



TELEPHONE (503) 357-5717
FAX (503) 357-5698
WEBSITE: www.stuntzner.com
2137 19th Avenue
Forest Grove, OR 97116

COOS BAY - FOREST GROVE - DALLAS

Michael McCord
Oregon Water Resources Dept.
North Mall Office Building
725 Summer Street NE, Ste A
Salem, OR 97301

RECEIVED BY OWRD

JUL 30 2014

SALEM, OR

RE: James Taylor Pond
Deer Island, Oregon

Dear Mr. McCord:

The corrected, complete Application for a Permit to Store Water in a Reservoir for James and Donna Taylor is enclosed along with the Alternate Reservoir Application Completeness Checklist.

If you have any questions on this, please contact me at 503-357-5717 or caroltaylor@stuntzner.com.

Sincerely,
Stuntzner Engineering & Forestry, LLC

Carol Taylor
Office Assistant



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

June 16, 2014

Eric Urstadt
Stuntzner Engineering
2137 19th Ave
Forest Grove, OR 97116

Dear Eric Urstadt:

The Water Resources Department has received your application to use or store water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information, and this checklist, so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact Customer Service at the address above or by telephone at 503-986-0801.

Sincerely,

Scott Grew
Customer Service Group

Cc: OWRD Fiscal

RECEIVED BY OWRD

JUL 30 2014

SALEM, OR



HAROLD L. OLSEN - OF COUNSEL
JAMES C. HORN

TELEPHONE: (503) 397-4222
FAX: (503) 397-4224
E-MAIL: olsenhrn@opusnet.com

OLSEN, HORN L.L.C.

ATTORNEYS AT LAW
1510 St. Helens Street, Suite B
St. Helens, Oregon 97051

June 12, 2014

Michael McCord
Water Resources Department
North Mall Office Building
725 Summer Street, N.E., Suite A
Salem, OR 97301

re: James Taylor Pond
Deer Island, Oregon

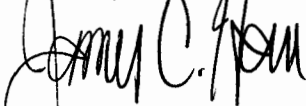
Dear Mr. McCord:

Pursuant to our recent discussions, enclosed herewith please find Mr. and Mrs. Taylor's Application for Permit to Store Water in a Reservoir regarding the Taylor Pond. Further enclosed is their check in the sum of \$550.00 representing their necessary Application fees.

Thank you very much for your attention herein.

Very truly yours,

OLSEN, HORN LLC



James C. Horn

JCH/caf

Enclosure

cc: James Taylor
w/enclosure
Eric Urstadt
w/enclosure

RECEIVED BY OWRD

JUN 13 2014

SALEM, OR

RECEIVED BY OWRD

JUL 30 2014

SALEM, OR



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

RECEIVED BY OWRD

JUL 30 2014

SALEM, OR

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: Donna and James Taylor
First Last
Mailing Address: 31941 Canaan RD
Deer Island OR 97054
City State Zip
Phone: 503-397-7903 503-397-1566
Home Work Other

Fax: _____ E-Mail Address*: _____

* 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: Eric Urstadt with Stuntzner Engineering
First Last
Mailing Address: 2137 19th Ave
Forest Grove OR 97116
City State Zip
Phone: _____ 503-357-5717
Home Work Other

Fax: _____ E-Mail Address*: ericurstadt@stuntzner.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: TAYLOR 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: Unnamed tributary Tributary to: Tide Creek

C. County in which diversion occurs: Columbia

App. No. R-87798

For Department Use

Permit No. _____ Date _____

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
5 North	2 West	2	SWSW & NWSW	500 & 300

E. Dam: Maximum height of dam: 26 feet 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: 9.19

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 Use
RECEIVED BY OWRD

JUL 30 2014

SALEM, OR

RECEIVED BY OWRD

JUN 13 2014

SALEM, OR

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:

Weyerhaeuser Columbia Timberlands ATTN: Jay Holland PO BOX 667 Longview WA

R-87778

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? 52 years. See Ex. A, attached
- 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 NA	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.

This is an existing reservoir that will be lowered to meet the standards for an alternate reservoir application. The applicant is working with Eric Urstadt Stuntzner Engineering and Forestry.

RECEIVED BY OWRD

JUL 30 2014

SALEM, OR

RECEIVED BY OWRD

JUN 13 2014

SALEM, OR

R-87998

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).

RECEIVED BY OWRD

JUN 13 2014

SEE CROSS-SECTION DIAGRAM, ATTACHED
AS EXHIBIT B

SALEM, OR

RECEIVED BY OWRD

JUL 30 2014

SALEM, OR

9. SIGNATURE

James D. Taylor

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

James D. Taylor
Landowner Signature
Bonnie Deemiller Taylor

6-12-14
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-8778

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:

James Taylor 31914 Canaan Rd, Deer Island, OR 97054

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:

Limit storage season from November 1st, - June 30th

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

☐ NO ☒ YES

Who: Ben Walzac

Agency: ODFW

Date: 05/19/14

Who:

Agency:

Date:

RECEIVED BY OWRD

Watermaster signature:



Date: 05/22/14

JUL 30 2014

WRD Contact:

Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901

SALEM, OR

NOTE: This completed form must be returned to the applicant

RECEIVED BY OWRD

JUN 13 2014

SALEM, OR

R-87978

JUL 30 2014

JUN 15 2014

SALEM, OR

ODFW Alternate Reservoir Application Review Sheet

SALEM, OR

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Donna and James Taylor
31941 Canaan RD Deer Island OR 97054

Reservoir Name: _____ Source: Unnamed Trib to Tide Cr Volume (AF): _____

Twp Rng Sec QQ: 5N2W Sec 2 SWSW & NWSW Basin Name: North Coast ☐ 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) Division of State Water.*
- 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(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 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.

we riparian. Any work must not detrimentally impact downstream water quality or disturb the riparian area.

