



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

KLAMATH FALLS FOURSQUARE CHURCH
dba KLAMATH CHRISTIAN CENTER
ATTENTION: DENNIS FINDORFF
115 N ALAMEDA AVE
KLAMATH FALLS, OR 97601

September 19, 2008

Reference: File G-17052

Dear Mr. Findorff:

**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 proposed the use of 60.0 gallons per minute, or 0.13 cubic foot per second (CFS), of water from the production well, Well 1 (KLAM 56417) in the Klamath River Basin for year-round industrial use (geo-thermal heating/cooling), to be injected into the injection well, Well 2 (KLAM 56340).
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Under ORS 536.340(1)(a), the Water Resources Commission may establish a basin program to classify sources of water supply as to the highest and best use and quantities of use, and that classification of sources of water supply has the effect of restricting the use and quantities of use thereof to the uses and quantities of uses specified in the classification. The Commission has not established a basin program for the Klamath River basin. Therefore, neither the proposed use nor the quantity of the proposed use is restricted as a result of this consideration.
4. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and 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.

5. Because the proposed heating/cooling system will be a closed-loop system, the use is considered non-consumptive. Furthermore, the permit, if issued, will include a condition that all ground water appropriated from the proposed well will be re-injected at the injection well.
6. The proposed use is located above the Klamath River Scenic Waterway, as designated under ORS 390.826.

Summary of Initial Determinations

The use of 0.13 CFS from Well 1 (KLAM 56417) in Klamath River Basin for industrial use (geo-thermal heating & cooling), to be injected into Well 2 (KLAM 56340), is allowable during the full period requested, year round.

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, October 3, 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 at both the production well and the injection well. The permittee shall maintain the meter(s) in good working order. The permittee shall maintain the meters or measuring devices 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 meters or measuring devices; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. Prior to use of water under this permit, the permit holder must register the injection activity with the Oregon Department of Environmental Quality's Underground Injection Control (UIC) Program. At the time of permit issuance, the program coordinator is Barbara Priest, who can be contacted at 811 SW 6th Ave, Portland OR 97204, or 503-229-5945.
 3. All water produced under this permit shall be re-injected into the authorized injection well. Prior to receiving a certificate of water right, the permittee shall submit documentation affirming that any applicable additional requirements of the Department's Division 230 rules have been met.
 4. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation 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 in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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 503-986-0816 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: Kerry Kavanagh, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Kerry Kavanagh
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17052
WAB 14-no wab
POU 14-no wab
GW no psi

APPLICATION FACT SHEET

Application File Number: G-17052

Applicant: KLAMATH FALLS FOURSQUARE CHURCH dba KLAMATH CHRISTIAN CENTER; ATTENTION: DENNIS FINDORFF

County: Klamath

Watermaster: 17

Priority Date: May 14, 2008

Source: WELL 1 (KLAM 56417) IN KLAMATH RIVER BASIN

Use: INDUSTRIAL (GEO-THERMAL HEATING & COOLING)

Quantity: 0.13 CUBIC FOOT PER SECOND

Basin Name & Number: Klamath, #14

Stream Index Reference: Volume 1 KLAMATH R

Well Locations:

PRODUCTION WELL - WELL 1 (KLAM 56417) - NWNW, SECTION 36, T38S, R9E, W.M.; 820 FEET SOUTH AND 760 FEET EAST FROM NW CORNER, SECTION 36

INJECTION WELL - WELL 2 (KLAM 56340) - NWNW, SECTION 36, T38S, R9E, W.M.; 1160 FEET SOUTH AND 600 FEET EAST FROM NW CORNER, SECTION 36

Place of Use:

NW $\frac{1}{4}$ NW $\frac{1}{4}$
SECTION 36
TOWNSHIP 38 SOUTH, RANGE 9 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, October 3, 2008

PUBLIC NOTICE DATE: Tuesday, September 23, 2008

30 DAY COMMENT DEADLINE DATE: Thursday, October 23, 2008

Mailing List for IR Copies

Application #G-17052

IR Date: September 19, 2008

Original mailed to applicant:

KLAMATH FALLS FOURSQUARE CHURCH
DBA KLAMATH CHRISTIAN CENTER
ATTENTION: DENNIS FINDORFF
115 N ALAMEDA AVE
KLAMATH FALLS, OR 97601

Copies sent to:

1. WRD - File # G-17052
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster #10
4. WRD - Donn Miller
5. State Parks

Affected Landowners (include "Notice of Initial Review--Affected Landowner"):

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

1. DEQ, Water Quality Division, Barbara Priest, 811 SW 6th, Portland OR 97204-1390

Caseworker: Kerry Kavanagh

COPYSH.T.IR

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

REMINDER: Copy all IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)