



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: Lon Wadekemper LGW Ranch, Inc
Mailing Address: 29899 Country Lane Hermiston, Ore 97038
Phone: 541-561-7482 Ranch

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: None
Mailing Address:
Phone:
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: L.G.W.
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: No name stream Tributary to: Umatilla River
C. County in which diversion occurs: Umatilla Co.

App. No. R-58770 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
5N	28E	33	SWSW	5N28E 33

E. Dam: Maximum height of dam: 9.9 feet. If excavated, write "zero feet". TL 400
TL 6001

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: ~~100~~ 42 AF Acre-feet = $\frac{\text{Average Length} \times \text{Average Width} \times \text{Average Depth}}{43,560}$

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

5. PROPERTY OWNERSHIP

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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:

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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? 30+ 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 <u>Westland Irrigation District</u>	Address <u>P.O. Box 944</u>	
City <u>Hermiston,</u>	State <u>OR</u>	Zip <u>97838</u>

8. DESCRIPTION

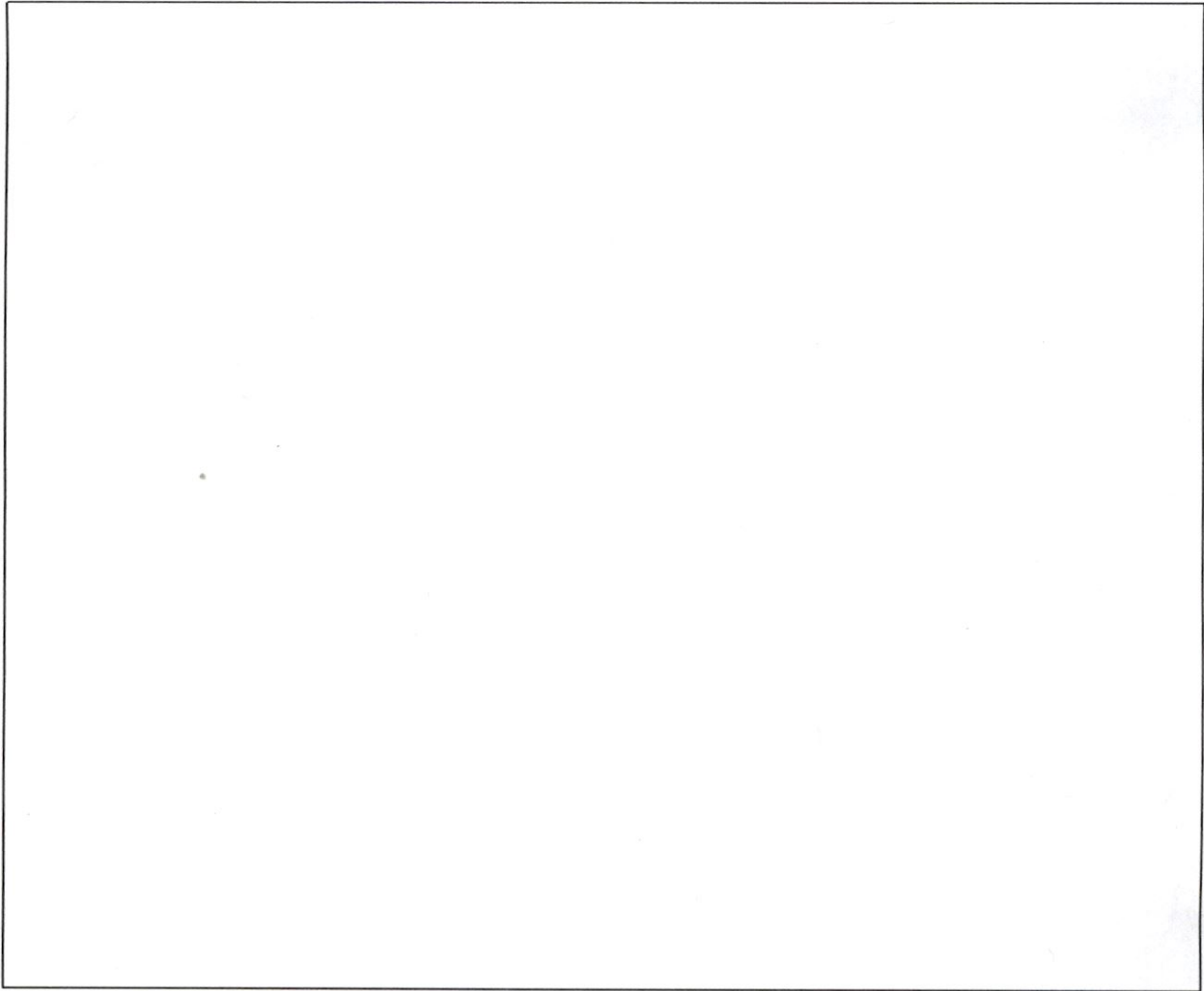
Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

