

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME John Guilliams		PHONE (HM)	
PHONE (WK) 707-495-4257	CELL	FAX	
ADDRESS 21838 NW Gerrish Valley Road			
CITY Yamhill	STATE OR	ZIP 97148	E-MAIL * john@guilliams.com

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

AGENT / BUSINESS NAME GSI Water Solutions, Inc. Attn: Kimberly Grigsby		PHONE 541-257-9004	FAX
ADDRESS 1600 SW Western Boulevard, Suite 240			CELL
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL * kgrigsby@gsiws.com

Note: Attach multiple copies as needed


* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.



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


Applicant Signature

John Guilliams, Owner
Print Name and Title if applicable

3/24/2024
Date

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SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

N/A

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map. **See Attachment B for a legal description of the property.**

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Guilliams Reservoir	Tributary to: Salt Creek
TRSQQ of POD: 2S 4W 29 NW NW	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

Certificate 91198 authorizes the storage of 3.7 AF in the reservoir, and Permit R-15557 authorizes the storage of an additional 11.3 AF in the reservoir, for a total storage volume of 15 AF. Certificate 95645 currently authorizes the use of up to 0.75 AF from the reservoir for irrigation purposes, but the Applicant intends to cancel that water right concurrently with the issuance of a permit for this application.

See Attachment D for copies of Certificate 91198 and Permit R-15557.

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B. Applications to Use Stored Water

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Do you, or will you, own the reservoir(s) described in Section 3A above?

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- Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

Upper Columbia - OAR 690-033-0115 thru -0130

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Is the POD located in an area where the Upper Columbia Rules apply?

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Yes No

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If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.

- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use: **N/A**

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Guilliams Reservoir	Irrigation	March 1 – October 31	15 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: 17.22 Acres Supplemental: _____ Acres Nursery Use: _____ Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): **N/A**

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: _____

- If the use is **municipal or quasi-municipal**, attach Form M **N/A**
- If the use is **domestic**, indicate the number of households: **N/A**
- If the use is **mining**, describe what is being mined and the method(s) of extraction: **N/A**

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your source?

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- Pump (give horsepower and type): **A 2 HP pump will be installed at the point of diversion.**
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water will be diverted from Guilliams Reservoir using a 2 HP pump and will be conveyed via a pipeline to the place of use.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

The place of use will be irrigated using drip irrigation.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

The applicant will limit the use of stored water to the amount needed for beneficial use, not to exceed 15 acre-feet. The applicant intends to irrigate a vineyard using drip irrigation to conserve water. The point of diversion will be equipped with a flowmeter to measure water diverted from Guilliams Reservoir, if required by OWRD. The proposed use of stored water is not expected to cause damage to public uses of surface water.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: **The applicant will install a fish screen on the point of diversion, if required.**
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: **If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.**
Describe planned actions and additional permits required for project implementation: **If any excavation or bank clearing is required, it will be minimized to protect the area adjacent to the off-channel pond.**
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe planned actions and additional permits required for project implementation: **No operation of equipment in a water body is expected during construction, and the diversion of water will not require any instream equipment operation.**

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe planned actions: **The Applicant will only irrigate when necessary to promote ideal crop production using the minimum quantity of water needed. This will prevent erosion, and no run-off of chemical products will occur.**

List other federal and state permits or contracts to be obtained, if a water right permit is granted.
N/A

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: **Within 5 years of permit issuance**
- b) Date construction will be completed: **Within 5 years of permit issuance**
- c) Date beneficial water use will begin: **Within 5 years of permit issuance**

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name N/A	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (*Attach additional sheets if necessary*).

The Applicant understands that Certificate 95645 currently authorizes the use of 0.75 AF from Guilliams Reservoir. The Applicant plans to cancel Certificate 95645 concurrently with the issuance of a permit for this application. Therefore, the Applicant is requesting a permit to use up to 15 AF, which is the volume of water authorized for storage in Guilliams Reservoir by Certificate 91198 and Permit R-15606.

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Attachment A

Land Use Information Form

Application for a Water Use Permit - John Guilliams

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

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.

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Land Use Information Form

Applicant(s): John Guilliams

Mailing Address: 21838 NW Gerrish Valley Road

City: Yamhill

State: OR

Zip Code: 97148

Daytime Phone: 707-495-4257

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:
25	4W	20	S ½ of SW ¼	01101	EF-80	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
		29	N ½ of NW ¼			<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	

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

Yamhill County

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) _____

Estimated quantity of water needed: 15 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 Applicant is requesting a water use permit to use stored water from Guilliams Reservoir for irrigation of a vineyard. The location of the proposed point of diversion and place of use are listed in the above table and shown on the attached map.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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For Local Government Use Only

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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 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): 402 of the YC Zoning Ord.
- 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: Ken Friday Title: PD
 Signature: [Signature] Phone: 434-7514 Date: 3/26/24
 Government Entity: Yamhill Co.

