



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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Salem, OR 97301-1266
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MEMORANDUM

TO: Water Resources Commission

FROM: Phillip C. Ward, Director

SUBJECT: Agenda Item I, August 3, 2012
Water Resources Commission Meeting

Impoundments Storing More Than 3,000,000 Gallons – Rogue Basin Application R-87742, Gary Martin

I. Issue Statement

Under the Rogue Basin Program (Middle Rogue Basin, OAR 690-515-0040(2)), the Commission¹ shall review all applications proposing to impound more than 3,000,000 gallons of water, equivalent to 9.2 acre feet (AF), prior to approval and the issuance of a permit. During the review, the Commission may establish additional minimum flows on the natural flow of the proposed stream source to support aquatic life or to minimize pollution. These rules encourage storage projects that are consistent with the purposes of the minimum perennial streamflows. R-87742 proposes to store more than 9.2 AF within the Rogue Basin.

II. Background

Application R-87742, in the name of Gary Martin, within the Middle Rogue Basin, proposes the storage of 15.3 AF. The Department asked the Oregon Department of Fish and Wildlife (ODFW) and the Department of Environmental Quality (DEQ) whether they recommend any additional minimum flows to support aquatic life or minimize pollution in regards to the proposed impoundments for this application. Neither recommended additional minimum flows, but both did provide other comments under OAR 690-033.

¹ The basin program makes reference to the “Water Policy Review Board” which was the name of the Water Resources Commission when the program was adopted.

III. Discussion

Consistent with the authority provided under the Department's Division 33 rules, ODFW recommended conditions necessary to protect the habitat of sensitive, threatened or endangered fish species. The Department will propose that the conditions recommended by ODFW be included in the permit. Neither ODFW nor DEQ recommended establishment of additional minimum flows to support aquatic life or minimize pollution.

Conclusion

The Department finds that Application R-87742 may continue to be processed without the need for additional minimum flows to support aquatic life or minimize pollution.

IV. Alternatives

The Commission may consider the following actions:

1. Direct the Department to continue processing Application R-87742 without additional minimum flows to support aquatic life or minimize pollution.
2. Recommend additional minimum flows to support aquatic life or minimize pollution, to be incorporated in any permits issued.
3. Require the Department to conduct further review of the applications and report to the Commission at a future meeting.

VI. Recommendation

The Director recommends Alternative 1, that the Commission direct the Department to continue processing Application R-87742 without additional minimum flows to support aquatic life or minimize pollution.

Attachment:

1. Middle Rogue Basin, OAR 690-515-0040(2)
2. Application Map

Dwight French/Tim Wallin
(503) 986-0819/(503) 986-0891

Middle Rogue Basin, OAR 690-515-0040(2):

(2) Storage:

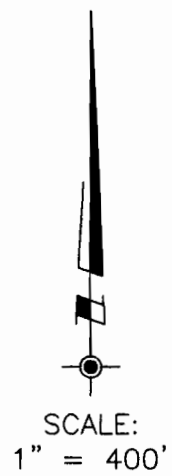
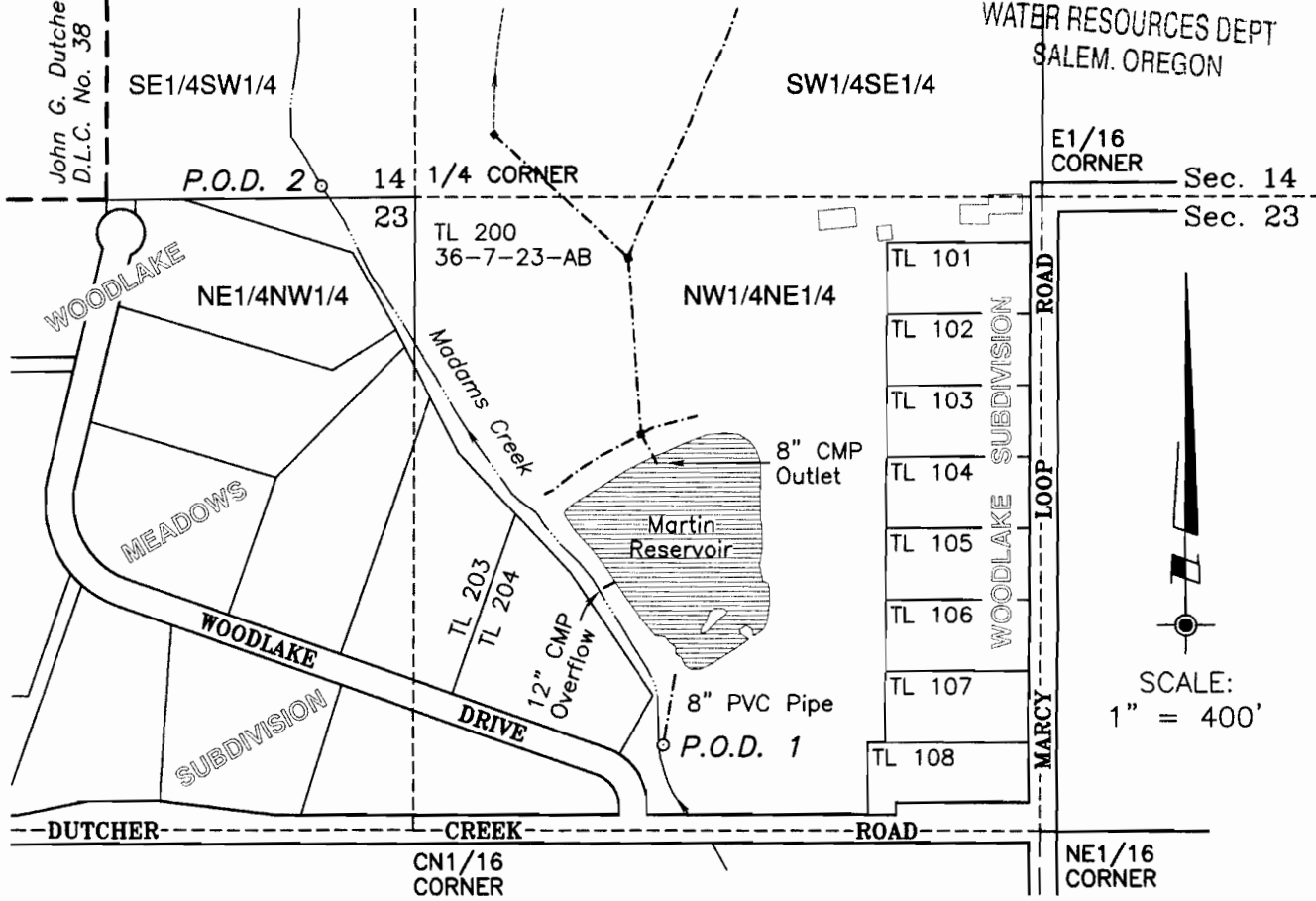
(a) All applications for appropriation of water for storage in structures impounding more than 3,000,000 gallons of water shall be reviewed by the Water Policy Review Board prior to approval. During the review the Water Policy Review Board may establish additional minimum flows on the natural flow of the stream to support aquatic life or minimize pollution. Storage projects consistent with the purposes of minimum perennial streamflows shall be encouraged;

RECEIVED


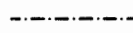
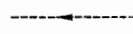

AUG 01 2011

WATER RESOURCES DEPT
SALEM, OREGON

John G. Dutcher
D.L.C. No. 38



LEGEND:

-  Existing Building (approximate location)
-  6" PVC Pipe (except as noted)
-  Irrigation Ditch
- P.O.D. 1** Existing Point of Diversion per Certificate No. 15476, 1150' south and 523' east from the N1/4 Corner of Section 23, being within the NW1/4NE1/4, Sec. 23, T.36S., R.7W., W.M. (Madams Creek)
- P.O.D. 2** Existing Point of Diversion, 23' north and 197' west from the S1/4 Corner of Section 14, being within the SE1/4SW1/4, Sec. 14, T.36S., R.7W., W.M. (Madams Creek)
-  Martin Reservoir: Submerged area when full = 3.11 acres
Full storage volume = 15.3 acre-feet

This plat was prepared for the purpose of identifying the location of the water right only. There is no intent to provide dimensions or locations of property ownership lines.

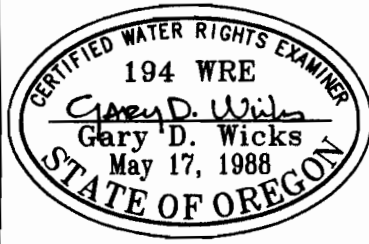
PROJECT NO.
1114-11-692

DRAWING NO.
162-8.5.11

DATE:
July 27, 2011

SCALE:
1" = 400'

SHEET NO.
1 of 1



RENEWAL DATE: 6-30-12

PLAT OF WATER RIGHTS APPLICATION

LOCATED IN:
NW1/4NE1/4 of Section 23
Township 36 South, Range 7 West, W.M.
Josephine County, Oregon

PREPARED FOR:
GARY MARTIN
1801 Marcy Loop
Grants Pass, OR 97527
Tel: 541-659-1282

PREPARED BY:
WICKS ENGINEERING & SURVEYING
311 N.E. "D" Street
Grants Pass, OR 97526
Tel: 541-479-3436
Fax: 541-479-1014

R-87742