



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (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/publication/reports/index.shtml.

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WATER RESOURCES DEPT
 SALEM, OREGON

1. APPLICANT INFORMATION

Landowner: Mickael L & Victoria A Nunn
First Last

Mailing Address: 17668 Buck Rd

Lakeview OR 97630
City State Zip

Phone: (541) 947-3741
Home Work Other

*Fax: _____ *E-Mail Address: toriron@yahoo.com

*Optional Information

2. LOCATION AND SOURCE

A. Reservoir Name: MIKE'S 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: RUN-OFF Tributary to: COTTONWOOD CR trib GOOSE LAKE

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
39 S	19 E	26	SE SE	302

D. County of use: LAKE

E. Dam: Maximum height of dam: 8 feet. If excavated, write "excavated" or "0 feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List quantity in Acre-Feet: 11.0

App. No. <u>R 86091</u>	For Department Use	Permit No. _____	Date _____
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3. 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. MMULTIPURPOSE USE

4. PROPERTY OWNERSHIP

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Do you own all the land where you propose to divert, transport, and use water?

- Yes (*Skip to section 5*)
- 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 an easement permitting access to lands not under my ownership.
 - 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 irrigation 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:

5. ENVIRONMENTAL IMPACT

- A. Channel:** Is the reservoir in stream _____ or off channel X ?
 - B. Wetland:** Is the project in a wetland? Yes No Don't know
 - C. Existing:** Is this an existing reservoir? Yes No
If yes, how long has it been in place? _____ years.
 - D. Fish Habitat:** Is there fish habitat upstream of the proposed structure? Yes No Don't know
If yes, how much? _____ miles.
 - E. Partnerships:** Have you been working with other agencies? Yes No
- Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

6. SIGNATURE

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

Victoria Nun 12-14-04
 Landowner Signature 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.

FEE STRUCTURE: The fee is based on the number of acre-feet proposed to be stored. The base fee is \$40. In addition, there is a fee of \$10 per acre-foot or fraction thereof, not to exceed \$250. The maximum fee is \$290. Example: 0.3 AF=\$50; 1.5 AF=\$60; 20.0 AF=\$240; 30.0 AF=\$290.

ODFW 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.

R-86091
MICKAEL NUNN

Date: January 14, 2005
Please return to WRD before: February 18, 2005
Water is available: Oct - May

17668 BUCK RD
LAKEVIEW OR 97630

1) Does the proposed reservoir have the potential to injure existing water rights? **NO / YES / DON'T KNOW**

Explain: _____

2) Would the proposed reservoir pose a significant detrimental impact to an existing fishery resource? **NO / YES** *If stocked w/ fish*
Explain: (For example, list STE species or other existing fishery resources that would be negatively impacted.)

STE species within Goose Lake Basin

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**WATER RESOURCES DIV
SALEM, OREGON**

Please check either of the boxes below if appropriate:

- Any diversion into storage during the period _____ through _____ poses a significant detrimental impact to existing fishery resources.
- 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 poses a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

3) Can conditions be applied to mitigate the detrimental impact to an existing fishery resource? **NO / YES**
If YES, which conditions are recommended: (select from the Menu of Conditions listed on back)

If the reservoir is stocked, screens must be placed at the input and outlet of the reservoir. Screens must meet ODFW criteria

4) Did you meet with staff from another agency to discuss this application? **NO / YES**
Who: _____ Agency: _____ Date: _____
Who: _____ Agency: _____ Date: _____

ODFW Representative Signature: *[Signature]* Date: 2-14-05

WRD Contact: **Caseworker:** Jeana Eastman, Water Rights Division
503-986-0859/ Fax: 503-986-0901 / e-mail: Jeana.M.EASTMAN@wrd.or.state.us

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG
(Developed 6/27/97 - revised 7/13/04)

standard language for all surface and reservoir applications unless instructed otherwise by ODFW:

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction. (formerly b54c and odafdmd)

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. (formerly fish)

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. (formerly odfw and b54b)

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.

(formerly pisp)
For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed. [same as riparian]

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. [same as wq]

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. [same as fishapprove]

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. (formerly odfwmay)

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. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level 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. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

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 Chapter 635, Division 415, Section 030 adopted November 13, 1991 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.



Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. 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, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

A. Applicant

Name: Michael L. & Victoria A. Nunn

Address: 17668 Buck Rd

City: Lakeview State: OR Zip: 97630 Day Phone: (541) 947- 3741

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)			Proposed Land Use
302	T 39 S, R 19 E, Section 26	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Multipurpose storage
		<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	
		<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 counties and cities where water is proposed to be diverted, conveyed, or used. LAKE

C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.

Water Use Permit Water Right Transfer Allocation of Conserved Water Exchange

Indicate the intended use of water and describe the key characteristics of the project.

Commercial Industrial Instream Irrigation
 Municipal Quasi-municipal Domestic (indicate number of households) _____
 Other MULTIPUPOSE STORAGE

Briefly describe: This application is for the storage of intermittent storage of run-off water and Maintenance of the reservoir by groundwater from a well.

Indicate the source of the water to be used.

Reservoir/Pond Ground Water Surface Water _____

Indicate the estimated quantity of water the use will require: 50 CFS GPM Acre-Feet

Last revised: 04/06/04

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
(503) 986-0900

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SALEM, OREGON

STATE OF OREGON
WATER RESOURCES DEPT
SALEM, OREGON

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 this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 2.01(A). Go to section B "Approval" below.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: 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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Ray Simms Date: 12-15-04
 Title: Director Phone: 997-6003
 Signature: Ray Simms

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. 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

Name of applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____
 Staff contact: _____ Phone: _____
 Signature: _____ Date: _____


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 SALEM, OREGON

TO WHOM IT MAY CONCERN

MIKE NUNN and TORI NUNN, 17668 BUCK RD, LAKEVIEW, OREGON 97630 (541) 947-3741 AUTHORIZE DENNIS GLENDER OF GLENDER'S HYDRO TECH SERVICES TO ACT AS OUR AGENT IN THE PROCESSING OF A WATER RIGHT APPLICATION FOR GROUND WATER IN **SECTIONS 26 & 35, T 39 S, R 19 E WM Lake County, Oregon.** PLEASE SEND ALL CORRESPONDENCE TO GLENDER'S HYDRO TECH SERVICES, 93291 PIKE LN, LAKEVIEW, OREGON 97630.
(541) 947-4718 cell (541) 219-0806 E-mail - djglender@gooselake.com

THANK YOU,


Mike Nunn


Tori Nunn

10-19-04
DATE

10-19-04
DATE

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SALEM, OREGON**

app # R 86091