



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: Dennis Werner
First Last

Mailing Address: 463 S. Moon Beam Way

Eagle Idaho 83616
City State Zip

Phone: 208-286-0788 208-286-0789 208-850-1175
Home Work Other

*Fax: 208-286-0792 *Email Address: karen@dkwinvestments.com

**optional information*

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2. LOCATION AND SOURCE

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A. Reservoir Name: Alkali Creek Wetlands Pond 1

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: Alkali Creek Tributary to: Snake River

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
T.22S	R.46E	14	NE/SW, NW/SE, SE/NW	200, 300

D. County of Use: Malheur

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: 9.2

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 primarily for habitat at end of system

For Department Use		
App. No. <u>R-87481</u>	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

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

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

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

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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, Ducks Unlimited, Malheur County Soil and Water Conservation District

6. SIGNATURE

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

Handwritten signature of the landowner.

6-20-09

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.

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): MCC Title 6

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.

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Name: Bill Lawrence Title: Asst. Planning Director
 Signature: [Signature] Phone: 501-473-5125 Date: 6-23-09
 Government Entity: Malheur 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: _____



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: Dennis Werner
 Mailing Address: 463 S. Moon Beam Way
 City: Eagle State: Idaho Zip: 83616 Day Phone: 208-286-0792

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:
22S	46E	14	NE/SW	300		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Habitat
22S	46E	14	NW/SE	200		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Habitat
22S	46E	14	SW/NE	200		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Habitat
22S	46E	14	SE/NW	300		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Habitat

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

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B. Description of Proposed Use

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

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- 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) Alkali Creek

Estimated quantity of water needed: 30.1 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 Wetlands/habitat

Briefly describe: Water used on the area adjacent to the creek to create habitat will be supplied by the creek, pass through wetlands, and flow back into the creek.

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

EXHIBIT "A"

Parcel 1: (Tax Lot 200,700)

Land in Malheur County, Oregon:

In Township 22 South, Range 46 East of the Willamette Meridian:

Section 14: The SW1/4 NE1/4, NW1/4 SE1/4, and a parcel of land in the SW1/4 SE1/4 more particularly described as follows:

Beginning at the Northeast corner of the SW1/4 SE1/4 which is the TRUE POINT OF BEGINNING;

thence South 729.5 feet;

thence North 73° West, 505 feet;

thence South 47° 0' West, 200 feet;

thence South 65° 5' West, 296 feet;

thence South 87° 50' West, 425 feet;

thence North 859 feet to the Northwest corner of the SW1/4 SE1/4;

thence East to the Point of Beginning.

Parcel 2: (Tax Lot 1800)

Land in Malheur County, Oregon:

In Township 22 South, Range 46 East of the Willamette Meridian:

Section 11: A parcel of land in the SE1/4 SE1/4 more particularly described as follows:

Beginning at the Southwest corner of the SE1/4 SE1/4 of Section 11;

thence East 435 feet;

thence in a Northeasterly direction to a point 534 feet East of a point 600 feet North of the Southwest corner of said SE1/4 SE1/4;

thence in a Northwesterly direction to a point 776 feet North of the Southwest corner of said SE1/4 SE1/4;

thence South to the Point of Beginning.

ALSO the SW1/4 SE1/4, EXCEPTING THEREFROM a parcel of land described as follows:

Beginning at a point 544 feet South of the Northeast corner of the SW1/4 SE1/4 of Section 11;

thence in a Northwesterly direction to a point 100 feet South of the Northwest corner of said SW1/4 SE1/4;

thence North 100 feet;

thence East 1320 feet;

thence South 544 feet to the Point of Beginning.

Section 14: NW1/4 NE1/4, NE1/4 NW1/4,

EXCEPTING THEREFROM a parcel deeded to the State of Oregon, by and through its State Highway Commission, by deed dated January 28, 1947, recorded Mar, 17, 1947, in Book 70, Page 183, Deed Records, for highway right of way.

ALSO a parcel of land in the SE1/4 NW1/4 more particularly described as follows:

Beginning at the Northeast corner of the SE1/4 NW1/4 of Section 14;

thence South along the East line of said SE1/4 NW1/4, 671.3 feet;

thence West 460 feet;

thence North 0° 25' East, 200 feet;

thence North 30° 54' West, 535 feet to the North boundary line of said SE1/4 NW1/4;

thence East along said North boundary line 716 feet to the Point of Beginning.

Parcel 3: (Tax Lot 300)

Land in Malheur County, Oregon, as follows:

In Township 22 South, Range 46 East of the Willamette Meridian:

Section 14: A parcel of land in the South 1/2 SE1/4 NW1/4 and NE1/4 SW1/4 described as follows:

Beginning at the Southeast corner of the said South 1/2 SE1/4 NW1/4;

thence North along the East boundary thereof, 650 feet to a point 671.3 feet South of the Northeast corner of the SE1/4 NW1/4;

thence West 460 feet;

thence South 0° 29' West, to a point on the South boundary of the said NE1/4 SW1/4, said point being 476 feet West of the Southeast corner thereof;

thence East, along the South boundary, 476 feet;

thence North along the East boundary of the said NE1/4 SW1/4, 1322 feet to the point of beginning.

EXCEPTING THEREFROM any portion thereof, lying within the boundaries of the Adrian-Homedale Highway No. 201 right of way.

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