



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.

1. APPLICANT INFORMATION

Applicant: RICH & LORI DANIELS

Mailing Address: 51078 ANTHONY LK HWY

NORTH POWDER OR 97867

Phone: (541) 856-3232 (541) 898-2444 (541) 519-7838

*Fax: (541) 898-2444 *Email Address: lorich@oregontrail.net

**optional information*

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: seepage Tributary to: North Powder River

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
6S	39E	22	W 1/2 S 1/4	900

D. County of Use: UNION

E. Dam: Maximum height of dam: 4 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: 5

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

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 and maintain water level

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

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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:

None

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.

NRCS Fish and Wildlife

6. SIGNATURE

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

Robert Smith / Ona D. Daniels 6-2-09
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.

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Attachment A

Supplemental explanation for Wildlife pond creation at North Powder (former Idaho Timber Mill Site)

This pond/wetland is the result of excavation for gravel. It is located adjacent to the North Powder river and is approximately 1 1/2 acre in size. It is off channel and is fed by surface water originating on applicants property, as well as drainage from higher elevation land being drained via a slough. The feed water varies from 5 gpm in late summer and fall to 30 gpm in the winter/spring and early summer, to at times, greater than 10,000 gpm during spring runoff. There are no users of this water between the ponds water exit and the North Powder river, therefore, water rights of a higher priority are not being infringed upon. Applicant has no intentions of consuming or using this water for any purpose, other than for those afforded by law. All water entering the water land will exit with the same gpm (less any water seepage) and is not being stored for future use. Because of the close proximity to the adjacent river and the ground structure, water exchange is uncontrollable and poses no issues other than the wetland/ponds ability to hold water above the static water level. For this reason the introduction of additional water will be necessary to maintain the usefulness of the wetland.

Historically the land being converted to wetland was used as a log decking area in association with Idaho Timber's milling operation. Prior to that, the land was considered useless because of its swampy nature, and was used as a fill pit by the State Hwy Dept and Idaho Timber, as evident by the asphalt that has thus far been removed during the excavation for aggregate. There is no evidence of pollution of a harmful nature, other than a small amount of rubbish buried during the filling process. As evident in aerial photos dating as far back as 1964, it is obvious the stream channel from the feed slough meandered through the very area where the wetland is being created.

In addition, the creation of this wetland is an attempt to control flood waters that occur annually around mid May. During this time the water flows at a tremendous volume because of the lack of monitoring of water going into the ditches, with all the excess water piling up against the dike between applicant's wetland area and the North Powder river. The applicant recently installed a 6' culvert through the dike to allow the flood waters to pass through, and it performed marginally, in that it was barely large enough to accommodate the water flow. The wetland/pond will create yet another area to contain some of that water.

This is an altruistic act being funded by the applicant, and is intended to enhance wildlife habitat as well as improve the aesthetics of the property. The only request the applicant has is to have the states blessing to use the tail water of an existing water source.

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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: RICH & LORI DANIELS
 Mailing Address: 51078 ANTHONY LK. HWY
 City: NORTH POWDER State: OR Zip: 97867 Day Phone: (541) 856-3232

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	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
6S	39E	22	SW	900	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	wildlife pond
			SW			<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
			W 1/2 SE 1/4			<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. UNION

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) unknown

Estimated quantity of water needed: 40 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 pond

* Briefly describe: The water will be passing through our pond. We do not wish to use or store the water. Desire to maintain water level approximately 3' above natural static water level. Display for houseboats and cabins

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): Not regulated

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

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.

Name: Scott Hartell Title: Associate Planner
 Signature: Scott Hartell Phone: 963-1014 Date: 4-27-09
 Government Entity: Union County Planning Dept

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: _____

