



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for Limited Water Use License

License No.: 11-170

Applicant Information

NAME R.D. Mac, Inc.		PHONE (HM)	
PHONE (WK) (541) 963-8601	CELL	FAX (541) 963-2194	
ADDRESS 60831 McAlister Road			
CITY La Grande	STATE OR	ZIP 97850	E-MAIL *

Agent Information

NAME Carl W. Hopp, Jr. Attorney at Law, LLC		PHONE (541) 388-3606	FAX (541) 330-1519
ADDRESS 168 NW Greenwood Ave.			CELL
CITY Bend	STATE OR	ZIP 97703	E-MAIL * bill@cwhepp.com

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 for a use of a short-term or fixed-duration:

- SOURCE(S) OF WATER:** groundwater a tributary of the Grande Ronde River
- AMOUNT OF WATER** to be diverted;
Maximum and instantaneous rate (cubic feet or gallons per minute): 1,016.7 gpm
Total volume (gallons or acre-feet): . If water is to be used from more than one source, give the quantity from each:
- INTENDED USE(S) OF WATER:** (check all that apply)
 - Road construction or maintenance
 - General construction
 - Forestland and rangeland management; or
 - Other: industrial / mining operations
- DESCRIPTION OF PROPOSED PROJECT:** Include a description of the 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:
See Attachment 1.
- PROJECT SCHEDULE:** (List day, month, and year)
Date water use will begin: upon approval of limited license
Date water use will be completed: 5 years or upon approval of groundwater permit application.
Months of the year water would be diverted and used:
If for other than irrigation from stored water, how and where will water be discharged after use:
mining pits which will allow the discharged water to seep back into the aquifer.

Applicant Signature

Jerome Collman, President
Print Name and title if applicable

10/24/17 RECEIVED
Date

NOV 07 2017

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 **\$280** for the first point of diversion plus **\$30** 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 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.

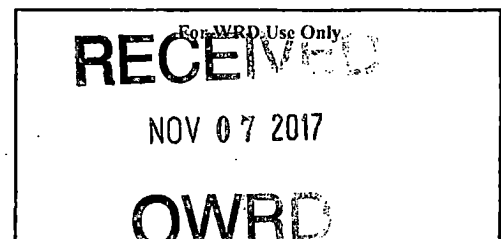
If a limited license is approved, the licensee shall give notice to the Department (Watermaster) at least 15 days in advance of using the water under the Limited License and shall maintain a record of use. The record of use shall include, but need not be limited to, an estimate of the amount of water 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.

**A summary of review criteria and procedures that are generally applicable to these applications is available at:
<http://www.oregon.gov/owrd/pages/pubs/forms.aspx>*

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:
 - a. A site map of reproducible quality, drawn to a standard, even scale of not less than 2 inches = 1 mile, showing:
 - i. 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;
 - ii. The general course of the source for the proposed use, if applicable;
 - iii. Other topographical features such as roads, streams, railroads, etc., which may be helpful in locating the diversion points in the field.

REMARKS:



This page to be completed by the local Watermaster.

WATER AVAILABILITY STATEMENT

Name of Applicant: RDMac, Inc.

Limited License Number: LL-1720

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:

Grande Ronde River and tributaries are regulated annually.

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

Water is typically unavailable from late June through the middle of October.

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

Yes No

If yes, what are your observations for the stream?

Grande Ronde River flows range from peak flows of 4000 cfs or more February to May and declines to low flows of less than 15 CFS by sometime in August. Timing and flows are highly variable from year to year.

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?

Applicant proposes to offer forbearance of use of 112 acres under Certificate 90393. However, the authorized diversion and conveyance system for this right has been abandoned for over 10 years and to my knowledge has not delivered water to the subject land from the authorized system since I have been watermaster in the basin (May 2000).

The majority of the 112 acres under C-90393 is not subject to irrigation due to the aggregate operation, buildings and roadway. Further, a water right permit for supplemental irrigation from ground water exists on the same lands as that covered under C-90393.

5. Any other recommendations you would like to make?

Consider amendments to Permit G 13726 to address commercial needs.

