TO: Water Rights Section  Groundwater/Hydrology Section  Reviewer's Name  Reviewer's Name  Suppreades Review Dated 41/2/o1  GROUNDWATER/SURFACE WATER CONSIDERATIONS  1. PER THE Desclates Basin rules, one or more of the proposed POA's will and taps a groundwater source hydraulically connected to the surface water.  **Pervision** OAR  2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater source water source, namely be dear to the surface with the nearest in the property will, or surface water source, namely be dear to the surface water from interference:  i. The permit should contain condition #(s)  ii. The permit should be conditioned as indicated in item 4 below; or d. will, with well reconstruction, adequately protect the surface from substantial interfered will, with well reconstruction, adequately protect the surface from substantial interfered will or likely be available in the amounts requested without injury to prior sight b. will not and/or within the capacity of the resource; or C. will if properly conditioned, avoid injury to existing rights or to the groundwater resour in the permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should contain special condition from no deeper than ft. below land surface;  b. The permit should allow groundwater production from no shallower than ft. below land surface;  c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;  c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;  c. The permit should allow groundwater production from no shallower than ft. below land surface;  c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land source of the above conditions.  c. One o	48			19	2002
SUBJECT: Application G-15 246 Supercodes Review Dated 41/2/01  GROUNDWATER/SURFACE WATER CONSIDERATIONS  1. PER THE Descholes Basin rules, one or more of the proposed POA's is not with feet/mile of a surface water source (	ro:	Water Rights Section		Jan. 17	
Super sedes Review Dated 41/201  GROUNDWATER/SURFACE WATER CONSIDERATIONS  1. PER THE Deschates Basin rules, one or more of the proposed POA's is not with feet/mile of a surface water source (groundwater source hydraulically connected to the surface water.  **Po Provision** No OAR**  2. BASED UPON 0AR 690-09 currently in effect, I have determined that the proposed groundwater will, or have the potential for substantial interference with the nearest surface water source, namely becase water from incommendicated in the permit should contain condition #(s) in The permit should contain condition #(s) in The permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should be conditioned as indicated in item 4 below; or divided will, with well reconstruction, adequately protect the surface from substantial interference in the permit should be conditioned as indicated in the proposed use a. will, or likely be available in the amounts requested without injury to prior right b. will not and/or within the capacity of the resource; or (Dx will if properly conditioned, avoid injury to existing rights or to the groundwater resource) for the permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should allow groundwater production from no deeper than below land surface;  1. The permit should allow groundwater production from no shallower than ft. below land surface;  2. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;  3. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;  3. The permit should allow groundwater production from no shallower than ft. below land surface;  4. The permit should allow groundwater production from no of the above conditions.  5. One or more POA's commingle 2 or more sources of w	FROM:	Groundwater/Hydrology Section_	D	wer's Name	
ASSED UPON available data, I have determined that groundwater for the proposed use a will, or likely be available in the amount and/or within the capacity of the resource; or C. Will if properly conditioned, avoid injury to existing rights or to the groundwater resource human should contain special conditions(s) as indicated in "Remarks" below iii. The permit should contain special conditions rights or to the groundwater resource.  Asset UPON 0AR 690-09 currently in effect, I have determined that the proposed groundwater.  BASED UPON 0AR 690-09 currently in effect, I have determined that the proposed groundwater.  