



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

AURORA EAST LP
ATTN: PHIL CANBY
14812 SE ONDO RIVERA DR
DAMASCUS, OR 97089

February 8, 2013

Reference: File G-17574

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 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 125.0 gallons per minute of water, which is 0.28 cubic foot per second (CFS), from a well in Senecal Creek Basin for irrigation of 78.0 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 ground water for irrigation 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.

Summary of Initial Determinations

The appropriation of 0.28 CFS from a well in Senecal Creek Basin for irrigation of 78.0 acres is allowable during the full period requested, March 1 through October 31 of each year.

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, February 22, 2013**. 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. Dedicated Measuring Tube: Wells with pumps shall be equipped with an unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200.
3. (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).
4. The well(s) shall only allow ground water production from the basalt ground water reservoir.
 5. Groundwater production in the well(s) shall be limited to a single aquifer in the Columbia River Basalt Group lavas. The well(s) shall be cased and sealed at least 20 feet into hard, dense basalt. The open interval in the well(s) shall be no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the permittee can demonstrate, using packer tests or other acceptable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or if the applicant can demonstrate that the open interval is part of a continuous zone of interconnected porous materials such as a sequence of pillow lavas or an hyaloclastite complex.
 6. 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,

A handwritten signature in cursive script, appearing to read 'Jeana Eastman'.

Jeana Eastman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17574
WAB 2-no psi
POU 2-
GW

APPLICATION FACT SHEET

Application File Number: G-17574

Applicant: AURORA EAST LP

County: Marion

Watermaster: 16

Priority Date: August 9, 2012

Source: A WELL IN SENECALE CREEK BASIN

Use: IRRIGATION OF 78.0 ACRES

Quantity: 0.28 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 15A SENECALE CR MISC

Point of Diversion or Well Location(s): SWNW, SECTION 10, T4S, R1W, W.M.;395 FEET SOUTH AND 4010 FEET WEST FROM SE CORNER, AMABLE ARQUAIT DLC 45

Place of Use:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.9 ACRE
SECTION 9

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 23.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 19.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 17.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 ACRE
SECTION 10

TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, February 22, 2013

PUBLIC NOTICE DATE: Tuesday, February 12, 2013

30 DAY COMMENT DEADLINE DATE: Thursday, March 14, 2013

Mailing List for IR Copies

Application #G-17574

IR Date: February 8, 2013

Original mailed to applicant:

~~AURORA EAST LP, 14812 SE ONDO RIVERA DR, DAMASCUS, OR 97089~~

SENT VIA EMAIL:

1. Applicant - phil@canbysales.com
2. Agent - jeanne@boatwrightengr.com
3. WM 16

Copies sent to:

1. WRD - File # G-17574
2. WRD - Water Availability: Ken Stahr

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

Caseworker: Jeana Eastman

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