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

FEB 05 2016

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: WHITE OAK FARM & EDUCATION CENTER
First Last
Mailing Address: PO BOX 450
WILLIAMS OR 97544
City State Zip
Phone: 541 846-0776 →
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: TAYLOR STARR
First Last
Mailing Address: PO BOX 450
WILLIAMS OR 97544
City State Zip
Phone: 541 846-0776 →
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.)

3. LOCATION AND SOURCE

A. Reservoir Name: WHITE OAK 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: SURFACE RUNOFF Tributary to: MARBLE GULCH

C. County in which diversion occurs: JOSEPHINE

App. No. R-00170

For Department Use
Permit No. _____

Date _____

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
38 S	5W	32	SW/5W	400

E. Dam: Maximum height of dam: 9 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: 0.8 ACRE FT

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

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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) WHITE OAK FARM & EDUCATION CENTER

☒ 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:

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 *NA*
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 *NA*

☐ 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.

EXISTING POND USED FOR IRRIGATION. OUTLET PIPE AT BOTTOM OF POND IS USED TO PASS WATER OUTSIDE THE STORAGE SEASON. SOURCE IS SURFACE RUN-OFF. THERE IS AN EXISTING SPIGWAY.

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WHITE OAK POND
OFF CHANNEL EXISTING POND).

$D = 9'$
 $L = 50'$
 $W = 60'$

 Landowner Signature

10/15/15
 Date

FOR WHITE OAK FARM ? EDUCATION CENTER

FOR WHITE OAK FARM & EDUCATION CENTER

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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:

white oak Farm + Education Center

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

NA

If YES, which conditions are recommended:

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

☒ NO

☐ YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

Kelly S. [Signature]

Date:

9-11-2015

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

Pete
Samarin
826 8774

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: WHITE OAK FARM & EDUCATION CENTER
1940 KINCAID RD
WILLIAM OZ 97544 TAYLOR STARR 541 846 0776

Reservoir Name: WHITE OAK Pond Source: RUNOFF Volume (AF): 0.6 ACRE FI

Twp Rng Sec QQ: 38S SW 32 SW 34 Basin Name: MARBLE CREEK ☐ 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 April
 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)

R-88170

This reservoir is located within a watershed that drains into the West Fork of Williams Creek. The West Fork of Williams Creek provides high value habitat for coho salmon (Federally threatened) summer (state sensitive) and winter steelhead, and coastal cutthroat trout. However, if this application is conditioned as recommended by ODFW detrimental impacts to fishery resources can be lessened. In addition, there exists an instream water right on the West Fork of Williams Creek (IS70976A) and this reservoir should not impound water if the reserved instream flows are not being met.

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)

 b51a The period of use has been limited to December through March.

ODFW Signature:  Print Name: Peter Samarin

ODFW Title: Assistant District Fish Biologist _____ Date: 12/17/15 _____

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

Revised 10/4/12

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R-9878

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: TAYLOR STARR, EXECUTIVE DIRECTOR FOR WHITE OAK PARK
First Last EDUCATION CENTER

Mailing Address: PO BOX 450

WILLIAMS OR 97544 Daytime Phone: 541 846-0776
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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
38 S	SW	32	SW/1/4	400		☒ Diverted ☐ Conveyed ☐ Used	existing pond
						☐ 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:

Josephine

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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) Runoff

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 existing pond

Briefly describe:

EXISTING POND USED TO STORE IRRIGATION WATER FROM MARBLE SLUIC. STORES SURFACE RUNOFF DURING WINTER.

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. →

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): 64.020.A; 65.020.B.2, RDC
- ☐ 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.

Josephine County Planning
700 NW Dimmick Street
Suite C
Grants Pass, OR 97526

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Name: Eric Porter Title: Planner II

Signature: [Signature] Phone: 541-474-5420 Date: 1-28-16

Government Entity: Josephine 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: Taylor Stars / WHITE OAK FARM & EDUCATION CENTER

City or County: Josephine Co. Staff contact: Eric Porter

Signature: [Signature] Phone: 541 474 5420 Date: 1-28-16

R-88178



White Oak Farm & Education Center

PO Box 450 Williams, Oregon 97544 541.846.0776 www.whiteoakfarmcsa.org

2/9/16

JEFFREY,

INCLUDED IS THE LEGAL DESCRIPTION
FOR WHITE OAK FARM'S ALTERED RESERVOIR
APPLICATION. LET ME KNOW IF YOU
NEED ANYTHING FURTHER.

THANKS,

 Taylor Starr

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SALEM, OR

R-88178

LEGAL DESCRIPTION**Parcel 1:**

The West half of the Southwest Quarter of Section 32, Township 38 South, Range 5 West of the Willamette Meridian in Josephine County, Oregon. EXCEPTING THEREFROM the following: Beginning at the Southwest corner of Section 32, Township 38 South, Range 5 West of the Willamette Meridian in Josephine County, Oregon; thence East along the South line of said Section 32, a distance of 1320 feet to the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 32; thence North 40 feet; thence North 60°15' West 245 feet; thence North 44°52' West 254 feet; thence North 57°10' West 228 feet; thence North 16°36' West 205 feet; thence North 60° West 228 feet; thence North 47° West 207 feet; thence North 50°28' West 372 feet; thence North 19°18' West 180 feet to the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 32; thence South, along the West line of said Section 32, a distance of 1320 feet to the point of beginning.

Parcel 2:

Easements for Ingress and egress as created by Instrument Nos. 85-15096 and 85-15097, Official Records of Josephine County, Oregon.

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Report No. 26-36282

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