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: _____

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Attachment B

Legal Description

Application for a Water Use Permit – John Guilliams

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

A portion of the James Laughlin Donation Land Claim No. 47 in Sections 20 and 29, Township 2 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and being more particularly described as follows:

Beginning at an iron rod at the intersection of the South line of that tract of land conveyed to Hilda A. Eidsmoe et vir, by deed recorded April 17, 1942 in Book 119, Page 450, Deed Records of Yamhill county, Oregon, and the centerline of Market Road No. 7 (Gerrish Valley Road as traveled) which iron rod bears North 0°47'40" East 2193.22 feet and South 89°07'40" East 2163.89 feet from an iron pipe at the Southwest corner of said Laughlin Donation Land Claim No. 47, and running thence South 89°07'40" East along the Southerly line of said Eidsmoe tract 692.33 feet to an iron rod at the true Westerly corner of tract of land as described in instrument recorded January 13, 1975 in Film Volume 103, Page 1736, Deed and Mortgage Records of Yamhill county, Oregon; thence South 63°13'25" East along the Southerly line of that tract of land as described in Film Volume 103, Page 1736, Deed and Mortgage Records, 1079.0 feet to an iron rod in the center of County Road No. 253 (as traveled); thence Southwesterly along the said centerline of County Road No. 253 (as traveled) 1662.4 feet, more or less, to the intersection with Market Road No. 7 (Gerrish Valley Road as traveled); thence Northwesterly along said centerline of Market Road No. 7 (Gerrish Valley Road as traveled) 2885 feet, more or less, to the point of beginning.

NOTE: This Legal Description was created prior to January 01, 2008.

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Attachment C

Permit Application Map

Application for a Water Use Permit – John Guilliams

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Attachment D

Certificate 91198 and Permit R-15606

Application for a Water Use Permit - John Guilliams

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEPHEN L LAWHEAD
PO BOX 133
YAMHILL OR 97148

confirms the right to store water perfected under the terms of Permit R-12755. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-84040

SOURCE OF WATER: RUNOFF, A TRIBUTARY OF SALT CREEK

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE or USE OF THE STORED WATER: FIRE PROTECTION, LIVESTOCK, WILDLIFE, AND IRRIGATION TO BE APPROPRIATED UNDER PERMIT S-53646 FOR IRRIGATION

MAXIMUM STORAGE VOLUME: 3.7 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: JANUARY 13, 1999

The dam outlet is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	4 W	WM	29	NW NW	47	NORTH 13 MINUTES 8 SECONDS WEST, 1930.67 FEET FROM NE CORNER, DLC 55

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
2 S	4 W	WM	29	NW NW	47

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Salem, OR

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

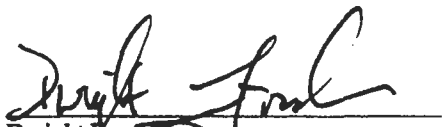
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to store water for the above purpose is restricted to beneficial use at the place of use described.

Issued MAR 04 2016


Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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STATE OF OREGON
COUNTY OF YAMHILL
PERMIT TO STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN GUILLIAMS
21838 NW GERRISH VALLEY RD
YAMHILL OR 97148

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-89349

SOURCE OF WATER: RUNOFF, TRIBUTARY TO SALT CREEK

STORAGE FACILITY: GUILLIAMS RESERVOIR

MAXIMUM DAM HEIGHT: 9.9 FEET

MAXIMUM VOLUME: 11.3 ACRE-FEET, AN ENLARGEMENT OF GUILLIAMS RESERVOIR CONSTRUCTED UNDER PERMIT R-12755

PURPOSE OR USE OF THE STORED WATER: MULTIPURPOSE USE

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: MARCH 15, 2023

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	4 W	WM	29	NW NW	280 FEET SOUTH AND 930 FEET EAST FROM NW CORNER, SECTION 29

THE AREA TO BE SUBMERGED BY THE RESERVOIR:

Twp	Rng	Mer	Sec	Q-Q
2 S	4 W	WM	29	NW NW

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PERMIT SPECIFIC CONDITIONS

1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

2. **Water Use Measurement, Recording, and Reporting:**

- A. Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The watermaster may determine an alternate measuring device is suitable. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the volume of water stored, and may require the permittee to report water-storage on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

3. **Agricultural Water Quality Management Area Rules:**

The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

4. **Fish Stocking:**

Per ORS 498.222 and OAR 635-007-0600, all persons transporting live fish in Oregon shall have a Fish Transport Permit (FTP) issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without an FTP approved by ODFW. As part of the FTP permitting process, the permittee may be required to screen the inlet and outlet of the reservoir to ensure that fish cannot escape into public waters and/or to keep wild fish from entering the reservoir.

