

Oregon Water Resources Department 725 Summer Street NE, Suite A Salem Oregon 97301 (503) 986-0900 www.wrd.state.or.us

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FEB 1 3 2020

Store Water in a Reservoir

OWRD

(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: GICHARA		SHOW
Mailing Address: PO Box 6	517	Last
ENTERPRESE	State	97828
Phone: 503~705~503	Work	Other
Fax: * By providing an e-mail address, consent electronically. (paper copies of the final of	E-Mail Address*: RTSHAW is given to receive all corresponden	ATWORK Q AOL COM
2. The agent is authorized to repres	AGENT INFORMATION ent the applicant in all matters r	elating to this application.
Agent:First		
Mailing Address:		Last
City Phone:	State	Zip
Home	Work	Other
Fax:* By providing an e-mail address, consent electronically. (paper copies of the final or	is given to receive all corresponder	nce from the department
3.]	LOCATION AND SOURCE	
A. Reservoir Name: SHAW'S	POND	
B. Source: Provide the name of the water of the stream or lake it flows into. Indicate Source: ACDER CREEK	e if source is run-off, seepage, or ar	n unnamed stream or spring.
C. County in which diversion occurs:	WALDWA	
App. No P - 00000	For Department Use Permit No	Date

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
25	44E	16	SESW	1200

~~			0 - 3 - 0	1.700
E. Dam: Maximum	height of dam:9	feet. If ex	cavated, write "zero fe	eet".
F. Quantity: Amou	int of water to be store	ed in the reservoir at ma	aximum capacity. List	t volume in
acre-feet:	8 AF Ac	re-feet = (Average Length)(Ave	erage Width)(Average Depth) 43,560	
Is this project fully odollars)		the American Recover	y and Reinvestment A	ct? (Federal stimulus

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 USE

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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

U. ENVIRONVII	ENTALIMITACI	
B. Wetland: Is the project in a wetland? YesC. Existing: Is this an existing reservoir? Yes	No ears. proposed structure? Yes Yes	No
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7. WITHIN	A DISTRICT NA	OWRD
Check here if the point of diversion or place of other water district.	use are located within or so	erved by an irrigation or
Irrigation District Name	Address	
City	State	Zip
8. DESC	RIPTION	
Provide a description of the design and operation of the flow will be passed outside the authorized storage season narrative and sketches on separate pages.		
METAL DIVERSION STR	JUTURR WIT	th Adjoutable
SIDE GATETORELULA	TE FLOW.	
POND WILL HAVE A	RELEASE G	PATE TO

RETURN WATER BACK TO AWER CR.

If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

NO DIVERSIEK	Dam
I swear that all statements made and info	9. SIGNATURE ormation provided in this application are true and correct to the best of
my knowledge.	

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.

Applicant Signature

- 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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R-03308

3/22/19 Date

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.

	nt's Name:			RECEIVED FEB 1 3 2020
1) Does the proposed reservoir hav	e the potential to injure existing w	ater rights?	YES	LED I @ 7070
Explain:	if pand not line Decrease flow		Alder Gee	OWRD
2) Can conditions be applied to mit If YES, which conditions are recon From Cre	nmended: Liver, Dive ek, and a Sfaf	rsion Stratue Plate to		adjustable Pond level
3) Did you meet with staff from an	other agency to discuss this applic	ation?	O YES	
Who:	Agency:	Date:		
Who:	Agency:	Date:		
Watermaster signature:	Date	3-22-7	2019	
WRD Contact: Caseworker:	Water Rights Division, 503-986-	0900 / Fax 503-986-0901		

NOTE: This completed form must be returned to the applicant

ODFW Alternate Reservoir Application Review Sheet

FEB 1 3 2020

	ortion to be completed by the applicant.
Applic	ant Name/Address/Phone/Email: Prouges Shaw / P.o. Box 517
	ERPRISE OR 97828 / 503-705-5038 / RTSHAWATWRK @404,0
Reserv	roir Name: SHAW's POND Source: AUDER CR. Volume (AF): 1,8
Note: It	ng Sec QQ: 25445 SESW Basin Name: UPPER WALDWA in-channel SEC. 16 is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an ment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.
This p	ortion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.
	proposed project and AO¹ off channel?
	proposed project or AO located where NMF ² are or were historically present?
	F are or were historically present:
	Is there an ODFW-approved fish-passage plan?
e requi	with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir <u>does not meet</u> rements of Oregon Fish Passage Law and <u>shall not</u> be constructed as proposed.
cally or	the proposed project pose any other significant detrimental impact to an existing fishery resource downstream?
Ex_{I}	the proposed project pose any other significant detrimental impact to an existing fishery resource downstream? ———————————————————————————————————
Exp	downstream?
	downstream? Diam below (for example, list STE species or other existing fishery resources that would be impacted gatively.) Any diversion or appropriation of water for storage during the period
	downstream?

