



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

September 2, 2010

EDNA READ
PO BOX 15
DENIO, NV 89404

Reference: File G-17407

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 898.0 gallons per minute of water, which is 2.0 cubic feet per second (CFS), from a well (HARN 1880) in Rincon Creek Basin for primary irrigation of 119.3 acres and supplemental irrigation of 6.3 acres May 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 appropriation of water from a well (HARN 1880) in Rincon Creek Basin for irrigation is allowable under the Malheur Lake 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.

5. The standard allowable rate for irrigation use from ground water is 1/80 CFS per acre. If the application is approved, the rate allowed will be limited to 1.57 CFS, being 1.49 CFS for primary irrigation of 119.3 acres and 0.08 CFS for supplemental irrigation of 6.3 acres.

You may submit information to demonstrate the need for the higher rate as allowed by Oregon Revised Statute 537.621(4), which the Department will evaluate. If you chose to do so, please submit it by Thursday, October 7, 2010.

Summary of Initial Determinations

The appropriation of 1.57 CFS, being 1.49 CFS for primary irrigation of 119.3 acres and 0.08 CFS for supplemental irrigation of 6.3 acres May 1 through October 31 of each year, from a well (HARN 1880) in Rincon Creek 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.

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 **Thursday, September 16, 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 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- 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.

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,



Jeana Eastman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17407
WAB 12-
POU 12-
GW

APPLICATION FACT SHEET

Application File Number: G-17407

Applicant: EDNA READ

County: Harney

Watermaster: 10

Priority Date: July 19, 2010

Source: A WELL (HARN 1880) IN RINCON CREEK BASIN

Use: PRIMARY IRRIGATION OF 119.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 6.3 ACRES

Quantity: 2.0 CUBIC FEET PER SECOND

Basin Name & Number: Malheur Lake, #12

Stream Index Reference: Volume 1 RINCON CR & MISC

Point of Diversion or Well Location(s): NENE, SECTION 11, T41S, R33E, W.M.; 400 FEET SOUTH AND 100 FEET WEST FROM NE CORNER, SECTION 11

Place of Use:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW ¼ SE ¼	1.39 ACRES	
SE ¼ SE ¼	0.73 ACRE	
	SECTION 2	
NE ¼ NE ¼	32.0 ACRES	
NW ¼ NE ¼	30.0 ACRES	6.0 ACRES SUP
SW ¼ NE ¼	29.0 ACRES	
SE ¼ NE ¼	25.2 ACRES	
NE ¼ NW ¼	0.54 ACRE	0.3 ACRE SUP
SE ¼ NW ¼	0.44 ACRE	
	SECTION 11	
	TOWNSHIP 41 SOUTH, RANGE 33 EAST, W.M.	

14 DAY STOP PROCESSING DEADLINE DATE: Thursday, September 16, 2010

PUBLIC NOTICE DATE: Tuesday, September 7, 2010

30 DAY COMMENT DEADLINE DATE: Thursday, October 7, 2010

Mailing List for IR Copies

Application #G-17407

IR Date: September 2, 2010

Original mailed to applicant:

EDNA READ , PO BOX 15, DENIO, NV 89404

Copies sent to:

1. WRD - File # G-17407
2. WRD - Water Availability: Ken Stahr

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Regional Manager (not SCR): E
4. WRD - Watermaster # 10
5. Department of Agriculture

Caseworker: Jeana Eastman

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