



Oregon Water Resources Department
725 Summer Street NE, Suite A Salem
Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for a Permit to Store Water in a Reservoir (Standard Review)

Standard Review Process (ORS 537): You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

Use a separate form for each reservoir. However, to obtain authorization for multiple reservoirs, multiple forms may be combined into one application if filed at the same time.

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. 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: McElligott LLC, c/o Joseph McElligott

First

Last

Mailing Address: P.O. Box 4

Ione

City

Oregon

State

97843

Zip

Phone:

1 541 422 7257

Home

Work

Other

Fax:

E-Mail Address*: joejerimac@mac.com

Agent: Dale VanSchoack

Agent: Bill Porfily
wporfily@gmail.com

daleveconsulting@gmail.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.)

We make application for a permit to construct 18 reservoirs and store the following described waters of the State of Oregon. The name of the reservoirs are R-1 through R-18.

2. SOURCE OF WATER for the proposed use: run-off from miscellaneous canyons,

tributaries of McKinney Creek, Pine Hollow, Balm Canyon, Rocky Creek, Houselog Creek and

Rhea Creek.

Is the proposed use an enlargement of an existing dam/reservoir?

No

If the reservoir is not in channel of a stream, state how it is to be filled: The reservoirs are in the bottom of what would normally be dry canyons. The reservoirs are filled from run-off from spring snow melt.

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For Department Use

App. No. _____

Permit No. _____

Date _____

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3. DAM HEIGHT AND COMPOSITION

The maximum height of the structures will be 12 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including dam height, width, crest width and surface area.

*Note: If your dam height is greater than or equal to 10.0' above land surface **AND** your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved prior to storage of water.*

Refer to attached Exhibit A for a typical dam cross section.

RESERVOIR #	DAM HEIGHT FT±	DAM WIDTH FT±	CREST WIDTH FT±	APPROX SURFACE AREA ACRES±	APPROX STORAGE AC FT±
R-1	7	130	14	0.3	1.0
R-2	10	210	23	0.8	3.8
R-3	6	130	20	0.2	0.8
R-4	7	130	12	0.2	0.8
R-5	9	210	13	0.8	3.4
R-6	10	170	15	0.4	2.2
R-7	8	300	12	0.6	3.1
R-8	11	210	15	0.5	2.7
R-9	8	70	7.5	0.1	0.3
R-10	8	190	15	0.2	1.2
R-11	12	130	7.5	0.3	1.7
R-12	8	150	7.5	0.4	1.7
R-13	11	150	17.5	0.3	1.2
R-14	7	100	10	0.2	0.6
R-15*	10	100	10	0.2	1.2
R-16	9	110	17.5	0.2	0.8
R-17*	12	130	15	0.3	1.7
R-18*	12	130	15	0.3	1.7
Totals				6.3	29.9

* Not constructed at this time.

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The dams will be (check one): **Earthfill**

If "other" give description:

4. PRIMARY OUTLET WORKS

Describe the location and the dimensions of the outlet conduit through the dam:

All but three of the dams/reservoirs are existing structures and have been for some time. They are relatively small structures located in the bottom of what are normally dry canyons. The embankment material for construction of the dams was excavated from the bottom area of the reservoirs just upstream of the dams. Water from snow runoff fills the small reservoirs behind the dams.

In a few instances the development of the dam/reservoirs has established some areas of vegetation down grade from the dam/reservoirs. This vegetation is supported by seepage from the impoundments. In these instances the location of the reservoirs are in a relatively flat area of the canyon and/or there is another reservoir a short distance down grade. These areas are enhanced areas for wildlife. If not supported by another reservoir, a short distance down grade from where these vegetative areas are located the bottom of the canyon is dry and void of any evidence of surface flow.

There is no natural stream flow in the bottom of the canyons where the dams are constructed, therefore, there is no need to provide a conduit through the dams to allow stream flow to pass. If it is necessary to empty the reservoirs, the owner has a portable pump that can be used.

Installing a conduit through the existing embankments would likely impair the structural integrity of the dams.

A variance from installing conduits through the dams is being requested with this application.

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

5. EMERGENCY SPILLWAY

Describe the location and the dimensions of the spillway channel:

In most instances there is a shallow trapezoidal shaped spillway channel excavated around one end of the dams at the abutment of the dam embankment to the natural side slope of the canyon. These spillway are excavated into the side slope to the canyons more or less around the dam embankment. The bottom of the spillways have a gradual slope which intersects the normal canyon bottom away from the toe of the dam embankment.

In a couple of instances, R-4 and R-13, a pipe has been installed at the top of the dam embankments to act as a bypass.

