



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

March 9, 2012

JOHN E AND SUZANNE K INMAN
2456 HWY 201
NYSSA, OR 97918

Reference: File G-17529

Dear Applicants:

**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 an 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 60 gallons per minute of water, which is 0.13 cubic foot per second (CFS), from Well 1 (MALH 53052) in Owyhee River Basin for irrigation of 9.0 acres March 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 Well 1 (MALH 53052) in Owyhee River Basin for irrigation is allowable under the Owyhee Basin Program.
4. Ground water will likely be available within the capacity of the resource, and 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. 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 0.11 CFS.

Summary of Initial Determinations

The appropriation of 0.11 CFS from Well 1 (MALH 53052) in Owyhee River Basin for irrigation of 9.0 acres may be allowed during the full period requested, March 1 through October 31 of each year.

Because of the Department's determination, your application can be moved to the next phase of the water-rights application review process, where public interest factors will be evaluated. However, due to #5 above, your application will likely be limited accordingly.

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.

At this time, you must decide whether to proceed or to withdraw your application as described below.

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, March 23, 2012**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. The Director may require the permittee to install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. If the Director notifies the permittee to install a totalizing flow meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water diverted, 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.
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-17529
WAB 11-no psi
POU 11-
GW

APPLICATION FACT SHEET

Application File Number: G-17529

Applicant: JOHN E AND SUZANNE K INMAN

County: Malheur

Watermaster: 9

Priority Date: January 27, 2012

Source: WELL 1 (MALH 53052) IN OWYHEE RIVER BASIN

Use: IRRIGATION OF 9.0 ACRES

Quantity: 0.13 CUBIC FOOT PER SECOND

Basin Name & Number: Owyhee, #11

Stream Index Reference: Volume 1 OWYHEE R

Point of Diversion or Well Location(s): SWNW, SECTION 36, T20S, R46E, W.M.; 2442 FEET SOUTH AND 100 FEET EAST FROM NW CORNER, SECTION 36

Place of Use:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.0 ACRES
SECTION 36
TOWNSHIP 20 SOUTH, RANGE 46 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, March 23, 2012

PUBLIC NOTICE DATE: Tuesday, March 13, 2012

30 DAY COMMENT DEADLINE DATE: Thursday, April 12, 2012

Mailing List for IR Copies

Application #G-17529

IR Date : March 9, 2012

Original mailed to applicant:

JOHN E AND SUZANNE K INMAN , 2456 HWY 201, NYSSA, OR 97918

Copies sent to:

1. WRD - File # G-17529
2. WRD - Water Availability: Ken Stahr

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

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Regional Manager (not SCR): E
4. WRD - Watermaster # 9