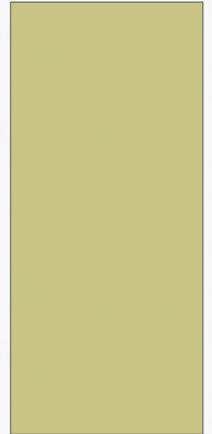


# Reservations of Water for Future Economic Development in Agricultural

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DEPARTMENT OF AGRICULTURE



# Reservations of Water for Future Economic Development

- **ORS 537.356 (1987):**

Any local government, local watershed council or state agency or any other individual cooperating jointly with a local government, local watershed council or state agency *may request the Water Resources Commission (WRC) to reserve unappropriated water for multipurpose storage for future economic development.*

- **5 Requests by ODA for Reservations of Water were Approved**

*Hood R*

*Malheur R*

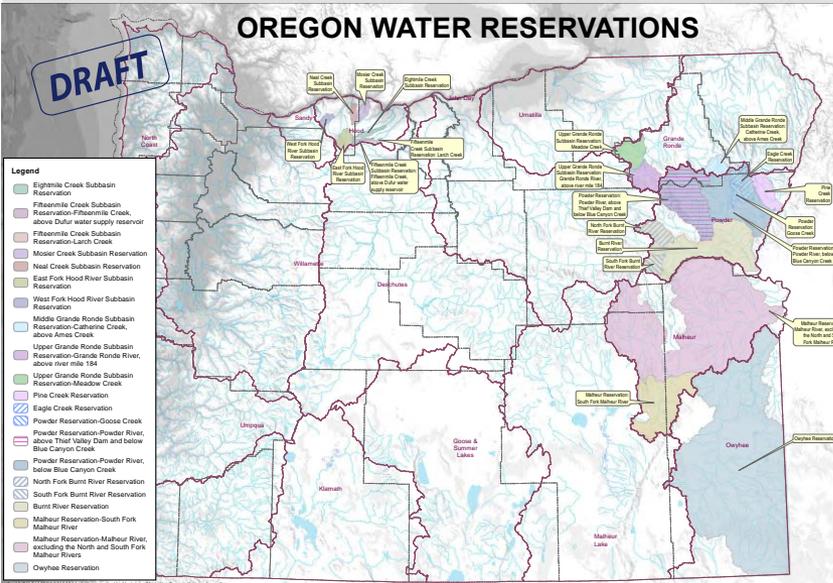
*Owyhee R*

*Powder/Burnt R*

*Grande Ronde R*

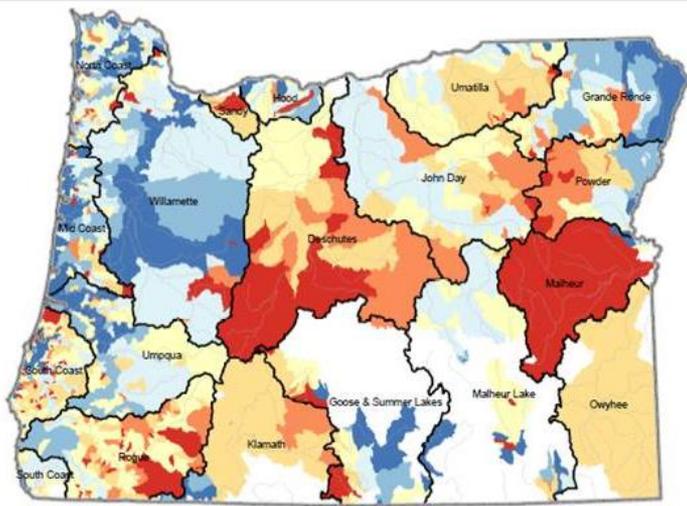
- Priority date for any reservation is the date on which the Water Resources Commission initiates the rulemaking process (in this case, 1992).
- When a person requests use of reserved water for new storage, the priority date for a storage right is the date of the reservation (1992)

# Reservations of Water for Future Economic Development



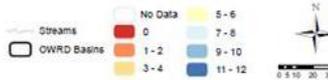
- **Term of reservation:** up to 20 years
  - Extend up to 20 years (ORS 690-079-0050)
- Water stored in “*multi-purpose reservoirs*”
  - “**Multi-purpose**”: Broadly defined, but in general, “*servicing multiple potential beneficial uses such as irrigation, power generation, recreation, and flow augmentation for instream purpose*” – specifics vary among administrative basin plans
- Flexible definition of “*reservoir*”
  - Structural or non-structural
  - Off-stream
  - Surface impoundment/container
  - Subsurface impoundment/container