C. will if properly conditioned, adequately protect the surface water from interference:  i. The permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should be conditioned as indicated in item 4 below; or d. will, with well reconstruction, adequately protect the surface from substantial interference.  GROUNDWATER AVAILABILITY CONSIDERATIONS  3. BASED UPON available data, I have determined that groundwater for the proposed use a will, or likely be available in the amounts requested without injury to prior right will not and/or within the capacity of the resource; or C. will if properly conditioned, avoid injury to existing rights or to the groundwater resource.  In permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should allow groundwater production from no shallower than ft. below land surface;  b. The permit should allow groundwater production from no shallower than ft. below land surface;  c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;  c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;  c. One or more POA's commingle 2 or more sources of water. The applicant m		Supersedes Review Dated	4/12/01		
a. will, or surface water source, namely bedge water from interference:  i. The permit should contain condition #(s).  ii. The permit should contain condition only in the permit should contain condition only in the permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should be conditioned as indicated in item 4 below; or d. will, with well reconstruction, adequately protect the surface from substantial interfered.  CROUNDWATER AVAILABILITY CONSIDERATIONS  3. BASED UPON available data, I have determined that groundwater for the proposed use a. will, or likely be available in the amounts requested without injury to prior right b. will not and/or within the capacity of the resource; or will if properly conditioned, avoid injury to existing rights or to the groundwater resourch will in the permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should contain special condition(s) as indicated in "Remarks" below iii. The permit should be conditioned as indicated in item 4 below; or  4. a. THE PERMIT should allow groundwater production from no deeper than ft. below land surface; b. The permit should allow groundwater production from no shallower than ft. below land surface; c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface; one or more POA's commingle 2 or more sources of water. The applicant must select source of water per POA and specify the proportion of water to be produced from each source.  REMARKS:	1. PE	R THE Descholes Basin rules, one feet/mile of a surface water source (bundwater source hydraulically connected to the Provision in OAR	or more of the the the the surface wat	er.	and app a
3. BASED UPON available data, I have determined that groundwater the proposed awill, or likely be available in the amounts requested without injury to prior right bwill not and/or within the capacity of the resource; or	a E c	will, or have the potential for subsequential	mely Balge protect the surface dition #(s) all condition(s) as	ce water from inte	; or erference: emarks" below;
below land surface;  bThe permit should allow groundwater production from no shallower thanft.  below land surface;  cThe permit should allow groundwater production only from the  groundwater reservoir between approximatelyft. andft. below land surface.  dWell reconstruction is necessary to accomplish one or more of the above conditions.  eOne or more POA's commingle 2 or more sources of water. The applicant must select source of water per POA and specify the proportion of water to be produced from each source.  REMARKS:	3. BA	will, or likely be available in the a will not and/or within the capacity will if properly conditioned, avoid injury  i The permit should contain specification.	mounts requested of the resource; to existing right addition #(s)	or to the ground sindicated in "Re	ndwater resource: emarks" below;
	b.	below land surface; The permit should allow groundwater below land surface; The permit should allow groundwater groundwater reservoir between approach well reconstruction is necessary to accompose or more POA's commingle 2 or more source of water per POA and specify the	production from production or eximately	n no shallower to  ly from the  ft. and  ft. be  nore of the above  ter. The applican	elow land surface; conditions.
	REMA				

