



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

# Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. 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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF APPLICATION

Please check one of the following:

- Permit Amendment       Ground Water Registration Modification

## 2. APPLICANT INFORMATION

Name: City of Arlington, Oregon  
 Tim Wetherell, Public Works Director  
 Address: P.O. Box 68, Arlington, Oregon 97812  
 Phone: 1-541-454-2743  
 Fax: 1-541-454-2753  
 E-Mail address: [cityofa@gorge.net](mailto:cityofa@gorge.net)

## 3. AGENT INFORMATION

*(The agent listed is authorized to represent the applicant in all matters relating to this application.)*

Name: Brad D. Baird, PE  
 Anderson Perry & Associates, Inc.  
 Address: 1901 N. Fir Street, La Grande, Oregon 97850  
 Phone: 1-541-963-8309  
 Fax: 1-541-963-5456  
 E-Mail address: [bbaird@andersonperry.com](mailto:bbaird@andersonperry.com)

- If an agent is listed above, please check one of the following:
  - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
  - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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**Permit Amendments**

- If you propose to amend multiple permits under this application, a **separate set of pages 3 through 7** must be provided for **each** permit. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

**Ground Water Registration Modifications**

- You may propose modification of **only one** ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

**4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED**

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<p><input checked="" type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <b>not</b> be used for the portion of the water right affected by the amendment or modification.)</p> <p><input type="checkbox"/> <b>Additional</b> (Both the old <b>and</b> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.)</p> <p style="text-align: center;"><b><u>Not Available for Ground Water Registrations</u></b></p> <p><input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <b>not</b> be used.)</p>	<p><input type="checkbox"/> <b>All of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at the current authorized location will be discontinued.)</p> <p><input type="checkbox"/> <b>Only a portion of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)</p>	<p style="text-align: center;"><b><u>Not Available for Permit Amendments</u></b></p> <p><b>Change existing authorized use to the following proposed <u>new</u> use:</b></p> <p><input type="checkbox"/> <b>Irrigation</b></p> <p><input type="checkbox"/> <b>Municipal</b></p> <p><input type="checkbox"/> <b>Quasi-municipal</b></p> <p><input type="checkbox"/> <b>Commercial</b></p> <p><input type="checkbox"/> <b>Industrial</b></p> <p><input type="checkbox"/> <b>Domestic</b> (indicate number of households): _____</p> <p><input type="checkbox"/> <b>Other</b> _____</p>

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- Reason(s) for amendment/modification(s): The original point of diversion for the City's Columbia River municipal permit is now underwater since the Columbia River was raised after construction of the John Day dam. Thus, the original point of diversion is inaccessible from the river bank and it needs modified so it is located on the new river bank. In addition, the City desires to add two additional diversion locations for river withdrawals. These two additional locations are more easily accessible depending on the method of withdrawal. All proposed points of diversion are located on property owned by the Port of Arlington. The City and Port have an agreement in place for use of these points of diversion. The City of Arlington desires the full permit amount to be available at all proposed points of diversion. The City understands the cumulative use cannot exceed the permit limit of 8.16 CFS. In summary, this Permit Amendment is to modify the original point of diversion that is inaccessible due to the river elevation change and to add two more points of diversion.

**5. CURRENT PERMIT OR REGISTRATION INFORMATION**

Permit or Registration to be Amended/Modified (*check and complete one of the following*):

<input checked="" type="checkbox"/> Permit to be Amended:	S-35058 Permit Number	October 1, 1999 _____ Current Completion Date of Permit
<input type="checkbox"/> Ground Water Registration to be Modified:	_____ Ground Water Registration Number	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: City of Arlington
- County: Gilliam County
- Authorized Use(s) to be affected by this Amendment/Modification: Municipal, 8.16 cubic feet per second, City of Arlington area of use for the municipal water system.
- Priority Date(s): December 1, 1970

*If there are **multiple Priority Dates** identified on the Permit or Registration, any information provided on **pages 4 through 7** must identify which **priority date** is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: Columbia River. China Ditch drains the City of Arlington area but it is normally always dry.

Tributary to: Not applicable

*If there are **multiple Sources** listed on the Permit or Registration, any information provided on **pages 4 through 7** must identify which **source** is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

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 CITY OF ARLINGTON

**For an application proposing a Change in Place of Use or Character of Use:**

- Are there any other “Layered” Water Rights, Permits, or Ground Water Registrations issued for **Irrigation** purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified?  Yes  No  N/A -No Change in Use or Place of Use

If “Yes”, pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, **the other “layered” water uses subject to transfer must either change concurrently or be cancelled**, except as provided in OAR 690-380-2240(5).

- Remarks: Not applicable
- The following information **must be provided** only for those points of diversion or appropriation that **are involved in the permit amendment or ground water registration modification** (i.e., **list only the portion of the permit/registration you propose to amend/modify.**) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the “FROM” point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Permit No. S-35058	December 1, 1970	3 North	21 East	WM	21			2000 Feet North and 640 Feet East of the SWA corner of Section 21

**NOTE – This original point of diversion is now located out in the Columbia River. When the John Day dam was constructed, the river level rose, making this point of diversion no longer accessible.**

- Does the permit/registration being amended/modified involve a ground water source(s)?  Yes  No (Surface water source only.)

