



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/ORS_Library.htm.

1. APPLICANT INFORMATION

Applicant: Pamela Perry-Schmidt
Mailing Address: PO Box 647
Heppner OR 97836-0647
Phone: 541-676-5676 676-9128 (x2414)
*Fax: 541-676-5676 *E-Mail Address: makemerich@centurytel.net
*optional information

2. AGENT INFORMATION

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

Agent: _____
Mailing Address: _____
Phone: _____
*Fax: _____ *E-Mail Address: _____
*optional information

RECEIVED BY OWRD

MAY 06 2013

3. LOCATION AND SOURCE

A. Reservoir Name: SCHMIDT Pond SALEM, OR
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: BLACK HORSE CANYON
C. County in which diversion occurs: Morrow

App. No. R-87898

For Department Use
Permit No. _____

Date _____

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
1 South	25 East	36	SW 1/4 NE 1/4	6300

E. Dam: Maximum height of dam: 3 to 4 feet. If excavated, write "zero feet". *Ref map #1579*

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 1/2 acre ft.

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:

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.

RECEIVED BY OWRD

MAY 06 2013

R-87898

SALEM, OR

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.

Lacey Lathrop, Morrow Co. NRCS, PO Box 127, Heppner, OR
7. **DESCRIPTION** *97836; 541-676-9011 (x113)*

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.

Please see attached detail sheet

RECEIVED BY OWRD

MAY 06 2013

SALEM, OR

R-87000

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).

diversion from stream

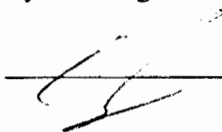
RECEIVED BY OWRD

MAY 06 2013

SALEM, OR

8. SIGNATURE

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

 Pamela Perry-Schmidt 12-15-11
Landowner Signature Date

Before you submit your application be sure you have:

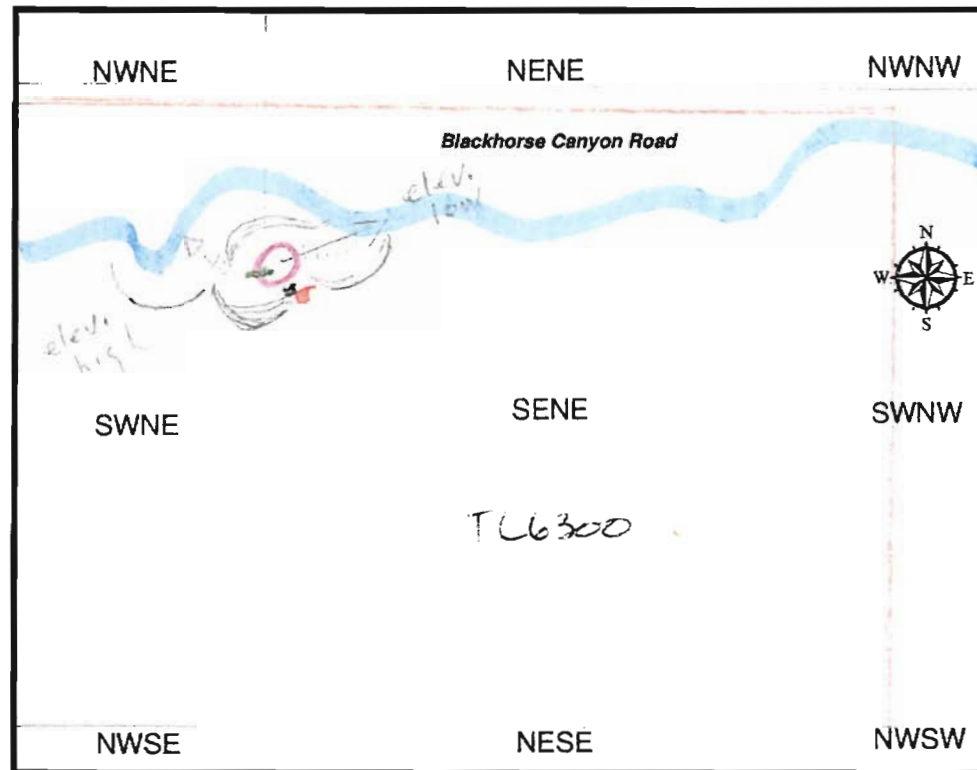
- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to 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).

