



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

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JUN 01 2012

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 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: Bureau of Land Management / Owyhee Field Office.

Mailing Address: 20 ^{First} 1st Ave West ^{Last}

Marsing ^{City} ID ^{State} 83639 ^{Zip}

Phone: 208-896-5912 ^{Home} 208-896-5912 ^{Work} 83639 ^{Other}

Fax: 208-896-5940 E-Mail Address*: ravi-trevino@blm.gov

* 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.)

2. AGENT INFORMATION

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

Agent: Ravi Trevino JR

Mailing Address: 20 ^{First} 1st Ave West ^{Last}

Marsing ^{City} ID ^{State} 83639 ^{Zip}

Phone: 208-896-5915 ^{Home} 208-896-5915 ^{Work} 83639 ^{Other}

Fax: 208-896-5940 E-Mail Address*: ravi-trevino@blm.gov

* 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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Strades Basin

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: runoff Tributary to: Dry Drainage

C. County in which diversion occurs: Malheur County

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

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
245	46 W	25	SW 1/4 SW 1/4	

E. Dam: Maximum height of dam: 40 Ft. 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: 2 Acre Foot.

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.

Livestock and wildlife water source.

5. PROPERTY OWNERSHIP

Please provide a copy of the recorded deed(s).

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

☒ 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:

This public BLM Land, Reservoir Construction will be done ~~at~~ by Boise District BLM. for Livestock and wildlife water source.

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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? _____ 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. 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

8. 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.

(Livestock pond NO Diversion)

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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).

N/A No Diversion.

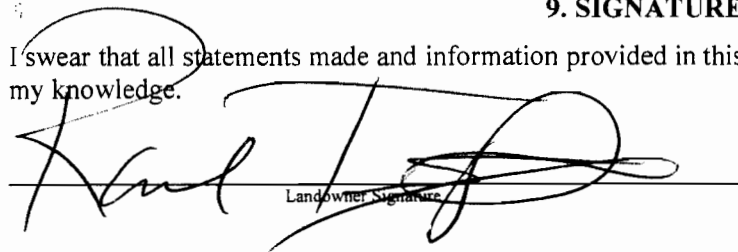
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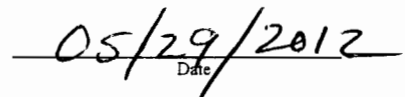
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9. SIGNATURE

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).

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: *Bureau of Land Management*

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:

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

☒ NO ☐ YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

Ronald Jacobs

Date:

5/30/2012

WRD Contact:

Caseworker:

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

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**WATER RESOURCES DEPT
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NOTE: This completed form must be returned to the applicant

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Bureau of Land Management
20 1st Ave West Marsing ID 83639 208-896-5912
 Reservoir Name: Strode Basin #1 Source: Runoff Volume (AF): 2 AEF
 Twp Rng Sec QOT 24 S R 46 E sec 25 Basin Name: Strodes ☒ 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 AO² 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 NMF³ 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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² 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)

³ 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: Raymond R Perkins

Print Name: Raymond R Perkins

ODFW Title: Asst Fish DB

Date: 05/30/2012

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**Boise District Office
Owyhee Field Office
Glen Burkhardt
September 28, 2011**

Project Name: Strodes Basin Reservoir #1 and cleanouts

Status: New Project

Requested Action: Tribal comment is requested at the Wings and Roots meeting.

Project Description: The BLM is proposing to construct a livestock reservoir on the Strodes Basin Allotment. This allotment includes BLM lands in Idaho and Oregon, but is managed by the Owyhee Field Office in Idaho. This project is on BLM lands in Oregon and will provide livestock and wildlife water to the west portion of Pasture 3 and improve livestock distribution. The Strodes Basin Reservoir #1 would be constructed in a dry unnamed drainage on the north end of Pole Creek Top. The project was analyzed in EA #ID096-02006 and a Final Decision was issued to Alan Johnstone on March 22, 2002 authorizing construction of the reservoir. This project has not been implemented due to the limited funding and backlog of projects scheduled to be implemented from previous EA's and Final Decisions. Funding has become available and the priority of this project has slowly risen to the top.

Additionally, three other existing reservoirs will be cleaned out while heavy equipment is in the area. Previous cultural inventories were not completed on the existing reservoirs; therefore, cultural inventories were completed on August 9, 2011.

Location: T. 24 S., R. 46 E., Section 25 (SW1/4SW1/4),
Malheur County, Oregon,
See attached map

Resource Issues: This project is in a bluebunch wheatgrass area that was seeded following the Trimby Fire in 2002. This area is in good condition and recruitment of sagebrush from unburned islands is evident.

Time Lines: Cultural and Wildlife T&E inventories were completed on August 9 and 10, 2011. Plant T&E inventory was completed on August 16, 2011. Proposed reservoir construction and cleanouts is scheduled to begin in Fall 2011.

Contact: Raul Trevino – 896-5915

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The review of alternate reservoirs is limited to these criteria only.

Application #: R-

Applicant's Name: *BUREAU of LAND MANAGEMENT*

1) Does the proposed reservoir have the potential to injure existing water rights?

☒ NO ☐ YES

Explain: *This proposed reservoir is located less than a mile from the Idaho state line. The drainage originates in Oregon and continues across the state line thru Idaho eventually ending up in the Snake River. There are no Oregon water rights in Oregon. Therefore I would have no need for a headgate in the bottom for regulation purpose.*

2) Can conditions be applied to mitigate the potential injury to existing water rights?

