



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 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: Scott Gibson
First Last
 Mailing Address: 10149 Table Rock Road
Central Point Oregon 97502
City State Zip
 Phone: 541-944-6892
Home Work Other

Fax: _____ E-Mail Address*: s01gibson@aol.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: _____
First Last
 Mailing Address: _____

City State Zip
 Phone: _____
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.)

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3. LOCATION AND SOURCE

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A. Reservoir Name: 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: Rouge River

C. County in which diversion occurs: Jackson RECEIVED BY OWRD

App. No. <u>R-881A</u>	For Department Use	Date <u>JUN 22 2015</u>
	Permit No. _____	

SALEM, OR

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
36S	2W	11	SW/SW	2100

E. Dam: Maximum height of dam: 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: 1 acre-feet

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

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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:

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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.

Alt. Reservoir (Pond) will be located adjacent to existing irrigation ditch. During the irrigation season the pond will be used a bulge in irrigation system. The only water entering the pond outside of irrigation season is from runoff from the irrigation ditch. There will be an outlet gate on the downstream side of the pond to allow live-flow (runoff) from the pond outside of the allowed storage season.

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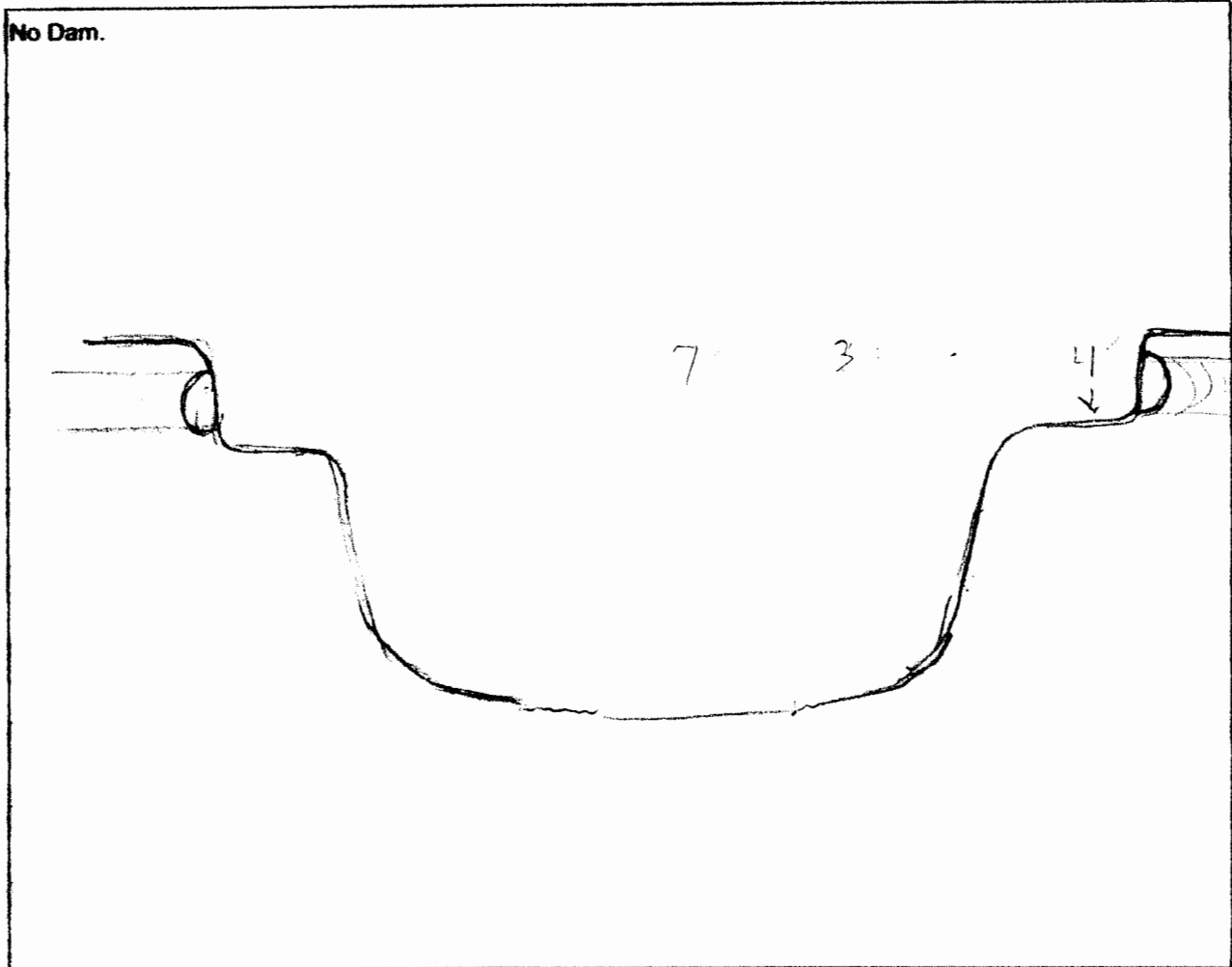
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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).



