

ODFW 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.

RECEIVED

MAY 19 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

Date: April 15, 2008
Please return to
WRD before: May 19, 2008
Water is available: December 1 through May 31

R-87110
ANDREW PEARL
3915 NUT TREE LANE
RENO NV 89509

1) Would the proposed reservoir pose a significant detrimental impact to an existing fishery resource? NO / YES
Explain: (For example, list STE species or other existing fishery resources that would be negatively impacted.)

Yes. The proposed pond is off channel, however, the source of the pond is a small stream potentially supporting fish during the proposed storage period.

Please check either of the boxes below if appropriate:

- Any diversion into storage during the period January 1 through December 31 _____ poses a significant detrimental impact to existing fishery resources.
- 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 poses a significant detrimental impact to existing fishery resources during the period April 15 through September 30.


2) Can conditions be applied to mitigate the detrimental impact to an existing fishery resource? NO / YES
If YES, which conditions are recommended: (select from the Menu of Conditions listed on back)

ODFW recommends **fishdiv33**. ODFW also recommends that storage be conditioned to a maximum rate of 0.5 cfs and a maximum volume of 30 acre feet per year in order to prevent de-watering and stranding of juvenile fish using this tributary in winter.

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

Who: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

NO YES

ODFW Representative Signature:  Date: 5/15/08

WRD Contact: **Caseworker:** Joel Plahn, Water Rights Division
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