

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME <b>PETER DINSDALE</b>			PHONE (HM)
PHONE (WK) <b>503-838-3779</b>	CELL <b>503-428-6577</b>	FAX <b>503-838-1050</b>	
ADDRESS <b>PO BOX 357</b>			
CITY <b>INDEPENDENCE</b>	STATE <b>OR</b>	ZIP <b>97351</b>	E-MAIL * <b>PETERBDINS@GMAIL.COM</b>

### Organization Information

NAME <b>BLUE HERON FARM</b>			PHONE <b>503-838-3779</b>	FAX <b>503-838-1050</b>
ADDRESS <b>PO BOX 357</b>			CELL <b>503-428-6577</b>	
CITY <b>INDEPENDENCE</b>	STATE <b>OR</b>	ZIP <b>97351</b>	E-MAIL * <b>PETERBDINS@GMAIL.COM</b>	

### Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME			PHONE	FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

### By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate.

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Applicant Signature

Peter Dinsdale, owner  
Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

Revised

App. No. **S-8774**

For Department Use  
Permit No. \_\_\_\_\_

Date \_\_\_\_\_

**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

X Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- 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 irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Stored Water from Alan Reservoir Tributary to: Willamette River – See Storage Application

Source 2: Stored Water from Ben Reservoir Tributary to: Willamette River – See Storage Application

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

**B. Applications to Use Stored Water**

Do you, or will you, own the reservoir(s) described in item 3A above?

- X Yes.
- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

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If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

**SECTION 4: WATER USE**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

*(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)*

SOURCE	USE	PERIOD OF USE	AMOUNT
Alan Reservoir	Irrigation	Mar. 1 – Oct. 31	80 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Ben Reservoir	Irrigation	Mar. 1 – Oct. 31	65 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

**For irrigation use only:**  
 Please indicate the number of primary and supplemental acres to be irrigated.  
 Primary: 130 Acres                      Supplemental:        Acres  
 List the Permit or Certificate number of the underlying primary water right(s):         
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season:       

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

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**SECTION 5: WATER MANAGEMENT**

**A. Diversion and Conveyance**

What equipment will you use to pump water from your source?

X Pump (give horsepower and type): 50 HP centrifugal for field distribution

X Other means (describe): Pump from South Fork Ash Creek with 20 HP centrifugal

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

\_\_\_\_\_

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

High pressure "gun" sprinkler on some crops; wheel lines on some crops; hand move laterals on some crops; drip irrigation on some crops

**C. Conservation**

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Water requested will only be used as necessary for proper plant growth. Plant needs are determined with soil moisture monitors, a shovel and evapotranspiration information available.

**SECTION 6: RESOURCE PROTECTION**

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- X Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions: \_\_\_\_\_

- X Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Describe planned actions: \_\_\_\_\_

- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.

Describe: Building pump site along South Fork Ash Creek will be done at summer low flood to avoid as much as possible any damage to the streambank.

- X Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe: During construction, a fabric barrier between runoff channels and work sites will be maintained.

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**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: August 2012

Date construction will be completed: October 31, 2012

Date beneficial water use will begin: May 2013

**SECTION 8: WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

**SECTION 9: REMARKS**

Use this space to clarify any information you have provided in the application.

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# 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: PETER DINSDALE  
First Last

Mailing Address: P.O. BOX 357

INDEPENDENCE OR 97351 Daytime Phone: 503-838-3779  
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	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
8S	4W	31	NESE	900	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
8S	4W	31	NWSE	1000	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
8S	4W	31	NESW	1100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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:

POLK

### 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) SOUTH FORK ASH CREEK

Estimated quantity of water needed: 200   
 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:

Two reservoirs will be built to store runoff and Ash Creek water for seasonal use. Irrigation of seed crops, berries and hay will utilize the water.

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): PCZO 136.030(A)
- 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.

*No additional permits are required if the reservoirs are located outside of the floodplain and outside of the riparian setback, which is a maximum of 100 feet from the stream bank of Ash creek.*

Name: Jerry Sorte Title: Planning Manager  
 Signature: *[Signature]* Phone: 503-623-9237 Date: 4/4/12  
 Government Entity: Polk 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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Date: \_\_\_\_\_  
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Exhibit "A" legal description

PARCEL 1:

Beginning at an iron pipe in the center of the County Road on the South boundary of the William Myers (Meyers) Donation Land Claim, Notification 1638, Claim No. 61, in Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon, which point is 22.55 chains North 89°26' West of the Southeast corner of said Claim No. 61; thence North 89°26' West 17.58 chains to an iron pipe in the County Road; thence North 0°25' East 33.32 chains to an iron pipe; thence South 89°25' East 2.184 chains to an iron pipe; thence North 0°20' East 2.86 chains to an iron pipe; thence North 89°57' East 15.15 chains to an iron pipe; thence South 0°3' East 36.14 chains to the place of beginning.

PARCEL 2:

Beginning at an iron pipe in the center of the County Road, on the South boundary of the William Myers (Meyers) Donation Land Claim No. 61, in Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon, which pipe is North 89°26' West 40.13 chains from the Southeast corner of said Claim No. 61; thence North 89°26' West 9.01 chains to an iron pipe in the County Road; thence North 0°25' East 33.32 chains to an iron pipe; thence South 89°25' East 9.01 chains to an iron pipe; thence South 0°25' West 33.32 chains to the place of beginning.

PARCEL 3:

Beginning at a rock in the center of the County Road, on the South boundary of the William Myers Donation Land Claim No. 61, in Township 8 South, Range 4 West of the Willamette Meridian, which rock is 12.41 chains South 89°26' East of the Southwest corner of said Claim No. 61; thence North 0°25' East 33.32 chains to an iron pipe; thence South 89°25' East 18.87 chains to an iron pipe; thence South 0°25' West 33.32 chains to an iron pipe in the County Road; thence North 89°26' West 18.87 chains to the place of beginning.

ALSO:

Beginning at an iron pipe in the South fork of Ash Creek, at the Northwest corner of the land formerly owned by J.R. Craven as recorded in Volume 73, Page 479, Deed Records of Polk County, Oregon, which iron pipe is 12.41 chains South 89°26' East and 33.32 chains North 0°25' East from the Southwest corner of the William Meyer Donation Land Claim No. 61 in Section 31 of Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon; thence South 0°25' West 4.21 chains to an iron pipe in a drain ditch; thence West 1.70 chains to an iron pipe on the East boundary of the new State Highway 99W; thence North 0°25' East 4.21 chains, along the East boundary of said highway, to an iron pipe; thence East 1.70 chains to the place of beginning.

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