



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

RECEIVED

DEC 23 2011

WATER RESOURCES DEPT
SALEM OREGON

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 application 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: SEE ATTACHMENT A
First Last

Mailing Address: _____

Phone: _____
City State Zip
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: DOUG REID
First Last

Mailing Address: 200 WEST 9TH STREET

THE DALLES
City State Zip

Phone: 541-296-9535 503-494-0732
Home Work Other

*Fax: 0 *E-Mail Address: reid ranch@gorge.net
*optional information

3. LOCATION AND SOURCE

A. Reservoir Name: reid ranch house pond

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: HELM SPRINGS Tributary to: HELM CREEK

C. County in which diversion occurs: SHERMAN

RECEIVED

JAN 18 2011

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 18 2012

App. No. R-8777

For Department Use

Permit No. _____

Date _____

WATER RESOURCES DEPT
SALEM, OREGON

Reservoir Water Storage Application
Attachment A

Applicants:

Seltzer/Johnson Trust
1921 Lion Place
Wenatchee, WA 98801
Merlene Seltzer, Trustee
509-662-0178
merlenes@me.com

Reid Ranch, LLC
1331 East Ludlow Ridge Road
Port Ludlow, WA 98635
David Reid, Manager
360-437-9977
reidiviva@yahoo.com

RECEIVED

JAN 18 2012

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JAN 18 2011

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

DEC 23 2011

WATER RESOURCES DEPT
SALEM, OREGON

R-8777

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
3N	17E	35	SW quarter / NESW	2000

E. **Dam:** Maximum height of dam: ~ 5 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: < 1.1

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:

RECEIVED

JAN 18 2012

6. ENVIRONMENTAL IMPACT

A. **Channel:** Is the reservoir in-stream or off channel? ☐ Yes ☒ No

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.

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JAN 18 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? _____ 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.

SEE ATTACHMENT B

RECEIVED

JAN 18 2011

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 18 2011

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

DEC 23 2011

WATER RESOURCES DEPT
SALEM, OREGON

R-87779

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).

SEE ATTACHMENT C

RECEIVED

JAN 18 2012

WATER RESOURCES DEPT
SALEM, OREGON

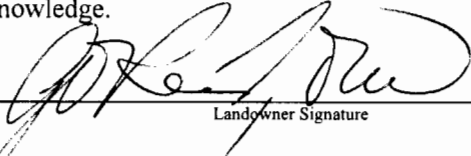
~~RECEIVED~~

~~JAN 18 2011~~

~~WATER RESOURCES DEPT.
SALEM, OREGON~~

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

12-16-2011
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).

ODFW Alternate Reservoir Application Review Sheet

RECEIVED

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: SEE ATTACHMENT A

JAN 18 2011
WATER RESOURCES DEPT.
SALEM, OREGON

Reservoir Name: REID RANCH HOUSE POND Source: HELM SPRINGS Volume (AF): < 1

Twp Rng Sec QQ: 3N 17E 35 SW SE Basin Name: COLUMBIA RIVER ☐ 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.

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.

RECEIVED

Stream seldom flows water to Columbia River

JAN 18 2012

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

DEC 23 2011

WATER RESOURCES DEPT.
SALEM, OREGON

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)

12-07779

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)

RECEIVED

JAN 18 2012

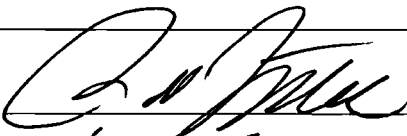
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JAN 18 2011

WATER RESOURCES DEPT.
SALEM, OREGON

ODFW Signature:



Print Name:

Rod Francis

ODFW Title:

Mt. O - Columbia District Fish Biologist

Date:

12/21/11

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



Prior to placing outlet pipe



Backfill over outlet pipes



Outlet pip in place



Pond partially filled before adjusting outlet pipe length (height) to establish water level

RECEIVED

DEC 23 2011

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JAN 18 2011

WATER RESOURCES DEPT.
SALEM, OREGON

2-8777

RECEIVED

JAN 18 2012

WATER RESOURCES DEPT
SALEM, OREGON

Reservoir Water Storage Application
Attachment B

Description of the design and operation of the proposed diversion:

Design:

The impoundment is at the outlets of several of the Helm Springs in Sherman County, Oregon. The impoundment consists of an excavated basin with the excavated material forming an earthen dam above the level of the excavation. The dam has a 4" PVC pipe that drains overflow water above 4' in depth during the season of use and also serves as a bypass when the pond level is lowered to the drain level outside of seasonal use.