# Reservations of Water for Future Economic Development

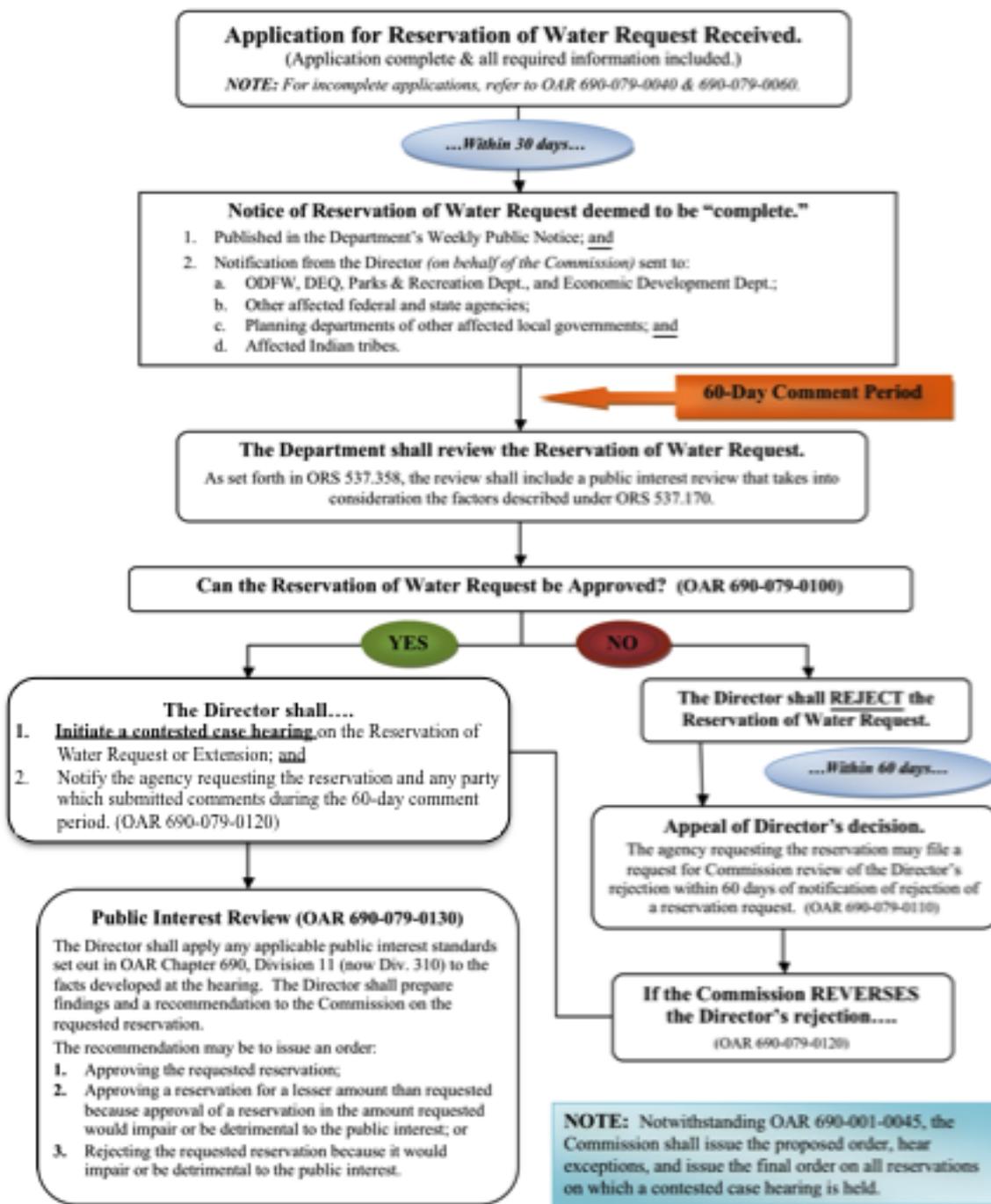


Months of Available Streamflow  
Calculated at 50% Exceedance

OWRD Hydrographic Data, 10/10/2013, Population Oregon Lambert 14C 83  
This product is for informational purposes only and has not been checked for or is not suitable for legal,  
engineering, or scientific purposes. Users of this information should review it against the  
primary data and information sources to ascertain the usability of the information.



- **Advantages of Reservations:**
  - Water is unavailable for appropriation
  - 1992 priority date
  - Broad definition of “*multi-purpose reservoir*”
- **Accessing ODA’s Water Reservations**
  - Contact ODA prior to applying for a permit to store water
  - Consult with ODEQ and ODFW
- Most ODA reservations expire in 2-3 years
- Recent awareness of/interest in reservations
- **Aug WRC Meeting**
  - ODA informed the WRC that they will request extensions of the 5 approved reservations – assembling the necessary information is underway.