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)

EXHIBIT A

R-87778

RECEIVED BY OWRD

JUL 30 2014

SALEM, OR

RECEIVED BY OWRD

JUN 13 2014

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)

ODFW Signature:

Tom Murtagh

Print Name:

Tom Murtagh

ODFW Title:

Dist. Fish Biologist

Date:

5-21-2014

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

Revised 10/4/12

12-8779

RECEIVED BY OWRD

Land Use Information Form

JUL 30 2014

SALEM, OR



LUCS #15-02
5202-W-3W,4W, 800
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Donna and James

Taylor

First

Last

Mailing Address: 31941 Canaan RD

Dear Island

City

OR

State

97054

Zip

Daytime Phone: (503) 397-1566

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:
5 North	2 West	2	SW 1/4	300 & 500	UNKNOWN	☒ Diverted	☒ Conveyed	☒ Used	POD
						☐ 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:

Columbia

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) Unnamed Trib to Tide Creek

Estimated quantity of water needed: 9.19 AF ☐ cubic feet per second ☐ gallons per minute ☒ acre-foot

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other Multipurpose Use

Briefly describe:

This application is for a permit to store water in and existing reservoir.

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.

RECEIVED BY OWRD

See bottom of Page 3. →

JUN 18 2014

SALEM, OR

10

R-87779

RECEIVED BY OWRD

JUL 30 2014

RECEIVED BY OWRD

SALEM, OR For Local Government Use Only

JUN 18 2014

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): Section 503.5 and 503.10 of Zoning Ordinance

☐ 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.

Storage of water in an existing reservoir is permitted in the PF-80 zone per the provision in Section 503.5 and 503.10 of the Zoning Ordinance.

Name: Deborah S. Jacob Title: Planner II
 Signature: Deborah S. Jacob Phone: 503-377-7260 Date: 7/24/14
 Government Entity: Columbia County OREGON

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: _____

R-87702

COLUMBIA County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2014

December 18, 2013 3:47:50 pm

Account # 15860
Map # 5N2W02-00-00500
Code - Tax # 0208-15860

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL

Legal Descr See Record

Mailing Name TAYLOR JAMES D & DONNA O

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser MIKE SIMPSON

Mailing Address 31941 CANAAN RD
DEER ISLAND, OR 97054

Prop Class 680 MA SA NH Unit
RMV Class 400 06 63 000 11517-2

Situs Address(s) Situs City

		Value Summary			
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0208 Land		89,060		Land	0
Impr.		0		Impr.	0
Code Area Total	7,856	89,060	136,860		0
Grand Total	7,856	89,060	136,860		0

		Land Breakdown									
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0208	1	F		CO:PF-80	Designated Forest Land	100	A	15.90	FB	006*	89,060
Grand Total								15.90			89,060

Code Area	Yr Built	Stat Class	Improvement Breakdown			TD%	Total Sq. Ft.	Ex% MS Acct #	Trended RMV
ID#			Description						
Grand Total							0		0

		Exemptions/Special Assessments/Potential Liability									
Code Area	Type										
0208		SPECIAL ASSESSMENT:									
		■ FIRE PATROL				Amount	18.75	Acres	15.9	Year	2014
		NOTATION(S):									
		■ FIRE PATROL ADDED 2006									
		■ FOREST POT'L ADD'L TAX LIABILITY ADDED 2007									

Comments: 2013 -Re-Appraisal. PTA with 16034. ms
2012 - LLA with Account 15861, + .90 AC.ms

RECEIVED BY OWRD

RECEIVED BY OWRD

JUN 13 2014

JUL 30 2014

SALEM, OR

SALEM, OR

R-87929

Columbia Timberlands • PO Box 667 • Longview, WA. 98632

March 5, 2014

**Eric Urstadt, PE, PLS
Stuntzner Engineering & Forestry, LLC
Forest Grove, Oregon**

To Eric Urstadt:

Weyerhaeuser Columbia Timberlands (WCT) grants permission to James Taylor to store water on WCT's property in Section 2-T5N-R2W, Columbia County. This permission to store water is for the volume currently established by the ordinary high water line of the reservoir/lake. It is WCT desire to have a formal agreement with James Taylor to access the lake in emergency fire situations to draw water out of the lake by pump or by helicopter bucket.

If you have any questions, please contact me at the numbers below.

Sincerely,



Jay Holland, NW Oregon Team Leader
Weyerhaeuser Columbia Timberlands
360-442-4321 office
503-970-6815 cell

RECEIVED BY OWRD RECEIVED BY OWRD

JUL 30 2014

SALEM, OR

JUN 13 2014

SALEM, OR

R-8778

Legal Description

Donna and James Taylor

Township 5 North, Range 2 West, Section 2, Tax Lot 500

RECEIVED BY OWRD

JUL 30 2014

SALEM, OR

RECEIVED BY OWRD

JUN 13 2014

SALEM, OR

1287999

JUL 30 2014

JUN 13 2014

SALEM, OR

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised June 24, 2011

SALEM, OR

Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

fishpass: As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

fishself: The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

fishapprove: The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

fishdiv33: If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

fishmay: Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

b52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.

b5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

b51a The period of use has been limited to _____ through _____.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

fulltcall: The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

riparian: If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

wq: The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

fence: The stream and its adjacent riparian area shall be fenced to exclude livestock.

blv: Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

28 1978