



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: Peter Dinsdale
First Last
Mailing Address: PO Box 357
Independence OR 97351
City State Zip
Phone: 503-838-3779
Home Work Other
Fax: 503-838-1050 E-Mail Address*: peterbdins@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.)

2. AGENT INFORMATION

The agent is authorized to represent the applicant in all matters relating to this application.

Agent: Willy Dinsdale
First Last
Mailing Address: PO Box 357
Independence OR 97351
City State Zip
Phone: 503-838-3779
Home Work Other
Fax: 503-838-1050 E-Mail Address*: dinsdalw@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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Rannoch 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: Bates Creek Tributary to: Battle Creek
C. County in which diversion occurs: Marion

App. No. <u>R-88477</u>	For Department Use Permit No. _____	Date _____
-------------------------	--	------------

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
8S	3W	30	NW/SE	300

E. Dam: Maximum height of dam: 16 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: 9.1

Acre-feet = $\frac{(\text{Average Length})(\text{Average Width})(\text{Average Depth})}{43,560}$

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 to include irrigation, agriculture, aesthetics and other uses.

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:

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.

This waterway only has any surface flow during the largest storms, perhaps five or six times a year. Most of the flow in the upper reaches of this waterway are subsurface and began to reach the surface a short distance downstream of the proposed impoundment, near its confluence with a comparably sized drainage joining from the south.

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.

I propose an in-stream diversion, impounding the headwaters of Bates Creek which is described on other Marion County as the South Fork of Battle Creek. This entails constructing a dam along the south border of the long east-west segment of tax lot 300 in Township 8S, Range 3W, Section 30, where the creek intersects this boundary, which is also the property line. Based on preliminary surveying and calculations a 16' high dike measured from the bottom of the drainage at the property line will provide about 9 acre feet of storage capacity. The dike will be constructed along the property line at a uniform height until it intercepts current grade at 16' above the bottom of the drainage.

A concrete spillway will be constructed to allow water to flow past the dam when it is filled. The spillway and a section view of the dam are shown in the attached drawings. The spillway will be made of concrete and have concrete on the downstream surface of the dike, returning the water to the original watercourse and minimizing erosion as water flows through.

As the reservoir fills, it collects the upstream flow of the creek basin. Upon filling water flows down the spillway and continues downstream. The spillway is sized 5' by 2' and assuming a flow rate of 5 feet per second during a severe rain event, will accommodate 50 cubic feet per second. I estimate the size of the basin where this reservoir is proposed, to be about 60 acres. If the ground is fully saturated and 5" of rain falls over 24 hours, then the average discharge for the basin over the spillway during this rain event will be 12.6 cubic feet per second.

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).

See attached drawing.

9. SIGNATURE

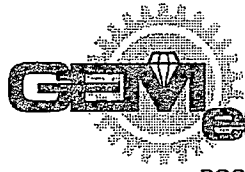
I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.


Applicant Signature

9/22/2017
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.

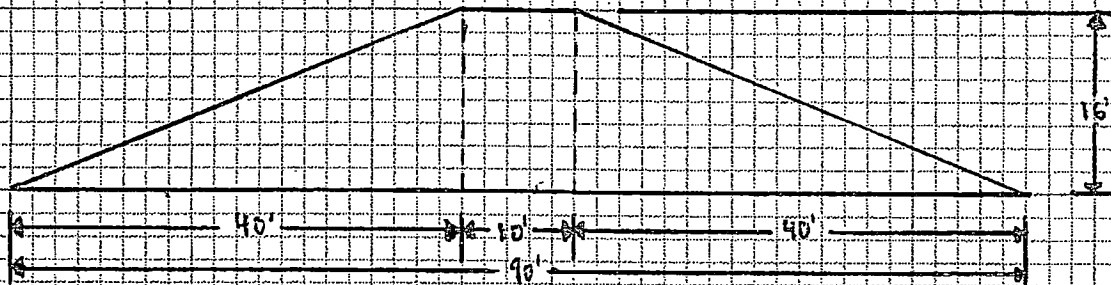


GEM equipment OF OREGON inc.

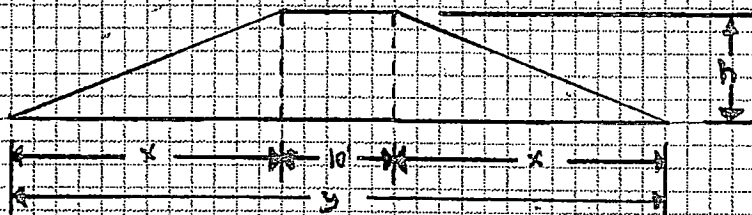
POST OFFICE BOX 359 / WOODBURN, OREGON 97071 / PHONE (503) 982-9902 / FAX (503) 981-6316

