



**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 22, 2015

JAMES FROMMER  
760 HITCHING POST RD  
GRANTS PASS, OR 97526

Reference: File G-18048

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 0.038 cubic foot per second (CFS) of water from Well 1 and Well 2 (JOSE 2428) in Quartz Creek Basin for irrigation of 5.0 acres April 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 and Well 2 (JOSE 2428) in Quartz Creek Basin for irrigation is allowable under the Rogue Basin Program (OAR 690-515-0040).
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. The application also proposed a duty that is higher than the general basin-wide standard of 3.0 acre-feet (AF) per acre, but did not demonstrate the need for a higher duty. If you would like to pursue a permit for 3.5 AF per acre, please submit additional information to demonstrate the need for the higher duty by Thursday, June 25, 2015.

### Summary of Initial Determinations

**The appropriation of 0.038 CFS of water from Well 1 and Well 2 (JOSE 2428) in Quartz Creek Basin for irrigation of 5.0 acres is allowable during the full period requested, April 1 through October 31 of each year.**

Because of these favorable determinations, the Department can now move the 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 the application, you do not have to notify the Department. The 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 \$225 processing charge per application). To accomplish this you must notify the Department in writing by **Friday, June 5, 2015**. 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 devices, and recording/reporting of annual water use 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 diversion. If the Director notifies the permittee to install a measuring device, the permittee shall install such device within the period stated in the notice. Once installed, the permittee shall maintain the device in good working order, and shall allow the watermaster access to the device.
  - B. The Director may require the permittee to keep and maintain a record of the volume of water diverted, and may require the permittee to report water-use 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. Static Water Level Conditions

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water-level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

**Initial and Annual Static Water Level Measurements**

The Department requires the permittee to report an initial water-level measurement in the month specified above once well construction is complete, and annually thereafter until use of water begins; and

**After Use of Water has Begun**

**Seven Consecutive Annual Static Water Level Measurements**

Following the first year of water use, the user shall report seven consecutive annual static water-level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require the user to obtain and report additional annual static water-level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement;
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface;
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The Department may require the discontinuance of groundwater use, or reduce the rate or volume of withdrawal, from the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

3. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water

flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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/programs/NaturalResources/Pages/AgWaterQuality.aspx> 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 503-986-0806 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: Kerri H. Cope, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Kerri H. Cope  
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-18048  
WAB 15-No PSI  
POU 15-  
GW

# APPLICATION FACT SHEET

Application File Number: G-18048

Applicant: JAMES FROMMER

County: Josephine

Watermaster: 14

Priority Date: April 13, 2015

Source: WELL 1 and WELL 2 (JOSE 2428) IN QUARTZ CREEK BASIN

Use: IRRIGATION OF 5.0 ACRES

Quantity: 0.038 CUBIC FOOT PER SECOND

Basin Name & Number: Rogue, #15

Stream Index Reference: Volume 5 QUARTZ CR & MISC

Well Location(s):

WELL 1: NENE SECTION 28, T34S, R6W, W.M.; 528 FEET SOUTH AND 621 FEET WEST FROM NE CORNER, SECTION 28

WELL 2 (JOSE 2428): NENE SECTION 28, T34S, R6W, W.M.; 517 FEET SOUTH AND 714 FEET WEST FROM NE CORNER, SECTION 28

Place of Use:

NE ¼ NE ¼ 5.0 ACRES  
SECTION 28  
TOWNSHIP 34 SOUTH, RANGE 6 WEST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, June 5, 2015**

**PUBLIC NOTICE DATE: Tuesday, May 26, 2015**

**30 DAY COMMENT DEADLINE DATE: Thursday, June 25, 2015**

# Mailing List for IR Copies

Application #G-18048

IR Date: May 22, 2015

**Original and map mailed to applicant:**

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JAMES FROMMER , 760 HITCHING POST RD, GRANTS PASS, OR 97526

**SENT VIA EMAIL:**

1. WRD -Watermaster # 14

**IR, Map, and Fact Sheet Copies sent to:**

1. WRD - File # G-18048
2. WRD - Regional Manager: SW
3. Department of Agriculture

Caseworker: Kerri H. Cope

COPYSHT.IR