



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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Salem, OR 97301

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October 29, 2012

Kirk B. Maag
Stoel Rives LLP
900 S.W. Fifth Avenue, Suite 2600
Portland, OR 97204

Re: Specific to General Industrial Notification – Certificate 40299 JLR, LLC

Dear Mr. Maag:

We have received your letter of October 12, 2012, notifying the Department that JLR, LLC acquired the property to which Certificate 40299 is appurtenant and intends to change the use of water under water right Certificate 40299 from the specific industrial use of “fruit and vegetable processing” to general industrial use.

The general industrial use at the site will include operation and maintenance of the industrial site, facilities and buildings; drinking water at the facility; fire protection; washing equipment and vehicles used in association with industrial activities; irrigation and landscape maintenance of not more than one-half acre; dilution of effluent from the operation and maintenance of the industrial site, facilities and buildings for eventual land application pursuant to an NPDES Waste Discharge Permit issued by the Oregon Department of Environmental Quality (NPDES Permit No. 101253); and other uses that fall within the definition of “industrial use,” as defined in OAR 690-300-0010(25). Any new use will continue to occur within the property that was owned by General Foods Corporation, the holder of the original water right, at the time the original permit was issued, and the quantity of water used for general industrial purposes will not be greater than the rate and volume allowed in the original water right for the authorized specific use.

JDB, Inc., dba BrucePac, will use the water on the property under a lease with JLR.

The requirements for making the change are established under ORS 540.520(9) and OAR 690-380-2340. Your letter appears to include all of the information required under the statutes and rules. We will file your notification in our water right records.

Current statutes and rules do not include a process for Department review and approval of notifications of specific to general industrial changes. Any issues associated with eligibility and compliance will be addressed by the watermaster during normal distribution and regulation activities.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wr.d.state.or.us if you have any questions.

Sincerely,

Dorothy I. Pedersen
Transfer Program Advisor

cc: Mark R. Witte, JDB, Inc. dba BrucePac, P.O. Box 588, Woodburn, OR 97071, facility operator
Mike McCord, District 16 Watermaster
Aaron C. Courtney, Stoel Rives LLP
David E. Filippi, Stoel Rives LLP
Application File G-5828

