



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: EDWIN KELLOGG
First Last

Mailing Address: P.O BOX 15
DETARTS OR 97143
City State Zip

Phone: 503 842-2659 503-801-4766
Home Work Other

RECEIVED

*Fax: _____ *Email Address: _____
 *optional information CELL 801-0622 JUN 24 2009

2. LOCATION AND SOURCE

A. Reservoir Name: _____ WATER RESOURCES DEPT
 SALEM, OREGON

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: SEASONAL (UNAMED) CREEK Tributary to: _____

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
T.15	10 W	32 T15	NW SW	200

D. County of Use: TILLAMOOK

E. Dam: Maximum height of dam: 0 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: .459

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.

App. No. <u>8-87477</u>	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?

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

X There are no encumbrances

There are no 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

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WATER RESOURCES DEPT SALEM, OREGON

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

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

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

If yes how long has it been in place? years

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

If yes, how much? miles

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

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

[Empty box for partnerships]

6. SIGNATURE

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

Edwin S. Kolberg (Handwritten Signature)

Landowner Signature

6-23-09 (Handwritten Date)

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

2-87477

Department of Fish and Wildlife

North Coast Watershed District

4907 Third Street

Tillamook, OR 97141

(503) 842-2741

FAX (503) 842-8385

www.dfw.state.or.us



May 26, 2009

Ed Kellogg
P.O. Box 15
Netarts, OR 97143

Re: Fish Presence Determination for Chandler

Mr. Kellogg

The Oregon Department of Fish and Wildlife (ODFW) has conducted a site visit and has determined that the unnamed stream on the property identified as T1S R10W Sec. 32 Tax Lot 200 (5070 Clam Way Netarts) does not or historically has contained native migratory fish. As such, there are no fish passage requirements on development within this water way. This letter is provided for your use regarding any regulatory requirements associated with development on this property.

If you have any questions regarding these comments, or request any further information free to contact me anytime.

Sincerely,

Ron Rehn
Habitat Conservation Biologist, ODFW
4907 East Third Street
Phone (503) 842-2741
Fax (503) 842-8385
Email ron.f.rehn@state.or.us

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WATER RESOURCES DEPT
SALEM, OREGON

2-87477

OFFSITE WETLAND DETERMINATION REPORT
OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem OR 97301-1279 Phone: (503) 986-5200

BATCH
WD#: 2009-0197

At your request, an offsite wetland determination has been conducted on the property described below.

County: Tillamook City: Netarts
Other Name & Address: Edwin Kellogg, PO Box 15, Netarts, OR 97143
Township:01S Range:10W Section:32CB Tax Lot(s):200
Project Name: N/A

Site Address/Location: 5070 Clam Way, Netarts

- Checkboxes for wetland determination criteria: National Wetlands Inventory, county soil survey, jurisdictional wetlands, Removal-Fill Law, state permit requirements, etc.

Note: This report is for the state Removal-Fill Law only. City or County permits may be required for the proposed activity.

Comments: The intermittent stream appears to not be state jurisdictional, because it does not provide spawning, rearing, or food-producing areas for food and game fish.

Determination by: Caroline Stinson Date: 05/13/2009

This jurisdictional determination is valid for five years from the above date, unless new information necessitates a revision. Circumstances under which the Department may change a determination and procedures for renewal of an expired determination are found in OAR 141-090-0045...

This is a preliminary jurisdictional determination and is advisory only.

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Copy To: Other Enclosures:
Planning Department

WATER RESOURCES DEPT
SALEM, OREGON

FOR OFFICE USE ONLY

Form with fields: Entire Lot(s) Checked?, Waters Present, Request Received, LWI Area, LWI Code, Latitude, Longitude, Related DSL File #, Has Wetlands?, ESH?, Wild & Scenic?, State Scenic?, Coast Zone?, Adjacent Waterbody, NWI Quad, Scanned, Mailings Completed, Data Entry Completed.



Oregon Water Resources Department Land Use Information Form

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MAY 21 2009

COMMUNITY DEVELOPMENT

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: EDWIN E KELLOGG
Mailing Address: P.O BOX 15
City: NETARTS State: OR Zip: 97143 Day Phone: 503-842-2659

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:
T.1S	10W	32T19N	4SW	200	R2	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	NEW POND 469 AF
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<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. TILLAMOOK, NETARTS

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

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

Estimated quantity of water needed: 450 AFE 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 MULTI PURPOSE

Briefly describe: EXCAVED POND, MULTI USE

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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SALEM, OREGON

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MAY 21 2009

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".

Table with 3 columns: Type of Land-Use Approval Needed, Cite Most Significant, Applicable Plan Policies & Ordinance Section References, and Land-Use Approval (Obtained/Being pursued/Denied/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.

- Intermittent streams are not regulated by the County/comp plan/land use ordinance, or impoundments of intermittent streams
• No land use approval required at county level.
• May be subject to removal/fill law if wetlands or Esth stream (under Dept. of state lands jurisdiction)

Name: VALERIE SOILITI, AICP Title: Coastal Resource Planner

Signature: Valerie Soiliti, AICP Phone: 503-842-3408 Date: 5/28/09

Government Entity: TILLAMOOK COUNTY DEPT. OF COMMUNITY DEVELOPMENT

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.

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Receipt for Request for Land Use Information

JUN 24 2009

Applicant name: WATER RESOURCES DEPT SALEM, OREGON

City or County: Staff contact:

Signature: Phone: Date: