

Application for Permit Amendment

Part 1 of 5 – Minimum Requirements Checklist



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

This permit amendment application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all items included with this application. (N/A = Not Applicable)

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Permits to be Amended: **Number of permits to be amended: One (1)**
List the Permits here: Permit S-41444
 Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if 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 <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

___ Application fee not enclosed/insufficient	___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete	___ Part ___ is incomplete
___ Additional signature(s) required	Other/Explanation _____
Staff: _____	Date: ___/___/___

Part 2 of 5 – Permit Amendment Map Checklist

Your permit amendment application will be returned if any of the map requirements listed below are not met.

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- N/A If **more than three** permits are involved, separate maps for each permit.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department. *(Map scale waiver from OWRD is included as Attachment 1)*
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME City of Umatilla (David Stockdale, City Manager)			PHONE NO. (541) 922-3226	ADDITIONAL CONTACT NO.
ADDRESS 700 6th Street			FAX NO. OWRD	
CITY Umatilla	STATE OR	ZIP 97882	E-MAIL DAVID@UMATILLA-CITY.ORG	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Peter Mohr, Attorney / MohrWater Legal PC			PHONE NO. (503) 830-1412	ADDITIONAL CONTACT NO.
ADDRESS 1631 NE Broadway Street, PMB 632			FAX NO.	
CITY Portland	STATE OR	ZIP 97232	E-MAIL peter.mohr@mohrwaterlegal.com	
AGENT/BUSINESS NAME (CO-AGENT) Bob Long, CWRE / CwM-H2O, LLC			PHONE NO. (503) 954-1326	ADDITIONAL CONTACT NO.
ADDRESS 1319 SE Martin Luther King Jr. Blvd, Suite 204			FAX NO.	
CITY Portland	STATE OR	ZIP 97214	E-MAIL bob.long@cwmh2o.com	

Explain in your own words what you propose to accomplish with this transfer application, and why:

The City of Umatilla is the permit holder of Permit S-41444 for 23.0 cfs on the Columbia River (the "Permit"). As issued, the Permit possesses a single approved point of diversion which is mapped at a point approximately 50-ft off shore of the Columbia River and, therefore, creates an inaccessible location for a diversion structure (depicted as "POD-1"). Due to the location of the original POD, the City has been unable to construct the originally-approved diversion structure and, therefore, has been unable to divert water under the Permit as authorized. Furthermore, the City's planned development of the Permit will also require additional points of diversion in order to divert and distribute the water as needed throughout the City's service area.

This amendment application seeks to accomplish the following:

- 1. Remove any reference in the Permit to the originally permitted **POD-1**;*
- 2. Add to the Permit the POD depicted as "**POD-2**", which is an existing diversion structure owned and used by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), and which, by written agreement with the CTUIR, will continue to be used by CTUIR and temporarily used by the City of Umatilla until the completion of a new POD depicted as "**POD-3**";*
- 3. Add to the Permit a new POD depicted as "**POD-3**", which will be a new diversion structure which, once completed, will fully replace the operation of the CTUIR's existing POD depicted as **POD-2**;*
- 4. Add to the Permit the previously described new **POD-3**, which will be used to divert and apply to beneficial use water diverted under both the Permit and, by written agreement with the CTUIR, the CTUIR's existing water rights;*
- 5. Add to the Permit a POD depicted as "**POD-4**", which is an existing diversion structure owned and operated by the City of Umatilla and which is currently used for the diversion of City of Umatilla water rights; and*
- 6. Add to the Permit a POD depicted as "**POD-5**", which is an existing diversion structure co-owned and operated by the City of Hermiston and the Port of Umatilla.*

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? Yes No

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Has the Completion ("C") Date of the permit(s) in this application expired? Yes No

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If YES, this application will not be accepted by the Department.

