

Application for a Permit to
Store Water in a Reservoir
 Alternate Review (ORS 537.409)



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.oregon.gov/OWRD

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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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Lowell Bickle		PHONE (HM) 541-218-1228	
PHONE (WK)	CELL	FAX	
ADDRESS 3624 New Hope Road			
CITY Grants Pass	STATE OR	ZIP 97527	E-MAIL * lmb0447@hotmail.com

Organization

NAME Bickle Family Farm		PHONE 541-218-1228		FAX
ADDRESS 3624 New Hope Road			CELL	
CITY Grants Pass	STATE OR	ZIP 97526	E-MAIL * lmb0447@hotmail.com	

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

Note: Attach multiple copies as needed

* 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.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate.

Lowell Bickle
 Applicant Signature

Lowell Bickle
 Print Name and Title if applicable

6/3/22
 Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

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Reservoir name:	Bickle Reservoir				
Source*: Runoff			Tributary:	Carl Creek	
County:	Josephine				
Quantity: 3	Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	36S	6W	36	SESW	3000
Maximum Height of Dam:	4	feet. If excavated write "zero feet."			

* 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, an unnamed stream, or spring.

SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Multipurpose

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: stock water, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.

SECTION 4: PROPERTY OWNERSHIP

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:

NA

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SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: in-stream or off channel?

Wetland: Is the project in a wetland? YES NO unknown

Existing: Is this an existing reservoir? YES NO

If YES, how long has it been in place? 25 years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? YES NO unknown

If YES, how much? ~~25~~ miles.

Existing: 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. ~~25~~

SECTION 6: 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.

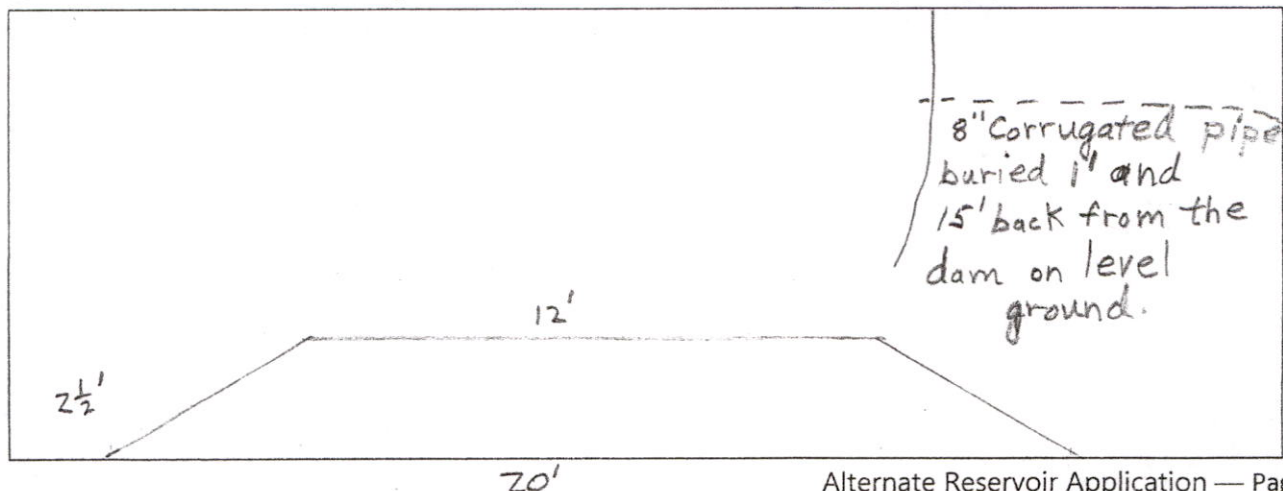
Irrigation District Name: Grants Pass ID		Address: 200 Fruitdale Ave.	
City: Grants Pass	State: OR	Zip: 97527	

SECTION 7: DESCRIPTION

Provide a short 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.

Reservoir is an excavation with a small dam. There is no "live flow" just runoff water at times

If the diversion involves a dam, use this space below 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).



