



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: Silver Butte Timber Co.
First Last
 Mailing Address: P.O. Box 4
Riddle OR 97469
City State Zip
 Phone: (541) 874-2281
Home Work Other
 *Fax: _____ *E-Mail Address: _____
 *optional information

2. AGENT INFORMATION

The agent is authorized to represent the applicant in all matters relating to this application.

Agent: Lewis Howe
First Last
 Mailing Address: P.O. Box 4
Riddle OR 97469
City State Zip
 Phone: _____
Home Work Other
 *Fax: _____ *E-Mail Address: _____
 *optional information

3. LOCATION AND SOURCE

A. Reservoir Name: Fizzle Out Dip Tank

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 Tributary to: Hogum Creek

C. County in which diversion occurs: Douglas

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App. No. <u>R-87746</u>	For Department Use Permit No. _____	Date _____
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D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
32S	4W	28	NW/SE	2900

E. Dam: Maximum height of dam: 2 Tanks feet. If excavated, write "zero feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 0.046 ac-ft (15,000 Gallons)

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

4. 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.

Fire Protection

5. 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:

6. ENVIRONMENTAL IMPACT

A. Channel: Is the reservoir in-stream or off channel?

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? 5+ years.

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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.

7. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

Water is captured in a screened plastic barrel placed below an 18" culvert outlet in a tributary to Hogum Creek. Water is transported via a 1 inch poly pipe to a 10,000 gallon metal storage tank and a 5,000 gallon metal dip tank. Water is stored to provide for helicopter use for early fire suppression in the surrounding forest land. Silver Butte Timber Col is currently working with the Douglas Forest Protective Association and Douglas Soil & Water Conservation District to complete this project.

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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

NO DAM

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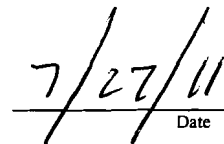
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8. SIGNATURE

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



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 \$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-87746

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: SILVER BUTTE TIMBER CO.

First

Last

Mailing Address: P.O. Box 4

RIDDLE
City

OR
State

97469
Zip

Daytime Phone: (541) 874-2281

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:
32S	4W	28	NW¼E	2900		☒ Diverted	☒ Conveyed	☒ Used	FOREST
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

DOUGLAS COUNTY

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 Trib. TO Hogum Cr.

Estimated quantity of water needed: 0.046 (15000 gal.) ☐ 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 FIRE PROTECTION

Briefly describe:

DIVERT WATER FROM STREAM TO STORAGE & HELICOPTER
DIP TANK FOR FIRE PROTECTION

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.

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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): 3.2.050.5

☐ 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

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.

**DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470**

Name: Jeff Lehrbach Title: Planner
 Signature: *Jeff Lehrbach* Phone: 541-440-4289 Date: 8/18/11
 Government Entity: Douglas 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: _____

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WATERMASTER 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- Applicant's Name: Silver Butte Timber Company

1) Does the proposed reservoir have the potential to injure existing water rights? ☒ NO ☐ YES

Explain:

2) Can conditions be applied to mitigate the potential injury to existing water rights? ☐ NO ☐ YES

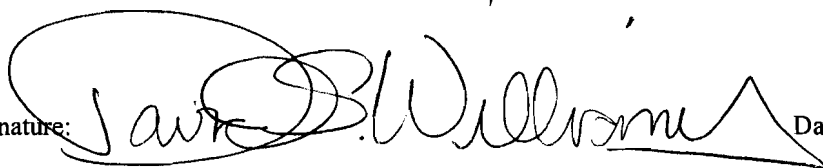
If YES, which conditions are recommended: Not Applicable

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

Who: Walt Barton Agency: Douglas Soil & Water Conservation Date: 8/9/2011

Who: Agency: Date:

Watermaster signature:



Date: 8/9/2011

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

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name: _____ Reservoir
Name: _____

Source: _____ Twp Rng Sec QQ: _____ Volume
(AF): _____

Stream Name: _____ Basin Name _____ in channel ☐ off channel ☐

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

1) Is the proposed project and AO¹ off channel? Yes ☐ No ☒
(if yes then proceed to #4; if no then proceed to #2)

2) Is the proposed project or AO located where NMF² are or were historically present?... Yes ☐ No ☒
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW approved fish-passage plan?..... Yes ☐ No ☒
b. Is there an ODFW approved fish-passage waiver or exemption?..... Yes ☐ No ☒

If fish passage is required under (ORS 509.580 through .910) then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to #3(a) and #3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed reservoir pose any other significant detrimental impact to an existing fishery resource? Yes ☐ No ☒

Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

☐ 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.)* If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

☐ 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 pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635-412-0005 (32)

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Lined area for text entry.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource? ☐ NO (explain) ☐ YES (select from Menu of Conditions on next page)

Lined area for text entry.

ODFW Signature: Fabian M. Carr Print Name: Fabian M. Carr
ODFW Title: EBA ^{reviewing} ~~noting~~ for Vacant Date: Aug. 18, 2011
NRS 2

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Silver Butte Timber Co.

Post Office Box 4
Riddle, Oregon 97469

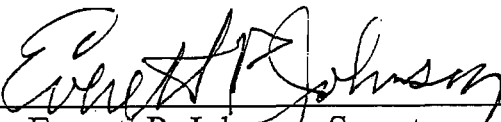
RESOLUTION OF THE BOARD OF DIRECTORS OF SILVER BUTTE TIMBER CO.

Be it resolved that David D. Johnson, President; Everett P. Johnson, Secretary; Lewis Howe, Timberlands Manager; Stacy Stiefel, Assistant Secretary; and Gary Schroeder be and they hereby are designated for and on behalf of Silver Butte Timber Co. to represent the corporation in all matters including but not limited to timber bids, bonds and timber sale contracts. This includes U.S. Forest Service, Bureau of Land Management and the State of Oregon. Any prior authorization is hereby void as of this date.

DATED: April 22, 2011

I, Everett P. Johnson, do hereby certify that I am the Secretary and custodian of the records of Silver Butte Timber Co. and that the foregoing is a copy of a Resolution duly adopted by Silver Butte Timber Co..

SIGNED

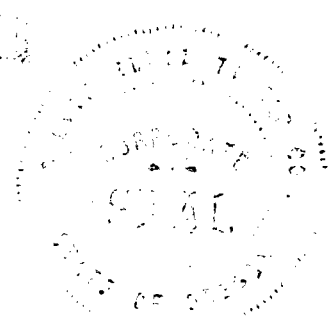

Everett P. Johnson, Secretary

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Water Availability Analysis

STARVEOUT CR > COW CR - AT MOUTH
UMPQUA BASIN

Water Availability as of 8/9/2011

Watershed ID #: 362

Date: 8/9/2011

Exceedance Level: 50%

Time: 3:25 PM

Linking Watersheds

Complete Water Availability Analysis

Water Availability

Select any Watershed for Details

	Nesting Order	Watershed ID #	Stream Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
<u>Select</u>	1	368	UMPQUA R> PACIFIC OCEAN- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<u>Select</u>	2	73350	UMPQUA R> PACIFIC OCEAN- AB LITTLE MILL CR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
<u>Select</u>	3	31630301	UMPQUA R> PACIFIC OCEAN- AB WOLF CR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
<u>Select</u>	4	351	S UMPQUA R> UMPQUA R- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
<u>Select</u>	5	31630218	S UMPQUA R> UMPQUA R- AB MARSTERS CR AT GAGE 1431200	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
<u>Select</u>	6	300	COW CR> S UMPQUA R- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
<u>Select</u>	7	301	COW CR> S UMPQUA R- AB MIDDLE CR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
<u>Select</u>	8	70573	COW CR> S UMPQUA R- AB WINDY CR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
<u>Select</u>	9	362	STARVEOUT CR> COW CR- AT MOUTH	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No	No	No	Yes	Yes

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