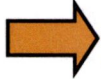
If NO, what are the completion dates of the permit(s)? 10/05/2055

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By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian

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



Applicant Signature

David Stockdale, City Manager 08/30/22

Print Name (and Title if applicable)

Date

Check one of the following:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

Check the appropriate box, if applicable:

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME West Extension Irrigation District	ADDRESS 840 E. Highway 730, PO Box 100	
CITY Irrigon	STATE OR	ZIP 97844
<i>*Parts of the City's permit place of use may slightly overlap with WEID's service area in the northwest part of the City. There is no conflict of service with WEID.</i>		

- Check here if water for any of the permits supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME _____	ADDRESS _____	
CITY _____	STATE _____	ZIP _____

To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME City of Umatilla	ADDRESS 700 6th Street	
CITY Umatilla	STATE OR	ZIP 97882

ENTITY NAME Umatilla County	ADDRESS 216 SE 4th Street, Room 104	
CITY Pendleton	STATE OR	ZIP 97801

ENTITY NAME City of Hermiston	ADDRESS 180 NE 2nd Street	
CITY Hermiston	STATE OR	ZIP 97838

ENTITY NAME Confederated Tribes of the Umatilla Indian Reservation (CTUIR)	ADDRESS 46411 Timine Way	
CITY Pendleton	STATE OR	ZIP 97801

Applicant Comment: *The proposed amendment to incorporate four new PODs to Permit S-41444 includes two (POD-2 and POD-3) which are located on US Army Corps of Engineers land and within an easement held by the CTUIR, the purpose of which is to allow for the location of surface water diversion and conveyance structures. The City of Umatilla has an agreement with CTUIR to both utilize the CTUIR's existing diversion structure (POD 2) and construct a new diversion structure (POD 3) on these lands such that both entities can utilize the diversion structures for appropriation of their respective water rights.*

Part 5 of 5 – Water Use Permit Information

PERMIT # S-41444

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID#	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD-1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	-	5 N	28 E	11	SW NE	1500	2,860 ft N and 3,000 ft E from the SW corner of Sec 11
POD-2 (CTUIR-1)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	-	5 N	29 E	7	NW SE	Lot 2	1,900 ft N and 2,730 ft E from the SW corner of Sec 7
POD-3 (CTUIR-2)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	-	5 N	29 E	7	NW SE	Lot 2	1,930 ft N and 2,610 ft E from the SW corner of Sec 7
POD-4 (GC)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	-	5 N	28 E	10	NE SE	1500	1,930 ft N and 320 ft W of the SE corner of Sec 10
POD-5 (SWR)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	-	5 N	28 E	10	NE SE	1500	1,970 ft N and 280 ft W of the SE corner of Sec 10

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|---|--|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

Applicant Comment: *Original POD (POD-1) will be removed from the permit as a result of this amendment and therefore the change proposed is POD and not APOD.*

Will all of the proposed changes affect the entire water use permit?

- Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No ~~Complete all of Table 2 to describe the portion of the permit to be changed.~~

For a change in place of use: **N/A**

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Table 2. Description of Changes to Water Use Permit # S-41444

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands)																									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date																	
EXAMPLE																																					
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0			POD #5	1901										
													APOD (Additional Points of Appropriation)	5 N	27	E	13	E1/2 of SE			Municipal Uses	ALL	Oct 5, 1976														
TOTAL ACRES:									76.3	TOTAL ACRES:																											

Additional remarks: The area described in Table 2 above is based on the locations included in the original permit document and are intended to reflect the City of Umatilla's current service area, including all of the fully contiguous area within the City's Urban Growth Boundary, as shown in Attachment 1B – Amendment Map.

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Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands? Yes No

Applicant Comment: *Because the proposed amendments (additional PODs) affect the entire water right, there are no "from" or "to" lands and this item does not apply.*

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If YES, list the other certificate, permit, or ground water registration numbers: **N/A**

~~If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.~~

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation: **N/A**

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation: N/A

~~Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.~~

Proposed or Authorized POA	Is well already built?	If an existing well, OWRD Well ID Tag No. L_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm)
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ATTACHMENT 1A
Map Scale Waiver Email from OWRD

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ATTACHMENT 1A

Ian Godwin

From: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Sent: Monday, July 11, 2022 2:39 PM
To: Ian Godwin
Cc: peter.mohr@mohrwaterlegal.com
Subject: RE: Map Waiver for Permit Amendment

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ian,

The Department grants a map scale waiver for the attached permit amendment map. Please include a copy of this e-mail with the permit amendment application when it is filed with the Department.

