

## **Water-Use Permit Application Processing Steps**

### **Oregon Water Resources Department**

#### **Standard Process for a Surface Water Application:**

##### **1. Initial Review**

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310.00. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

##### **2. Public Notice**

Within 7 days of the mailing of the Initial Review, the Department gives public notice of the application in the weekly notice published by the Department at [www.oregon.gov/owrd](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

##### **3. Proposed Final Order Issued**

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened, or endangered fish species. Within 60 days of completion of the Initial Review, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit and may request additional information or outstanding fees required prior to permit issuance.

##### **4. Public Notice & Protest Opportunity**

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. A protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing, if necessary.

##### **5. Final Order Issued**

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit will specify the details of the authorized use and any terms, limitations, or conditions that the Department deems appropriate.

#### **Expedited Process for a Surface Water Application:**

*Note: The expedited process only applies to an application using stored water only under ORS 537.147.*

The expedited process allows the Department to process an application within several weeks in cases where no public interest concerns are identified. It does not provide an opportunity to protest the Department's recommendation unless public interest issues are identified, in which case the Department will then evaluate the application using the standard process and a protest opportunity will be available. For expedited applications, the Department issues a Final Order only. Once accepted by the Department, these applications are published in the weekly public notice every Tuesday and a 30-day public comment period begins. Following the public comment period, the Department can issue the Final Order.



**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

September 16, 2022

Nantucket Shores Water Co.  
PO Box 999  
Pacific City, OR 97135

Dear Applicant:

The Oregon Water Resources Department has received your surface water application for a water use permit. Your application has been assigned file number **S-89270**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

Lisa Graham Water Rights Specialist	Phone: 503-979-3130
	Email: <a href="mailto:Elisabeth.a.graham@water.oregon.gov">Elisabeth.a.graham@water.oregon.gov</a>

A description of the steps that are used for processing a surface water application are shown on the reverse side of this letter. Surface water applications that propose to use stored water exclusively are reviewed using an expedited process and contain slightly different processing steps.

The Department's goal is to process applications within statutory deadlines. The first step in the process is issuance of an Initial Review, which summarizes the Department's preliminary determinations. Surface water applications typically receive an Initial Review in approximately two to three months. Copies of the Initial Review, Proposed Final Order, and Final Order will be mailed to you. Applications proposing to use stored water only under the expedited process will receive a Final Order.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

Dante Luongo  
Customer Service Representative  
Oregon Water Resources Department

cc:

- Project schedule. (Note: If system is already completed, indicates "existing.", (Note: Estimates are okay if the water system has not been designed))
- Supplemental data sheets enclosed (if needed)
  - Form M (Municipal or Quasi-Municipal)
- A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department. Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- A **Legal Description** of all the properties involved where water is diverted, conveyed, and used. The legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable
- The proposed source  IS  IS NOT restricted or withdrawn from further appropriation. **NOTE:** If it is withdrawn under ORS 538, reject/return application and fees.
- The **map** must meet all the minimum requirements of OAR 690-310-0050.
  - Township, Range, Section
  - Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
  - Place of use, ¼-¼'s and tax lot clearly identified
  - Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
  - Location of **each** diversion point or well by reference to a recognized public land survey corner.
  - Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
  - Reference corner on map
  - North directional symbol
  - Number of acres per ¼ ¼ if for irrigation, supplemental irrigation, or nursery use
- Fees:** Amount of Water Requested: .5 cfs Name on Check: \_\_\_\_\_

Exam Fee Due:	\$1500
Exam Fee Submitted:	\$2110
Difference:	\$610
Recording Fee Paid?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No \$ 610
Total:	\$2110

**E-2 App**

- Yes  
 No

**Standard Application Completeness Checklist****Groundwater and Surface Water Applications Only**

Minimum Application Requirements (OAR 690-310-0040 &amp;-0050)

