

**Oregon Water Resources Department
Alternate Reservoir Application**[Main](#) [Help](#)
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For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Thursday, December 20, 2018

Base Application Fee.		\$410.00
Proposed Dam Height in feet.	9	
Proposed Reservoir volume in Acre Feet.	3.6	\$140.00
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		\$1,070.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

12-88607



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: DAVID Stibgen
First Last

Mailing Address: 30731 CARNELIAN COURT

LEBANON OREGON 97355
City State Zip

Phone: 541 979 5184 541 369 1394
Home Work Other

Fax: _____ E-Mail Address*: DDStibgen@hotmail.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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Wood Duck 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: SPRING/RUN OFF Tributary to: CALAPOOIA

C. County in which diversion occurs: _____

App. No. R88687

For Department Use

Permit No. _____ Date _____

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D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
12S	2W	35	NESW	1600

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: 3.6 Acre/FT 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.

multi purpose

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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)

☒ 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? 40 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.

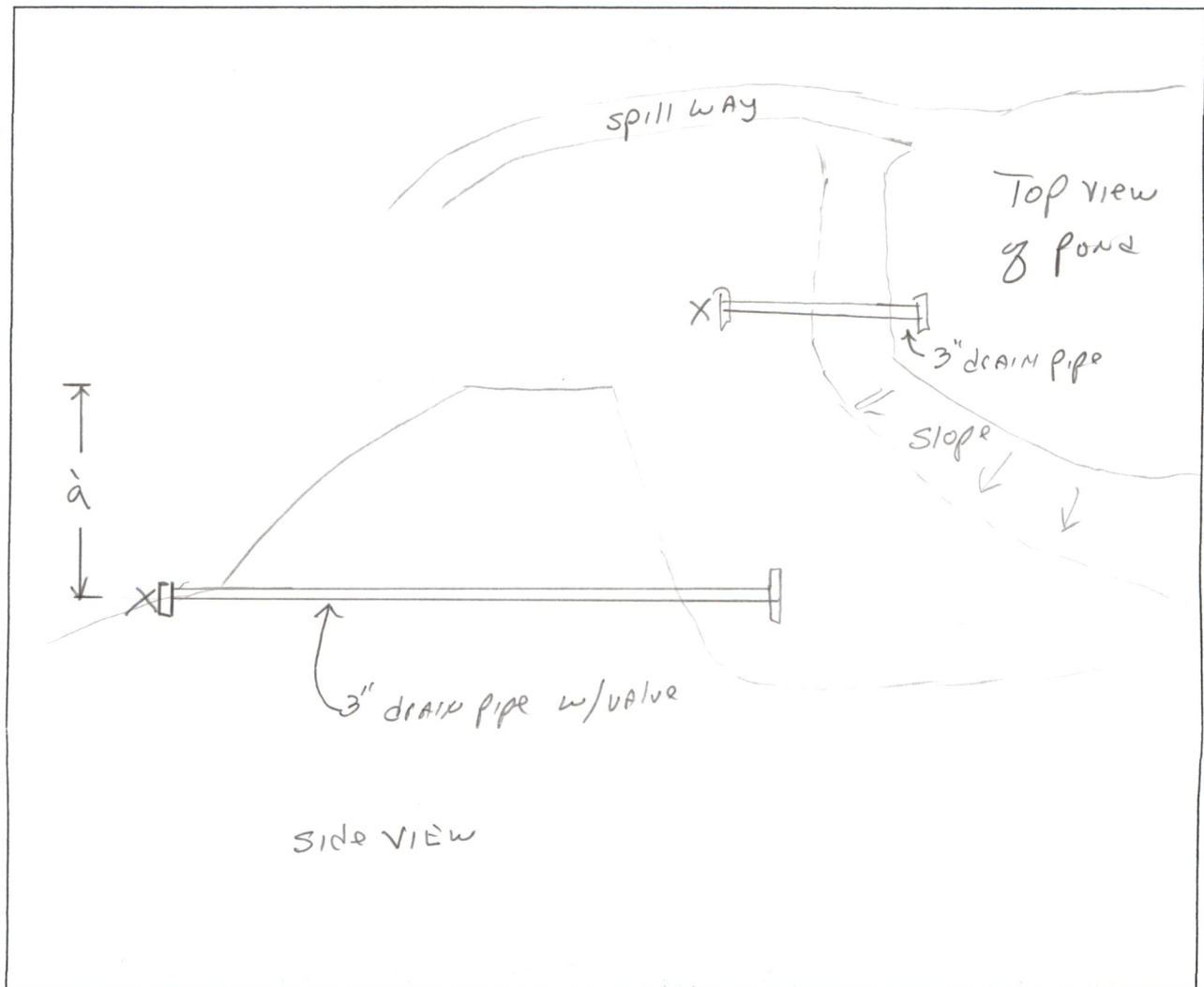
SPRING/RUN OFF FLOW INTO POND. SPILLWAY LOCATED ON VIRGIN SOIL OFF TO THE EAST OF POND DIKE: APPROX THREE FEET WIDE. THREE INCH PIPE INSTALLED TO DRAIN POND IN EMERGENCY.

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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.


Applicant Signature

NOV. 2, 2018
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.

