



# 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

**CERTIFIED MAIL  
Return Receipt Requested**

CYRK BUILDING, LLC  
PO BOX 12085  
PORTLAND, OR 97212

July 9, 2010

Reference: File G-17325

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 appropriation of 0.22 cubic foot per second (CFS) of water for year-round industrial use including geothermal heating/cooling and for year-round domestic use for one household from Production Well P-1 (MULT 101101) in Willamette River Basin.

The water for geothermal heating/cooling will be injected into Injection Well I-1 and is non-consumptive.

2. Domestic use of up to 15,000 gallons per day from a well is exempt from permitting requirements. The Department will therefore **not consider** domestic use to be a part of your application unless you notify us in writing that you are interested in receiving a permit for domestic use. Any permit issued, including permits for exempt uses, will be subject to metering requirements, rate limitations (being 0.005 CFS for one household), and any other conditions contained in the permit.

If you do notify us in writing that you are interested in receiving a permit for domestic use, fees in the amount of \$250 will be required for the additional use.

3. The proposed use is not prohibited by law or rule except where otherwise noted below.
4. The appropriation of water from Production Well P-1 (MULT 101101) in Willamette River Basin for year-round industrial use including geothermal heating/cooling is allowable under the Willamette Basin Program.

5. 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.

6. Please refer to the **Additional Information Required** section below for specific information regarding deficiencies with the application.

### **Summary of Initial Determinations**

**The appropriation of 0.22 CFS for year-round industrial use including geothermal heating/cooling from Production Well P-1 (MULT 101101) in Willamette River Basin is allowable.**

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.

### **Additional Information Required:**

Additional information is required to process your application prior to issuance of any Proposed Final Order that may recommend approval.

Please provide a map that shows the location of Injection Well I-1 by reference to a recognized public land survey corner. The location may be shown by distance and bearing or by coordinates (distance north or south and distance east or west from the corner).

**Please submit this information no later than Thursday, August 12, 2010.** If you are unable to submit the information listed above, 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.

If we do not receive the items requested above or a request for an administrative hold by this date, the Department will likely proceed with a Proposed Final Order recommending denial of the application).

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, July 23, 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 production and injection well. The permittee shall maintain the meters or measuring devices 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. 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.

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](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'.

Jeana Eastman  
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17325  
WAB 2-  
POU 2-  
GW

# APPLICATION FACT SHEET

Application File Number: G-17325

Applicant: CYRK BUILDING, LLC

County: Multnomah

Watermaster: 20

Priority Date: March 22, 2010

Source: PRODUCTION WELL P-1 (MULT 101101) IN WILLAMETTE RIVER BASIN

Use: INDUSTRIAL USE INCLUDING GEO-THERMAL HEATING/COOLING

Quantity: 0.22 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 26 WILLAMETTE R & TRIBS

Point of Diversion or Well Location(s):

PRODUCTION WELL P-1: NWNE, SECTION 11, T1S, R1E, W.M.; 577 FEET  
SOUTH AND 37 FEET WEST FROM SE CORNER, STEPHENS DLC 53I

INJECTION WELL (I-1): NWNE, SECTION 11, T1S, R1E, W.M.; NONE GIVEN

Place of Use:

NW  $\frac{1}{4}$  NE  $\frac{1}{4}$   
SECTION 11  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, July 23, 2010**

**PUBLIC NOTICE DATE: Tuesday, July 13, 2010**

**30 DAY COMMENT DEADLINE DATE: Thursday, August 12, 2010**

# Mailing List for IR Copies

Application #G-17325

IR Date: July 9, 2010

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**Original mailed to applicant:**

CYRK BUILDING, LLC, PO BOX 12085, PORTLAND, OR 97212

Copies sent to:

1. WRD - File # G-17325
2. WRD - Water Availability: Ken Stahr

<p>Copies Mailed By: _____ (SUPPORT STAFF) on: _____ (DATE)</p>
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IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # 20
4. Department of Agriculture

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

1. Roger Smith, Roger N Smith Assoc, Inc, 2424 SE Caruthers St, Portland OR 97214