



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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APR 25 2013

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: Grace Dinsdale
First Last
 Mailing Address: P.O. Box 1130
Cornelius OR 97113
City State Zip
 Phone: _____ 503-707-4997 cell
Home Work Other

Fax: 503-207-0265 E-Mail Address*: ghdinsdale@bloomingnursery.com

* 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: Pacific Hydro-Geology, Inc. (Malia Kupillas)
First Last
 Mailing Address: 18487 S. Valley Vista Road
Mulino OR 97042
City State Zip
 Phone: _____ 503-207-0265 503-310-5553 cell
Home Work Other

Fax: _____ E-Mail Address*: PHG@bctonline.com

* 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: 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: Pond Runoff Tributary to: Unnamed Stream & Dairy Creek

C. County in which diversion occurs: Washington

App. No. <u>R-0789</u>	For Department Use	Permit No. _____ Date _____
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D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
1N	3W	15	NE NE and SE NE	1N 3 15 0300

E. Dam: Maximum height of dam: 5.0 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: 9.2 AF

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.

This pond will be used for erosion control, flood storage, bulge in system to store ground water and surface water for nursery irrigation.

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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:

R-07091

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.

The proposed pond is designed and used for erosion control and flood mitigation. The pond will also be used as a bulge in the system to store ground water and surface water for irrigation of nursery plants all year. Because the pond is off channel, there is no need for fish passage or live flow during the off season for storage. A grading and erosion plan is attached that shows the configuration of the pond and berm.


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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).

See attached grading/erosion control plan, cross section E - E' for cross-section of berm with its dimensions. This reservoir is designed to capture and hold a 25 year storm event and the bulk of the storage is from excavating below the surrounding ground surface. This is an off channel reservoir that will capture diffuse surface water during storm events. Therefore, there is no live flow to pass outside of the authorized storage season, and a fish screen is not needed.

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SALE & OFFICE

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

2/20/2012

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).

R-87891

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: *Grace Dinsdale*

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

Explain: *There are other wells in close proximity that have water rights associated with them. Pending Ground water review there is potential for connection to those existing POA's. Four proposed wells are noted as source for pond as well as storm water run off.*

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

If YES, which conditions are recommended: *If approved - totalizing flow meters on all wells.*

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

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

Watermaster signature: *[Signature]* Date: *3/28/2013*

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

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WATER RESOURCES DIVISION
SALE & CREDIT

NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

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This portion to be completed by the applicant:

Applicant Name/Address/Phone/Email: Grace Dinsdale APR 25 2013

P.O. Box 1130, Corndius, OR 97113 WATER RESOURCES DEPT

Reservoir Name: Pond Source: diffuse surface water Volume (AF): 9.2

Twp Rng Sec QQ: 1N 3W 15 NE NE + SE NE Basin Name: _____ 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(n) or 3(b) must be "Yes" to move forward with the application. If responses to 3(n) 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 project pose any other significant detrimental impact to an existing fishery resource locally or downstream? 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.

No significant impact to fish and for wildlife is expected by construction of this project.

Fish passage or screening not required.

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)

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WATER RESOURCES DEPARTMENT

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:

Tom Murtagh

Print Name:

Tom Murtagh

ODFW Title:

District Fish Biologist

Date:

4-16-2013

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

Revised 10/4/12

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: GRACE DINSDALE
First Last

Mailing Address: P.O. BOX 1130

CORNELIUS OR 97113 Daytime Phone: 503.707.4997 CELL
City State Zip

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SALM, OREGON

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:
1N	3W	15		1N3150300	Ag	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input 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:

Washington County

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) From pond

Estimated quantity of water needed: 0.8 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 Nursery

Briefly describe:

Water will be pumped from the wells into the reservoir, and the reservoir will serve as a bulge in the system. In addition, surface water will also be stored and pumped from the reservoir for nursery use.

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.

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): NURSERY - AG USE
- 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 checked="" type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" 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.

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SALISBURY, CT

Name: JONATHAN CZERNIAK Title: GIS ANALYST

Signature: [Signature] Phone: 508-846-8106 Date: 2.13.12

Government Entity: WASHINGTON 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: _____

RECORDING REQUESTED BY:
GRANTOR'S NAME:
Phyllis J. Bockelmann, Successor Trustee of the
Magdalene E. Salzwedel Living Trust dated
August 1, 1997
GRANTEE'S NAME:
Grace Dinsdale
SEND TAX STATEMENTS TO:
Grace Dinsdale
P.O. Box 1130
Cornelius, OR 97113
AFTER RECORDING RETURN TO:
Grace Dinsdale
P.O. Box 1130
Cornelius, OR 97113

EXAMINED +
APPROVED:
(X) GD

RECORDED

Escrow No: 20080007963-FTPOR08

SPACE ABOVE THIS LINE FOR RECORDER'S USE APR 25 2013

STATUTORY WARRANTY DEED

WATER RESOURCES DEPT
SALE OF OREGON

Phyllis J. Bockelmann, Successor Trustee of the Magdalene E. Salzwedel Living Trust dated August 1, 1997, Grantor, conveys and warrants to

Grace Dinsdale, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon:

Beginning at a stone on the West line of that tract of land in Sections 10, 11, 14, and 15, Township 1 North, Range 3 West, Willamette Meridian, conveyed to Gerhard Schwanke by deed as recorded at Page 67 of Volume 110 of Washington County, Oregon Deed Records, which beginning point is said to bear East 1652.0 feet and South 18°00' West 1360.3 feet from the Northwest corner of the Benj. Cornelius, Sr. D.L.C. No. 45; thence from the place of beginning South along the West line of said Schwanke tract 1683.0 feet to the Southwest corner thereof; thence North 72°52' East along the South line of said Schwanke tract 1533.8 feet to the Southeast corner thereof; thence North 11°40' East, along the East line of said Schwanke tract 1199.2 feet; thence North 88°06' West 25.0 feet to an iron pipe; thence continuing North 88°06' West 1684.1 feet to the place of beginning.

EXCEPTING THEREFROM that tract conveyed to George Zelman and Herman Kamna, Trustees of the Evangelical Lutheran Zion Church by deed as recorded at Page 510 of Volume 88 of said Deed Records.

Subject to and excepting:

Property herein has been classified for farm use as disclosed by the tax roll. Rights of the public & governmental agencies in and to any portion of land lying within the boundaries of streets, roads and highways. Easements of record.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$864,000.00. (See ORS 93.030)

DATE: June 3, 2008

Phyllis J. Bockelmann, Successor Trustee of the
Magdalene E. Salzwedel Living Trust dated August
1, 1997

R-8789

BY: _____
Phyllis J. Bockelmann, Successor Trustee

State of OREGON
COUNTY of Clackamas

This instrument was acknowledged before me on _____, 20____
by Phyllis Bockelmann, Successor Trustee of the Magdalene E. Salzwedel Living Trust dated August 1,
1997.

_____ Notary Public - State of Oregon
My commission expires:

R-87891