R-0700B

Map #1

Alternative Reservoir Map
T1S R25E Sec. 36
Scale 1"=400'



RECEIVED BY OWRD

MAY 06 2013

SALEM, OR

2878-2

Notes (additional legend)

1. Directional banking to divert emergency overflow toward NE dry creek bed.
2. Runoff direction downhill toward NE (108')
3. for emergency overflow/evacuation
3. NW overflow drain/culvert waterflow direction, to creek bed (75')
4. Wildlife water trough between well and pond. (well above pond 30' away.)

Legend

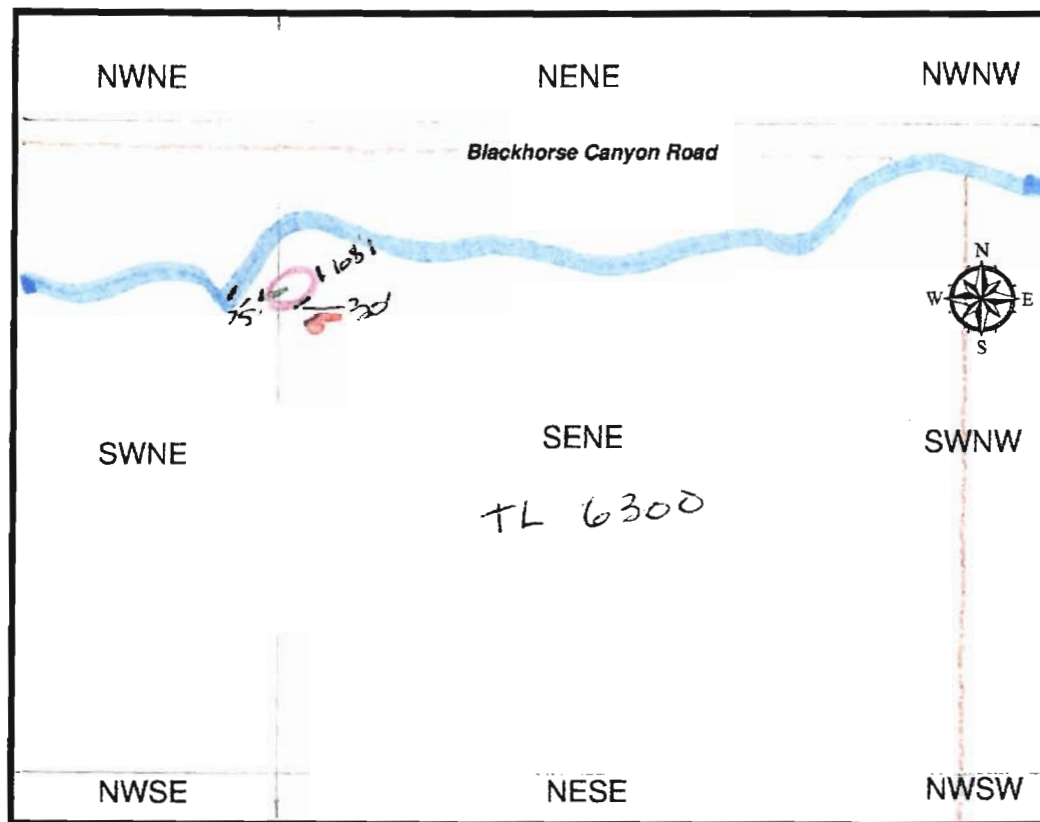
- Reservoir Overflow in and out to West
- T1SR25E Sec 36 Well C-15011
- Reservoir
- Blackhorse Canyon (dry creek bed)
- Morrow Co. Taxlots
- Section 1/4 1/4

Date: 4/6/2012

pond not visible from road(s)

Alternative Reservoir Map T1S R25E Sec. 36 Scale 1"=400'

Map #2



RECEIVED BY OWRD

MAY 06 2013

SALEM, OR

20702

Notes

1. Emergency evacuation flow direction NE 108'
2. Overflow drain flow direction NW 75'
3. Well and wildlife watering trough located above pond, approx 30'

