

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law.oar). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME LEABURG FISH HATCHERY - OREGON DEPT. OF FISH AND WILDLIFE		PHONE (HM)	
PHONE (WK) 503-947-6241	CELL	FAX 503-947-6202	
ADDRESS 90700 FISH HATCHERY RD.			
CITY LEABURG	STATE OR	ZIP 97489	E-MAIL * PERRY.A.BAKER@STATE.OR.US

Organization Information

NAME OREGON DEPT. OF FISH AND WILDLIFE		PHONE 503-947-6241	FAX 503-947-6202
ADDRESS 4034 FAIRVIEW INDUSTR. DR SE			CELL
CITY SALEM	STATE OR	ZIP 97304	E-MAIL * PERRY.A.BAKER@STATE.OR.US

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

AGENT / BUSINESS NAME PERRY A. BAKER		PHONE 503-947-6241	FAX 503-947-6202
ADDRESS 4034 FAIRVIEW INDUSTR. DR SE			CELL
CITY SALEM	STATE OR	ZIP 97304	E-MAIL * PERRY.A.BAKER@STATE.OR.US

Note: Attach multiple copies as needed

* 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.)

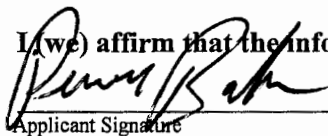
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By my signature below I confirm that I understand:

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- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet. SALEM, OR
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

Perry A. Baker
Print Name and title if applicable
Project Engineer
Print Name and title if applicable

1/10/14
Date

Applicant Signature

Print Name and title if applicable

Date

Revise

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

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
 - There are no encumbrances.
 - This land is encumbered by easements, rights of way, roads or other encumbrances.
- No
 - 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 irrigation and/or domestic use only (ORS 274.040).
 - Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

None

You must provide the legal description of : 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: <u>Wet Season Spring</u>	Tributary to: <u>McKenzie River</u>
Source 2: _____	Tributary to: _____
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

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Do you, or will you, own the reservoir(s) described in item 3A above?

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- Yes.
- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

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If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Wet Season Spring	Fish Culture	Oct. 1 Thru June 30	150 <input type="checkbox"/> cfs <input checked="" type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: zero Acres Supplemental: zero Acres
 List the Permit or Certificate number of the underlying primary water right(s): N/A
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: zero

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: N/A
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

N/A

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type): 3/4 HP Submersible

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

The spring flows off a steep hillside during heavy rainfall events. The water is captured in a concrete holding tank and pumped approximately 700 feet to the hatch house through a 3" PVC line. The pump is a 3/4 HP electric submersible. The water is used to sustain listed McKenzie River Bull Trout during heavy freshets in the McKenzie River when turbidity levels render our UV sterilization system ineffective to disinfect river water.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

The spring water will be distributed to several fish rearing troughs. The spring water will be single pass use and returned to the McKenzie River.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

The 150 gpm was requested to raise all ESA listed Bull Trout on sterile water during high water events in the McKenzie River where our UV sterilization system would not be a viable option. To monitor and control water needs, we have a valve on the PVC pipeline to control flow and a in-line flow meter to measure the amount of water being used.

SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: The Spring water is collected in a concrete vault with grating on top.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: No excavation or clearing will occur in the area.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: No equipment will be operated in or near the springs.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: No chemical products are used and erosion will be minimal because the spring water is collected in a concrete vault.

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: Project completed under Limited Water Use License LL-1191

Date construction will be completed: Completed

Date beneficial water use will begin: Water will be used as soon as approved

SECTION 8: 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

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

The spring water use will vary depending on McKenzie River flow and turbidity levels. Intended use will occur in late fall through mid spring and only when UV sterilization unit is ineffective in disinfecting the McKenzie River water.

