



# Oregon

John A. Kitzhaber, MD, 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 23, 2011

MELVIN OLSON  
HILAND WATER CORP  
61375 BARGER RD  
SAINT HELENS, OR 97051

Reference: File G-17470

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, further limited to 8.09 acre feet per year (AF/YR), from The Stables Well #1 (YAMH 55859) in Harvey Creek Basin for year-round quasi-municipal uses.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The appropriation of water from The Stables Well #1 (YAMH 55859) in Harvey Creek Basin for year-round quasi-municipal uses is allowable under the Willamette Basin Program.
4. Ground water will likely be available within the capacity of the resource, and if properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights.

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. Before a permit will be issued the Department must receive documentation from Yamhill County Planning and Development that either 1) the proposed use is allowed outright or 2) that an approved land-use decision has been obtained, and that either no administrative appeals were received, or all such appeals have concluded.

**Summary of Initial Determinations**

**The use of 0.22 CFS, further limited to 8.09 AF/YR, from the Stables Well #1 (YAMH 55859) in Harvey Creek Basin for year-round quasi-municipal uses 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 **Friday, October 7, 2011**. 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 an annual report which includes the recorded water use measurements to the Department by December 1 of each year. 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 the 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. (1) Use of water from any well, as allowed herein, shall be controlled or shut off if the well displays:

- (a) An average water level decline of three or more feet per year for five consecutive years; or
  - (b) A total water level decline of fifteen or more feet; or
  - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well(s).
- (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and reported to the Department.
  - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
  - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
  - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
  - (e) The permittee/appropriator shall report the record of measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (2).
3. The well shall not be deepened into another water-bearing zone with a significantly different head.
4. 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](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-17470  
WAB 2-  
POU 2-  
GW

# APPLICATION FACT SHEET

Application File Number: G-17470

Applicant: MELVIN OLSON, HILAND WATER CORP

County: Yamhill

Watermaster: 16

Priority Date: June 16, 2011

Source: THE STABLES WELL #1 (YAMH 55859) IN HARVEY CREEK BASIN

Use: QUASI-MUNICIPAL USES

Quantity: 0.22 CUBIC FOOT PER SECOND, FURTHER LIMITED TO 8.09 ACRE FEET PER YEAR

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 18 OTTER CR & MISC

Point of Diversion or Well Location(s): NENE, SECTION 23, T3S, R3W, W.M.;370 FEET SOUTH AND 170 FEET WEST FROM NE CORNER, SECTION 23

Place of Use:

NE ¼ SE ¼  
SE ¼ SE ¼  
SECTION 14  
TOWNSHIP 3 SOUTH, RANGE 3 WEST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, October 7, 2011**

**PUBLIC NOTICE DATE: Tuesday, September 27, 2011**

**30 DAY COMMENT DEADLINE DATE: Thursday, October 27, 2011**

# Mailing List for IR Copies

Application #G-17470

IR Date: September 23, 2011

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**Original mailed to applicant:**

MELVIN OLSON, HILAND WATER CORP, 61375 BARGER RD, SAINT HELENS, OR 97051

Copies sent to:

1. WRD - File # G-17470
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 # 16

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

1. Coyote Creek Group LLC, 700 Deborah Rd, Ste 200, Newberg OR 97132

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

1. Borden, John, CWRE #372

John Borden Consulting, 5597 River Street, West Linn OR 97068

Caseworker: Jeana Eastman

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