☐ NO ☐ YES

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: *Ronald Jacobs* Date: *6/4/2012*

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

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Strodes Basin 2

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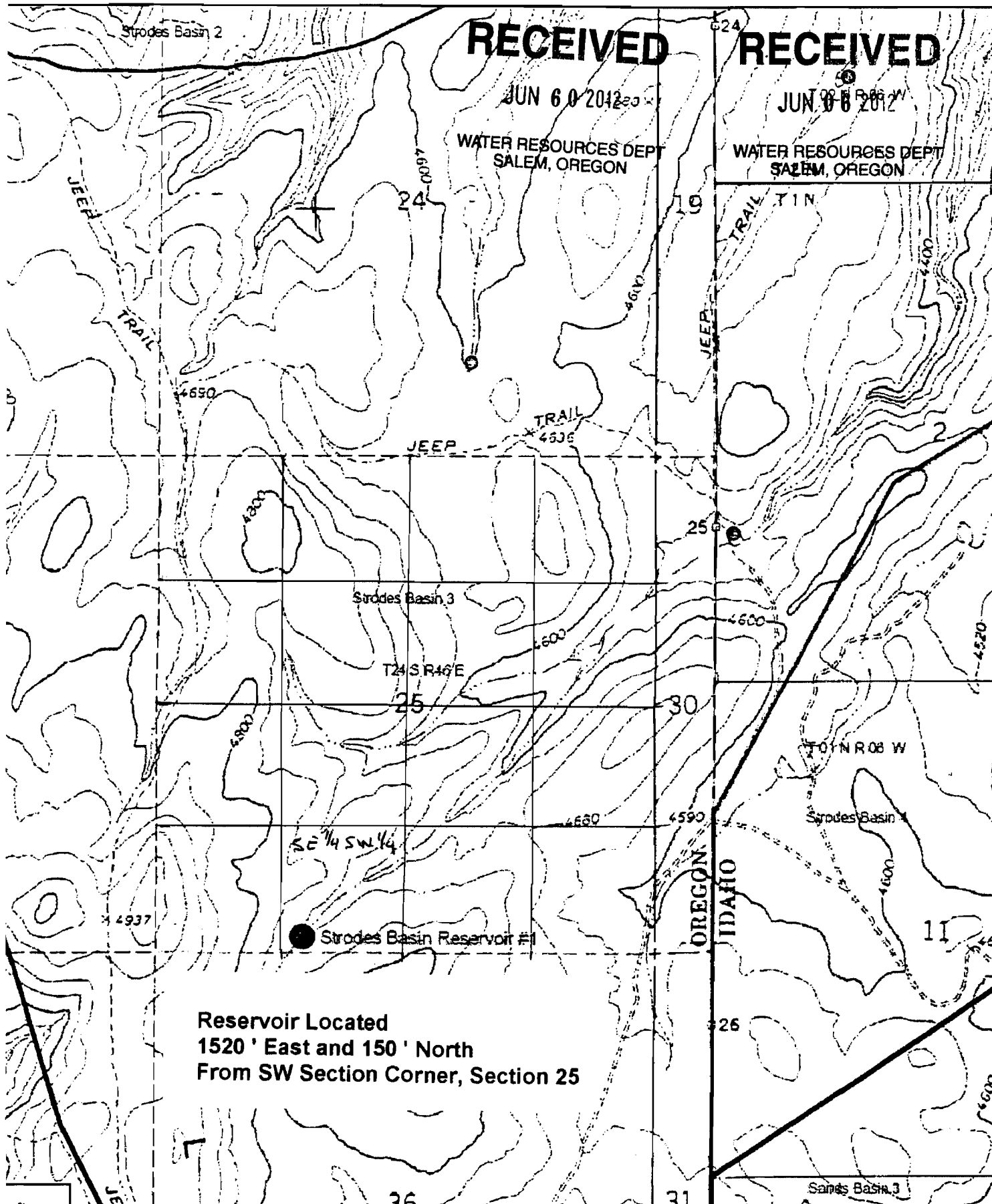
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Reservoir Located
1520' East and 150' North
From SW Section Corner, Section 25

Jerry Sauter

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From: Trevino Jr, Raul <rtrevino@blm.gov>
Sent: Wednesday, June 06, 2012 10:19 AM
To: Jerry Sauter
Subject: RE: pond application
Attachments: blm-appmap.pdf; water master.pdf

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Jerry

Here is that map back looks fine to me and also here is Ron Jacobs justification for not needing a head gate. Thanks for all your time and we'll be waiting for the permit to this project in.

Raul

From: Jerry Sauter [<mailto:jerry.k.sauter@state.or.us>]
Sent: Monday, June 04, 2012 9:53 AM
To: Trevino Jr, Raul
Subject: pond application

Raul,
Here is the map we spoke about. If you agree with the locational coordinates, just let us know.
Thanks,
Jerry

J.K. Sauter
Water Rights Program Analyst
Water Right Services Division
725 Summer St. NE, Suite A
Salem, Oregon 97301
Ph. 503.986.0817
Fax 503.986.0901



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Owyhee Field Office
20 First Avenue West
Marking, Idaho 83639



In Reply Refer To:

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Dear Jerry

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Enclosed is the water right application you and discussed a couple weeks ago. You will also find a check for \$750 to cover all fees. If you have any questions please feel free to call. Thank you for all your time and patience.

Raul Trevino Jr
Range Land Management Specialist
Owyhee Field Office
Boise District
208-896-5915
raul_trevino@blm.gov