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257-B-1

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

52-1-B
OLD NUMBER

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

CODE NO. 364

MAP NO. 16.25.31	TAX LOT NO. 1-1 2500	080 729 31	16	28	AERIAL PHOTO
ACCOUNT NUMBER		SECTION	TOWNSHIP S.	RANGE W.M.	
LOT NO.	BLOCK NO.	ADDITION			CITY

INDENT EACH NEW COURSE TO THIS POINT	LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING
		DATE OF ENTRY	DEED NUMBER	
	<p>Tract #Q-1500:</p> <p>A parcel of land lying in Government Lots 6, 8 & 9 & in the SE$\frac{1}{4}$ of the NE$\frac{1}{4}$ of Section 31, Township 16S R2E WM in Lane County, Oregon, said parcel being more particularly described as follows:</p> <p>Beginning at a 4"x4" cedar post with a 2" iron pipe set at its E face, from which post the brass capped monument marking the $\frac{1}{4}$ corner between Sections 31 & 32 in said Township and Range bears N 89° 55' 32" E, a distance of 1,052.86 ft, said post also being on the line of ordinary high-water of the left bank of the McKenzie River; thence following the said line of ordinary high-water upstream,</p> <p>N 29° 45' 35" W 148.35 ft to a point; thence N 20° 50' 30" W 410.68 ft to an iron pipe; thence N 15° 37' 55" W 248.14 ft to an iron pipe; thence N 13° 28' 50" W 250.83 ft to an iron pipe; thence N 69° 22' 00" E, leaving the said line of ordinary high-water 48.30 ft to a 3/4" steel rod; thence N 20° 38' 00" W 115.00 to an iron pipe; thence N 11° 08' 00" W 135.00 ft to an iron pipe; thence N 11° 08' 00" W 25.0 ft to a point on the W'ly extension of the center line of County Road #1101, from which point a brass plug in the center line of the bridge over the McKenzie River bears S 78° 52' 00" W 92.0 ft; thence N 78° 52' 00" E on the center line of County Road #1101 and the W'ly extension thereof, a distance of 478.0 ft to a point; thence S 22° 53' 50" E 25.54 ft to an iron pipe; thence S 22° 53' 50" E 1191.04 ft to an iron pipe; thence S 21° 00' 55" W 374.85 ft to an iron pipe; thence S 67° 05' 40" W 352.35 ft to an iron pipe on the line of ordinary high-water of the left bank of the McKenzie River; thence following the said line of ordinary high-water upstream N 17° 01' 55" W 108.33 ft to a point; thence N 30° 35' 20" W 157.42 ft to the place of beginning, containing less: 0.16 acre in County Road #1101</p>	1953	82576	20.20

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20.04



**Lane County Assessment & Taxation
Property Information Search**

This public site contains the most commonly requested Assessment & Taxation information on property located within Lane County.

Most information is updated weekly.

For copies of tax statements, please go to
<http://apps.lanecounty.org/TaxStatement/Search.aspx>.

To view tax maps, visit
<http://apps.lanecounty.org/TaxMap/Search.aspx>.

This site is for general public use only. It is not intended for commercial use.



NEW! Tax Lot Records (also known as "description

cards") are now available online for Lane County properties.

For this property, access the tax lot record by clicking the card icon [] below.

What are description cards? (click here)

Start Over



Account Number 0080729

Map, Tax Lot & SIC 16-25-31-00-02500

Site Address 90700 FISH HATCHERY RD LEABURG OR 97489

Taxpayer Address PO BOX 429 LOWELL, OR 97452

Additional Account Numbers for this Tax Lot

Owner Information

Owner	Address	City State Zip
U S GOVT ARMY CORPS OF ENGINEERS	PO BOX 429	LOWELL, OR 97452

Account Type Real Property

Special Assessment Program

Account 20.04

Acreage

Pending NO

Property Change

Property Class COMMERCIAL

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Property Value and Taxes

Real Market Value (RMV)		Total Assessed Value
Year	Land Improvement	Total
2013	\$637,357	\$1,689,202
		\$2,326,559
		\$1,907,301

2013 Taxable Value

2013 Tax

2013 Tax

**The tax shown is the amount certified for the current tax year. It does not reflect any subsequent

NOT Req'd

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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

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NOTE TO LOCAL GOVERNMENTS

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The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with

your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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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: _____
First Last

Mailing Address: _____

City State Zip Daytime Phone: _____

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:
						<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	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

NOT REQUIRED

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

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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) _____

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 _____

Briefly describe:

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. →

Surface Water/10

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): _____.
- 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 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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Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

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: _____