5. Off-Channel Stored Water Releases:

The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.

6. Riparian Area Restoration:

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

7. Water Quality:

All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards. Permittee is responsible for obtaining any necessary state and federal permits.

8. Live Flow:

Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.

9. The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.

10. The permittee shall pass all live flow outside the storage season described above.

11. The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

12. The permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

Received by OWRD

APR 15 2024

Molly Monroe

OWRD

From: REECE Nick A * WRD <Nick.A.REECE@water.oregon.gov>
Sent: Tuesday, April 9, 2024 4:13 PM
To: Mikaela Clarke; WRD_DL_customerservice
Cc: Kim Grigsby; Molly Monroe
Subject: RE: Application for a Permit to Use Stored Water on Behalf of John Guilliams

Hi Mikaela,

I apologize for the delay. The only additional piece we would like to see is an updated map with the conveyance lines from the POD to the POU's. Because that is a small fix I can go ahead and give you a temporary number.

OWRD has received and accepted the Groundwater e-application for **John Guilliams**. The temporary application number is: **NR-15**

Please print this email and include a copy of it when mailing in the payment. The fees due for this application are: **\$ 1,225** (If opting to include recording fee: **\$610**)

A copy of the fee calculator is included for your reference:

Base Application Fee.		\$610.00
Acre feet of Stored Water to be diverted.	15	\$615.00
Subtotal:		\$1,225.00
Permit Recording Fee. ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,835.00

Thank you,

Nick Reece
 Public Service Representative 4
 725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-986-0810



Received by OWRD

APR 15 2024

Salem, OR

From: Mikaela Clarke <mclarke@gsiws.com>
Sent: Thursday, March 28, 2024 10:23 AM
To: WRD_DL_customerservice <wrd_dl_customerservice@water.oregon.gov>
Cc: Kim Grigsby <kgrigsby@gsiws.com>; Molly Monroe <mmonroe@gsiws.com>
Subject: Application for a Permit to Use Stored Water on Behalf of John Guilliams

Good morning,

GSI Water Solutions, Inc. is electronically submitting the attached application to use stored water for irrigation on behalf of John Guilliams. The permit application fee of \$1,835 will be mailed to the Department after we receive the temporary number for this application.

Please let us know if you have any questions.

Thank you,
Mikaela

Mikaela Clarke

Water Resources Analyst

direct: 971.200.8501; mobile: 971.212.0276
650 NE Holladay Street, Suite 900, Portland, OR 97232
GSI Water Solutions, Inc. | www.gsiws.com
pronouns: she/her

Received by OWRD
APR 15 2024
Salem, OR



Water Solutions, Inc.

Via electronic mail to wrddl_customerservice@water.oregon.gov

March 28, 2024

Katie Ratcliffe
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Application for a Permit to Use Stored Water – John Guilliams

Dear Katie:

GSI Water Solutions, Inc. is submitting the enclosed application for a permit to use stored water for irrigation on behalf of John Guilliams. The Applicant is requesting authorization to use up to 15 acre-feet (AF) of stored water from Guilliams Reservoir to irrigate 17.22 acres of a vineyard. Certificate 91198 authorizes the storage of 3.7 AF in the reservoir, and Permit R-15557 authorizes the storage of an additional 11.3 AF in the reservoir, for a total storage volume of 15 AF. Certificate 95645 currently authorizes the use of up to 0.75 AF from the reservoir for irrigation purposes, but the Applicant intends to cancel the certificate concurrently with the issuance of a permit for this application.

The permit application fee will be mailed to OWRD after we receive the temporary number for this application.

The fee was calculated as follows:

\$610 – Base application fee

\$615 - Rate fee of \$41/acre-foot or fraction thereof x 15

\$610 – Permit recording fee

Total = \$1,835.00

If you have any questions regarding this application, please contact me at 541-257-9004.

Sincerely,

A handwritten signature in black ink that reads "Kimberly Grigsby".

Kimberly Grigsby
Principal Water Resources Consultant

Received by OWRD

APR 15 2024

Salem, OR

CC: John Guilliams

Enclosures: Application for a permit to use stored water and attachments