If “Yes”, for each authorized point of appropriation (well) involved, you must either:

- Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department’s website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

**or**

- If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

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**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**  
 Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
<b>NOT APPLICABLE</b>									

- The following information **must be provided** only for those places of use that **are involved in the permit amendment or ground water registration modification** (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Place of Use to be Affected:**

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
<p><i>NOTE – There is no change in the authorized area of use. The authorized area of use is the area of use for the City of Arlington’s municipal water system. This authorized area of use was most recently reported to the Oregon Water Resources Department via the Claim of Beneficial Use for City Wells No. 1 and No. 2.</i></p>							

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**6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION**

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 3050 N. 10th St.  
 ASTORIA, OR 97103

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Point(s) of Diversion or Appropriation:** (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Permit No. 35058 Diversion No. 1	3 North	21 East	WM	21			1,320 Feet North and 800 Feet East of the S.W. Corner of Section 21
Permit No. 35058 Diversion No. 2	3 North	21 East	WM	20			740 Feet North and 660 Feet West of the S.E. Corner of Section 20
Permit No. 35058 Diversion No. 3	4 North	22 East	WM	35			425 Feet South and 4,555 Feet West of the N.E. Corner of Section 35

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

If "No", describe the anticipated construction for the proposed well(s) in the following table:

**Construction of Proposed Point(s) of Appropriation or Well(s):**

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No )	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
<b>NOTE – No diversion structure has been built to date. The City is in the process of evaluating building a permanent diversion structure at Diversion Site No. 1.</b>										

- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Place of Use:** (i.e., the "TO" lands)

(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
<b>SEE REMARKS BELOW</b>							

Remarks: There is no change to the place of use for the City of Arlington's Columbia River municipal water permit S-35058. The place of use is the use area of the City of Arlington's municipal water system. This place of use was most recently reported to the Oregon Water Resources Department in the Claim of Beneficial Use for City Wells No. 1 and No. 2.

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COLUMBIA RIVER

**7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS**

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district?     Yes     No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification?     Yes     No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency?     Yes     No

*If "Yes", for any of the above, list the name and mailing address of the district and/or agency:*

**NOT APPLICABLE**

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

CITY: City of Arlington, P.O. Box 68, Arlington, Oregon 97812

COUNTY: Gilliam County, 221 South Oregon, Condon, Oregon 97823

PORT: Port of Arlington, P.O. Box 279, Arlington, Oregon 97812

TRIBES: Confederated Tribes of the Umatilla Indian Reservation, P.O. Box 638, Pendleton, Oregon 97801.

**8. PERMIT HOLDER OF RECORD**

*This section is to be completed **only** for Permit Amendment applications.*

*N/A – This is a Ground Water Registration Modification application.*

- Is the applicant the permit holder of record?     Yes     No

*If "No", the applicant must either:*

A.    *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

**or**

B.    *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

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9. LAND OWNERSHIP

**If for a Permit Amendment proposing a Change in Place of Use:**

***(NOTE - THERE IS NO REVISION TO THE PLACE OF USE, SO THIS SECTION IS NOT APPLICABLE)***

- Does the permit holder of record own or control the land **TO** which the place of use is being moved?  Yes  No

*If "No", the owner of the land **TO** which the place of use is being moved **must be assigned to the permit as a permit holder of record** by submitting a completed **Request for Assignment form** and the required statutory fee for an assignment.*

- Check **one** of the following:
  - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

**If for a Ground Water Registration Modification:**

***(NOTE - THIS PERMIT AMENDMENT IS NOT FOR A GROUND WATER REGISTRATION MODIFICATION, SO THIS SECTION IS NOT APPLICABLE)***

- Does the applicant own the lands **FROM** which the registration is being moved?  Yes  No

*If "No", provide the following information:*

Names of Current Landowner(s): Port of Arlington  
Address: P.O. Box 279, Arlington, Oregon 97812

Does the applicant own the lands **TO** which the registration is being moved?  Yes  No

*If "No", provide the following information:*

- Check **one** of the following:
  - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

**10. ATTACHMENTS**

*Check each of the following attachments included with this application.  
The application will be returned if all required attachments are not included.*

**Map:**

- A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

**Land Use Information Form:**

- Enclosed; *or*
- Not required if **all** of the following are met:
- ❶ In EFU zone or irrigation district;
  - ❷ Change in place of use only;
  - ❸ No structural changes needed, including diversion works, delivery facilities, other structures; *and*
  - ❹ Irrigation only.

**Water Well Reports/Well Logs:**

- The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

**Fees:**

- Amount enclosed: \$ 400.00  
See the Department's Fee Schedule at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) or call (503) 986-0900.

**For Permit Amendments Only...**

**Request for Assignment:**

- Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; **OR** the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.  
*The Request for Assignment form is available online at: [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) ; **or***
- N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is **not** the permit holder of record but **is** supplying an Affidavit of Consent from the permit holder.

**Affidavit of Consent:**

- Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; **or**
- N/A. Not required because the applicant is the permit holder of record.

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SUNNYVALE, OR

**11. SIGNATURES**

- **For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:**

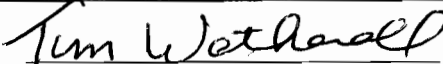
In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to **all lien holders** on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is **not both** the person named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then **either** of the following must be provided:
  - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; **or**
  - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- **For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.**

 applicant signature	Tim Wetherell, Public Works Director name (print)	July 26, 2010 date
_____	_____	_____
applicant signature	name (print)	date

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