9. SIGNATURE

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

Scott Gibson
Landowner Signature

4-7-15
Date

Scott Gibson

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.

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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: Scott Gibson

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

Explain: Water is available for the purposed use.

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

If YES, which conditions are recommended:

No injury, water is available

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

Who: Agency: Date:

Who: Agency: Date:

Watermaster signature:  Date: 4/7/2015

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

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NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Scott Gibson, 10149 Table Rock rd Central Point OR 97502
541 944 6892, sg1gibson@aol

Reservoir Name: Little Pond Source: Table Rock associated ditch Volume (AF): 1 AF
Runoff

Twp Rng Sec QQ: 36S, 2W, 11, SW/SW, 2100 Basin Name: Rouge 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(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 June through November 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

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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)

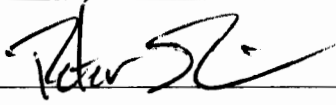
² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

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The Rogue River supports populations of state sensitive and federally threatened fish species that use this area for rearing, spawning, and migration. OWRD has determined that surface water is available for storage December through May. ODFW believes that if the permit is conditioned to reflect this storage period, impacts to fishery resources will be lessened.

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)

B5 1a. The period of use has been limited to December through
May. _____

ODFW Signature:  Print Name: Peter Samarin
ODFW Title: Assistant District Fish Biologist _____ Date: 4/20/2015 _____

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

Revised 10/4/12

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² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

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: Scott Gibson Gibson
First Last

Mailing Address: 10149 Table Rock Rd
Central Point OR 97502 Daytime Phone: 541 944 6892
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	¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
						Diverted	Conveyed	Used	
36S	2W	11	SW/SW	2100		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

Jackson

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) run off

Estimated quantity of water needed: 1 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 multi purpose

Briefly describe:

build small pond adjacent to existing irrigation ditch to be used as bulge and multi purpose storage
Irrigation

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. →

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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): Farm Use 100 4.2-1
- 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.

Name: Francisco M. Hernandez Title: Planner III
 Signature: [Signature] Phone: 541-974-6903 Date: 4-7-2015
 Government Entity: Jackson County Development Services

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: _____

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Transaction Receipt

Record Number: 439-15-00427-ZON

Receipt Number: 227821

JCBuilding@jacksoncounty.org

<http://www.co.jackson.or.us/>

Address: 10149 TABLE ROCK RD, CENTRAL POINT, OR
Parcel Number: 36-2W-11-2100

Receipt Date: 4/7/15

Fee Items Paid

DESCRIPTION	ACCOUNT CODE	AMOUNT PAID
Type I Counter Permit	3701040000.45105.1300	\$117.00
		\$117.00

Payment Summary

PAYMENT METHOD	PAYER	COMMENTS	AMOUNT PAID
Credit Card- Authorization Code: 4	ALICE GIBSON	LUCS_FH	\$117.00
			\$117.00