Signature Ahal Patton WM District #:6

Date: 1/10/2018

Attachment 1 – RD Mac Applications

This application is part of a packet of applications intended to provide short-term and long-term authorization for an aggregate mining operation by the applicant, RD Mac, Inc., and for continuation of irrigation on other adjacent lands owned by RD Mac, Inc., but not used for mining purposes. The packet includes:

- Limited License Application for short-term/fixed duration authorization of industrial/mining use as a “bridge” while a permanent groundwater application is being processed by OWRD.
- Groundwater Permit Application for long-term/permanent authorization for industrial/mining use.
- Permit Amendment to change the location of use for portions of Permit G-13726 to move irrigation use from lands intended for industrial/mining operations to other adjacent lands owned and controlled by the applicant. The “to” lands for the proposed permit amendment are currently covered by a primary surface water right which would be voluntarily cancelled as to the portion that overlaps with the proposed permit amendment, upon approval of the permit amendment.
PLEASE NOTE: The request for voluntary cancellation is to be processed only upon approval and as a condition of the requested permit amendment.
- Affidavit for the Partial Cancellation of a Water Right Certificate 82075 to remove existing primary surface water right from land proposed as the “to” lands for the above-listed permit amendment. Acceptance and action upon the proposed voluntary cancellation is contingent upon approval by OWRD of the permit amendment.

RD Mac proposes using groundwater from two existing wells for an aggregate mining operation under a operation and reclamation plan that has already been approved by the Oregon Department of Geology and Mineral Industries (*insert permit/plan approval reference number*).

The applicant proposes use of approximately 610,000 gallons per day (gpd) to be provided at a maximum pumping rate of 1000 gallons per minute (gpm) from Well #1, with an annual volume limitation of “X” acre-feet; and 16.7 gpm from Well #2 (total combined pumping rate of 1016.7 gpm.) Of the total 610,000 gpd, up to 10,000 gpd will be used for mixing concrete. The remainder will be used for typical aggregate mining operations, including but not limited to washing and processing rock, dust control, washing equipment, and serving industrial facilities. The use of water for concrete mixing is expected to be 100% consumptive, while the use of water for other aggregate operations is estimated at 20%, based on experience with similar aggregate mining operations.

Both wells will be equipped with metering devices to measure water use.

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Wastewater will be collected in mining ponds for industrial re-use and to allow for natural seepage. There will be no discharge of industrial wastewater to surface water streams, creeks or other waterways.

If OWRD determines during the application review process that the use of groundwater for the limited license or long-term industrial/mining operations will have the potential for substantial interference with surface waters, applicant is prepared to provide mitigation in the form of an instream transfer of existing senior surface water rights.

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90193

STATE OF OREGON WATER SUPPLY WELL REPORT

WATER RESOURCES DEPT (START CARD) #

90193

Instructions for completing this report are on the last page of this form.

SALEM, OREGON

(1) OWNER: Well Number L11111 Name R. P. Mac Address P.O. Box 1086 City Island City State Ore Zip 97251

(9) LOCATION OF WELL by legal description: County Union Latitude Longitude Township 3 N or S Range 38 E or W. WM. Section 15 SW 1/4 NE 1/4 Tax Lot 201 Lot Block Subdivision Street Address of Well (or nearest address) McClaster

(2) TYPE OF WORK: [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(10) STATIC WATER LEVEL: 7 ft. below land surface. Date 10-30-97 Artesian pressure lb. per square inch. Date

(3) DRILL METHOD: [] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other Reverse Rotary

(11) WATER BEARING ZONES: Depth at which water was first found 7'

(4) PROPOSED USE: [] Domestic [] Community [X] Industrial [X] Irrigation [] Thermal [] Injection [] Livestock [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 312 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE Diameter, From, To, Material, SEAL From, To, Sacks or pounds. Row 1: 2 1/2", 0, 315, Cement, 0, 35, 8 yds.

How was seal placed: Method [] A [] B [] C [] D [] E [] Other Overburden, Tremie Pipe. Backfill placed from 35 ft. to 315 ft. Material Gravel placed from 35 ft. to 315 ft. Size of gravel 3/4"

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: all sands & gravels

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Rows for casing and liner.

(12) WELL LOG: Ground Elevation WATER RESOURCES DEPT SALEM, OREGON

Table with columns: Material, From, To, SWL. