



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

### 1. APPLICANT INFORMATION

Applicant: Nancy Fleischman  
First Last  
 Mailing Address: P.O. Box 3274  
Applegate OR 97530  
City State Zip  
 Phone: 541-846-9540 541-846-0230 541-660-0051  
Home Work Other  
 \*Fax: 541-846-0339 \*E-Mail Address: nancyfleischman1@gmail.com  
 \*optional information

### 2. AGENT INFORMATION

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

Agent: Leonard Perillo  
First Last  
 Mailing Address: 1300 Clay Street, Suite 600  
Oakland CA 94612  
City State Zip  
 Phone: 510-910-6802  
Home Work Other  
 \*Fax: \_\_\_\_\_ \*E-Mail Address: \_\_\_\_\_  
 \*optional information

### 3. LOCATION AND SOURCE

A. Reservoir Name: (Pond) None Location address: 15985 N. Applegate Road, Grants Pass, OR  
 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: Applegate River Tributary to: Rogue River  
 C. County in which diversion occurs: Jackson

RECEIVED

AUG 8 1 2011

WATER RESOURCES DEPT  
 SALEM, OREGON

App. No. _____	For Department Use Permit No. _____	Date _____
----------------	--	------------

**D. Reservoir Location**

38	4W	08	DD	705
----	----	----	----	-----

**E. Dam:** Maximum height of dam: zero feet 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: 3 af

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.

multi purpose use

**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? ~ 50+ years.

**RECEIVED**

AUG 8 1 2011

WATER RESOURCES DEPT  
SALEM, OREGON

**D. Fish Habitat:** Is there fish habitat upstream of the proposed structure?  Yes  No  Don't know  
If yes, how much? 15-25 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.

Irrigation/multi-use pond has been in place for many decades. Current operation is utilizing a seasonally installed pump at point of entry in the Applegate River. A secondary pump is installed at the pond for irrigation to the rest of the acreage within the tax lot.

RECEIVED

AUG 8 1 2011

WATER RESOURCES DEPT  
SALEM, OREGON

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).

Not applicable now. Use pumping system. No diversion dam is utilized.

**8. SIGNATURE**

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

*Tommy D. Fleischman*  
Landowner Signature

8-14-11  
Date

RECEIVED  
AUG 21 2011  
WATER RESOURCES DEPT  
SALEM, OREGON

**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).

# 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: Nancy Fluselman  
First Last

Mailing Address: P.O. Box 3274

Applegate OR 97530 Daytime Phone: 541-846-0230  
City State Zip

## 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	¼¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
38	4W	08	62	705	EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Jackson

## 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) Applegate River

Estimated quantity of water needed: 3 af     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 \_\_\_\_\_

Briefly describe:

Water reservoir acts as a bulge/temp. storage. then pumped for irrigation to upper fields and rest of acreage. Requesting pond permit for irrigation, multi-purpose use

**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.

RECEIVED

See bottom of Page 3. →

AUG 8 1 2011

WATER RESOURCES DEPT  
 SALEM, OREGON

# 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): Table 4.2-1

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:	
		<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.

**RECEIVED**

30  
**AUG 26 2011**

JACKSON COUNTY  
PLANNING

Name: Youngsook Kim Title: Planner

Signature: *[Signature]* Phone: 541-774-6946 Date: 8/30/2011

Government Entity: Jackson 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: Nancy S. Fleischman

City or County: Grants Pass, Jackson Co. Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**RECEIVED**

AUG 31 2011

WATER RESOURCES DEPT  
SALEM OREGON

# 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:

*Nancy Fleischman*

*Pond Location: 385-4W-8*

*15985 N. Applegate Road, Grants Pass, OR 97527 (Jackson Co.)*

*SW/SW Tax Lot 7*

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

Explain: *Water available for storage*

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

*N/A*

If YES, which conditions are recommended:

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

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

*[Signature]*

Date: *7/26/11*

WRD Contact:

*District 13 Assistant Watermaster*  
Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901



**JACKSON COUNTY**  
Oregon

**Watermaster's Office**  
District 13

Travis N. Kelly  
Assistant Watermaster

10 South Oakdale, Room 308A  
Medford, Oregon 97501  
(541) 774-6882  
Fax: (541) 774-6187  
KellyTN@jacksoncounty.org

RECEIVED

AUG 8 1 2011

WATER RESOURCES DEPT  
SALEM, OREGON

# ODFW Alternate Reservoir Application Review Sheet

**Information to be completed by the applicant:**

Applicant Name/Address/Phone/Email: Nancy S. Fleischman email: nancy.fleischman1@gmail.com  
15985 N. Applegate Rd., Grants Pass, OR 97527, 541-660-0051,  
 Reservoir Name: 15985 N. Applegate Rd. Pond Source: Applegate River Volume (AF): 3 af'  
 Twp Rng Sec QQ: 38-4W-08-00 <sup>RL 705</sup> Basin Name: Applegate Rvr. Drainage  in-channel  off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

**Information to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff:**

- 1) Is the proposed project and AO<sup>1</sup> 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 NMF<sup>2</sup> 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.