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6. THE USE(s) of the impounded water will be:

The impounded water will be used for wildlife, livestock, and fire protection. Seepage from some of the impoundments will support small areas of vegetation for wildlife.

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7. **THE AMOUNT OF WATER** to be stored is: **29.9** acre-feet in 16 small reservoirs (.See Table under Section 3). The area submerged by the reservoirs, when filled, will be: **6.3** acres in 18 small reservoirs (See Table under Section 3).

8. PROJECT SCHEDULE: (List Month and Year)

Proposed date construction work will begin: Construction is complete on all the reservoirs except R-15, R-17, & R-18. Construction on R-15, R-17, & R-18 will begin within 3 years of issuance of the permit.

Proposed date construction work will be completed: Construction is complete on all the reservoirs except R-15, R-17, & R-18. Construction on R-15, R-17, & R-18 will be complete within 4 years of issuance of the permit.

Proposed date water use will be completed: Water Use will be completed within 5 years of issuance of the permit.

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars)

No federal funds have been or will be used for construction of the reservoirs. The owner will provide all funding for the project.

9. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water? **YES**

Yes (Please check appropriate box below then skip to section 10)

☒ There are no encumbrances

This land is encumbered by **easements**, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

☐ (Please check the appropriate box below)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or an 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).

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.

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List the names and mailing addresses of all affected landowners:

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10. WITHIN A DISTRICT

This section is Not Applicable to this permit application.

☐ 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

11. MAP REQUIREMENTS The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section and quarter/quarter section of the proposed reservoir location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

See attached application map.

12. SIGNATURE

By my signature below I confirm that I understand:

- 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.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- 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 certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Applicant: McEligott LLC by Joseph R. McEligott 7-7-15
Signature (If more than one applicant, all must sign.) Date

Applicant: _____
Signature (If more than one applicant, all must sign.) Date

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Before you submit your application be sure to:

- Answer each question completely.
- Attach a legible map that includes township, range, section, quarter/quarter and tax lot.
- Include a Land Use Information Form or receipt stub signed by a local official.
- Include the legal description of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance policy to meet this requirement.
- Include a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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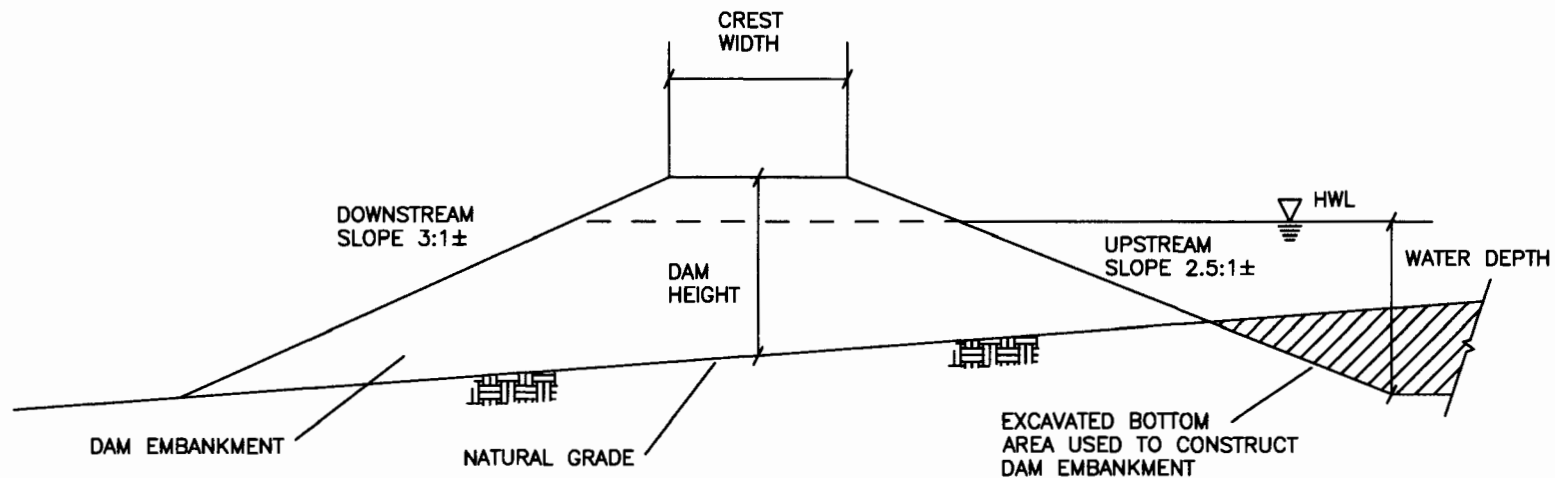
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Application for a Permit to Store Water in a Reservoir
Applicant: McElligott LLC, c/o Joseph McElligott

Exhibit A.
Attachment to:
Section 3. Dam Height and Composition



TYPICAL CROSS SECTION THROUGH DAMS

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R-98107

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.

