



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for Limited Water Use License

Received by OWRD

AUG 06 2024

Salem, OR

License No.: LL-1986

Applicant Information

NAME Morningstar 2006, LLC Attn: James Bisenius			PHONE (HM)
PHONE (WK) (503) 603-2500	CELL	FAX	
ADDRESS 29100 SW Town Center Loop W, Ste 100			
CITY Wilsonville	STATE OR	ZIP 97070	E-MAIL * Jim@strongrefuge.com

Agent Information

NAME Shonee D. Langford Schwabe, Williamson & Wyatt		PHONE (503) 540-4261	FAX
ADDRESS 530 Center Street NE, Suite 730			CELL
CITY Salem	STATE OR	ZIP 97301	E-MAIL * Slangford@schwabe.com

I (We) make application for a Limited License to use or store the following described surface waters or groundwater – not otherwise exempt, or to use stored water of for a use of a short-term or fixed-duration:

- SOURCE(S) OF WATER:** Willamette River a tributary of Columbia River
- AMOUNT OF WATER** to be diverted;
Maximum and instantaneous rate (cubic feet or gallons per minute): 300 gpm
Total volume (gallons or acre-feet): 5 AF/year. If water is to be used from more than one source, give the quantity from each: NA
- INTENDED USE(S) OF WATER:** (check all that apply)
 - ☐ Road construction or maintenance
 - ☐ General construction
 - ☐ Forestland and rangeland management; or
 - ☒ Other: Farm Use – equine activities, including stabling and horse shows

DESCRIPTION OF PROPOSED PROJECT: Include a description of the place of use as shown on the accompanying site map, the method of water diversion, the type of equipment to be used (including pump horsepower, if applicable), length and dimensions of supply ditches and pipelines:

Up to 5 acre-feet of water will be used between May 1 and September 30 for dust control, stabling horses, sanitizing stables and related facilities and conducting horse shows. The water will be diverted using 100-hp submersible pump with a fish screen located on an existing dock on the Willamette River. The water will be conveyed by an 8-inch-diameter underground pipeline that extends across a neighboring property (an easement exists for the dock and pipeline) and crosses beneath Wilsonville Road. The pipeline ends on north of the road at a standpipe that includes a flowmeter. The standpipe will be used to fill water trucks that distribute the water.

- PROJECT SCHEDULE:** (List day, month, and year)
Date water use will begin: 8/26/2025
Date water use will be completed: 8/26/2029

Months of the year water would be diverted and used: May 1 to September 30

If for other than irrigation from stored water, how and where will water be discharged after use:

No offsite discharges are planned.

James A. Bisenius
Applicant Signature

James A. Bisenius, Member, Morningstar 2006, LLC
Print Name and title if applicable

07/23/2024
Date

PLEASE READ CAREFULLY

NOTE: A completed water availability statement from the local watermaster, Land Use Information Form completed by the local Planning Department, fees and site map meeting the requirements of OAR 690-340-030 must accompany this request. The fee for this request is **\$280** for the first point of diversion plus **\$30** for each additional point of diversion. Please review the Department's fee schedule to view fees required to request a limited license for Aquifer Storage and Recovery testing purposes or for Artificial Groundwater Recharge testing purposes.

Failure to provide any of the required information will result in return of your application.

The license, if granted, will not be issued or replaced by a new license for a period of more than five consecutive years. The license, if granted, will be subordinate to all other authorized uses that rely upon the same source, or water affected by the source, and may be revoked at any time it is determined the use causes injury to any other water right or minimum perennial streamflow.

If water source is well, well logs or adequate information for the Department to determine aquifer, well depth, well seal and open interval, etc. are required. The licensee shall indicate the intended aquifer. If for multiple wells, each map location shall be clearly tied to a well log.

If a limited license is approved, the licensee shall give notice to the Department (Watermaster) at least 15 days in advance of using the water under the Limited License and shall maintain a record of use. The record of use shall include, but need not be limited to, an estimate of the amount of water used, the period of use and the categories of beneficial use to which the water is applied. During the period of the Limited License, the record of use shall be available for review by the Department upon request.

**A summary of review criteria and procedures that are generally applicable to these applications is available at: <http://www.oregon.gov/owrd/pages/pubs/forms.aspx>*

Mapping Requirements (OAR 690-340-0030):

- (1) A request for a limited license shall be submitted on a form provided by the Water Resources Department, and shall be accompanied by the following:
 - a. A site map of reproducible quality, drawn to a standard, even scale of not less than 2 inches = 1 mile, showing:
 - i. The locations of all proposed points of diversion referenced by coordinates or by bearing and distance to the nearest established or projected public land survey corner;
 - ii. The general course of the source for the proposed use, if applicable;
 - iii. Other topographical features such as roads, streams, railroads, etc., which may be helpful in locating the diversion points in the field.

REMARKS:

Received by OWRD

AUG 06 2024

Salem, OR

For WRD Use Only

This page to be completed by the local Watermaster.

WATER AVAILABILITY STATEMENT

Name of Applicant: Morningstar 2006 LLC Limited License Number: LL-1986

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?