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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.

Lon A Wadekay, President
Applicant Signature LOW RANCH, INC.

12-12-18
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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338 0740

SPECIAL WARRANTY DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

MERVIN LEONARD and GENA LEONARD, husband and wife Grantor,
conveys and specially warrants to LGW RANCH, INC., an Oregon corporation Grantee,
the following described real property free of encumbrances created or suffered by the Grantor except as specific-
ally set forth herein, situated in Umatilla County, Oregon to-wit:

That real property described in Exhibit "A" attached
hereto and by this reference incorporated herein as
if set forth in full.

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UMATILLA COUNTY
RECORDS

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free of all encumbrances created or suffered by the Grantor except as set forth in
the attached Exhibit "A".

The true consideration for this conveyance is \$340,000.00. (Here comply with the requirements of ORS 93.030)

Dated this 26 day of February, 1990.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DE-
SCRIBED 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.

Mervin Leonard

Gena Leonard

STATE OF OREGON, County of Umatilla) ss. February 26, 19 90

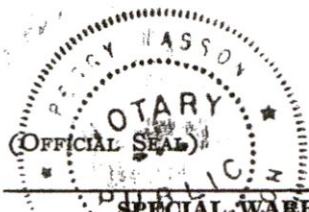
Personally appeared the above named

Mervin Leonard and Gena Leonard

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Notary Public for Oregon—My commission expires: 7-11-93



SPECIAL WARRANTY DEED

Mervin & Gena Leonard
LGW Ranch, Inc. GRANTOR
Rt. 1, Box 1498 GRANTEE
Hermiston, OR 97838
GRANTEE'S ADDRESS, ZIP

After recording return to:

Pioneer Escrow CE#7810
P.O. Box 1538
Pendleton OR 97801
NAME, ADDRESS, ZIP

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

LGW Ranch, Inc.
Rt. 1, Box 1498
Hermiston, OR 97838
NAME, ADDRESS, ZIP

State of Oregon) } ss.
County of Umatilla) }
This instrument was received and recorded on the
10-21-98 at 3:01 rded
in the record of document code type DE-WD .. on
SPACE RESE FOR RECORDER'S Location R338-0740 stru-
Document number 1998-3380740
Fee 65.00 1 of

Office of County Records

Received by [Signature] Records Officer
uty

4510-1810
PIONEER TITLE CO. 44512-1
128 SE Court, Pend. OR. 97801 Pd

R-88770

EXHIBIT "A"

(Leonard to LGW Ranch, Inc.)



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TRACT I:

TOWNSHIP 5 NORTH, RANGE 28, E. W. M.

Section 29: All that portion of East Half of East Half of said Section 29, lying Easterly of Easterly right of way line of Interstate I-82;

Section 32: All that portion of East Half of Northeast Quarter of said Section 32, lying Easterly of Easterly right of way line of Interstate I-82.

Section 33: All that portion of West Half of Northwest Quarter lying West of Westerly line of that tract conveyed to United States of America, by Deed recorded in Book 87, Page 350, Deed Records;

North Half of Northwest Quarter of Southwest Quarter
North Half of South Half of Northwest Quarter of
Southwest Quarter.

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

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TRACT II:

TOWNSHIP 5 NORTH, RANGE 28, E. W. M.

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Section 32: East Half of Southeast Quarter of Southeast Quarter

Section 33: South Half of South Half of Northwest Quarter of Southwest Quarter.

G. S. L.
M. S. L.

Section 33: Southwest Quarter of Southwest Quarter, and all that portion of Southeast Quarter of Northwest Quarter and of Northeast Quarter of Southwest Quarter lying West of Umatilla River and U. S. Reserve.

EXCEPTING THEREFROM beginning at a point at Southeast corner of Southwest Quarter of Southwest Quarter of said Section 33; thence West along South line of said Section 33, 198 feet; thence North at right angles to said South line 670 feet; thence East 198 feet; thence South 670 feet, more or less to the point of beginning.

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

Exhibit A
PAGE 1 of 5



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TRACT I:

TOWNSHIP 5 NORTH, RANGE 28, E. W. M.

Section 29: All that portion of East Half of East Half of said Section 29, lying Easterly of Easterly right of way line of Interstate I-82;

Section 32: All that portion of East Half of Northeast Quarter and North Half of Southeast Quarter of said Section 32, lying Easterly of Easterly right of way line of Interstate I-82.

*g.l.
m.k.*

Section 33: All that portion of West Half of Northwest Quarter lying West of Westerly line of that tract conveyed to United States of America, by Deed recorded in Book 87, Page 350, Deed Records;

Law saw

North Half of Northwest Quarter of Southwest Quarter
North Half of South Half of Northwest Quarter of Southwest Quarter.

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

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TRACT II:

TOWNSHIP 5 NORTH, RANGE 28, E. W. M.

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Section 32: East Half of Southeast Quarter of Southeast Quarter

Section 33: South Half of South Half of Northwest Quarter of Southwest Quarter.

Section 33: Southwest Quarter of Southwest Quarter, and all that portion of Southeast Quarter of Northwest Quarter and of Northeast Quarter of Southwest Quarter lying West of Umatilla River and U. S. Reserve.

EXCEPTING THEREFROM beginning at a point at Southeast corner of Southwest Quarter of Southwest Quarter of said Section 33; thence West along South line of said Section 33, 198 feet; thence North at right angles to said South line 670 feet; thence East 198 feet; thence South 670 feet, more or less to the point of beginning.

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

EXHIBIT "A" continued
(Leonard to LGW Ranch, Inc.)



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TRACT III:

TOWNSHIP 5 NORTH, RANGE 28, E. W. M.

Section 33: Beginning at that Southwest corner of Northeast Quarter of Northwest Quarter of said Section 33; thence North 413.3 feet; thence South 29° 50' East 183.7 feet; thence South 41° 57' 30" East 311.6 feet; thence South 12° 09' East 22.8 feet; thence West 304.5 feet to the point of beginning;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

TRACT IV:

TOWNSHIP 4 NORTH, RANGE 28, E. W. M.

Section 4: All that portion of Northwest Quarter of Northeast Quarter of Section 4, lying West of Umatilla River.

North Half of Northwest Quarter.

Southwest Quarter of Northwest Quarter, excepting therefrom that tract conveyed to Jesse White, et ux, by Deed recorded in Book 171, Page 403, Deed Records, and that tract conveyed to Vester D. Hams, et ux, by Deed recorded in Book 350, Page 635, Deed Records.

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

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TRACT V:

North Half of Southeast Quarter of Northwest Quarter of Section 4, Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon;

ALSO, all that portion of Southwest Quarter of Northeast Quarter of Section 4, lying North of center of Umatilla River, bounded and described as commencing at Northwest corner of said Southwest Quarter of Northeast Quarter of said Section 4; thence South 990 feet, more or less, to a point on West line of said 40 acre tract where the low water mark on South said of Umatilla River intersects said line; thence Northeasterly along line of low water mark of Umatilla River, 660 feet; thence North 160 feet, more or less, to line of low water mark on North side of Umatilla River; thence Northeasterly along line of said low water mark to a point in said East line of said Southwest Quarter of Northeast Quarter of Section 4, 490 feet South of Northeast corner thereof; thence North 490 feet; thence West 1320 feet to the point of beginning;

EXCEPTING THEREFROM that tract described in Book 61, Page 94, Deed Records;

SUBJECT to any and all water rights of way and roads.

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EXHIBIT "A" continued
(Leonard to LGW Ranch, Inc.)

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TRACTS I, II, III, IV AND V ARE SUBJECT TO THE FOLLOWING:

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.
2. The premises herein described are within the boundaries of the West Extension Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof. Affects TRACTS I, II & III
3. DELETED
4. The premises herein described are within the boundaries of the Westland Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof. Affects TRACTS IV & V.
5. DELETED
6. Reservations contained in Deed from Western Land & Irrigation Company to Charles E. Opel, recorded June 4, 1918, Book 102, Page 166, Deed Records. Affects TRACT II.
7. Reservations contained in Deed from Western Land & Irrigation Company to Edna F. Mulkins, recorded November 29, 1933, Book 147, Page 17, Deed Records. Affects TRACT II.
8. Right of Way Easement, including the terms and provisions thereof, granted by Westland Irrigation District to Umatilla Electric Cooperative Association, recorded March 15, 1938, Book 120, Page 535, Deed Records. Affects TRACT II.
9. Reservations, including the terms and provisions thereof contained in Deed from Westland Irrigation District to Wayne Mulkins, recorded August 14, 1939, Page 155, Page 607, Deed Records. Affects TRACT II.
10. Right of Way Easement, including the terms and provisions thereof, granted by Wayne E. Mulkins, et ux, to Umatilla Electric Cooperative Association, recorded June 23, 1950, Book 193, Page 218, Deed Records. Affects TRACT II.
11. Right of Way Easement, including the terms and provisions thereof, granted by Wayne E. Mulkins, et ux, to Umatilla Electric Cooperative Association, recorded March 2, 1951, Book 196, Page 57, Deed Records. Affects TRACT II.



12. Reservations contained in U. S. Patent to Northern Pacific Railroad Company, recorded January 14, 1897, Book 24, Page 235, Deed Records. Affects TRACT I.

13. Reservations contained in Deed from Northern Pacific Railway Company to J. Frank Watson, recorded July 17, 1905, Book 48, Page 115, Deed Records. Affects TRACTS I, II & III.

14. Electric Transmission and Distribution Line Easement, including the terms and provisions thereof, granted by Umatilla County to Umatilla Electric Cooperative Association, recorded April 15, 1938, Book 120, Page 532, Deed Records. Affects TRACTS I & III.

15. Electric Transmission and Distribution Line Easement, including the terms and provisions thereof, granted by Umatilla County to Umatilla Electric Cooperative Association, recorded January 18, 1943, Book 160, Page 587, Deed Records. Affects TRACTS I, II & III.

16. Right of Way Contract, including the terms and provisions thereof, granted by Benjamin E. Conner, et ux, to Pacific Northwest Pipeline Corporation, recorded September 22, 1955, Book 228, Page 435, Deed Records. Affects TRACTS I & II.

17. Access Restrictions, including the terms and provisions thereof, contained in Stipulated Final Judgment, filed July 15, 1985, No. 84-5-484, State Circuit Court, Umatilla County, Oregon.

18. Right of Way Easement, including the terms and provisions thereof, granted by Ferne L. Dunham, et ux, to Umatilla Electric Cooperative Association, recorded April 7, 1938, Book 120, Page 441, Deed Records. Affects part of TRACT IV in E-1/2 NE-1/4 NW-1/4 Sec. 4N-28.

19. Right of Way Easement, including the terms and provisions thereof, granted by J. M. Prindel, et ux, to Umatilla Electric Cooperative Association, recorded July 3, 1939, Book 120, Page 598, Deed Records. Affects part of TRACT IV in NW-1/4 SW-1/4 NW-1/4 4N-28.

20. Right of Way Easement, including the terms and provisions thereof, granted by Charles Seeliger, et ux, to Umatilla Electric Cooperative Association, recorded July 3, 1939, Book 120, Page 600, Deed Records. Affects part of TRACT IV in NW-1/4 NW-1/3 4-4N-28.

21. Right of Way Easement, including the terms and provisions thereof, granted by Jesse M. Prindel, et ux, to Umatilla Electric Cooperative Association, recorded August 6, 1947, Book 180, Page 577, Deed Records. Affects TRACT V.

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EXHIBIT A
PAGE 5 of 5

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: *Lon Wadekamper, LEW Ranch, Inc.*

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:

3) Did you meet with staff from another agency to discuss this application? NO YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

Amy Silberman

Date:

12/12/2018

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

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This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Lon Wadekamper, LGW Ranch, Inc
29899 County Lane, Hermiston, OR 541-561-7482

Reservoir Name: L.G.W. Source: No Name stream Volume (AF): 42

Twp Rng Sec QQ: 5N, 28E, 33, SWSW Basin Name: Umatilla 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)

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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)

No storage from April 15 to September 30.

Inflow must be passed April 15 to September 30.

ODFW Signature:

William Duke

Print Name:

William Duke

ODFW Title:

Umatilla District Fish Biologist

Date:

12/20/2018

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

Revised 10/4/12

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MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised June 24, 2011

Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

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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: Notwithstanding 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 water to the stream.

b51a The period of use has been limited to _____ through _____.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

b58 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.

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R-88770

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

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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 **all** 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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Applicant: Lon Wadekamper, LGW Ranch, Inc.
First Last

Mailing Address: 29899 Country Lane
Hermiston Ore 97103B Daytime Phone: 541-561-7482
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:
5N	28E	33	SWSW	TL 400 TL 6001	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	EFU
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

Umatilla

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) No Name Stream

Estimated quantity of water needed: 100 42 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 _____

Briefly describe:

Filing a reservoir application for an already existing pond.

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): UCDC 152-054

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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> 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.

For Farm Use - Irrigation

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Name: CAROL JOHNSON Title: Planner
 Signature: *Carol Johnson* Phone: 512-278-6200 Date: 1/11/19
 Government Entity: Unatilla 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: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

R-88770



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, May 3, 2019

Base Application Fee.		\$410.00
Proposed Dam Height in feet.	9.9	
Proposed Reservoir volume in Acre Feet.	42	\$1,470.00
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		\$2,400.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

Alternate Reservoir Application Completeness Checklist Minimum Requirements (ORS 537.409)

Property ownership indicated? If applicant does not own all the land is the affected landowner's name and mailing address listed? (Including: lands not owned by applicant, upon which the source is locatedor..... that are crossed by the diversion works. This includes any roads or rights-of-way.)

Under Property Ownership you indicated that you own all the land where you propose to divert, transport, and use water. Please check the appropriate box on the application form for the following:

- There are no encumbrances
- This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

Provide a Legal Description of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance to meet this requirement.

The application is missing a legal description of the property involved.

Acceptable map ** Indicates requirements of standards set forth by the Commission and causes fatal flaw if not provided by the applicant.

The map submitted does not meet the requirements as described below.

- Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)*
Tax Lot number(s) are not identified.
- Scale of the Map (not less than 1" = 1320') **
The Scale of the Map included is less than 1" = 1320
- Reference corner on map
- North Directional Symbol **
A North Directional Symbol is not included.
- 1/4's clearly identified
- Reservoir clearly identified **
- Dam or POD (If off channel) Location coordinates referenced to a government land survey corner* If no dam, use coordinates to center of reservoir.**
Location coordinates for the dam were not included.

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