Application for a Permit to Use

Ground Water



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

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Water-Use Permit Application Processing

JUL 08 2014

1. Completeness Determination

SALEM, OR

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$300.00 for the applicant and \$600.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

Minimum Requirements Checklist Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

\boxtimes	SECTION 1: applicant information and signature	
\boxtimes	SECTION 2: property ownership	
\boxtimes	SECTION 3: well development	
\boxtimes	SECTION 4: water use	
\boxtimes	SECTION 5: water management	
\boxtimes	SECTION 6: storage of groundwater in a reservoir	
\boxtimes	SECTION 7: use of stored groundwater from the reservoir	
\boxtimes	SECTION 8: project schedule	
\boxtimes	SECTION 9: within a district	
\boxtimes	SECTION 10: remarks	
	pleastich und fer und "Allabas sant may nequipe mid transfer in the ext that it thereis in	
	Attachments:	
\boxtimes	Land Use Information Form with approval and signature (must be an original) or signed re	ceipt
	Provide the legal description of: (1) the property from which the water is to be diverted, (2 crossed by the proposed ditch, canal or other work, and (3) any property on which the water as depicted on the map. Example: A copy of the deed, land sales contract or title insurance.	any property is to be used
	Fees - Amount enclosed: \$300 See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.	refilmant of the control of the cont
	Provide a map and check that each of the following items is included:	
\boxtimes	Permanent quality and drawn in ink	
\boxtimes	Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)	
\boxtimes	North Directional Symbol	
\boxtimes	Township, Range, Section, Quarter/Quarter, Tax Lots	
\boxtimes	Reference corner on map	
\boxtimes	Location of each well, and/or dam if applicable, by reference to a recognized public land so (distances north/south and east/west). Each well must be identified by a unique name and/or	irvey corner or number.
\boxtimes	Indicate the area of use by Quarter/Quarter and tax lot clearly identified	
\boxtimes	Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrisupplemental irrigation, or nursery	gation,
\boxtimes	Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)	
	Other	

Ground Water/2

Revised 2/1/2012

G-17634

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Application for a Permit to Use

Ground Water



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900 www.wrd.sett.G.Eu.VED BY OWRD

JUL 0 8 2014

SALEM, OR

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

NAME				PHONE (HM)
OHN BLAIR				NA
PHONE (WK)	CE N			FAX (509) 736- 2566
509) 736-2573 ADDRESS	INZ	1		(307) 730-2300
8701 WEST GAGE BLVD				
CITY	STATE	ZIP	E-MAIL*	
Kennewick	WA	99336- 2566	JOHN.BLAIR@CONAGRA	AFOODS.COM
		1 2300		
Organization Information				
NAME			PHONE	FAX
CONAGRA FOODS			(509) 736-2573	(509) 736-2566
ADDRESS				CELL
3701 WEST GAGE BLVD				NA
CITY	STATE	ZIP	E-MAIL*	
KENNEWICK	WA	99336-	JOHN.BLAIR@CONAGRA	AI-OODS.COM
		2566		
Agent Information – The agent is a	uthorized to repr	ecent the an	nlicant in all matters relati	ng to this application
Agent Information – The agent is a AGENT / BUSINESS NAME	umorized to repre	acin the ap	PHONE	FAX
STEEL MALONEY / CASCADE EARTH	SCIENCES		(541) 926-7737	(541) 967-7619
ADDRESS				CELL
S11 PACIFIC BLVD SW				(541) 223-3353
CITY	STATE	ZIP	E-MAIL*	
ALBANY	OR	97321	STEEL.MALONEY@CASC	ADE-EARTH.COM
Note: Attach multiple copies as i				
By providing an e-mail address	s, consent is give	en to receiv	ve all correspondence fr	om the department
electronically. (paper copies of t	he final order do	ocuments v	vill also be mailed.)	
By my signature below I confir				
I am asking to use wat	er specifically as	s described	I in this application.	
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SECTION 2: PROPERTY OWNERSHIP

	dicate if you own all the lands associated with the project from which the water is to i, and used.	RECEIVED BY OWRE
⊠ Yes	☐ There are no encumbrances. ☑ This land is encumbered by easements, rights of way, roads or other encumbrance	JUL 08 2014
□ No	1 mis faild is electribeted by easements, rights of way, roads of other endamorance	SALEM, OR
]	 I have a recorded easement or written authorization permitting access. I do not currently have written authorization or easement permitting access. Written authorization or an easement is not necessary, because the only affected la own are state-owned submersible lands, and this application is for irrigation and/o use only (ORS 274.040). Water is to be diverted, conveyed, and/or used only on federal lands. 	ands I do not or domestic
List the 1	names and mailing addresses of all affected landowners (attach additional sheets if no	ecessary).
<u>N/A</u>		