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Land Use Information Form

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301 255-01-986-0900
www.oregon.gov/OWRD

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JO CO - PLANNING
PHONE (HM) 541-218-1228

NAME Lowell Bickle		PHONE (WK)		CELL	FAX
ADDRESS 3624 New Hope Road					
CITY Grants Pass	STATE OR	ZIP 97527	E-MAIL* lmb0447@hotmail.com		

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>36S</u>	<u>6W</u>	<u>36</u>	<u>SESW</u>	<u>3000</u>	<u>RR5</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Reservoir</u>
_____	_____	_____	_____	_____	_____	<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:

Josephine

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) Runoff

Estimated quantity of water needed: 3 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 reservoir

Briefly describe:

We plan to obtain a storage permit then apply to use the stored water for irrigation

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.

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.

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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): **Section 19.61.020.B, JO CO - PLANNING**
- 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JUN 06 2022	<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
	OWRD	<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.

Agriculture, Farming, and farm use is an outright permitted use in the Rural Residential (RR5) zone.

Name: Kayla Wallace, CFM Title: Associate Planner
 Signature: Kayla Wallace Phone: 541-474-5427 Date: May 23, 2022
 Government Entity: Josephine County Planning

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: _____

Watermaster Alternate Reservoir Application Review Sheet

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 Water Resources 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))

Applicant's Name Lowell Bickle			3656 New Hope Road, Grants Pass (36s-06w-36, TL 3000)		
1. Does the proposed reservoir have the potential to injure existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Water is not available year-round.					
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Explain: Require a measuring device. Must have a means of passing water.					
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
4. If yes, during what period? Beginning December End: May Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))					
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
Who:		Agency:		Date:	
Who:		Agency:		Date:	

Watermaster Name: Scott Ceciliani

Watermaster Signature: *Scott Ceciliani* Date: March 22, 2022

NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name: Lowell Bickle

Address: 3624 New Hope Road, Grants Pass, OR 97527

Phone/Email: 541-218-1228/lmb0447@hotmail.com

Reservoir Name: Bickle Reservoir

Source: Run-off

Basin Name: Rogue

Twp Rng Sec QQ: 36S 6W 36 SESW

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Volume (AF): 3 AF

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) staff.

1) Is the proposed project and AO¹ off channel?..... **YES*** **NO**
(if yes then proceed to #4; if no then proceed to #2)

**Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon's fish passage laws.*

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 April 1-October 31 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.)

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)

Applicant Name: Lowell Bickle

ODFW Review

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.

ESA-listed fish (Coho Salmon), sensitive species (spring Chinook Salmon, summer steelhead, and Pacific Lamprey), and other game fish (fall Chinook Salmon, winter steelhead, and Coastal Cutthroat Trout) may be present in Allen Creek and/or the Rogue River during the period of impact. Instream flows to fulfill MF265 and MF266 for aquatic life are being met wholly during the period of impact. However, ODFW reviewed available information (Rogue River Basin Temperature TMDL; DEQ 2008) regarding water quality impairment and determined that the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion. The proposed pond is in the Rogue River basin and subject to the Rogue River Basin Temperature TMDL (DEQ, 2008), which identifies the critical period for temperature as April 1-October 31. Diminished flows from the proposed withdrawal could impact temperature impairments in the Rogue River during this period.

Because of these reasons, the proposed use will diminish water quality, physical habitat, and/or alter the flow regime to which fish are naturally adapted. These changes will negatively affect their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed use would result in a significant detrimental impact to an existing fishery resource without appropriate conditions and/or mitigation.

Impairment to Fishery Resource	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Water Quantity												
Water Quality												

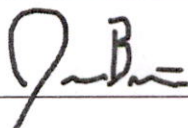
If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

- NO (explain) YES

See applicable conditions selected from "Menu of Conditions" on next page

Water is only available to support the quality and quantity of biologically necessary flows at the POD and/or downstream during November 1-March 31. ODFW recommends the storage season be restricted to coincide with this period or the proposed use be mitigated prior to issuance of a Final Order for any storage outside of this period. Without appropriate conditions (see below) and/or mitigation, a further reduction in flow or alteration of habitat from the proposed water use outside of this period will result in a significant detrimental impact to an existing fishery resource.

