

DIST 16-Ferber

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.

R-86075

Date: 11/15/04 30 day Deadline Date: 12/15/04

JOHN KULUS
320 N FIR VILLA RD
DALLAS OR 97338

1) Does the proposed reservoir or the existing water rights would they will flow and not be passed to senior water right holders that are downstream or landowner impedes water distribution. **NO** / **YES**

Explain: Potential to injure existing water rights would occur if flow could not be passed to senior water right holders or water right holders not affected by the storage season that are downstream.
Potential to injure existing water rights would occur if landowner impedes water distribution.

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

1) Require passing inflow outside the storage season or after one-time fill.
2) Require the ability to pass inflow when the need arises for water distribution.
If YES, which conditions are recommended:
3) Stipulate landowner will not impede water distribution.

1) Require passing inflow outside the storage season or after one-time fill.
2) Require the ability to pass inflow when the need arises for water distribution.
3) Stipulate landowner will not impede water distribution.
4) Suggest standard storage be used - Nov-June.

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

Who: John Blackwell Agency: DEQ Date: Emailed 2004.11.29
Who: Ann Kreager Agency: ODFW Date: _____

Watermaster: Name: Bill Ferber WM16 Date: 2004.11.29

WRD Contact: Caseworker: Anita Huffman, Water Rights Division

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