For use by WRD staff only

Application #:	5-84270	Receipt #:	139133
Applicant Name:	Nantucket Shores Water Company	Amount Requested:	.5 cfs
Priority Date:	9-15-2022	Proposed Use:	Quasi-Municipal
County:	Tillamook	POD's TRS &TL	4S 11W 12, 7
WM #:	1	Caseworker:	<input type="checkbox"/> KF <input checked="" type="checkbox"/> ELG
Reviewed by:	Dante Luongo	Reviewed Date:	9-16-2022

Applicant/Organization Name and Mailing Address

Signature of **all** applicants (include title or authority of representative if applicant is an organization or corporation). Note: Applicant's agent may NOT sign the application on behalf of the applicant.

Property Ownership: Does the applicant own all the land for the proposed project?  Yes  No

If No:

The affected landowner's name(s) and mailing address(s) must be listed.

A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

**For a SW Application:** Source of water must be indicated.

If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)

If for stored water, is the source authorized under a permit certificate, or decree?

Permit or Certificate issued: **OY ON** Permit or Certificate #: XXXXXXXXXX

**NOTE:** An expedited secondary (E2) application and a reservoir application cannot be filed at the same time. The reservoir must be legally authorized first under an existing water right in order to accept and process an E2 application.

**For a GW Application:** Well development table completed and a well log report included (if existing)

Division 33 (Sensitive, Threatened, Endangered, Fish Species)

Proposed Water Use:

Amount of water from *each* source in GPM, CFS, or AF

Period of use indicated

If for supplemental irrigation, primary acreage or underlying permit or certificate number listed.

(Note: Primary and Supplemental Irrigation counts as 2 uses)

Water Management Section

Resource Protection Section



# MONEY SLIP

DATE: <u>9/15/2022</u>	RECEIPT #: <u>139129</u>
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RECEIVED FROM: Zollman's Lorry  
Burd Well Drilling LLC

APPLICATION	
PERMIT	
TRANSFER	

CASH  CHECK #  016067 OTHER (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D	\$ <u>20.00</u>
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1083 TREASURY	4170 MISC CASH ACCT.	
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0407 COPIES	\$
_____ OTHER: (IDENTIFY) _____	\$

0243 Instream Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

1083 TREASURY	4270 WRD OPERATING ACCT.	
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**MISCELLANEOUS**

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME _____	\$

**WATER RIGHTS**

0201 SURFACE WATER	EXAM FEE		RECORD FEE
0203 GROUND WATER	\$	0202	\$
0205 TRANSFER	\$	0204	\$

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	EXAM FEE		RECORD FEE
_____ LANDOWNER'S PERMIT	\$	0219	\$
_____ OTHER (IDENTIFY) _____		0220	\$

0607 TREASURY	0467 HYDROELECTRIC	
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0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER
0231 HYDRO LICENSE FEE (FW/WRD)	\$
_____ HYDRO APPLICATION	\$

**SPECIAL INSTRUCTIONS:**

RETURN TO APPLICANT -- LETTER ATTACHED

# MONEY SLIP

DATE: 9/15/2022	RECEIPT #: 139133
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RECEIVED FROM: Nantucket Shores  
Water Co

APPLICATION	\$292.70
PERMIT	
TRANSFER	

CASH  CHECK #  1061 OTHER (IDENTIFY)

TOTAL REC'D	\$ 2110.00
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1083 TREASURY 4170 MISC CASH ACCT.

0407 COPIES \$  
OTHER: (IDENTIFY) \$

0243 Instream Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

1083 TREASURY 4270 WRD OPERATING ACCT.

### MISCELLANEOUS

0407 COPY & TAPE FEES \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$

4611

### WATER RIGHTS

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ 1500	0202	\$ 610
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

### WELL CONSTRUCTION

	EXAM FEE		RECORD FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY)			\$ 2110.00

0607 TREASURY 0467 HYDROELECTRIC

	LIC NUMBER	
0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

## SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT -- LETTER ATTACHED