Mitigation is often complicated, time consuming, and expensive, and may include, but is not limited to, actions such as replacing the proposed amount of water through purchasing or transferring an existing water right. **If the applicant chooses to pursue mitigation after application submittal to WRD, ODFW will provide a Mitigation Obligation consistent with the goals and standards of OAR 635-415-0025 (ODFW Habitat Mitigation Recommendations) to compensate for any potential impact from the proposed use.** Upon request, the WRD caseworker can schedule a consultation with ODFW for more information.

ODFW Signature: 

Print Name: Jason Brandt

ODFW Title: SW Hydro Coordinator

Date: 4/25/22

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MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020, March 25, 2021

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Use this menu to identify appropriate conditions to be included in the permit:

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- Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- 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 November 1-March 31.
- 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.
- 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.
- Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
 - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.
- Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.
- The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.
- Construction Activities:** For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.
- fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- 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.

- 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.
- Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without a fish transport permit approved by ODFW. As part of the permitting process, the permittee must also screen the inlet and outlet of their pond to insure that fish cannot escape into public waters and/or to keep wild fish from entering the pond.
- 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 type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- In-Water or Riparian Construction:** For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 401 certification program prior to construction. The applicant must contact these agencies to confirm requirements.
- In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- 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.
- Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- wetland:** The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.
- 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.

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94-06176

KNOW ALL MEN BY THESE PRESENTS, That JESSE A. KASSAHN

_____ hereinafter called the grantor,
in consideration of Thirty Thousand (\$30,000.00) Dollars,

to grantor paid by LOWELL M. BICKLE

_____ hereinafter called the grantee,
does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Josephine and State of Oregon, bounded and described as follows, to-wit:

The South Half of the South Half of the Southwest Quarter of Section 36, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon.

LESS AND EXCEPTING the following described tract, to-wit:

Beginning at the Southeast corner of the Southwest Quarter of Section 36, Township 36 South, Range 6 West of the Willamette Meridian; thence running North 330 feet; thence West 1320 feet; thence South 330 feet; thence East 1320 feet to the place of beginning.

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PHONE 476-6884

To Have and to Hold the above described and granted premises unto the said grantee and grantee's heirs and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except easements and reservations heretofore of record,

_____ and that grantor will and grantor's heirs, executors and administrators shall warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

~~In construing this deed and where the context so requires, the singular includes the plural.~~

WITNESS grantor's hand and seal this 5th day of May, 19 72.

Jesse A. Kassahn (SEAL)
Jesse A. Kassahn (SEAL)

STATE OF OREGON,

County of Josephine } ss. On this 5th day of May, 19 72,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Jesse A. Kassahn

_____ who is known to me to be the identical individual described in and who executed the same freely, he within instrument, and acknowledged to me that he executed the same freely, jointly.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written. _____ my official

ES C R O W S
T I T L E I N S U R A N C E

6-10099

LESS AND EXCEPTING the following described tract, to-wit:

Beginning at the Southeast corner of the Southwest Quarter of Section 36, Township 36 South, Range 6 West of the Willamette Meridian; thence running North 330 feet; thence West 1320 feet; thence South 330 feet; thence East 1320 feet to the place of beginning.

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To Have and to Hold the above described and granted premises unto the said grantor and grantor's heirs and assigns forever.

And said grantor hereby covenants to and with said grantor and grantor's heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except easements and reservations heretofore of record,

and that grantor will and grantor's heirs, executors and administrators shall warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand and seal this 5th day of May, 19 72.

Jesse A. Kassahn

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF OREGON,

County of Josephine } ss. On this 5th day of May, 19 72, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Jesse A. Kassahn

who is

known to me to be the identical individual described in and who executed the same freely, he within instrument, and acknowledged to me that he executed the same freely, jointly.

IN TESTIMONY WHEREOF, I have hereunto set my hand and at my official seal the day and year last above written.

DAVID R. KNUDSON NOTARY PUBLIC - OREGON My Commission Expires March 1, 1974

Notary Public for Oregon. My Commission expires

WARRANTY DEED

Courtesy of JOSEPHINE COUNTY TITLE CO. THE S. B. BETHA BY GRAYES PAUL, OREGON

State of Oregon County of Josephine I hereby certify that this filed at o'clock A recorded in.