SECTION 3: WELL DEVELOPMENT

		IF LESS THAN 1 MILE: ELEVATION CHANGE				
WELL NO.	NAME OF NEAREST SURFACE WATER					
Well 2	South Fork Jacobsen Gulch	3,800 feet	Well head 50 feet above SW			
	\$8/1 / L					
		1 = 1 = 1 = 1	1			
		1 7 7 7 1				
		7 - 1,7-7				
39			42			

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (attach additional sheets if necessary).

Well 2 was reconditioned and draws water from the same aquifer as Well 1, and previous Well 2, as described in attached well logs.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvial Aquifer

Total maximum rate requested: 500 gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below). Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

	ANNUAL VOLUME (ACRE-FEET)	N/A	N/A	807	2110	ile.	THOY cate	es y	Special secure
SE	WELL SPECIFIC RATE (GPM)	50	400	200		1	bases	quest	
PROPOSED USE	TOTAL WELL DEPTH	09	360	278					
PROI	SOURCE AQUIFER***	Alluvium	Alluvium	Alluvium	harles Jacob les d porta	initiati is in the feet and feet and feet and		ed with the state of the state of the state of the state	Section Sectio
	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	36	40	35		254			10 (
	SEAL. INTERVALS (IN FEET)	0-18	0-20 68-73	0-20 68-73 360-600					
	PERFORATED OR SCREENED INTERVALS (IN FEET)	9-09	N/A	78-278				٠	1 - 3
	CASING INTERVALS (IN FEET)	+2-60	+3-75	+2-78					
	CASING	8-inch	16-inch	8-inch					
	FLOWING								
	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	MALH 51564	MALH 53047	MALH 54102		Slag Slag	A 2 8	Martin Time	Salli Switch Literal
	EXIZLING	\boxtimes		\boxtimes					
	PROPOSED								
	OWNER'S WELL NAME OR NO.	Well 1	Well 2	Well 2 (Recon ditione d)					

Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for

existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well. Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 4: WATER USE

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Apki more	man distributifugensis. Aurasum sier
	Apid, crown

Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5,000 gallons per day for a single industrial or commercial purpose are exempt from permitting requirements.

For	irr	igation	use	only:
		Pertion	4400	V J .

Please indicate the number of primary and supplemental acres to be irrigated (must match map).

Primary: N/A Acres

Supplemental: N/A Acres

List the Permit or Certificate number of the underlying primary water right(s): N/A

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: N/A

- If the use is municipal or quasi-municipal, attach Form M
- If the use is domestic, indicate the number of households: N/A

If the use is mining, describe what is being mined and the method(s) of extraction: N/A

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SECTION 5: WATER MANAGEMENT

SALEM, OR

A. Diversion and Conveyand	:c
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What equipment will you use to pump water from your well(s)?

☑ Pump (give horsepower and type): 30 hp

Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from alluvial well and conveyed to plant in a buried mainline.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Water will be used for a variety of industrial uses yet to be defined.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

The proposed amount of water is required to operate an industrial facility. All water will be efficiently put to beneficial use. No impact on surface waters, aquatic life or riparian habitat is anticipated. All water used in industrial uses (e.g., food processing) will be managed under a process water permit issued by the Department of Environmental Quality.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Reservoir name: N/A Acreage inundated by reservoir: N/A

Use(s): N/A

Volume of Reservoir (acre-feet): N/A Dam height (feet, if excavated, write "zero"): N/A

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): N/A

USE OF STORED GROUND WATER	PERIOD OF USE
N/A	N/A

SECTION 8: PROJECT SCHEDULE

Date construction will begin: As soon as possible after authorization of water right (2014).

