

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: Jeff	Phillip		_
Mailing Address: 42109 Miles Bridge R	d.	Last	_
Baker City	OR	97814	
City Phone: (541)518-1011	State	Zip	_
Home	Work	Other	_
Fax:* * By providing an e-mail address, conser	_ E-Mail Address*:	nondence from the department	-
electronically. (paper copies of the final			
	2. AGENT INFORMATION	I	
The agent is authorized to repr	esent the applicant in all mat	tters relating to this application.	
Agent:First		Last	4
Mailing Address:			_
City Phone:	State	Zip	_
Phone: Home		Other	
Fax:	E-Mail Address*:	- Land Country In the state of	_
Fax:* * By providing an e-mail address, consequent control of the final electronically. (paper copies of the final electronically).	nt is given to receive all corres order documents will also be i	mailed.)	EIVED BY C
3	3. LOCATION AND SOURC	E	MAR 2 3 2016
A. Reservoir Name: Phillips Pond		14	4AN & 3 ZUIO
B. Source: Provide the name of the water of the stream or lake it flows into. Indic Source: Unnamed Spring	ate if source is run-off, seepage	e, or an unnamed stream or spring.	SALEM, OR
C. County in which diversion occurs:	Baker		
App. No	For Department Use Permit No	Date	

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number	
7 S	46E	32	NE,NE	203	

E. Dam: Maximum height of dam: N/A feet. If excavated, write "zero feet".	
F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume i acre-feet: <u>.1 af</u>	n
Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Feder dollars) Yes V No	al stimulus
4. WATER USE	
Indicate the proposed use(s) of the stored water. NOTE: You may wish to consider filing for use" for your reservoir. Multipurpose use does not limit the types of future uses for the sto Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, in agriculture, fire protection and pollution abatement. If any use will be out of reservoir use, rethe type of storage listed, a secondary application must be filed to appropriate the stored water.	red water. rrigation,
Multipurpose Use.	
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 encum	brances
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 of state-owned submersible lands, and this application is for irrigated and/or domestic use only (OR (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:	
Walter L. Dillman	RECEIVED BY OWRD
47334 Slaughterhouse Rd. Halfway OR, 97834	MAR 2 3 2016

6. ENVIRONMENTAL IMPACT

A. Channel: Is the reservoir: in-stream or B. Wetland: Is the project in a wetland? Yes C. Existing: Is this an existing reservoir? Yes If yes, how long has it been in place? 20 ye D. Fish Habitat: Is there fish habitat upstream of the If yes, how much? miles. E. Partnerships: Have you been working with other a Indicate agency, staff and phone numbers of those involthis project.	No Don't know No ears. proposed structure? Yes agencies? Yes	lo					
7. WITHIN	7. WITHIN A DISTRICT						
Check here if the point of diversion or place of other water district.	use are located within or se	erved by an irrigation or					
Irrigation District Name N/A	Address N/A						
City N/A	State N/A	Zip N/A					

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.

The pond is filled from a small unnamed spring. There is an outlet pipe foe the live flow water to pass out of the pond. The pond will have no affect to neighboring Irrigation.

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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).

No 1	Damn	Construted.	Duy hole.	

9. SIGNATURE

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

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.

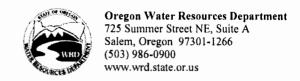
Application #: R-	Applicant's Name:	Jeff Pl	illips			
1) Does the proposed rese	ervoir have the potentia	al to injure existing w	ater rights?	8 has	□ YES Not	received
Explain: Existing a complain	nut .	7				
2) Can conditions be appl	lied to mitigate the pot	ential injury to existi	ng water rights?	□ NO	YES	
If YES, which conditions Outlet Co						
3) Did you meet with staff	f from another agency	to discuss this applic	ation?	≅ ∕No □	YES	
Who:	Agency:		D	ate:		
Who:	Agency:		D	ate:		
Watermaster signature: WRD Contact: Casewo		Rusk Date				

NOTE: This completed form must be returned to the applicant

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Land Use Information Form



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 <u>all</u> 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 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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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: Teff Phillips									
Mailing Ad	ldress:	4210)9	Miles	Bridge	Rd.	, p		
Baker City OR 97814 Daytime Phone: #541-518-1011									
A. Land	and Loc	ation_							
and/or used	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:
7	46E	32	NE, NE	203		☐ Diverted	☐ Conveyed	₩ Used	Storage
	142		7,10,1110			☐ Diverted	☐ Conveyed	Used	7,4
						□ Diverted	☐ Conveyed	Used	
						□ Diverted	☐ Conveyed	Used	
Permit	plication to	be filed water	ith the Wate	r Resources I Right Transfe tion of Conser	r 🔲 Permi	t Amendment inge of Water	or Ground Wat	ter Registra	tion Modification
Source of v	vater: 🔲 I	Reservoir/Po	ond 🔲 G	Fround Water	Surface Water (name) <u>Un</u>	and Sp	ring	
Estimated of	quantity of	water need	led: . 1		cubic feet per	second 🔲	gallons per mir	nute 💢 a	cre-feet
Intended use of water:									
Iam	Briefly describe: I am applying for Storage use on Pond. The Pond 15 40ft x 35ft a cross and 3ft deep.								
Note to ap representat Departmen	ive sign th	the Land I e receipt at	Jse Informat the bottom	ion Form car of the next pa	nnot be completed while and include it with	e you wait, p the application	lease have a lon filed with	ocal gover	rnment Resources DBY OWRD