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)

reduction in flow are expected to be incons	equentian or
reduction in flow are expected to be incons de Minimis based on parameters assessed. The does not recomend mitigation for a reduction	erefore, ODFL
at this line.	12 1100
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If YES, can conditions be applied to mitigate the significant detrimental impact to an ex NO (explain)	
	j
	······································
ODFW Signature: Ky - Bro	1.1
ODFW Signature: Start Bro Print Name: Kyle Bro ODFW Title: Asking Dist. Fish Bro Date: 4/8/19	itcher
NOTE: This completed form must be returned to the applicant.	

Revised 10/4/12

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: Not withstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

52	Water may be diverted only when Department of Environmental Quality sediment standards are being met.
5	The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
51a	The period of use has been limited to through
57	Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
58	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.
utile cal	It: The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow outary of the River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
iparian:	If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and nept of such riparian area in accordance with ODEW's Fish and Wildlife Habitat Mitigation Policy OAP 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.

Land Use Information Form



725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

FEB 1 3 2020

	K		First				Last		OWRD
ailing A	ddress:	jo' .	Box	517					
	City PR			State	97828 Da	ytime Phone	503	3-70	5-5038
ease incl	ude the follo	owing info ed. Appli	cants for mur	nicipal use, o	here water will be diver r irrigation uses within on requested below.	ted (taken fi irrigation dis	om its source stricts may su	e), convey bstitute ex	ed (transported), xisting and
ownship	Range	Section	1/4 1/4	Tax Lot#	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
25	44 E	16	SESW	1200		☐ Diverted	☐ Conveyed	Used Used	MULTE POR
	1					☐ Diverted	Conveyed	☐ Used	10
3						☐ Diverted	Conveyed	☐ Used	
	1			V.		☐ Diverted	☐ Conveyed	Used	
	unties and ci	ities where	e water is pro	posed to be	diverted, conveyed, and	or used or d	leveloped:		
		ities where	e water is pro	posed to be o	diverted, conveyed, and	or used or d	leveloped:		
WAU				posed to be o	diverted, conveyed, and	or used or d	leveloped:		
Desci	LOWA	Propos be filed v	ed Use vith the Water Water		Department: r Permit rved Water Exchar	Amendment age of Water	or Ground Wat		ation Modification
Descripe of ap	ription of plication to to Use or St	Propos be filed v tore Water	vith the Water Water Allocat	r Resources I	Department:	Amendment age of Water	or Ground Wat		ation Modification
Descripe of ap	ription of plication to t to Use or St ed Water Use	Propos be filed v tore Water License	vith the Water Water Allocated Grant Gra	r Resources I Right Transfe tion of Conser	Department: r Permit rved Water Exchar	Amendment nge of Water name) AC	or Ground Wat	RK.	
Descripe of ap Permi Limite ource of vertinated united descriped by the control of the control o	ription of plication to to Use or Sted Water Use water: Runnity of water water: Runnity of water water:	Propos be filed water water need Irrig Mur	vith the Water Water Allocate Ond Geded: (ation Licipal	r Resources I Right Transfe tion of Conser round Water Commercial Quasi-Munic	Department: r Permit rved Water Exchar Surface Water (n cubic feet per so Industrial cipal Instream	Amendment nge of Water name) AC econd Dom Othe	or Ground Wat	nute Za househ	old(s)
Descripe of ap Permi Limited urce of vitimated united defined united by the control of the contr	ription of plication to to Use or Sted Water Use water: Runnity of water water: Runnity of water water:	Propos be filed water water need Irrig Mur	vith the Water Water Allocate Ond Geded: (ation Licipal	r Resources I Right Transfe tion of Conser round Water Commercial Quasi-Munic	Department: r Permit rved Water Exchar Surface Water (n	Amendment nge of Water name) AC econd Dom Othe	or Ground Wat	nute Za househ	old(s)

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. \rightarrow

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 be	low and provide the requested info	rmation	
Land uses to be served by the proposed water your comprehensive plan. Cite applicable or	r uses (including proposed construction) are		t or are not regulated by
Land uses to be served by the proposed water as listed in the table below. (Please attach do Record of Action/land-use decision and accompeal periods have not ended, check "Betallow of the control of t	cumentation of applicable land-use approvals mpanying findings are sufficient.) If approve	which have al	ready been obtained
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval:
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
ocal governments are invited to express special egarding this proposed use of water below, or o	land-use concerns or make recommendation a separate sheet.	s to the Water I	Resources Department
		F	RECEIVED
		F	FEB 1 3 2020
			OWRD
ame: Franz Goelse	Title: Plan land	Din	e for
ignature: Bru Top l	Phone: 541) 45	1-45 M	Date: 1-9-202
overnment Entity: Wallowa (ounty	(1) J	Dutc
ote to local government representative: Plea gn the receipt, you will have 30 days from the information Form or WRD may presume the landans.	Water Resources Department's notice date to	return the com	oleted I and I Ica

County Survey No. 2018-004