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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: DAVID STIBGEN

2 ponds - WOOD DUCK POND, CATFISH POND

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:

Janaya Blakely

Date: 11-2-2018

WRD Contact:

Caseworker:

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

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: DAVID SLIBSEN 30731 CARNELIAN COURT,
LEBANON, OREGON 97355 541-979-5184 DDSLIBSEN@HOTMAIL.COM

Reservoir Name: WOOD DUCK POND Source: SPRING / RUN OFF Volume (AF): 3.6

Twp Rng Sec QQ: 12S 2W 3S NESW Basin Name: CALAPOOIA ☐ 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.

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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-88687

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)

ODFW Signature: Alex Farrand

Print Name: Alex Farrand

ODFW Title: Assistant District Fish Biologist

Date: 12/5/18

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

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: DAVID First Szibson Last

Mailing Address: 30731 CARNELIAN COURT

LEBANON City OR. State 97355 Zip Daytime Phone: 541-979-5184

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:
<u>12 S</u>	<u>24</u>	<u>35</u>	<u>NESW</u>	<u>1400</u>		☒ Diverted	☒ Conveyed	☒ Used	<u>Ponds</u>
						☐ 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:

LINN

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 / RUN OFF

Estimated quantity of water needed: 3.60 ☐ 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:

PERMIT EXISTING PONDS

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): LCC 928.310(B)(4)
- ☐ 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:	
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		☐ Denied	☐ Not Being Pursued
DEC 19 2018		☐ Obtained	☐ Being Pursued
		☐ Denied	☐ Not Being Pursued
OWRD		☐ 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.

Creation, restoration, or enhancement of a wetland is an outright use pursuant to Linn County Code (LCC) 928.310(B)(4).

Name: Alyssa Schrems Title: Assistant Planner
 Signature: Alyssa Schrems Phone: 541-967-8816 Date: 11/13/18
 Government Entity: Linn County Planning and Building

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: _____

APN:

Statutory Special Warranty Deed
- continuedFile No.: 7014-78069 (LHB)
Date: 06/03/2003**EXHIBIT A****LEGAL DESCRIPTION:**

Beginning at a point on the North line of the James Coyle Donation Land Claim said point being South 89° 55' 00" West 906.73 feet from the Northeast corner of the said James Coyle Donation Land Claim No. 61 in Section 35, Township 12 South, Range 2 West of the Willamette Meridian in Linn County, Oregon; thence follow said North line of Donation Land Claim No. 61 South 89° 55' 00" West 1562.22 feet to a point; thence South 0° 51' 45" West 1758.90 feet to a point; thence East 1914.00 feet to a point; thence North 0° 13' 00" West 842.69 feet to a 5/8 inch iron rod; thence North 264.00 feet to a point; thence East 287.83 feet to a point on the Westerly right-of-way of Hazen Lane; thence, following said right-of-way, in a Northerly direction 30.00 feet, more or less to a point; thence, leaving said right-of-way West 287.00 feet, more or less, to a point; thence North 31.10 feet to a 1/2 inch iron rod; thence North 89° 59' 10" West 120.00 feet to a 5/8 inch iron rod; thence South 10° 27' 54" West 678.37 feet to a 5/8 inch iron rod; thence North 54° 49' 37" West 599.53 feet to a 5/8 inch iron rod; thence North 42° 59' 22" East 192.00 feet to a 5/8 inch iron rod; thence North 55° 55' 00" East 323.58 feet to a 5/8 inch iron rod; thence North 89° 59' 10" East 30.00 feet more or less to a point South 2° 11' 53" West of the point of beginning; thence North 2° 11' 53" East 595.54 feet more or less to the point of beginning.

ALSO the right of ingress and egress, on a non-exclusive 30 foot of even width roadway easement to be used with others, the Easterly right of way of which is described as follows: Beginning at the Northwest corner of Lot 5, Block 2 of Ridgeview Subdivision; thence South 17° 41' 27" West 317.75 feet to the Southwest corner of said Lot 5; thence South 2° 15' 42" East 597.05 feet to the terminus of this easement.

Page 3 of 3

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County of LinnI hereby certify that the attached
was received and duly recorded
by me in Linn County records.STEVE DRUCKENMILLER
Linn County ClerkM
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A
O

2003 JUN -6 P 12:24

1435

MF

By DF Deputy PAGE 767

R-88087



Oregon Water Resources Department 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: Friday, November 2, 2018

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Estimated cost of Permit Application		\$1,070.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

Pond 1
WOOD DUCK POND

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30731 CARNELIAN COURT
LEBANON, OREGON 97355
Dec. 15, 2018
541-979-5184
ddstibgen@hotmail.com

Oregon Water Resources Dept.
725 Summer Street N.E. Suite A
Salem, Oregon 97301

Dear Oregon Water Resources Department,

I have enclosed an "Application for a permit to store water in a Reservoir." LANAYA Blakely, watermaster from district 12 helped me fill out the application and hopefully we did it correctly (Actually we completed two applications). Included is an ODFW Review Sheet, Land use Form, Legal description and an OWRD Fee schedule. If I have forgot something, or you need more information please contact me and I will do my best to answer any questions

Sincerely
Dave Stibgen

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