



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

# Application for a Permit to Use Surface Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

**RECEIVED**

NOV 09 2007

WATER RESOURCES DEPT  
SALEM, OREGON

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: \_\_\_\_\_  
First Last

Mailing address: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

### B. Organizations

*(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)*

Name of organization: Greenberry Irrigation District

Name and title of person applying: Dan O'Brien, Manager

Mailing address of organization: 30742 Venell Place

\_\_\_\_\_  
Corvallis OR 97333  
 City State Zip

Phone: 541-752-2446 Manager (contact) 541-929-2942  
Day Evening

\*Fax: 541-752-2875 \*E-Mail address: dan@greenberry.org

\* Optional information

For Department Use		
App. No. _____	Permit No. _____	Date _____

**2. SOURCE AND PROPERTY OWNERSHIP**

**A. The 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:

Source 1: Willamette River Tributary to: Columbia River  
Source 2: \_\_\_\_\_ Tributary to: \_\_\_\_\_  
Source 3: \_\_\_\_\_ Tributary to: \_\_\_\_\_  
Source 4: \_\_\_\_\_ Tributary to: \_\_\_\_\_

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). \_\_\_\_\_

**B. Applications to Use Stored Water**

*Complete this section if any source listed in item 2A above is stored water.*

Do you, or will you, own the reservoir(s) described in item 2A above?

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

If *all* sources listed in item 2A 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.

### C. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

- Yes *(Skip to section 3 "Water Use.")*
- No *(Please check the appropriate box below.)*
- I have a recorded easement or written authorization permitting access.
  - I do not currently have written authorization or easement permitting access.
  - 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 irrigated and/or domestic use only (ORS 274.040).

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.

List the names and mailing addresses of all affected landowners.

Venell Farms, Inc., 30742 Venell Place, Corvallis, OR 97333 easement

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All other properties are in Greenberry Irrigation District. Membership in District requires access and easements necessary. Water will be conveyed in a pipeline previously through NEPA process and permitted for the exercise of a Reclamation contract. POD: 3,146 ft north and 1,281 ft east from SW corner Sec. 19, T 13 S, R 4 W, W. M.

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### 3. WATER USE

*Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.*

#### A. Type(s) of Use(s)

*See list of beneficial uses provided in the instructions.*

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: \_\_\_\_\_
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

**B. Amount of Water**

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	Type of use	Amount
Willamette River	Irrigation	50 cfs <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

**C. Period of Use**

Indicate the time of year you propose to use the water: March 1 - October 31  
*(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)*

**D. Acreage**

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 7,373  
*(This number should be consistent with your application map.)*

**4. WATER MANAGEMENT**

**A. Diversion**

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): 2 - 150 hp turbine
- Head-gate (give dimensions): \_\_\_\_\_
- Other means (describe): \_\_\_\_\_

**B. Monitoring**

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- Weir                                       Meter                                       Periodic Sampling
- Other means (describe): \_\_\_\_\_

### C. Transport

How will you transport water to your place of use?

Ditch or canal (give average width and depth):

Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined?  Yes  No

Pipe (give diameter and total length):

Diameter 2 - 24 inches Length 4.2 miles

Other (describe) Use of natural water bodies, approved in NEPA documents.

### D. Application/Distribution Method

What equipment will you use to apply water to your place of use? Various, listed below.

Irrigation or land application method (check all that apply):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Flood   | <input type="checkbox"/> High-pressure sprinkler | <input checked="" type="checkbox"/> Low pressure sprinkler |
| <input type="checkbox"/> Drip  | <input type="checkbox"/> Water cannons           | <input checked="" type="checkbox"/> Center pivot system    |
| <input checked="" type="checkbox"/> Hand lines   | <input checked="" type="checkbox"/> Wheel lines  |  |
| <input type="checkbox"/> Siphon tubes or gated pipe with furrows                                 |  |  |
| <input checked="" type="checkbox"/> Other, describe <u>linear systems, occasional large guns</u> |  |  |

Distribution method

- Direct pipe from source  In-line storage (tank or pond)  Open canal

### E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Main water lines are piped, some use of natural features for transport and storage. Application systems are largely low pressure linear and pivot systems, irregular fields and short rotations of irrigated crops may utilize large guns in the near term.

**5. RESOURCE PROTECTION**

**A. Protection Practices**

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 to prevent uptake of fish and other aquatic life.

Describe planned actions: Fish screen approved by ODFW and NMFS. Attached FONSI details  
required actions.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: See Attachments.

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: See Attachments.

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: See Attachments.

Other: \_\_\_\_\_

**6. PROJECT SCHEDULE**

*Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.*

Proposed date construction will begin: Fall 2007

Proposed date construction will be completed: Fall 2008 pipeline, Spring 2009 pump installation

Proposed date beneficial water use will begin: Spring 2009

**7. REMARKS**

*If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.*

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**8. MAP REQUIREMENTS**

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guideline sheet for detailed map specifications.

## 9. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get 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 canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

*DL ZAR - (manager)*

*11/09/07*

Signature of Applicant (If more than one applicant, all must sign.)

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

**WRD on the web:**  
[www.wrd.state.or.us](http://www.wrd.state.or.us)





Oregon Water Resources Department

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WATER RESOURCE

FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary  Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: \_\_\_\_\_ Acres

Secondary: 7,373 Acres

List the permit or certificate number of the primary water right: No. \_\_\_\_\_

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. grass seed  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
- 2. row crops; corn, beans, etc  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
- 3. other seed, specialty crops  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
- 4. berries, perennials  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

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

9,000 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

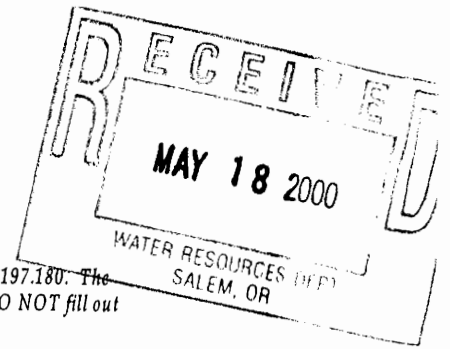
4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours  Daily during nighttime hours
- Two or three times weekly during daytime  Two or three times weekly during nighttime
- Weekly, during daytime hours  Weekly, during nighttime hours
- Other, explain: 24 hrs per day daily rotation, depending on crop demands



B436

### Oregon Water Resources Department Land Use Information Form



This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

#### To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

##### A. Applicant

Name: Greenberry Irrigation District

Address: 30742 Venell Lane

City: Corvallis State: OR Zip: 97330 Day Phone: 541-752-2446

##### B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
	Within the boundary of	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
	Greenberry Irrigation Dist.	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Benton

##### C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Irrigation for agriculture.

Briefly describe: Lands will be irrigated with water from the Long Tom and Willamette Rivers as well as from stored water in the Willamette River system.

##### D. Source

Indicate the source for the proposed water use:

Reservoir/Pond    Ground Water    Surface Water Willamette River  
(source)  
Storage Contract with U.S. Bureau of Reclamation

##### E. Quantity

Indicate the estimated quantity of water the use will require:

90  CFS    GPM    Acre-Feet

50 cfs D.O.

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WATER RESOURCES DEPT  
SALEM, OREGON

#### Receipt for Request for Land Use Information

State of Oregon  
Water Resources Department  
Commerce Bldg.  
158 12th St. NE  
Salem, OR 97310-0210  
(503)378-8455

**For Local Government Use Only**

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

**A. Allowed Use**

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); \_\_\_\_\_ Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: 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

**Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

**B. Approval**

Please provide printed name and written signature.

Name: William L Rice Date: 5/11/00  
 Title: Planner Phone: 766-6817  
 Signature: William L Rice  
Greg Verret 11/13/2007  
Interim Director

**C. Additional Comments**

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Note:** If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

**Receipt for Request for Land Use Information**

Name of water right applicant: Greenberry Irrigation District

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: \_\_\_\_\_  
 Staff contact: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# Oregon

Theodore R. Kulongoski, Governor

S-87035

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

DAN O'BRIEN  
GREENBERRY IRRIGATION DISTRICT  
30742 VENELL PLACE  
CORVALLIS, OR 97333

May 16, 2008

Reference: Files S-84436 and S-87034

Dear Mr. O'Brien:

We are in the process of reviewing your applications to use stored water, application S-84436 and S-87034, and noticed there is remaining information the Department must receive before we can continue to process the applications.

Information needed for application S-87034 and S-84436:

- I. OAR 690-310-0050(4)(c) requires that the application map submitted to the Department show the proposed acreage for each quarter-quarter. Although the map submitted includes this information, in some cases there are multiple acreage values associated with a single quarter-quarter. The Department requests a map where only one acreage value is associated with each quarter-quarter and that all acreage values are easy to read and do not overlap with other values.

Since acreage may be relocated annually, please apply the above mentioned requirement to all possible lands (*10,991.8 acres*) where water may be applied.

OAR 690-310-050(4)(b) requires that the application map submitted to the Department show the location of pipelines, ditches or other means of transporting water for the proposed use. Please indicate the location of the *main lines* that transport water from the points of diversion to the place of use.

**Please submit this information no later than June 16, 2008.** If you are unable to submit the above listed information, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

- II. Since a map has not been received for the total 10,991.8 acres, the Department is unable to perform a conflict check. A conflict check allows the Department to determine if the area proposed to be irrigated under this application is currently covered by an existing irrigation water right.

If it is determined there is an existing irrigation water right covering the land proposed under this application and you would like this application to be the primary right, the Department must receive a completed form authorizing cancellation of the existing right, a completed affidavit of diminution of the existing right to reduce it to supplemental use, a transfer of the existing right, or other means of dealing with the conflict between the existing right and the use proposed under this application.

If the Department issues a permit and you *have not* resolved the conflict, the new permit will be supplemental to the existing right, which will limit and/or jeopardize the water rights on the land as follows:

- If the existing right is found to have been forfeited, the use which is supplemental to such certificate may also be canceled.
  - You may only use the supplemental right after the primary right becomes unavailable. The primary right must be exhausted first.
  - The season of use for the supplemental irrigation will be limited to that of the primary right.
- III. Although not required, in order to help us process your application expeditiously, please submit an electronic copy of the spreadsheet that list all 10,991.8 acres, for both files.

Should you have any questions regarding application S-84436 or the required materials listed above, please call Joel Plahn at 503-986-0815. Questions regarding S-87034 call Brook Geffen 503-986-0808.

Sincerely,



Brook Geffen  
Water Rights Technician

enclosures

cc: Watermaster District: Mike McCord  
File: S-84436  
S-87034