SCALE: $\frac{1"}{2}$

TALLEST DAM
SECTION VIEW



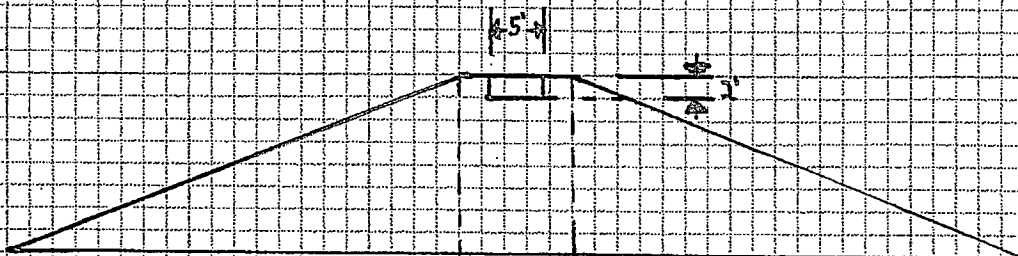
SECTION HEIGHT DEPENDS ON ORIGINAL
GRADE ELEVATION. STANDARD DAM SECTION BELOW



$$x = 2.5 \cdot h$$

$$y = 5 \cdot h + 10$$

SPILLWAY DETAIL



R-88477

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: Peter Dinsdale
First Last

Mailing Address: PO Box 357

Independence OR 97351 Daytime Phone: 503-833-3779
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 ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
85	3W	30	NW/SE	300	EFU	☒ Diverted ☒ Conveyed ☐ Used	
85	3W	30	NW/SE	200	EFU	☐ Diverted ☒ Conveyed ☒ Used	
85	3W	30	NW/SE	500	EFU	☐ Diverted ☒ Conveyed ☒ Used	
85	3W	30	NW/SE	700	EFU	☐ Diverted ☒ Conveyed ☒ Used	

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

I propose building a small reservoir storing 2.1 acre feet of water at the headwaters of Bates creek, a tributary to Battle Creek. I will install buried pipe after constructing this reservoir to irrigate my crops. All water will only be diverted from the headwaters of Bates Creek in Marion 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) Bates Creek South Fork Battle Creek on

Estimated quantity of water needed: 2.1 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet same county maps

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

Briefly describe:

See above. I propose a reservoir to store the winter/rainy season run-off for irrigating crops in late spring, summer, and early fall.

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): MCC 13.137

☐ 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.

Name: Patty Davis Title: Assistant Planner
 Signature: Patty Davis Phone: 503-588-5038 Date: 9/21/17
 Government Entity: Marion County Planning

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: Marion County Planning Divis
 City or County: 5155 Silverton Rd. NE Staff contact: _____
Salem, OR 97305
 Signature: _____ Phone: _____ Date: _____

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Peter Dinsdale, PO Box 357,
Independence OR 97351 peterbdins@gmail.com
Reservoir Name: RANDOLPH POND Source: BATTLE CREEK Volume (AF): 9.1
OFF OF COLE ROAD
Twp Rng Sec QQ: _____ Basin Name: Battle 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 _____ 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.

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)
12-902400

☐ **NO** (explain) ☐ **YES** (select from Menu of Conditions on next page)

Print Name:

Date:

40102

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: Willy Dinsdale 8S3W30TL300

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: NA

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

☒ NO ☐ YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:



Date: 9/27/17

WRD Contact:

Caseworker:

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

NOTE: This completed form must be returned to the applicant

SPECIAL WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That Reynolds Metals Company, a Delaware Corporation, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Peter Dinsdale and Molly Dinsdale, Trustees, or their successors in trust, under the Peter and Molly M. Dinsdale Living Trust, dated March 5, 1992, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Marion, State of Oregon, described as follows, to-wit:

Beginning on the North line of the South 1/2 of Section 30 in Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, at a point which is 20.00 chains East from the quarter corner on the West line of said section; thence South 0°10' West parallel with the West line of said section 20.085 chains; thence West parallel with the North line of the South 1/2 of said Section 7.50 chains; thence South 0°10' West 5.00 chains; thence East 20.700 chains; thence South 0°10' West 14.970 chains to a point on the South line of said section; thence North 89°42' East 8.460 chains to the quarter corner on the South line of said section; thence South 89°15' East along the South line of said section 14.740 chains; thence North 0°10' East 19.230 chains; thence East 20.570 chains; thence North 0°10' East 20.970 chains to a point on the North line of the South 1/2 of said section; thence West 56.970 chains to the place of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 295,000.00

ⓈHowever, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). Ⓢ(The sentence between the symbols Ⓢ, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument on _____, 19____; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

STATE OF OREGON, County of _____) ss.

This instrument was acknowledged before me on _____, 19____,

by _____

This instrument was acknowledged before me on _____, 19____,

by _____

as _____

of _____

Notary Public for Oregon

My commission expires _____

Reynolds Metals

GRANTOR'S NAME AND ADDRESS

Dinsdale

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mr. & Mrs. Dinsdale

72405 River Rd

Salem, OR 97306

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Mr. & Mrs. Dinsdale

72405 River Rd

Salem, OR 97306

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____) ss:

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME TITLE

By _____ Deputy

SPACE RESERVED
FOR
RECORDER'S USE



Oregon Water Resources Department
Permit to Appropriate Surface Water for Storage - Alternate Reservoir Application

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Tuesday, January 16, 2018

Base Application Fee for Storage of Surface Water.		\$410.00
Proposed Dam Height in feet.	16	
Proposed Reservoir volume in Acre Feet.	9.1	\$350.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,280.00

OWRD Fee Schedule

Fee Calculator Version: B20170117