



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301
(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: John and Karen Patterson
First Last
Mailing Address: 45039 Highway 207
Heppner OR 97836
City State Zip
Phone: Contact Person: Martha O. Pagel, Schwabe Williamson & Wyatt, 530 Center St NE, Ste 400
Salem, OR 97301; 503-540-4260; mpagel@schwabe.com
*Fax: _____ *E-Mail Address: _____
*optional information

2. LOCATION AND SOURCE

A. Reservoir Name: JaK Lake

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: Unnamed stream, springs, runoff and Tributary to: Indian Creek
overflow from existing authorized pond (see Attachment 1 for details)

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
6 S	26 E	18 / 19	SWSE / NWNE	1502

D. County of use: Morrow County

E. Dam: Maximum height of dam: 5 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: 15

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.

Proposed Use: Multipurpose use

App. No. <u>R-07708</u>	For Department Use Permit No. _____	Date <u>MAR 29 2011</u>
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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, right of way, roads 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 the names and mailing addresses of all affected landowners:

N/A

5. ENVIRONMENTAL IMPACT

A. **Channel:** Is the reservoir ☐ In stream or ☐ off channel? See Attachment 1

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? 3-4 years.

D. **Fish Habitat:** Is there fish habitat upstream of 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.

Sarah Kelly, Resource Coordinator, Oregon Department of State Lands, Phone 541-388-6060; and

Jeff Neal, ODFW Biologist, Phone 541-575-1167 ext. 226

6. SIGNATURE

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


John Patterson
Landowner Signature


Karen Patterson

March 22 2011
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 \$300. In addition, there is a fee of \$25 per acre-foot or fraction thereof. Example: 0.3 AF= \$325; 1.5 AF= \$350; 20.0 AF= \$800; 30.0 AF= \$1050. Plus a permit recording fee of \$400 (this fee is refunded if no permit is issued).

R-27709

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MAR 29 2011

WATER RESOURCES DEPT
SALEM, OREGON

Attachment 1

This attachment provides supplemental information in response to Sections 2.B and 5.A of the application form.

Section 2.B (Source)

The proposed sources of water include overflow from an upstream pond authorized under Certificates 64451 and 70263. The authorized pond is connected to the proposed reservoir by a channel the applicants consider to be a man-made ditch. The channel appears as an unnamed tributary stream on the application map associated with Certificate 70263 and is called an "overflow stream" on the Final Proof Survey for Certificate 64451. This application refers to the channel as an "unnamed stream" to be consistent with prior maps on file with the Department and for purposes of identification only. The applicants do not acknowledge or agree that the channel is a natural waterway.

Section 5.A (Channel)

As noted above, the applicants consider the channel above the proposed reservoir to be a man-made ditch. The applicants therefore do not consider the proposed reservoir to be an "in-stream" impoundment.

R-87709

Land Use Information Form



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Applicant(s): John and Karen Patterson

Mailing Address: Contact Person: Martha O. Pagel, Schwabe Williamson & Wyatt, 530 Center St NE, Ste 400

City: Salem State: OR Zip Code: 97301 Daytime Phone: 503-540-4260

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
6 S	26 E	18	SWSE	1502	FU	☒ Diverted	☐ Conveyed	☒ Used	Reservoir
6 S	26 E	19	NWNE	1502	FU	☒ Diverted	☒ Conveyed	☒ Used	Reservoir
6 S	26 E	19	NENE	1502	FU	☒ Diverted	☒ Conveyed	☐ Used	Reservoir
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Morrow County

MAR 30 2011

B. Description of Proposed Use

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

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Unnamed stream, springs, runoff

Estimated quantity of water needed: 15 ☐ 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 Multipurpose

Briefly describe:

Seeking authorization for existing reservoir.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCZO Section 3.020 FU
- ☐ Land uses to be served by the 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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: Carla McLane Title: Planning Director
 Signature: [Signature] Phone: 541 922 4624 Date: 3/17/2011
 Government Entity: Morrow 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: _____

Land Use Information Form

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