

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.

Application #: R- 87669 Applicant's Name: William Richey

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.)

Brockman Gulch provides habitat for trout fry and Jumpoff Joe Creek provides habitat for fall chinook, coho salmon (ESA threatened), summer and winter steelhead, rainbow and cutthroat trout and other native fish species. I visited the site in 2010. There is an outflow which connects to Brockman Gulch which in turn flows into Jumpoff Joe Creek. During high flows, it is likely that fish could use Brockman Gulch but stream gradient would prevent them from entering the pond.

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)

OWRD has determined that water is available December 1 through April 30. If the water right is conditioned so that it is stored only during this period there should not be a significant impact to native fish.

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

Who: Agency Date:

Who: Agency Date:

ODFW Representative Signature: Brent Crowe Date: 01/06/2011

WRD Contact: Caseworker: Kerry Kavanagh Water Rights Division, 503-986-0900 / Fax 503-986-0901