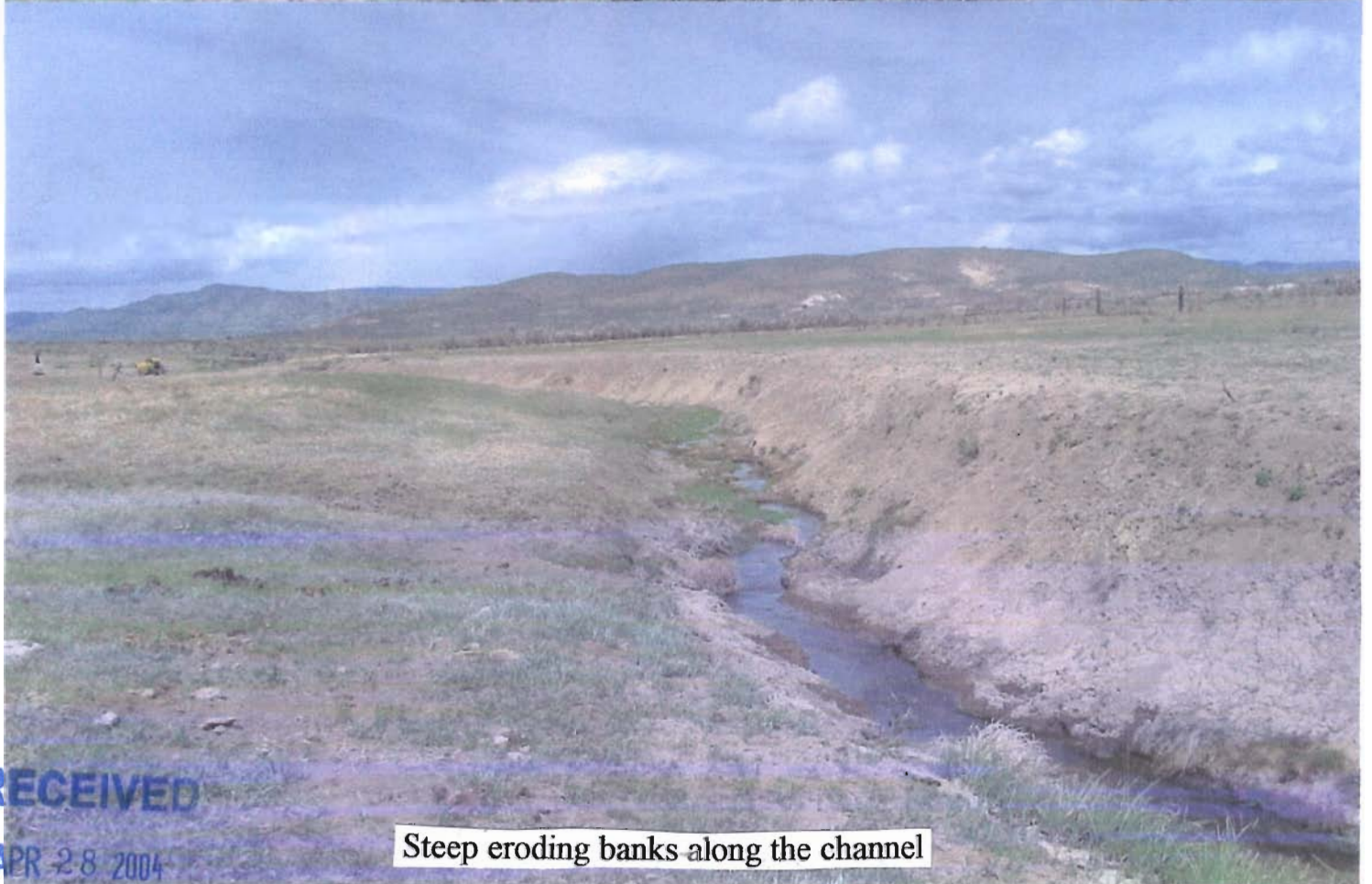
Tributary flows through Crum's land

RECEIVED

APR 28 2004

WATER RESOURCES DEPT
SALEM, OREGON

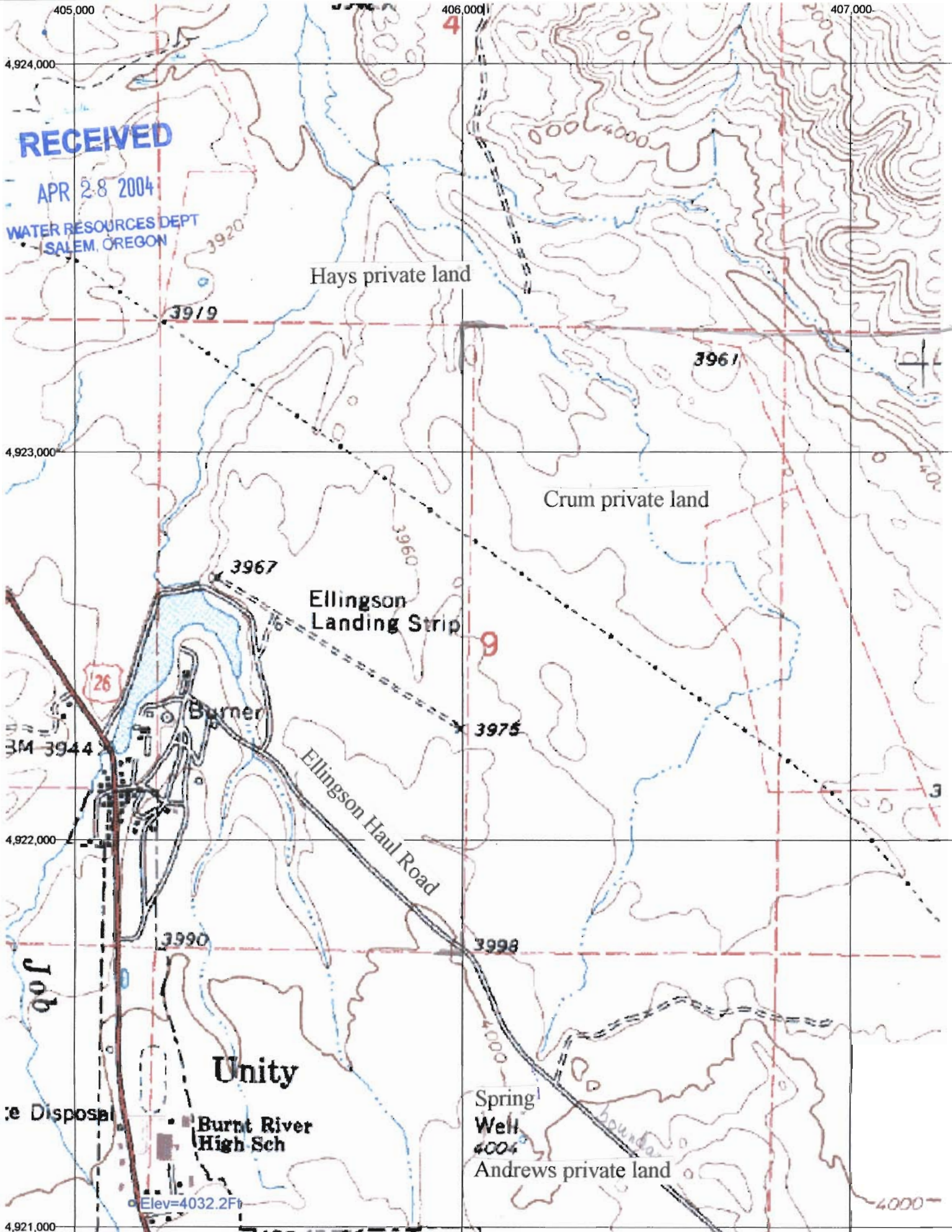
R-85850



RECEIVED

APR 28 2004

Steep eroding banks along the channel



Unity, OR; Scale: 1" = 0.191Mi 307M 1,006Ft, 1 Mi = 5,247', 1 cm = 121M

R-85850