Operation:

The use of the water is by three electric pumps:

- 1 horsepower pump that provides water for irrigation of the ranch house lawn and garden areas
- 2 horsepower pump that provides water for fire suppression in the event of a wildfire from the northwest in Helm Canyon
- 5 horsepower pump that provides intermittent drip irrigation to a 6.8 acre vineyard on the hillside northeast of the pond

All of the uses of the pond are seasonal – generally from mid May to mid September

Historically the seasonal use ran from April through September when the crop irrigation was for Alfalfa on 3.1 acres of land northwest of the ranch house. This irrigation was with sprinklers beginning in 1961. The water requirements of the vineyard, while in a different location are less than that required by the alfalfa in past years.

RECEIVED
JAN 18 2012
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JAN 18 2011
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
DEC 23 2011
WATER RESOURCES DEPT
SALEM, OREGON

R-8777

Reservoir Water Storage Application
Attachment C

Description of the dam

The dam is made of excavated material from the pond and is approximately 5' high X 60' long. The dam is approximately 20' wide at its base and 10' wide at the top. A 4" Schedule 40 PVC pipe penetrates the dam at the base. The intake consists of a 90° elbow directed vertically. During the irrigation and fire seasons a ~3.5' extension pipe is screwed into the elbow. Outside of the irrigation and fire seasons the extension is removed and the pond level is lowered. There is a 4" gate valve on the downstream end of drain pipe for emergency closure as needed. There are also two 4" Schedule 40 PVC overflow pipes at slightly higher levels than the outflow pipe to continue draining the pond should the outlet become obstructed. The pond side of the dam is covered by plastic membrane in the area of the outlet pipes to prevent leakage and erosion. The pond is oval in shape and is approximately 30' X 60' and approximately 4' deep at its deepest point when filled. There is no need for fish passage as Helm Creek has no fish and the pond outflow does not enter Helm Creek directly as it is carried by a diversion ditch to the northeast where all of the flow soaks into the ground and enters Helm Creek subsequently as springs along the edge of the creek. The water flow into the pond is approximately 35 to 40 gallons per minute and seems to be unvarying throughout the year.

~~RECEIVED~~
~~JAN 18 2011~~
~~WATER RESOURCES DEPT.~~
~~SALEM, OREGON~~

RECEIVED
DEC 23 2011
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JAN 18 2012
WATER RESOURCES DEPT
SALEM, OREGON

R-87779

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

NOTE TO APPLICANTS

RECEIVED

JAN 18 2011

**WATER RESOURCES DEPT.
SALEM, OREGON**

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

RECEIVED

JAN 18 2012

**WATER RESOURCES DEPT
SALEM, OREGON**

Land Use

Information Form

RECEIVED

JAN 18 2012

WATER RESOURCES DEPT
SALEM, OREGON



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

RECEIVED

JAN 18 2011

WATER RESOURCES DEPT.
SALEM, OREGON

Applicant: DAVID

First

KEID

Last

Mailing Address: 1331 E LUDLOW RIDGE RD

PORT LUDLOW

City

WA

State

98365

Zip

Daytime Phone: 360 437 9971

A. Land and Location

KEID RANCH LLC

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:
<u>3N</u>	<u>17E</u>	<u>35</u>	<u>SW ¼ q</u>	<u>2000</u>	<u>F-1</u>	☐ Diverted	☐ Conveyed	☒ Used	<u>FARMING</u>
			<u>NE/SW</u>			☐ 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:

SHERMAN CO.

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) HELM SPRINGS

Estimated quantity of water needed: 35 GPM ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for 2 household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other FIRE SUPPRESSION

Briefly describe:

EXISTING ALFALFA FIELD 3.1 AC., EXSTING VINEYARD 6.2 AC., PHASE II VINEYARD 6.2 AC. (FENCE & IRRIGATION DELIVERY COMPLETE), PHASE III VINEYARD 8.0 AC. (UNDEVELOPED). TOTAL IRRIGATION 24.1 ACRES.

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. →

RECEIVED

DEC 23 2011

12-8777

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:

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

N/A

If YES, which conditions are recommended:

3) Did you meet with staff from another agency to discuss this application?

☐ NO ☒ YES

Who: Rod French
Who:

Agency: ODFW
Agency:

Date: Dec, 2011
Date:

RECEIVED

JAN 18 2012

WATER RESOURCES DEPT
SALEM, OREGON

Watermaster signature:

B. Wood

Date:

1/17/2012

WRD Contact:

Caseworker:

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

RECEIVED

JAN 18 2011

WATER RESOURCES DEPT.
SALEM, OREGON

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

RECEIVED

DEC 23 2011

WATER RESOURCES DEPT
SALEM, OREGON

R-0777