

Standard Reservoir Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

For use by WRD staff only

Application Number: R 88766 County: Deschutes Priority Date: 04/02/19

Township: 14S Range: 10E Section: 13

Amount: 28 AF Use: STORAGE Aquatic Life, Wildlife, Pond, Rec Fire Protection WM Dist #: 11

Applicant Name: Brothers Ranch LLC and Zadok Ranch LLC

Receipt Number: 129456 Caseworker Assigned: ☐ Barbe ☒ Kim ☐ Lisa ☐ Scott

☒ The proposed source is or is not (circle one) withdrawn from further appropriation. If it is withdrawn under ORS 538, then return application and fees.

☐ Multiple reservoirs MUST be on a single, contiguous property.

☒ Applicant/Organization Name, Mailing Address.

☒ Source of water.

☒ Dam height, width, crest width and surface area, and description of primary outlet works and emergency spillway for each reservoir.

☒ Proposed use of stored water.

☒ Amount of water to be stored in acre feet (AF).

☒ Project schedule (If system is already completed, indicate "existing").

☒ Property ownership indicated.

☒ If applicant does not own all the land, the affected landowner's name(s) and mailing address(s) must be listed.

☒ If applicant does not own all the land, a signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

☒ Signature of *all* applicants (include title or authority of representative if applicant is an organization or corporation). *Applicant's agent may NOT sign application.

☒ A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*

☒ A Legal description of all the properties involved where water is diverted, crossed, and used MUST be included. The Legal description includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.

- ☒ A map prepared by a CWRE for a standard reservoir application proposing to store more than 9.2 acre feet **and** having a dam height of more than 10 feet (statutory). If not statutory, map does not need to be prepared by a CWRE.

The map must meet all the minimum requirements of OAR 690-310-0050.

- ☒ Township, Range, Section
- ☒ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
- ☒ Place of use, 1/4, 1/4=s and tax lot clearly identified
- ☒ Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.)
- ☒ Location of **each** diversion point or dam by reference to a recognized public land survey corner.
- ☒ Reference corner on map
- ☒ North Directional Symbol
- ☒ Number of acres per 1/4, 1/4, if for irrigation, nursery, or agriculture
- ☐ Other _____

☒ Fees: AF of water requested 28

☒ Attach a copy of Fee Calculator

☐ Total Fees

\$ 2159.60

☐ Fee Paid

\$ 1639.60

☐ Amount Due

\$ 520 *

Reviewed by:

Judy Ferrell

Date:

04/03/19

Reviewed by:

Cory Middleton

04/03/19

S:\groups\wr\Customer Service Group\Checklists\Standard Reservoir Application Completeness Checklist.docx

* \$520 - Permit Rec. Fee may be applied at FO,
from related G-18809 excess fees.

mfb 4-4-19

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 129456

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM:

Thomas M Gillihan

BY:

APPLICATION

R-88766

PERMIT

TRANSFER

CASH:

☐

CHECK:#

☒

1453

OTHER: (IDENTIFY)

☐

TOTAL REC'D

\$ 1639.60

1083 TREASURY

4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER:

(IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

46111

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER

(IDENTIFY)

0536 TREASURY

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER

(IDENTIFY)

0607 TREASURY

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT:

129456

DATED:

4/2/19

BY:

CWetherick

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 129456

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Thomas M Gillihan

BY: _____

APPLICATION	<u>R-88766</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 1453 ☒ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1639.60

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER \$
0203 GROUND WATER \$
0205 TRANSFER \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$
LANDOWNER'S PERMIT \$
OTHER (IDENTIFY) _____

EXAM FEE

\$
\$ 1639.60
\$

RECORD FEE

\$
\$

EXAM FEE

\$
\$

LICENSE FEE

\$
\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$
0210 MONITORING WELLS \$
OTHER (IDENTIFY) _____

CARD #
CARD #

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: 129456

DATED: 4/2/19

BY: CWethrich



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

Dear Applicant:

The Oregon Water Resources Department received your application for a permit to use or store water. Your application has been assigned file number R-88766. Please refer to this number when contacting the Department. A description of the steps that must be followed when processing an application has been included on the reverse side of this letter.

The Department's goal is to process applications within statutory deadlines. As you can see, the first step in the process is for you to receive an Initial Review. Recently, surface water and reservoir applications have been receiving their Initial Reviews in approximately two to three months, whereas groundwater applications have been averaging approximately six to eight months.

Your application is subject to review and comment from other state agencies and interested parties.

Please keep in mind that the filing of an application for a permit to use or store water does not allow you to use or store water. Water may be used or stored only after a permit is issued.

I will be coordinating the processing of your application. If you have any questions, please contact me at Kim.R.French@oregon.gov or 503-986-0816.

NOTE: The Department of State Lands requests that all applicants requesting to store water complete the enclosed form and return it to the Department of State Lands at the address shown on the form. If you have any questions about the form or how your reservoir might affect wetlands, please contact the Department of State Lands.

Sincerely,

Kim French
Water Right Application Specialist

Water-Use Permit Application Processing

1. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An initial review containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$225. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

2. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.wrd.state.or.us. The public comment period is 30 days from publication in the weekly notice.

3. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the initial review report, the Department issues a proposed final order explaining the proposed decision to deny or approve the application. A proposed final order proposing approval of an application will include a draft permit.

4. Public Notice

Within 7 days of issuing the proposed final order, the Department gives public notice in the weekly notice. Notice includes information about the application and the proposed final order. Protest must be received by the Department within 45 days after publication of the proposed final order in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants.

5. Final Order Issued

If no protests are filed, the Department can issue a final order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitation or conditions that the Department deems appropriate. Protests are filed on approximately 10% of the proposed final orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

If no protest is filed and if the applicant does not request any administrative holds, the approximate total processing time is nine months for surface water and reservoir applications and 14 months for ground water applications.

Processing of Applications for Alternate Reservoirs and the Use of Stored Water Exclusively

After a completed application has been received by the Department, the Department must make public notice of the application within 60 days. The Department does not notify individual, neighboring landowners of an application, unless they are identified in the application as affected landowners. The public notice is to ensure that any person may submit detailed information requesting the Department deny an application based on injury to existing water rights or based on significant detrimental impact to an existing fishery resource. All comments must be submitted within 60 days of the public notice.

The Department issues a Final Order within 180 days of the priority date (i.e., date of submission of the application). The Department recommends applicants not schedule excavation work or otherwise expend financial resources until an ODFW fish passage plan and the alternate reservoir application have been approved.