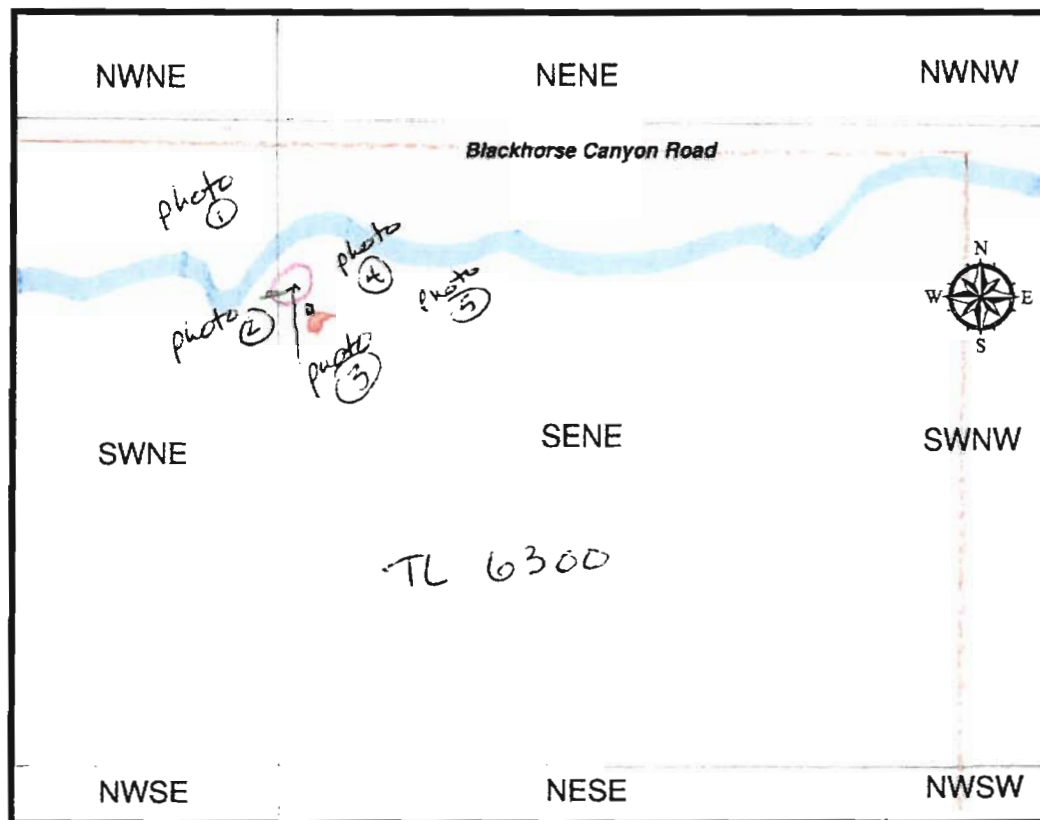
Legend

- Reservoir Overflow in and out to West
- T1SR25ESec36 Well C-15011
- Reservoir
- Blackhorse Canyon (dry creek bed)
- Morrow Co. Taxlots
- Section 1/4 1/4

OCT/NOV. — MAY/JUN

Scale 1"=400'

map #3



RECEIVED BY OWRD

MAY 06 2013

SALEM, OR

12-027893

Notes

1. Lexington lat/lon 45.44°N 119.64°W (no data)
precipitation
2. Ione lat/lon 45.57°N $119.82885^{\circ}\text{W}$ avg annual
precipitation 12.51"
- 3.

Legend

-  Reservoir Overflow in and out to West
-  T1SR25ESec36 Well C-15011
-  Reservoir
-  Blackhorse Canyon (dry creek bed)
-  Morrow Co. Taxlots
-  Section 1/4 1/4

#1 Looking NW toward Lexington



#2 Overflow out



#3 Overflow in



#4 Emergency Spillway from the lowest point in the reservoir



#5 Emergency Spillway topography looking NW



RECEIVED BY OWRD

MAY 06 2013

SALEM, OR

R-07090

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: PAMELA PERRY-SCHMIDT P.O. Box 647 HEPPNER, OR 97836
(541) 676-5676

Reservoir Name: SCHMIDT POND Source: RUN OFF Volume (AF): 0.1

Twp Rng Sec QQ: T1S R25E SEC 36 SE NE Basin Name: UMATILLA ☐ 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.