- Process for initial reservation request and extension are identical
- Public process
  - ODA consults with ODEQ and ODFW
- All requests for extension go before a Judge in a Contested Case Hearing
  - Whether contested or not
  - All comments are read at the hearing
- Accessing Reservations (Next Page)
  - Step #1: Contact ODA
- Applicant and ODA consult with ODEQ and ODFW
  - Basin Plans may include additional participants

## Steps to Access Reservations of Water for Economic Development in Agriculture

Step	Purpose	Information Required
<p><b>1. Required Forms and Information</b>                      (a) Contact Oregon Department of Agriculture (ODA) in regard to interest in accessing a reservation of water for agriculture, as required by OAR 690-079-0150.</p> <p><b>Contact Information:</b>                      Margaret Matter                      Water Resources Specialist                      Oregon Department of Agriculture                      (503) 986-4561                      mmatter@oda.state.or.us</p> <p>(b) Complete the <i>Supplemental Application Form to Use Reserved Water</i></p> <p>The application form may be found in the "Other Forms" section on OWRD's form webpage:  <a href="http://www.oregon.gov/owrd/pages/pubs/forms.aspx#supplemental">http://www.oregon.gov/owrd/pages/pubs/forms.aspx#supplemental</a></p> <p>(c) Review the administrative basin plan for additional requirements.</p>	<p><b>Provides background information:</b>                      (a) ODA evaluates the project for consistency with purposes of reservations of water for economic development in agriculture;</p> <p>(b) For use by ODA and the applicant in consulting with the Oregon Department of Environmental Quality (ODEQ), Oregon Department of Fish and Wildlife (ODFW), and other relevant agencies, entities and individuals regarding the project;</p> <p>(c) To meet requirements of the administrative basin plans.</p>	<p>(1) Complete the <i>Supplemental Application Form to Use Reserved Water</i></p> <p>(2) Provide a general description of the reservoir or impoundment:</p> <ol style="list-style-type: none"> <li>1. Is the impoundment in-stream or off-channel?                             <ol style="list-style-type: none"> <li>a. Is it a surface or subsurface reservoir?</li> <li>b. Is the impoundment enclosed/containerized or open?</li> <li>c. If there is a dam, is the dam earth-filled, concrete or other?</li> </ol> </li> <li>2. What is the location of the reservoir?</li> <li>2. What is the surface area of the reservoir?</li> <li>e. What is the reservoir capacity or the volume of water to store?</li> <li>f. What is the approximate dam height?</li> <li>3. Reservoir operation                             <ol style="list-style-type: none"> <li>g. During what months will water be stored?</li> <li>h. During what months will the water be used?</li> <li>i. How will the water be used (e.g., irrigation, hydropower generation, recreation, etc.)</li> </ol> </li> </ol> <p>(3) Property ownership:</p> <ol style="list-style-type: none"> <li>1. Who owns the property?</li> <li>2. Have the plans been discussed with the property owner(s)?</li> </ol> <p>This information also corresponds to information required by OWRD for the <i>Application for Permit to Store Water in a Reservoir</i></p>
<p><b>2. Application Review</b>                      Submit the <i>Supplemental Application Form to Use Reserved Water</i> and the required information to ODA.</p> <p><b>Address:</b>                      635 Capitol St. NE                      Salem, OR 97301-2532</p> <p><b>Email:</b> <a href="mailto:mmatter@oda.state.or.us">mmatter@oda.state.or.us</a></p>	<p>(a) ODA reviews the application/information to determine consistency of the proposed project with the purposes of the reservations of water for agriculture.</p>	<p><i>Supplemental Application Form to Use Reserved Water</i> and the required information listed in Step 1.</p>
<p><b>3. Confirmation Letter from ODA</b></p>	<p>Upon approval, ODA provides a confirmation letter to the applicant stating that proposed purposes of a reservation are consistent with purposes in OAR 690-079-0150.</p> <p>The letter <b>must accompany an application for OWRD's <i>Permit to Store Water in a Reservoir</i></b>.</p>	<p>OWRD requires the applicant's confirmation letter from ODA accompanies the <i>Application for Permit to Store Water in a Reservoir</i>:  <a href="http://www.oregon.gov/owrd/Pages/pubs/forms.aspx">http://www.oregon.gov/owrd/Pages/pubs/forms.aspx</a></p> <p><b>Note:</b> There are 2 forms; "Standard Process" or "Alternate Process," depending on the dam height or impoundment capacity.</p>

# THANK YOU



Photo courtesy of Hood River Chamber of Commerce