



State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301  
(503) 986-0900

# Application for Limited Water Use License

*A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OIWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OIWRD/PUBS/forms.shtml).*

License No. LL-1469

Applicant(s): Bureau of Reclamation

Contact Person: Boris Belchoff

Mailing Address: Bureau of Reclamation, Umatilla Field Office 32871 Diagonal Rd,

Hermiston OR 97838  
City State Zip

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MAY 22 2013

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Telephone No: 541-564-8616

I (We) make application for a Limited License to use or store the following described surface waters or groundwater-not otherwise exempt, or to use stored water of the State of Oregon for a use of a short-term or fixed duration:

1. SOURCE(S) OF WATER for the proposed use: stored waters in McKay Reservoir via McKay Creek a tributary of Umatilla River.
2. TOTAL AMOUNT OF WATER to be diverted: \_\_\_\_\_ cubic feet per second, or \_\_\_\_\_ gallons per minute. If water is to be used from more than one source, give the quantity from each: 418 acre-feet stored water in McKay Reservoir.
3. INTENDED USE(S) OF WATER: (check all that apply)
  - Road construction or maintenance
  - General construction
  - Forestland and rangeland management; or
  - Other: Instream fishery enhancement
4. DESCRIPTION OF PROPOSED PROJECT: Include a description of the intended place of use as shown on the accompanying site map, the method of water diversion, the type of equipment to be used (including pump horsepower, if applicable), length and dimensions of supply ditches and pipelines:

Based on Bureau of Reclamation contract modifications, 418 acre-feet is available for appropriation and is being stored in McKay Reservoir under Certificate 76087. This limited license proposes to protect this stored water right in stream for the purposes of fisheries enhancement in the stream reach between the McKay Reservoir Dam to a location just above the West Extension Irrigation District (WEID)'s Three Mile Dam on the Umatilla River; (see map). Upon the protected water becoming part of the state's "public waters," WEID will exchange these 418 acre-feet for an equal amount of Columbia River water under the Phase 1 exchange agreement.

5. PROJECT SCHEDULE: (List day, month, and year)

MAY 22 2013

Date water use will begin At time of Issuance

Date project will be completed up to five years from issuance

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Date water use will be completed up to five years from issuance

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars)  Yes  No

**PLEASE READ CAREFULLY**

**NOTE:** A completed water availability statement from the local watermaster, Land Use Information Form completed by the local Planning Department, fees and site map meeting the requirements of OAR 690-340-030 must accompany this request. The fee for this request is \$250 for the first point of diversion plus \$25 for each additional point of diversion. Please review the Department's fee schedule to view fees required to request a limited license for Aquifer Storage and Recovery testing purposes or for Artificial Groundwater Recharge testing purposes.

Failure to provide any of the required information will result in return of your application. The license, if granted, will not be issued or replaced by a new license for a period of more than five consecutive years. The license, if granted, will be subordinate to all other authorized uses that rely upon the same source, or water affected by the source, and may be revoked at any time it is determined the use causes injury to any other water right or minimum perennial streamflow.

If water source is a well, well logs or adequate information for the Department to determine aquifer, well depth, well seal and open interval, etc. are required. The licensee shall indicate the intended aquifer. If for multiple wells, each map location shall be clearly tied to a well log.

If a limited license is approved, the licensee shall give notice to the Department (Watermaster) at least 15 days in advance of using the water under the Limited License and shall maintain a record of use. The record of use shall include, but need not be limited to, an estimate of the amount of water used, the period of use and the categories of beneficial use to which the water is applied. During the period of the Limited License, the record of use shall be available for review by the Department upon request.

REMARKS:

SIGNATURE of Applicant: *Doris A. Bell*

DATE: 5/13/2013

Title: MANAGER, UMATILLA FIELD OFFICE

**Mapping Requirements (OAR 690-340-0030):**

(1) A request for a limited license shall be submitted on a form provided by the Water Resources Department, and shall be accompanied by the following:

(c) A site map of reproducible quality, drawn to a standard, even scale of not less than 2 inches = 1 mile, showing:

(A) The locations of all proposed points of diversion referenced by coordinates or by bearing and distance to the nearest established or projected public land survey corner;

(B) The general course of the source for the proposed use, if applicable;

(C) Other topographical features such as roads, streams, railroads, etc., which may be helpful in locating the diversion points in the field.

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**Attachment 2**  
**Land Use Information Forms**  
**Application for a Limited License— Bureau of Reclamation**

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# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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# Land Use Information Form



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Applicant: Bureau of Reclamation  
First Last

Mailing Address: Columbia Cascade Area Office, 1917 Marsh Road

Yakima WA 98901 Daytime Phone: 509-575-5848  
City State Zip

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
		See	attached	map		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Umatilla County

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## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) McKay Reservoir

Estimated quantity of water needed: 418   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:   
 Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

The Bureau of Reclamation is filing a limited license application to use stored water from McKay Reservoir for the purpose of instream fishery enhancement.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): VCDC 152-056

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

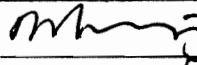
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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Name: Richard Jennings Title: planner  
 Signature:  Phone: 541-278-6249 Date: 3/28/13  
 Government Entity: Umatilla County

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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**Attachment 3**  
**Water Availability Statement**  
**Application for a Limited License— Bureau of Reclamation**

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***This page to be completed by the local Watermaster.***

**WATER AVAILABILITY STATEMENT**

Name of Applicant: Bureau of Reclamation

Limited License Number: LL-1469

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?

Yes  No

If yes, please explain:

Water stored in McKay Reservoir is released, protected and accounted for monthly and annually. In addition McKay Creek below the Reservoir and the Umatilla River downstream are regulated every year.

2. Based on your observations, would there be water available in the quantity and at the times needed to supply the use proposed by this application?

Yes  No

Amounts available dependant upon authorization from BOR and annual allocation based on contracts and percent of fill on any given year. Amounts also subject to storage and delivery losses.

3. Do you observe this stream system during regular fieldwork?

Yes  No

If yes, what are your observations for the stream?

Not a stream. Water stored in McKay Reservoir.

4. If the source is a well and if WRD were to determine that there is the potential for substantial interference with nearby surface water sources, would there still be ground water and surface water available during the time requested and in the amount requested without injury to existing water rights?

Yes  No  N/A

What would you recommend for conditions on a limited license that may be issued approving this application?

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5. Any other recommendations you would like to make?

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At least 3 days notice to Watermaster prior to each and every release event of water under this License stating amounts to be released and dates of release.

Signature \_\_\_\_\_ WM District #: 5 Date: 4-18-2013