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.) THE WELL which is the point of appropriation for this application does not meet current well 5. construction standards based upon: a.\_\_\_\_review of the well log; b.\_\_\_\_field inspection by \_\_\_\_\_\_ c.\_\_\_report of CWRE \_\_\_\_\_ d.\_\_\_other: (specify) \_\_\_\_\_ THE WELL construction deficiency: a.\_\_\_\_constitutes a health threat under Division 200 rules; b.\_\_\_commingles water from more than one groundwater reservoir; c.\_\_\_permits the loss of artesian head; d.\_\_\_permits the de-watering of one or more groundwater reservoirs; e. other: (specify) THE WELL construction deficiency is described as follows: 7. ٧ a.\_\_\_was, or constructed according to the standards in effect at the time of THE WELL 8. b. was not original construction or most recent modification. c\_\_\_I don't know if it met standards at the time of construction. RECOMMENDATION: A.\_\_\_I recommend including the following condition in the permit: "No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department." B.\_\_\_I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department. C.\_\_\_REFER this review to Enforcement Section for concurrence. THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit (Signature) I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons:

(Signature)

Water Resources Department MEMO Application G- 15 266 TO FROM Scenic Waterway Interference Evaluation SUBJECT Supersedes Review Dated 4/12/01 8 Yes The source of appropriation is within or above a Scenic Waterway. No > Yes Use the Scenic Waterway condition (Condition 7J). No PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true) At this time the Department is unable to find that there is a K preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife. FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked) Exercise of this permit is calculated to reduce monthly flows in Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced. N ov Dec Oc t Sep Jun Jul Aug Feb Mar Арг May Jan

- (E) The maximum economic development of this state, the attainment of the highest and best use of the waters of the natural lakes of the Middle Deschutes River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7 1/2 theoretical horsepower, recreation, wildlife and fish life uses.
- (b) Applications for the use of the waters of the Middle Deschutes River Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.
- (c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudical to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

#### (2) Minimum Perennial Streamflows

For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, no appropriations of water except for domestic or livestock uses shall be made or granted by any state agency or public corporation of the state for the waters of Lake Creek or its tributaries above the confluence of Lake Creek with the Metolius River for flows of Lake Creek below 20 cubic feet per second measured at the mouth of Lake Creek except that this limitation shall not apply to waters legally stored or legally released from storage (priority date - May 24, 1962).

## (3) Water Quality

Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.

#### Lower Deschutes River Basin

690-505-003

#### (1) Classifications

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Lower Deschutes River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the Lower Deschutes River Basin are hereby so classified with the following exceptions:

(A) OAR 690-505-006, Lower Main Stem Deschutes River, adopted April 3, 1964, as modified by the Water Policy Review Board.

(B) The waters of Boulder Lake in Hood River and Wasco Counties are classified only for domestic and livestock uses; power development not to exceed 7-1/2 theoretical horsepower; recreation, wildlife and fish life uses; and irrigation not to exceed 100 acre-feet annually from water stored in the lake.

(C) The maximum economic development of this state, the attainment of the highest and best use of the waters of the other natural lakes of the Lower Deschutes River Basin, and the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7-1/2 theoretical horsepower, recreation, wildlife, and fish life uses and the waters of the natural lakes of the Lower Deschutes River Basin are hereby so classified.

- (b) Applications for the use of the waters of the Lower Deschutes River Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.
- (c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give cognizance to the multiple-purpose concept.

### (2) Minimum Perennial Streamflows

For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, no appropriations of water except for domestic or livestock uses shall be made or granted by any state agency or public corporation of the state for the waters of the White River or its tributaries above the confluence of White River with the Deschutes River for flows of the White River below the specified flows in Table 2, except that this limitation shall not apply to waters legally stored or legally released from storage.

## (3) Water Quality

Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.

Upper Crooked River Basin

690-505-004

(1) Classifications

toward approved construction by both the public and private sector.