**RECEIVED**  
 AUG 31 2011  
 WATER RESOURCES DEPT  
 SALEM, OREGON

<sup>1</sup> 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)

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



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)

ODFW Signature: David R. Haight      Print Name: David R. Haight  
ODFW Title: Asst. Dist. Fish Biol.      Date: 8/30/11

**NOTE: This completed form must be returned to the applicant.**

**RECEIVED**  
AUG 31 2011  
WATER RESOURCES DEPT  
SALEM, OREGON

# Permit to Appropriate Surface Water for Storage - Alternate Reservoir Application

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Monday, August 29, 2011

Base Application Fee for Storage of Surface Water.		\$300.00
Proposed Dam Height in feet.	0	
Proposed Reservoir volume in Acre Feet.	3	\$75.00
Permit Recording Fee. ***		\$400.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$775.00

[Return to Fee Calculator Options page](#)

[OWRD Fee Schedule](#)

Fee Calculator Version: B20090701
-----------------------------------

RECEIVED

AUG 31 2011

WATER RESOURCES DEPT  
SALEM, OREGON

JACKSON COUNTY DEVELOPMENT SERVICES

8/30/2011

11:35:29AM



RECEIPT OF PAYMENT

Receipt #: 1520110000000003199

Receipt Date: 08/30/2011

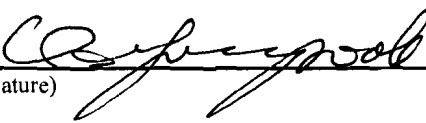
Line Items:

Case No	Tran Code	Description	Revenue Account No	Amount Paid
ZON2011-01095		LUC Application Fee	3701040000.45105.1300	95.00
<b>Line Item Total:</b>				<b>\$95.00</b>

Payments:

Method	Payer	Bank No	Account No	Confirm No	How Received	Amount Paid
Check	NANCY S. FLEISCHMAN		4283	ysk	In Person	95.00
<b>Payment Total:</b>						<b>\$95.00</b>
Balance						

Payment Received By:

  
 \_\_\_\_\_  
 (staff signature)

**RECEIVED**  
 AUG 31 2011  
 WATER RESOURCES DEPT  
 SALEM, OREGON

# Water Availability Analysis

APPLEGATE R > ROGUE R - AT MOUTH  
 ROGUE BASIN

Water Availability as of 8/29/2011

Watershed ID #: 249

Date: 8/29/2011

Exceedance Level: 50%

Time: 4:33 PM



**Limiting Watersheds**

**Complete Water Availability Analysis**

**Text**

## Water Availability

Select any Watershed for Details

	Nesting Watershed Order	Stream Name ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
<b>Select</b>	1	266 ROGUE R> PACIFIC OCEAN- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes
<b>Select</b>	2	31531008 ROGUE R> PACIFIC OCEAN- AB SHASTA COSTA CR	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes
<b>Select</b>	3	31531001 ROGUE R> PACIFIC OCEAN- AB MEADOW CR	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes
<b>Select</b>	4	31531002 ROGUE R> PACIFIC OCEAN- AB GRAVE CR	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes
<b>Select</b>	5	249 APPLEGATE R> ROGUE R- AT MOUTH	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes

[Return to Search Page](#) | [Return to Main Menu](#) | Download Data ( [Text - Formatted](#), [Text - Tab Delimited](#), [Excel](#) )

**RECEIVED**

AUG 31 2011

WATER RESOURCES DEPT  
 SALEM, OREGON

**CLAIM OF  
BENEFICIAL USE**  
**for Reservoirs storing less than  
9.2 acre-feet permitted under  
ORS 537.409**



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

**A fee of \$150 must accompany this form.  
The Claim will be returned if the fee is not included. (ORS 536.050(1))**

**This form may be completed by the permit holder of record if:**

- 1) The permit was issued under the authority of ORS 537.409.
- 2) No secondary permit exists for the use of water stored in the reservoir or for the maintenance of the reservoir.
- 3) The developed capacity of the reservoir is less than 9.2 acre-feet.
- 4) The water was stored by the date required in the permit.

A separate form shall be completed for each permit.

This form must be submitted to the Water Resources Department within one year of storage of water in the reservoir.

Please type or print in dark ink. If the data provided is found to contain errors or omissions, it may be returned. The Department may require the submittal of additional information.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

**SECTION 1  
GENERAL INFORMATION**

**File Information**

APPLICATION #	PERMIT #
R-	R-

**Applicant Information**

APPLICANT NAME <i>Nancy Fleischman</i>	PHONE NO. <i>541-660-0051</i>	ADDITIONAL CONTACT NO. <i>541-846-0230</i>
ADDRESS <i>15985 N. Applegate Road</i>		
CITY <i>Grants Pass</i>	STATE <i>OR</i>	ZIP <i>97527</i>
E-MAIL <i>nancyfleischman1@gmail.com</i>		

**RECEIVED**

AUG 31 2011

**SECTION 2**  
**RESERVOIR INFORMATION**

Reservoir Dimensions and Capacity

AVERAGE LENGTH	AVERAGE WIDTH	AVERAGE DEPTH	MAXIMUM CAPACITY IN ACRE-FEET
300'	80'	11'	3 af.

To determine capacity in acre-feet use for the above table, use the following calculation:

$$\text{Acre-feet} = \frac{(\text{Average Length})(\text{Average Width})(\text{Average Depth})}{43,560}$$

**SECTION 3**  
**MAP**

Attach a map identifying the reservoir location. If the water right application map accurately reflects the location of the reservoir, you may attach a copy it. Otherwise, you must submit a map meeting the standards of OAR 690-310-0050, which are attached. Preparation of the map by a Certified Water Rights Examiner is not required for this type of permit, but may be submitted.

**SECTION 4**  
**SIGNATURE**

By my signature, I certify that the information contained herein is true and correct to the best of my knowledge.

<i>Nancy S. Fleischman</i>	Nancy S. Fleischman	8/14/11

**RECEIVED**

AUG 31 2011

WATER RESOURCES DEPT  
SALEM, OREGON

WR