NOTE TO LOCAL GOVERNMENTS

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 30day 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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Morrow County

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) Spring Snow Melt

Estimated quantity of water needed: cubic feet per second gallons per minute **29.9** acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other Livestock, wildlife, fire protection

Briefly describe:

This Land Use Information Form is associated with a Reservoir Permit application by Joe McElligott for 18 small reservoirs/dams to store water for livestock, wildlife and fire protection in the upper reaches of the Rhea Creek drainage.



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 landuse 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:	
		Obtained	Being Pursued
		Denied	Not Being Pursued
		Obtained	Being Pursued
		Denied	Not Being Pursued
		Obtained	Being Pursued
		Denied	Not Being Pursued
		Obtained	Being Pursued
		Denied	Not Being Pursued
		Obtained	Being Pursued
		Denied	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: Carla BMCLane Title: Planning Director
 Signature: [Signature] Phone: 541 922 4624 Date: 7/7/2015
 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: _____

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R-0007

Preliminary Report No. 7592
Page Five
October 14, 1992

Legal Description Continued:

Section 8: All.

Section 9: All.

Section 10: The West Half; The South Half of the Southeast Quarter.

Section 14: The West Half.

Section 15: All.

Section 16: All.

Section 17: All.

Section 18: Government Lot 1, also known as the Northwest Quarter of the Northwest Quarter; All of that portion of Government Lot 2, also known as the Southwest Quarter of the Northwest Quarter lying North of the County Road; The East Half of the Northwest Quarter; The Northeast Quarter; The North Half of the Southeast Quarter; The Southeast Quarter of the Southeast Quarter.

Section 19: The East Half of the Northeast Quarter.

Section 20: The North Half of the Southwest Quarter; The Northwest Quarter; The North Half of the Northeast Quarter.

Section 21: The Northeast Quarter; The East Half of the Northwest Quarter; The Northwest Quarter of the Northwest Quarter.

Section 22: The North Half; The Southeast Quarter.

Section 23: The Northwest Quarter; The West Half of the Southwest Quarter; The Southwest Quarter of the Northeast Quarter.

EXCEPTING THEREFROM all roads and road rights of way.

PARCEL III:

The following described property in Section 34, Township 5 South, Range 25, East of the Willamette Meridian, Morrow County, Oregon.

Lots 1, 2, 3, 4 and 5, Block A, Adams First Addition to Hardman, Oregon.

Lots 1, 2, 3, 4, 5, 6 and 7, Block B, Adams First Addition to Hardman, Oregon.

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reliminary Report No. 7592
Page Four
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EXHIBIT "A"

PARCEL I:

Township 5 South, Range 26, East of the Willamette Meridian, Morrow County, Oregon.

Section 7: The Southeast Quarter of the Northwest Quarter.

PARCEL II:

Township 5 South, Range 25, East of the Willamette Meridian, Morrow County, Oregon.

Section 12: The South Half of the Northeast Quarter; The Southeast Quarter.

Section 13: Beginning at the Northeast corner of Section 13; Thence West 39.38 chains; Thence South 49° East 31.00 chains; Thence South 74° East 16.40 chains to the Range line between Ranges 25 and 26; Thence North on the Range line 24.00 chains to the place of beginning.

EXCEPTING THEREFROM all roads and road rights of way.

Township 5 South, Range 26, East of the Willamette Meridian, Morrow County, Oregon.

Section 3: The South Half of the Southwest Quarter.

Section 4: The Southwest Quarter; The West Half of the Southeast Quarter.

Section 5: The South Half; The South Half of the Northwest Quarter; A portion of the Southwest Quarter of the Northeast Quarter described as follows: Beginning at the Southwest Corner of the Southeast Quarter of the Northeast Quarter; Thence West to the Southwest Corner of the Northeast Quarter; Thence North to the Southwest Corner of the Northwest Quarter of the Northeast Quarter; Thence Southeasterly to the point of beginning.

Section 6: The East Half of the Southeast Quarter.

Section 7: Government Lots 1, 2, 3 and 4, also known as the West Half of the West Half; The East Half of the Southwest Quarter; The Northeast Quarter of the Northwest Quarter; The East Half.

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