- (33) "Planned Uses" means the use or uses of water or land which has/have been planned as defined in this section. Such uses include, but are not limited to, the uses approved in the policies, provisions, and maps contained in acknowledged city and county comprehensive plans and land use regulations.
  - ( )
- (34) "Pollution Abatement or Pollution Prevention Water Use" means the use of water to dilute, transport or prevent pollution.
- (35) "Power Development Water Use" means the use of the flow of water to develop electrical or mechanical power. Examples of these uses include, but are not limited to, the use of water for the operation of a hydraulic ram or water wheel and hydroelectric power production.
- (36) "Primary Right" means the right to store water in a reservoir or the water right designated by the commission as the principle water supply for the authorized use, or if no designation has been made, the first in time or initial appropriation.
- (37) "Proposed Certificate" means a draft version of a water right certificate describing the elements and extent of the water right developed under the terms of a permit or transfer approval order, as determined by field investigation.
- (38) "Protest" means a written statement expressing disagreement with a proposed final order that is filed in the manner and has the content described in ORS 537.145 to 537.240.
- (39) "Public Corporation" means a corporation which operates subject to control by a local government entity or officers of a local government and which, at least in part, is organized to serve a public purpose of, and receives public funds or other support having monetary value, from such government.
- (40) "Quasi-Municipal Water Use" means the delivery and use of water through the water service system of a corporation other than a public corporation created for the purpose of operating a water supply system, for those uses usual and ordinary to municipal water use, or a federally recognized Indian tribe that operates a water supply system for uses usual and ordinary to a municipal water use. A quasi-municipal water right shall not be granted the statutory municipal preferences given to a municipality under ORS 537.190(2). 537.230(1), 537.352, 537.410(2), 540.510(3), 540.610(2), (3), or those preferences over minimum streamflows designated in a basin program.
- (41) "Rate and Duty of Water for Irrigation" means the maximum flow of water in cubic feet per second or gallons per minute (instantaneous rate) and the total volume of water in acre-feet per acre per year that may be diverted for irrigation.
- (42) "Recharge Permit" means a permit for the appropriation of water for the purpose of artificial groundwater recharge.
- (43) "Recreation Water Use" means the use of water for play, relaxation or amusement. Examples of these uses include, but are not limited to boating, fishing, wading, swimming, and scenic values.
- (44) "Riparian Area" means a zone of transition from an aquatic ecosystem to a terrestrial ecosystem, dependent upon surface or subsurface water, that reveals through the zone's existing or potential soil-vegetation complex, the influence of such surface or subsurface water. A riparian area may be located adjacent to a lake, reservoir, estuary, pothole, spring, bog, wet meadow, or ephemeral, intermittent or perennial stream.

1067

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# **Analysis for Application: G15266**

Location: 4.00 S-12.00 E-3-sesw

Uses: QM 0.000 (P)

**Basins** 

BASIN_NUM	BASIN_NAME
5	Deschutes

Records Found: 1

WaterMaster Districts

WATERDIST	REGION		
3	NC		

Records Found: 1

**WAB** 

BASIN	WID	LINK_1
5	70088	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS			
Wasco	41065			

**Records Found:** 1

**Groundwater Restricted Records Found: 0** 

**Divison 33 Area** 

DIV33 In a Div33 area

Records Found: 1

Rule 4D

RULE4D In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

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Water Resources Department

TO:	Water Rights Section		April 12	200/ - 199_
FROM:	Groundwater/Hydrology Se	ection_D	mee	
SUBJECT:	Application G- 15 266	_	Reviewer's Name	
i. PER	WATER/SURFACE WATER THE Des dutes Basin rule feet/mile of a surface water s adwater source hydraulically conne No Provision in O	es, one or more of cource (	the proposed POA's	is is not within and taps a
dol 65 x	D UPON OAR 690-09 currently in will, or have the potential familiant surface water sour will if properly conditioned, adequate. The permit should contain iii. The permit should be cond will, with well reconstruction, ad	or substantial interce, namely <u>Ba</u> tately protect the suin condition #(s) a special condition litioned as indicat	rference with the neared a confidence water from interest (s) as indicated in the ed in item 4 below; or	est; or erference: marks" below;
a a .b	WATER AVAILABILITY COND UPON available data, I have de will, or likely be available in will not and/or within the cavill if properly conditioned, avoid ix_The permit should contain iiThe permit should be conditioned.	termined that grown the amounts required apacity of the resonant injury to existing in condition #(s), a special condition	indwater for the propouested without injury turce; or rights or to the ground 78; (s) as indicated in "Res	o prior rights dwater resource:
b1 c1 d1 e(	THE PERMIT should allow ground below land surface; The permit should allow ground below land surface; The permit should allow ground groundwater reservoir between Well reconstruction is necessary to one or more POA's commingle 2 cource of water per POA and speciource.	water production lwater production approximately o accomplish one or more sources of	from no shallower the only from the ft. below or more of the above of water. The applicant	ow land surface; conditions.
REMARKS	S:	2.00		
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(Well Construction Considerations on Reverse Side)