



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 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: USDA FOREST SERVICE LA GRANDE RANGER DISTRICT
First Last
Mailing Address: 3502 HWY 30
LA GRANDE OREGON 97850
City State Zip
Phone: 541-962-8517
Home Work Other
*Fax: 541-962-8580 *E-Mail Address: ajjohnson@fs.fed.us
*optional information

2. AGENT INFORMATION

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

Agent: ARIC JOHNSON
First Last
Mailing Address: SAME. SEE ABOVE FOR ALL CONTACT INFO
City State Zip
Phone: 541-962-8517
Home Work Other
*Fax: 541-962-8580 *E-Mail Address: ajjohnson@fs.fed.us
*optional information

3. LOCATION AND SOURCE

A. Reservoir Name: SOUTH FORK RESERVOIR

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: RUN-OFF Tributary to: SOUTH FORK CATHERINE CREEK

C. County in which diversion occurs: UNION

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App. No. 287802

For Department Use
Permit No. _____

Date _____

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
05 S	41 E	24	SWNE	100

E. **Dam:** Maximum height of dam: 10 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: 0.40

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.

MULTIPURPOSE

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:

NONE

6. ENVIRONMENTAL IMPACT

A. **Channel:** Is the reservoir in-stream or off channel? ☐ in-stream ☒ 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? _____ 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.

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.

Collection of water will occur during spring run-off.

Reservoir will be approximately 60 feet in diameter and not exceed a 8 foot dam height.

Reservoir will be excavated into the existing native substrate. The reservoir dam will be constructed of on site materials.

Water will be captured from an adjacent ephemeral stream (non-fishbearing)

Excess flow will be diverted over a constructed overflow.

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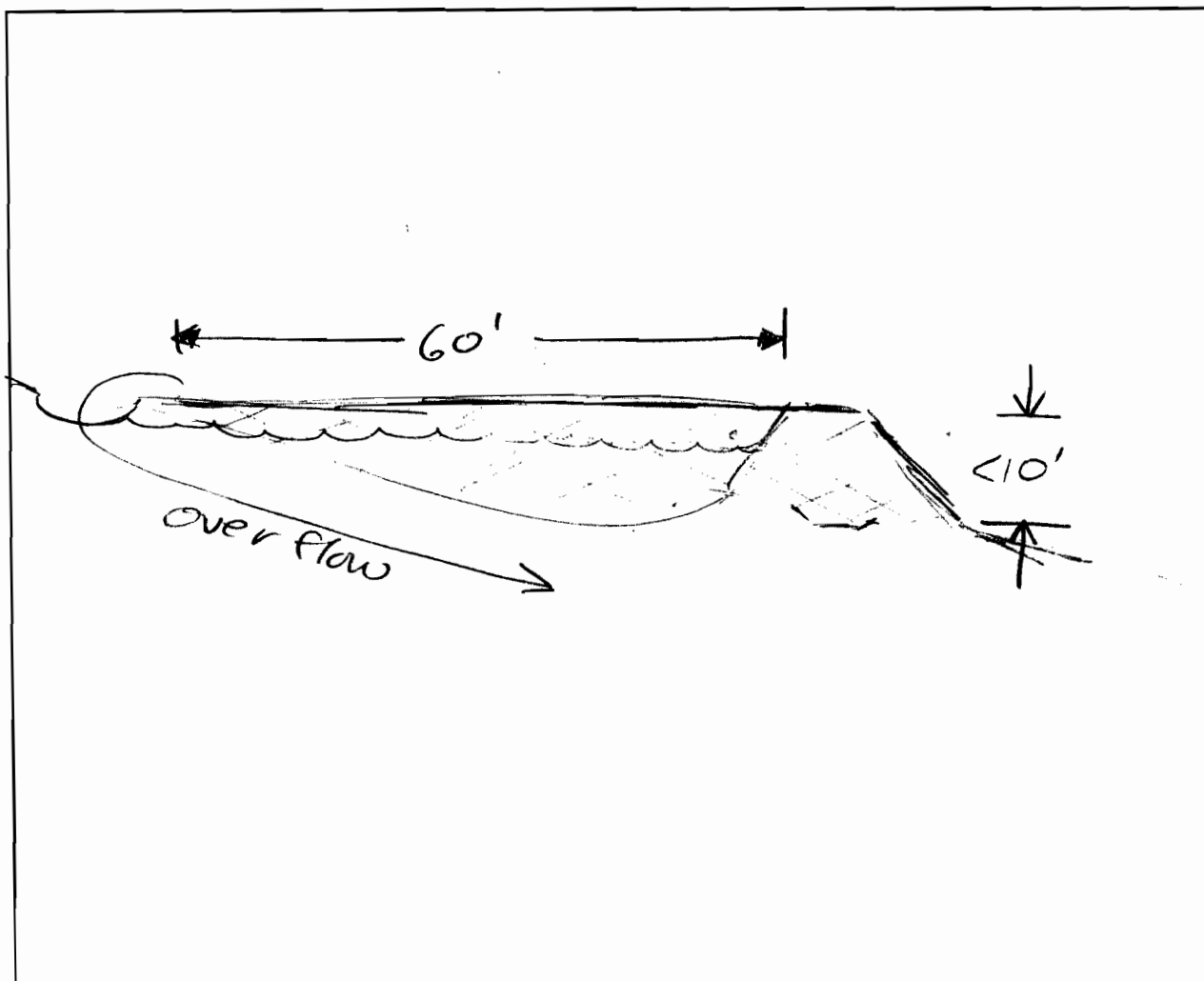
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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means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



8. SIGNATURE

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

Range Manager Wallawa-Wynton
National Forest

1/24/2012
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).

WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

South Fork Res.

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: *LaGrange Ranger District, US Forest Service*
South Fork Reservoir

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

Explain: *Reservoir will be full before regulation is likely to begin.*
Note: water availability shows only May & June as possible storage months. OAR 690-39 restricts diversions to April 15. Considerations under OAR 690-033-0140 (2) & (5) may apply

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

If YES, which conditions are recommended:

Control works on diversion pipe

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

Who:
Who:

Agency:
Agency:

Date:
Date:

Watermaster signature:

Shad Nathan

Date:

2/22/12

WRD Contact:

Caseworker:

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

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

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: US Forest Service, LaGrande Ranger District
3502 Hwy 30 LaGrande OR 97850 attn. Aric Johnson 5419628517
arj.johnson@fs.fed.us

Reservoir Name: South Fork Reservoir Source: Run off Volume (AF): <1

Twp Rng Sec QQ: T05S R41E Sec 24 Basin Name: Catherine Creek ☐ in-channel
SWNE ☒ 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.

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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 635-0412-0005 (32)

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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)

Recommended approval

Pond will be filled via a pipe that can control water withdrawal.

Water availability is May + June.

This pond is part of a road obliteration project to draw cattle off stream. This falls into ODFW mitigation category 3 (habitat protection).

The project will help protect fish habitat by keeping cattle off stream + by reduced sediment load via road obliteration.

We request the forest service ensures good maintenance of directional cattle fences that keep cattle off the riparian area.

ODFW Signature: Nadine Craft

Print Name: Nadine Craft

ODFW Title: Asst. Dist. Fish Biol.

Date: 3-14-12

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