Date construction will be completed: <u>Unknown...depends on market-driven factors (2018)</u>.

Date beneficial water use will begin: Unknown...depends on market-driven factors (2018).

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name Owyhee Irrigation District	Address 17 S. 1st Street	sate in a 16 years was set may not they
City	State	Zip
Nyssa	OR	97913

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (attach additional sheets if necessary).

The existing facility is under new ownership and the existing wells (Wells 1 and 2) have collapsed and will not provide adequate flow to reopen the facility for industrial operations. Well 2 was reconditioned by removal of accumulated silt/sand and installation of casing, screen, and filter pack. Surface water rights will be used to meet irrigation needs. Industrial water will be land applied for treatment after use as permitted by the Department of Environmental Quality.

JUL 08 2014

Land Use Information Form



Oregon Water Resources Department OF 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 <u>all</u> 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 Intermetter Farr

RIGHT OF APPLICATION

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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

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Applicant: ConAgra Foods		JUL 0 8 201
First	Last	JUL 09 COL
Mailing Address: 8701 W Gage Rlyd		

Mailing Address: 8701 W. Gage Blvd Kennewick

Daytime Phone: (509) 736-2573

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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:	grade a registra	Proposed Land Use:
175	46E	13	NE SE	3300	EFU	☑ Diverted	☑ Conveyed	☑ Used	EFU
17S	46E	13	SE SE	3300	EFU	☐ Diverted	☑ Conveyed	☑ Used	EFU

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed: Malheur County **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 ☐ Allocation of Conserved Water ☐ Exchange of Water ☐ Limited Water Use License ☐ Surface Water (name) Source of water: Reservoir/Pond ☑ Ground Water cubic feet per second gallons per minute acre-feet Estimated quantity of water needed: 500 Domestic for _____ household(s) Commercial ✓ Industrial Intended use of water: Irrigation Quasi-Municipal Instream Other Municipal Briefly describe: The applicant is applying for a permit to use groundwater withdrawn from the alluvial aquifer and beneficially used for industrial uses.

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. \rightarrow

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.

already been obtained. Record of Action	ater uses (including proposed construction ease attach documentation of applicable la /land-use decision and accompanying find ods have not ended, check "Being pursu	ind-use appr ings are suff	ovals which have
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Land-Use Approval Policies & Ordinance Section References		id-Use Approval
		Denied	☐ Being Pursued ☐ Not Being Pursued
	100 to 10	Obtained	☐ Heing Pursited ☐ Not Heing Pursited
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1 - 0 -	seal, Planning Div.	28.4.3 yansu an goleon W.C. milwellis J.	per entire La motici illus unite el pa unita complete de me de complete de me
Signature: Jon D Beal	Phone: Date		weeklishing
Signature: Jon D Beal			weedles in a make
Signature: And Beal Government Entity: Halhand Co Note to local government representative: you sign the receipt, you will have 30 days fr Jse Information Form or WRD may presume	Phone: Date S41-473-51 Please complete this form or sign the receion the Water Resources Department's not	85 pt below and ice date to re	I return it to the applicant eturn the completed Land r is compatible with local
Signature: And Beal Government Entity: Malhauce Co Note to local government representative: you sign the receipt, you will have 30 days fr Use Information Form or WRD may presume comprehensive plans.	Phone: Date S41-473-51 Please complete this form or sign the receion the Water Resources Department's not	85 pt below and ice date to re I use of wate	I return it to the applicant, eturn the completed Land
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Date	

(For staff use only)

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JUL 08 2014

SALEM, OR

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

TIVV	SECTION 1:
	SECTION 2:
	SECTION 3:
	SECTION 4:
	SECTION 5:
	SECTION 6:
	SECTION 7:
	SECTION 8:
	SECTION 9:
	Land Use Information Form
	Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
	Fees
MAP	
	Permanent quality and drawn in ink
	Even map scale not less than $4'' = 1$ mile (example: $1'' = 400$ ft, $1'' = 1320$ ft, etc.)
	North Directional Symbol
	Township, Range, Section, Quarter/Quarter, Tax Lots
	Reference corner on map
	Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
	Indicate the area of use by Quarter/Quarter and tax lot clearly identified
	Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
	Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
	Other