Kelly

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Cell phone: 503-979-3511 Fax: 503-986-0903
E-mail: patrick.k.starnes@water.oregon.gov

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

From: Ian Godwin <lgodwin@cwmh2o.com>
Sent: Thursday, July 7, 2022 11:47 AM
To: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Cc: peter.mohr@mohrwaterlegal.com
Subject: RE: Map Waiver for Permit Amendment

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Good morning Kelly,

Apologies for the delay regarding a map scale waiver for the permit amendment application for S-41444. I have attached a preliminary final draft of the application map for your review. The inset maps are at the accepted map scale (1":400') and contain a taxlot overlay. The primary map is at a much smaller scale due to the size of the permit place of use. Please let me know if you have any questions, thanks again for the help.

Best,
Ian Godwin, GIT | CwM-H2O | Staff Hydrogeologist
www.CwMH2O.com | Office (503) 954-1326 | Cell (571) 245-7897

From: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Sent: Friday, June 10, 2022 11:19 AM

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ATTACHMENT 2

Land Use Compatibility Forms

- City of Umatilla
- County of Umatilla
- Confederated Tribes of the Umatilla Indian Reservation
- City of Hermiston

Land Use Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

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, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

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The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



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

Applicant(s): City of Umatilla (David Stockdale, City Manager)

Mailing Address: 700 6th Street

City: Umatilla

State: OR

Zip Code: 97882

Daytime Phone: (541) 922-3226

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:

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

City of Umatilla
 City of Hermiston
 County of Umatilla

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B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

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- 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) Columbia River

Estimated quantity of water needed: 23.0
 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 _____

Briefly describe:

The City of Umatilla is the permit holder of Permit S-41444 for 23.0 cfs on the Columbia River (the "Permit"). As issued, the Permit possesses a single approved point of diversion which is mapped at a point approximately 50-ft off the south bank of the Columbia River and, therefore, creates an inaccessible location for a diversion structure. The City seeks to amend the Permit by securing new PODs in order that it may apply to beneficial use and ultimately perfect its water right interest authorized under the Permit.

The City's application to amend its Permit seeks to accomplish the following:

- 1. Remove any reference in the Permit to the originally permitted POD;*
- 2. Add to the Permit an existing POD owned and operated by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), which diverts the CTUIR's existing water rights from the Columbia River and the pumphouse for which POD is located on property owned by the USACE ("CTUIR Existing POD").*
- 3. Add to the Permit a new POD, which will be a new diversion structure that, once completed, will fully replace*

the operation of the CTUIR Existing POD and which new POD will be operated in conjunction with a new pumphouse (to be located approximately 100' to the west of the existing pumphouse) on the same property owned by the USACE and that, once completed, will fully replace the CTUIR's existing pumphouse and will be used to divert and apply to beneficial use water diverted under both the Permit and the CTUIR's existing water rights (the "New CTUIR POD");

4. Add to the Permit a POD currently located and operating in the McNary Pool, which is (a) an existing diversion structure owned and owned and operated by the City of Umatilla, and (b) is currently used for the diversion of other City of Umatilla water rights; and

5. Add to the Permit a POD currently located and operating in the McNary Pool, which (a) is an existing diversion structure co-owned by the City of Hermiston and the Port of Umatilla, (b) is operated and maintained by the City of Hermiston pursuant to an agreement between the City of Hermiston and the Port of Umatilla, and (c) will be used by the City of Umatilla to appropriate water under the Permit and convey such water to and through the RWS pipeline for delivery to the City of Hermiston.

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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.

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):
- 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
		<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

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.

Name: Jacob Foutz Title: Senior Planner

Signature: [Signature] Phone: 541-922-3226 x110 Date: 8-10-2022

Government Entity: City of Umatilla

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: _____

RWS Transmission Line – Quarter-Quarters:

Through City of Umatilla UGB:

- T5N, R28E
 - Section 10
 - NESE, SESE, SWSE, SESW
 - Section 15
 - NENW, NWNW, SWNW, NWSW, SWSW
 - Section 22
 - NWNW, SWNW, NWSW, SWSW

Through City of Hermiston UGB:

- T2N, R28E
 - Section 3
 - NWNW, SWNW, NWSW, SWSW
 - Section 10
 - NWNW, SWNW, NWSW, SWSW
 - Section 15
 - NWNW, SWNW, NWSW, SWSW
 - Section 20
 - SWSW, SESW, SWSE, SESE
 - Section 21
 - SWSW, SESW, SWSE, NWSE, NESE, SENE
 - Section 22
 - NWNW, SWNW
 - Section 27
 - NWSW, SWSW
 - Section 28
 - NESE, NWSE, SWNE, NWNE
 - Section 29
 - NWNW
 - Section 30
 - NWNW, NENW, NWNE, NENE

Through County of Umatilla:

- T5N, R28E
 - Section 27
 - NWNW, SWNW, NWSW, SWSW
 - Section 28
 - NENE
 - Section 33
 - SESE
 - Section 34
 - NWNW, SWNW, NWSW, SWSW

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Land Use Information Form



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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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

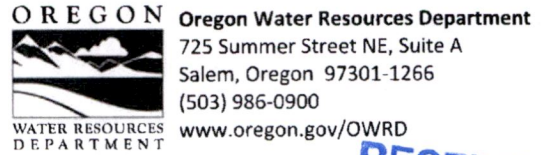
This form is NOT required if:

- 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, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
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NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



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Applicant(s): City of Umatilla (David Stockdale, City Manager)

Mailing Address: 700 6th Street

City: Umatilla

State: OR

Zip Code: 97882

Daytime Phone: (541) 922-3226

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:

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

City of Umatilla
 City of Hermiston
 County of Umatilla

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) Columbia River

Estimated quantity of water needed: 23.0 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 _____

Briefly describe:

The City of Umatilla is the permit holder of Permit S-41444 for 23.0 cfs on the Columbia River (the "Permit"). As issued, the Permit possesses a single approved point of diversion which is mapped at a point approximately 50-ft off the south bank of the Columbia River and, therefore, creates an inaccessible location for a diversion structure. The City seeks to amend the Permit by securing new PODs in order that it may apply to beneficial use and ultimately perfect its water right interest authorized under the Permit.

The City's application to amend its Permit seeks to accomplish the following:

- 1. Remove any reference in the Permit to the originally permitted POD;*
- 2. Add to the Permit an existing POD owned and operated by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), which diverts the CTUIR's existing water rights from the Columbia River and the pumphouse for which POD is located on property owned by the USACE ("CTUIR Existing POD").*
- 3. Add to the Permit a new POD, which will be a new diversion structure that, once completed, will fully replace*

the operation of the CTUIR Existing POD and which new POD will be operated in conjunction with a new pumphouse (to be located approximately 100' to the west of the existing pumphouse) on the same property owned by the USACE and that, once completed, will fully replace the CTUIR's existing pumphouse and will be used to divert and apply to beneficial use water diverted under both the Permit and the CTUIR's existing water rights (the "New CTUIR POD");

4. *Add to the Permit a POD currently located and operating in the McNary Pool, which is (a) an existing diversion structure owned and owned and operated by the City of Umatilla, and (b) is currently used for the diversion of other City of Umatilla water rights; and*

5. *Add to the Permit a POD currently located and operating in the McNary Pool, which (a) is an existing diversion structure co-owned by the City of Hermiston and the Port of Umatilla, (b) is operated and maintained by the City of Hermiston pursuant to an agreement between the City of Hermiston and the Port of Umatilla, and (c) will be used by the City of Umatilla to appropriate water under the Permit and convey such water to and through the RWS pipeline for delivery to the City of Hermiston.*

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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 landuse 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):
- 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
		<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

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.

Name: Robert T Waldner Title: Director
 Signature: Robert T Waldner Phone: 541.278.6251 Date: 08/25/22
 Government Entity: Umatilla County

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: _____

Land Use Information Form



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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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

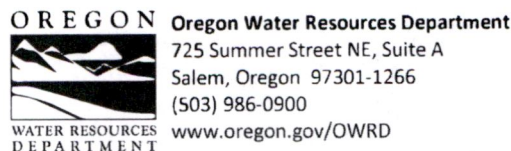
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 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
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NOTE TO LOCAL GOVERNMENTS

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Land Use Information Form



Applicant(s): City of Umatilla (David Stockdale, City Manager)

Mailing Address: 700 6th Street

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City: Umatilla

State: OR

Zip Code: 97882

Daytime Phone: (541) 922-3226 ~~2022~~

A. Land and Location

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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:
The raw water will be conveyed and used on two parcels of land held in trust for the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) by the United States government. (See the Attached Exhibit A and Exhibit B)							
1. Wanapa Industrial Park - Tribal Trust Land T-2101							
2. Wanket Wildlife Area - Tribal Trust Land T-1125							
Note - The CTUIR considers these two Tribal Trust Land Parcel as part of the Umatilla Indian Reservation.							