Card Holder Signature: _____

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Exhibit "A" with Exceptions

Commencing at the Northwest corner of Donation Land Claim No. 42 in Township 36 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon said point being the Northwest corner of the land described within Document No. 07-003674, Deed Records of Jackson County, Oregon; thence along the boundary of said described land South 0° 01' 20" West a distance of 3543.64 feet (D.L.C. survey record South 3534.96 feet) along the West line of said Donation Land Claim to the Southwest corner of said Donation Land Claim; thence South 89° 50' 16" East a distance of 739.86 feet (D.L.C. survey record East) along the South line of said Donation Land Claim; thence North 0°01' 20" East a distance of 3084.29 feet parallel with the West boundary of said claim to a 5/8 inch diameter iron pin; thence leaving the boundary of the land described within Document No. 07-003674, South 89°52'36" West a distance of 320.00 feet, parallel with the North boundary of said Donation Land Claim to a 5/8 inch diameter iron pin; thence North 0°01' 20" East a distance of 463.00 parallel with the West boundary line of said Donation Land to intersect the North line of said Donation Land Claim; thence South 89°52'36" West a distance of 419.86 feet along said Donation Land Claim to the point of beginning.

EXCEPTING THEREFROM, any portion lying within public roads or highways.

Account No. 10173696; Map 362W14 600

Subject to:

8. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.
Tax Identification : 10173696

9. An easement disclosed by instrument,
Recorded : February 6, 1958
As : V 452;P 135
In favor of : The California Oregon Power Company
For : Electric transmission and distribution purposes

10. Terms and provisions of land lease,
Recorded : April 13, 2000
As : 00-14996
Lessor : Alan S. Fleischer and June A. Fleischer
Lessee : The United States of America

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Cnt=1 Stn=3 SHAWBJ 03/28/2008 10:55:53 AM

\$5.00 \$5.00 \$5.00 \$11.00

Total:\$26.00



01315493200800117350010015

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

DEED DECLARATION

Exclusive Farm Use (EFU) District

document # 2008 010122

The undersigned, being the record owners of all of the real property described in the instrument recorded as tax ID: 10173696 (Volume, Page or Official Record number) of the deed records of Jackson County Oregon, do hereby make the following deed declaration(s) for the above-described real property, specifying that the declaration(s) shall constitute covenants to run with all of the land and shall be binding on all persons claiming under such land and that this declaration(s) shall be for the benefit of and limitation upon all future owners of said real property.

The following deed declaration(s) hereafter bind the subject property:

"The record owners, their heirs, legal representatives, assigns, and lessees hereby acknowledge and agree to accept by the placement of this covenant or the acceptance and recording of this instrument, that the property herein described is situated near land zoned Exclusive Farm Use or land in agricultural use, and as such may be subjected to common, customary, and accepted farming practices such as the operation of an orchard, feedlot, or dairy farm, any of which operations may include pesticide and herbicide spraying, weed cutting, irrigation, application of manure, fertilizer, orchard heating, and any other accepted and customary farm practices. Said practices listed above ordinarily and necessarily produce noise, dust, spray residue, smudge smoke, vapor, and other types of visual, odor, or noise pollution which Declarant accepts as a normal and necessary farming practice and as part of the risk of purchasing, constructing, or placing a residential structure and living in a farm area. This covenant also prohibits the Declarant, Declarant's heirs, legal representing assigns, lessees, and all future owners from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. In addition, fire prevention authorities may require curtailment of certain activities during the fire season."

"The grantee agrees to prohibit dogs, under the care or ownership of those residing on the property, from running at large on the subject property or adjacent properties. Any dog shall be considered running at large when it is off or outside of the premises belonging to the owner or keeper of such dog, or not in the company of and under the control of its owner or keeper. 'Running at large' does not include the use of a dog under the supervision of a person in order to legally hunt, chase or tree wildlife, use to control or protect livestock; or use in other related agricultural activities. Jackson County shall be a party to this declaration, which cannot be removed or modified without written consent of the County for so long as the subject or adjoining property is zoned Exclusive Farm Use or is in agricultural use."

The deed declaration(s) shall not be modified or terminated except by the express written consent of the owners of the land at the time, and Jackson County Development Services, as hereafter provided.

JACKSON COUNTY, a political subdivision of the State of Oregon, shall be considered a party to this deed declaration and shall have the right, if it so desires, to enforce any or all of the declaration(s) contained herein by judicial or administrative proceeding. This declaration is made pursuant to the provisions of the 2004 Jackson County Land Development Ordinance.

Dated this 26th day of March, 2008.

Scott Gibson
Record Owner

Record Owner

Alie Ann Gibson
Record Owner

Record Owner

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STATE OF OREGON)
) ss.

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