☐ Yes ☒ No

If yes, please explain:

2. Based on your observations, would there be water available in the quantity and at the times needed to supply the use proposed by this application?

☒ Yes ☐ No

3. Do you observe this stream system during regular fieldwork?

☒ Yes ☐ No

If yes, what are your observations for the stream?

4. If the source is a well and if WRD were to determine that there is the potential for substantial interference with nearby surface water sources, would there still be ground water and surface water available during the time requested and in the amount requested without injury to existing water rights?

☐ Yes ☐ No ☒ N/A

What would you recommend for conditions on a limited license that may be issued approving this application?

5. Any other recommendations you would like to make?

none

Signature Joel Plahn

Digitally signed by Joel Plahn
DN: C=US, OU=District 22 Watermaster,
O=Water Resources Department, CN=Joel
Plahn, E=joel.m.plahn@water.oregon.gov
Reason: I am the author of this document
Location: District 22 Watermaster
Date: 2024.07.02 10:17:28-0700
Foxit PDF Editor Version: 11.2.10

WM District #: 22 Date: 7/2/2024

Received by OWRD

AUG 06 2024

Salem, OR

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

NAME Morningstar 2006, LLC Attn: James A. Bisenius				PHONE (503) 603-2500	
MAILING ADDRESS 29100 SW Town Center Loop W, Ste 100					
CITY Wilsonville		STATE OR	ZIP 97070	EMAIL jim@strongrefuge.com	

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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:
3 S	1 W	29	NE NE	106		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm Use
3 S	1 W	29	SE NE	106		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm Use
3 S	1 W	29	SE NE	108		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm Use
3 S	1 W	29	NE SE	108		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm Use

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

Clackamas

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

- ☐ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☒ Limited Water Use License
 ☐ Exchange of Water
 ☐ Allocation of Conserved Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Willamette River

Estimated quantity of water needed: 300 ☐ 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 Farm Use – equine activities

Briefly describe:

Up to 5 acre-feet of water will be used between May 1 and September 30 each year for up to 5 years for dust control, stabling horses, sanitizing stables and related facilities, and conducting horse shows.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

JUL 18 2024

LL-1986

RS. AL 270

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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Property is zoned EFU governed by ZDO 401
- ☐ Land uses to be served by the proposed water use(s), 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:	
	Received by OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	AUG 06 2024	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	Salem, OR	<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 Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

Property is located within EFU zoning district where Equine facilities is an allowed use. This LUCS is approved pursuant to ZDO Section 401 and previous land use decision 20157-12

Name: Roman Sierra Title: Planner
Signature: [Signature] Date: 7/19/2024
Governmental Entity: Clackamas County Phone: 503-742-4500

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: Morningstar 2006, LLC
Staff Name: Roman Sierra Title: Planner
Staff Signature: [Signature] Date: 7/19/2024
Governmental Entity: Clackamas County Phone: 503-742-4500

SKOOKUM
WATER ASSOCIATES INC
TRANSMITTAL LETTER

Received by OWRD
AUG 06 2024
Salem, OR

To: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Date: August 5, 2024

Job Number: 10002.008

Attention:

RE: Application G-15685, Permit G-15596 in the name of Walling Properties, LLC

We are sending:

Number of Copies	Date	Description
1	7/23/2024	Application for a Limited Water Use License
1	6/28/2024	Skookum Water Associates, Inc. Figure 1 Limited License Application Map
1	7/19/2024	Land Use Information Form signed by a Clackamas County planning official
1	7/2/2024	Water Availability Statement signed by Joel Plahn, District 22 Watermaster
1	8/1/2024	Morningstar 2006 LLC Check 1341 for \$280

The above are transmitted as indicated below:

☐ For Signature ☐ For Your Use ☐ As Requested
☐ For Review and Approval ☒ Other (see comments) ☐ Returned to You

Delivery method:

☐ U.S. Mail ☒ UPS Delivery ☐ Courier


Comments:

We are filing the attached Application for a Limited Water Use License on behalf of Morningstar 2006, LLC. As indicated, Shonee Langford of Schwabe, Williamson & Wyatt will be the agent.

Thank you for your assistance.

cc. James Bisenius, Tana Durrett & Bradley
Thurber; Morningstar 2006, LLC
(via email)
Shonee Langford; Schwabe, Williamson
& Wyatt (via email)

Signed


Steven R. Bruce, RG, CWRE

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- | | | |
|--|--|--|
| <input type="checkbox"/> For Signature | <input type="checkbox"/> For Your Use | <input type="checkbox"/> As Requested |
| <input type="checkbox"/> For Review and Approval | <input checked="" type="checkbox"/> Other (see comments) | <input type="checkbox"/> Returned to You |

Delivery method:

- | | | |
|------------------------------------|--|----------------------------------|
| <input type="checkbox"/> U.S. Mail | <input checked="" type="checkbox"/> UPS Delivery | <input type="checkbox"/> Courier |
|------------------------------------|--|----------------------------------|

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cc. James Bisenius, Tana Durrett & Bradley
Thurber; Morningstar 2006, LLC
(via email)
Shonee Langford; Schwabe, Williamson
& Wyatt (via email)

Signed Steven R. Bruce
Steven R. Bruce, RG, CWRE