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

City of Umatilla
 City of Hermiston
 County of Umatilla

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) Columbia River

Estimated quantity of water needed: 23.0 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 _____

Municipal - Wanapa Industrial Park
 Other - Wanket Wildlife Area - Water is to be used to support wildlife and wildlife habitat

Briefly describe:

The City of Umatilla is the permit holder of Permit S-41444 for 23.0 cfs on the Columbia River (the "Permit"). As issued, the Permit possesses a single approved point of diversion which is mapped at a point approximately 50-ft off the south bank of the Columbia River and, therefore, creates an inaccessible location for a diversion structure. The City seeks to amend the Permit by securing new PODs in order that it may apply to beneficial use and ultimately perfect its water right interest authorized under the Permit.

The City's application to amend its Permit seeks to accomplish the following:

- 1. Remove any reference in the Permit to the originally permitted POD;*
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the operation of the CTUIR Existing POD and which new POD will be operated in conjunction with a new pumphouse (to be located approximately 100' to the west of the existing pumphouse) on the same property owned by the USACE and that, once completed, will fully replace the CTUIR's existing pumphouse and will be used to divert and apply to beneficial use water diverted under both the Permit and the CTUIR's existing water rights (the "New CTUIR POD");

4. *Add to the Permit a POD currently located and operating in the McNary Pool, which is (a) an existing diversion structure owned and owned and operated by the City of Umatilla, and (b) is currently used for the diversion of other City of Umatilla water rights; and*

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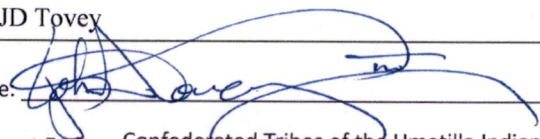
Please check the appropriate box below and provide the requested information

- 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): **(See comments below)**
- 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."**

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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.

The CTUIR has provided the information requested but does so as a sovereign, Federally recognized Indian Tribe, not as a Local Government. The uses of the water on the Wanapa Industrial Park and Wanaket Wildlife Area parcels are allowed outright by the CTUIR Land Development Code, which applies to all land within the Umatilla Indian Reservation and to "off-Reservation Trust Lands", and the Board of Trustees approved uses of those parcels.

Name: JD Tovey Title: Director, Tribal Planning Department
 Signature:  Phone: 541-429-7520 Date: 8/16/2022
 Government Entity: Confederated Tribes of the Umatilla Indian Reservation email: jdtovey@ctuir.org

This Land Use Form is to be executed by the CTUIR Planning Director with the statutory duty to administer the CTUIR Land Development Code

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: _____

Land Use Information Form



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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NOTE TO APPLICANTS

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Land Use Information Form

OREGON 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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Applicant(s): City of Umatilla (David Stockdale, City Manager)

Mailing Address: 700 6th Street

City: Umatilla

State: OR

Zip Code: 97882

Daytime Phone: (541) 922-3226

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:

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

City of Umatilla
 City of Hermiston
 County of Umatilla

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
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 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) Columbia River

Estimated quantity of water needed: 23.0
 cubic feet per second
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 Domestic for _____ household(s)
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Briefly describe:

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4. Add to the Permit a POD currently located and operating in the McNary Pool, which is (a) an existing diversion structure owned and owned and operated by the City of Umatilla, and (b) is currently used for the diversion of other City of Umatilla water rights; and

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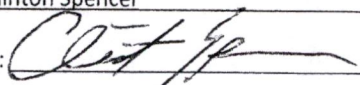
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Please check the appropriate box below and provide the requested information

- 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): Hermiston Regional Water System serves only industrial users permitted outright under §157.055 of the Hermiston Code of Ordinances.
- 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."**

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		<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.

Name: Clinton Spencer Title: Planning Director
 Signature:  Phone: (541)567-5521 Date: August 2, 2022
 Government Entity: City of Hermiston

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: _____