94-06176

State of Oregon, 1st of May 1972. County of Josephine, Oregon. I, County Clerk and ex officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded. At Page 2744 of Vol 167 Book of Records, Josephine County, Oregon. GEORGETTE BROWNE, COUNTY CLERK By [Signature] Deputy Fees \$25.00 Hand Returned [] Mailed []

ed and and is Oregon Deputy

RETURN TO 3625 New Republic Santa Fe, Or 97507

WD-105-JR

10044

PHONE 476-6884

INSURANCE TITLE



Water Availability Analysis

ROGUE R > PACIFIC OCEAN - AB APPLGATE R
ROGUE BASIN

Water Availability as of 2/22/2022

Watershed ID #: 31530801 ([Map](#))

Exceedance Level: 50% ▾

Date: 2/22/2022

Time: 11:12 AM

Water Availability

Limiting Watersheds

Complete Water Availability Analysis

Water Availability

Select any Watershed for Details

	Nesting Order	Watershed ID #	Stream Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
Select	1	266	ROGUE R> PACIFIC OCEAN- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes
Select	2	31531008	ROGUE R> PACIFIC OCEAN- AB SHASTA COSTA CR	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes
Select	3	31531001	ROGUE R> PACIFIC OCEAN- AB MEADOW CR	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes
Select	4	31531002	ROGUE R> PACIFIC OCEAN- AB GRAVE CR	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes
Select	5	31530801	ROGUE R> PACIFIC OCEAN- AB APPLGATE R	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes	Yes

Download Data ([Text - Formatted](#), [Text - Tab Delimited](#), [Excel](#))

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Application Completeness Checklist

Applicants are encouraged to use this checklist before submitting a complete application to the Department.

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1. Landowner name, mailing address and telephone number provided
2. Application signed – All parties noted as applicants must sign the application
3. Source and tributary listed.
4. Reservoir Location. TRSQQ and tax lot provided.
5. Dam height indicated, if applicable
6. Property ownership completed
7. If applicant does not own all the land, is the affected landowner's name and mailing address listed?
8. Environmental impact section completed?
9. **Completed Watermaster review sheet**, signed and dated. Note: Must be completed within last 6 months.
 - Will the reservoir injure an existing water right? YES NO
 - If YES, can conditions be applied to mitigate injury? YES NO
 - If NO, return the application.
10. **Completed ODFW review sheet**, signed and dated. Note: Must be completed within last 6 months.
 - Will the reservoir pose a significant detrimental impact to an existing fishery resource? YES NO
 - If YES, can conditions be applied to mitigate the impact? YES NO N/A
 - If NO, return the application.
11. **Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?
Note: Does the use on land-use form match the proposed use on the application? Must be completed within the last 12 months.
12. **Include a copy of a Legal Description** of all the property involved with this application. A copy of a deed, land sales contract, or title insurance to meet this requirement.
13. **Acceptable Map**. Note: Requirements set forth by the Commission; causes fatal flaw if not provided by the applicant.
 - Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)
 - Scale of the Map, even scale such as 1" = 400', 1" = 1000', or 1" = 1320'
 - Reference corner on map
 - North directional symbol
 - ¼'s clearly identified
 - Reservoir clearly identified **
 - Dam location identified, with measured distances from survey corner. If no dam, use coordinates to the center of reservoir.
 - If diverting water from a river or stream to a reservoir located off-channel, include measured distances from survey corner
14. **Fees:** Are the appropriate fees included? Use this fee calculator to determine the application fees:

https://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/Permit_for_AltRes.aspx



Superior Water Right Consulting, LLC

NORM DAFT
"The Water Guy"

245 Glenoak Lane
Grants Pass, OR 97526

Phone (Cell): 541 761-1057
normthewaterguy@charter.net

June 3, 2022

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RE: Application to store water – Alternate Review

Enclosed are the following:

1. Fee Calculator
2. Water Availability Table
3. Application Map
4. Water Use Application
5. Land Use Information Form signed by Josephine County Planning
6. Watermaster Review Sheet
7. ODF&W Review Sheet
8. Copy of deed
9. Check for \$1,213.00

Thank You.

Norman E. Daft



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: Tuesday, February 22, 2022

Base Application Fee.		\$480.00
Proposed Dam Height in feet.	4	
Proposed Reservoir volume in Acre Feet.	3	\$123.00
Subtotal:		\$603.00
Permit Recording Fee. ***		\$610.00
*** 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.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,213.00

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