



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

TERESO RODRIGUEZ
1786 PASEO LAGUNA SECO 163
LIVERMORE, CA 94551

June 4, 2010

Reference: File G-17315

Dear Applicant:

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 95.0 gallons per minute, or 0.21 cubic foot per second (CFS) of water from a well (UMAT 3771) in Hat Rock Drain Basin for irrigation of 16.5 acres.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from a well (UMAT 3771) in Hat Rock Drain Basin for irrigation is allowable under the Umatilla Basin Program.
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.

Summary of Initial Determinations

The use of 0.21 CFS of water from a well (UMAT 3771) in Hat Rock Drain Basin for irrigation of 16.5 acres is allowable during the full period requested, April 1 through October 31.

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 \$200 processing charge per application). To accomplish this you must notify the Department in writing by **Friday, June 18, 2010**. 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.
 - 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.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use 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.
2. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
3. The well shall produce ground water only from the alluvial ground water reservoir.

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-17315
WAB 7-no psi
POU 7-no psi
GW

APPLICATION FACT SHEET

Application File Number: G-17315

Applicant: TERESO RODRIGUEZ

County: Umatilla

Watermaster: 5

Priority Date: February 26, 2010

Source: A WELL (UMAT 3771) IN HAT ROCK DRAIN BASIN

Use: IRRIGATION OF 16.5 ACRES

Quantity: 0.21 CUBIC FOOT PER SECOND

Basin Name & Number: Umatilla, #7

Stream Index Reference: Volume 4A COLD SPR DR & MISC

Well Location: SWNW, SECTION 31, T5., R29E, W.M.; 1630 FEET SOUTH AND 770 FEET EAST FROM NW CORNER, SECTION 31

Place of Use:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16.5 ACRES
SECTION 31
TOWNSHIP 5 NORTH, RANGE 29 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, June 18, 2010

PUBLIC NOTICE DATE: Tuesday, June 8, 2010

30 DAY COMMENT DEADLINE DATE: Thursday, July 8, 2010

Mailing List for IR Copies

Application #G-17315

IR Date: June 4, 2010

Original mailed to applicant:

TERESO RODRIGUEZ
1786 PASEO LAGUNA SECO 163
LIVERMORE, CA 94551

Copies sent to:

1. WRD - File # G-17315
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Regional Manager: NC
4. WRD - Watermaster # 5

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

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

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