

ODFW 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: May 15, 2008
Please return to WRD before: June 18, 2008
Water is available: November 1 through July 31

R-87125 Turtle Flats (40.0 AF)
U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232-4181

1) Would the proposed reservoir pose a significant detrimental impact to an existing fishery resource? NO YES
Explain: (For example list STE species or other existing fishery resources that would be negatively impacted.)
Due to the close proximity to Muddy Creek, there is a potential for fish entrapment in Turtle Flats. Species of concern include spring chinook salmon, Pacific lamprey, and cutthroat trout

Please check either of the boxes below if appropriate:

- Any diversion or appropriation of water for storage during the period _____ through _____ poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)
- This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area poses a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

2) Can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource? NO / YES
If YES, which conditions are recommended: (select from the Menu of Conditions listed on back)
fish div 33; ensure adequate egress for native fishes after from Turtle Flats

3) Did you meet with staff from another agency to discuss this application? NO / YES
Who: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

ODFW Representative Signature: [Signature] Date: June 20, 2008
Karen M Hans

WRD Contact: Caseworker: Kerry Kavanagh, Water Rights Division
503-986-0816 / Fax: 503-986-0901 / e-mail: Kerry.L.KAVANAGH@wrdd.state.or.us