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)

RECEIVED BY OWRD

MAY 06 2013

R-07890

SALEM, OR

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)

B51 a Storage allowed Oct 1 to April 14

ODFW Signature:

William B Duke

Print Name:

William B Duke

ODFW Title:

Umatilla District Fish Biologist

Date:

10/31/2012

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

Revised 8/2/11

RECEIVED BY OWRD

MAY 06 2013

R-87898

7
SALEM, OR

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: A :

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: Date:

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

NOTE: This completed form must be returned to the applicant

RECEIVED BY OWRD

5 MAY 06 2013

R-87898

SALEM, OR

Water Resources Department**Permit to Appropriate Surface Water for Storage - Alternate Reservoir Application**

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Friday, November 02, 2012

Base Application Fee for Storage of Surface Water.		\$300.00
Proposed Dam Height in feet.	4	
Proposed Reservoir volume in Acre Feet.	0.08	\$25.00
Permit Recording Fee. ***		\$400.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$725.00

[Return to Fee Calculator Options page](#)[OWRD Fee Schedule](#)

Fee Calculator Version: B20090701

RECEIVED BY OWRD

MAY 06 2013

SALEM, OR

R-87898



April 19, 2013

Pamela Perry-Schmidt
P.O. Box 647
Heppner, OR 97836-0647
541-676-5676

Morrow Co. Planning Department
P.O. Box 40
Irrigon, OR 97844
541-922-4624

Hello Carla/Diana,

My husband, Richard, and I have contracted with NRCS to create a wildlife habitat on 40 acres of our property located at 1S 25E Sec. 36, Tax lot #6300. This land is zoned EFU, but had become derelict prior to our purchasing it in 1997. We have cleaned up all the mill waste previously dumped from the Kinzua Mill site. Hauled off abandoned equipment/agricultural implements, and are working to return it to it's native state.

We have constructed a pit pond designed to collect seasonal runoff, erected a raptor pole, and will be seeding to native grasses and shrubs this fall. We currently have attracted a small population of ferruginous hawks, golden eagles and pronghorn antelope.

We are excited to have the opportunity to work with NRCS in creating this habitat, and feel it is the best use of the land as it is too small to farm, and lacks quality topsoil due to the high level of residual bark residue. Bark residue decomposes more slowly than other woody fibers, and would take a tremendous amount of time and nitrogen to break down.

Enclosed please find our OWRD *Store Water in a Reservoir* application. We have completed all the requirements up to the completed Land-Use Compatibility Statement, and are requesting your review at this time. I have enclosed a check in the amount of \$50.00 which I understand is the fee for review. Please advise if I need to supply additional information, or answer questions to facilitate your review. I can be reached at the number shown above. Please feel free to leave a message if necessary.

Sincerely,

RECEIVED BY OWRD

MAY 06 2013

2-87898

SALEM, OR

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: Pamela Perry - Schmidt
First Last

Mailing Address: PO Box 647

Heppner OR 97836 Daytime Phone: 541-676-5676
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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>15</u>	<u>25E</u>	<u>36</u>	<u>SW NE</u>	<u>6300</u>	<u>EFU</u>	☐ Diverted ☐ Conveyed ☒ Used	<u>EFU</u>
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Morrow

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) Seasonal diffuse rainfall runoff

Estimated quantity of water needed: _____ ☐ 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 wildlife habitat

Briefly describe:

This Alternate Reservoir will be used to collect seasonal runoff from rain. Its purpose is to provide water for migrating wildlife.

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. →

RECEIVED BY OWRD

MAY 06 2013

WR / FS

SALEM, OR

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): MCZO Article 3 Section 3.010
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

RECEIVED BY OWRD

MAY 06 2013

SALEM, OR

Name: Layne Wolfmüller Title: Associate Planner

Signature: [Signature] Phone: 501-922-4624 Date: 5/2/2013

Government Entity: Morrow 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: _____