See bottom of Page 3. \longrightarrow

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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.

your comprehensive plan. Cite applicable or	r uses (including proposed construction) are a dinance section(s): 410,02(A)(1	1)	
	cumentation of applicable land-use approvals mpanying findings are sufficient.) If approva	which have all	eady been obtained.
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-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
			011711 05
ame: Kara Hams	Title: Panne	V.	SALEM, OF
gnature:	Phone: 541-523-5	8219	Date: 3-4-2016
		-	
overnment Entity: Bouser G+	y-County Planning	Depa	irtment
ote to local government representative: Ple gn the receipt, you will have 30 days from the aformation Form or WRD may presume the lar lans.	ase complete this form or sign the receipt belowater Resources Department's notice date to ad use associated with the proposed use of war	ow and return is return the com- ter is compatib	pleted Land Use le with local comprehensive
ote to local government representative: Ple ign the receipt, you will have 30 days from the information Form or WRD may presume the lar lans.	ase complete this form or sign the receipt below Water Resources Department's notice date to and use associated with the proposed use of water	ow and return is return the com ter is compatib	pleted Land Use le with local comprehensive
ote to local government representative: Ple gn the receipt, you will have 30 days from the information Form or WRD may presume the lar lans. Receipt f	ase complete this form or sign the receipt belowater Resources Department's notice date to add use associated with the proposed use of water Request for Land Use Information	ow and return is return the com ter is compatib	pleted Land Use le with local comprehensive
Note to local government representative: Ple ign the receipt, you will have 30 days from the information Form or WRD may presume the lar lans.	ase complete this form or sign the receipt belowater Resources Department's notice date to ad use associated with the proposed use of water Request for Land Use Information	ow and return is return the comter is compatib	pleted Land Use le with local comprehensive



ODFW Alternate Reservoir Application Review Sheet

્રામિકામું જાતાં તે તે જેવા તે
Applicant Name/Address/Phone/Bmail: Jeff Phillips
42109 Miles Bridge Rd.
Reservoir Name: Phillips Pond Source: Springs Volume (AF): 1
Twp Rng Sec QQ: 075 46 E 32 NENE as Basin Name: Buder Din-channel
Note: It is unlikely that ODFW will be able to complete this form while you walt, 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.
િલુમાં મુંજીતીના લેના દિલ્લામાં કે લેવા કરેલા છે. જે જે માના માના જે માર્કા છે. જે
1) Is the proposed project and AO' off channel?
2) Is the proposed project or AO located where NMF ² are or were historically present?
3) If NMF are or were historically present: a. Is there an ODFW-approved fish-passage plan?
4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or dewnstream? 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.

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¹ AO = Artificial Obstruction means any dain, diversion, culvert of other human-made device placed in waters of this state that preciudes or prevents the migration of native migratory fish. ORS 509.580 (1)

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

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***		**************************************		· · · · · · · · · · · · · · · · · · ·
		-		
If YES, can conditions be applied to	o mitigate the signification M	ficant detrimental imp Ienu of Conditions or	pact to an existing next page)	g fishery resource?
b5/a: The period	el at use	his been	Timited!	ho:
				1
		A consequence of the same	a d	
	4	·		
<u> </u>	anagement of the control of the cont			
			· · · · · · · · · · · · · · · · · · ·	· · · · ·
ODFW Signature Lange D. Bear	<i>g</i>	Print Name: 772	nothy D	Bailey
ODFW Title: Distret Fish B	ologist.	Date: 2/29	116	•
NOTE: This completed form must be	-	•		
Revised 10/4/12			REC	EIVED BY OWR

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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: Not withstanding 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
- b51a The period of use has been limited to Oct 1 through Apr 14.
- b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- 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.

futile call: 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.



3/11/16 8:45 POTENTIAL LIABILITY	REAL	PRO	PERTY	' INQUIRY	BC A10100
REF # 2016 R 18275	112112	11101		111201111	1110100
MAP# LOT# A NUM CODE PCL 07S4632 203 6106 550		VA	ZONE EFU	PAR# %.xxxx	REAL# PR
OWNER DILLMAN, WALTER L	330 3		<u> </u>	ET ALS	
CNTRCT		Pg	1		
ADDR			-		
47334 SLAUGHTERHOUSE RD			_		
CTY/ST HALFWAY, OR 97834			_		
SC DEF SITUS:			_		
SITUS:			_		
L/LE/X/EM:				ACTION CDS	MAPCODE 6106
YR AP 2011 APPR TM TROY LEPLEY				${\it SEGREGATION}$	
ACRES 2.00 SPC ASM					
$RMV \qquad M5 \ VALUE$	TOTAL	AV			
LAND				NOTES	
IMPROV					
SUBTOT					
LESS EXEMPTIONS:					
LESS VET EXEMPT:			_		
NET VALUES:	_				

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

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2-8896

I Mr. Walter L. Dillman give consent to Jeff Phillips to apply for water rights on the pond in tax lot #203 in the NE 1/4, NE 1/4 of Section 32 Range 46 of Township 7S.

Walter & Odlman

Signed

3/17/2016

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SALEM, OH