



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

August 15, 2008

OREGON DEPARTMENT OF TRANSPORTATION
ATTN: NORM COLLINS
1390 SE 1ST ST
ONTARIO, OR 97914

Reference: File G-17029

Dear Mr. Collins:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The application requested the use of 60.0 gallons per minute, which is 0.13 cubic foot per second (CFS), of water from a well in Snake River Basin for irrigation use on 3.0 acres from March 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from a well in Snake River Basin for irrigation use is allowable under the Malheur Basin Program.
4. Ground water will likely be available in the amounts requested without injury to prior rights and within the capacity of the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

Summary of Initial Determinations

The use of 0.13 CFS from a well in Snake River Basin for irrigation use on 3.0 acres is allowable during the full period requested, March 1 through October 31 of each year.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, August 29, 2008**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1.Measurement, recording and reporting conditions:

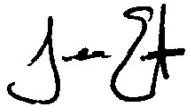
- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oregon.gov/ODA/NRD/water_agplans.shtml to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0859 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Jeana Eastman, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeana Eastman', written in a cursive style.

Jeana Eastman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17029
WAB 10-
POU 10-
GW

APPLICATION FACT SHEET

Application File Number: G-17029

Applicant: NORM COLLINS for OREGON DEPARTMENT OF TRANSPORTATION;
TRANSPORTATION MAINTENENCE

County: Malheur

Watermaster: 9

Priority Date: March 31, 2008

Source: A WELL IN SNAKE RIVER BASIN

Use: IRRIGATION USE ON 3.0 ACRES

Quantity: 0.13 CUBIC FOOT PER SECOND

Basin Name & Number: Malheur, #10

Stream Index Reference: Volume 2A BIRCH CR & MISC

Well Location: NWSW, SECTION 11, T18S, R47E, W.M.;50 FEET SOUTH AND 100 FEET
EAST FROM W1/4 CORNER, SECTION 11

Place of Use:

NW ¼ SW ¼ 3.0 ACRES
SECTION 11
TOWNSHIP 18 SOUTH, RANGE 47 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, August 29, 2008

PUBLIC NOTICE DATE: Tuesday, August 19, 2008

30 DAY COMMENT DEADLINE DATE: Thursday, September 18, 2008

Mailing List for IR Copies

Application #G-17029

IR Date: August 15, 2008

Original mailed to applicant:

OREGON DEPARTMENT OF TRANSPORTATION; TRANSPORTATION MAINTENENCE,
1390 SE 1ST ST, ONTARIO, OR 97914

Copies sent to:

1. WRD - File # G-17029
2. WRD - Water Availability: Ken Stahr

<p>Copies Mailed By: _____ (SUPPORT STAFF) on: _____ (DATE)</p>

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Regional Manager (not SCR): E
4. Department of Agriculture

Caseworker: Jeana Eastman

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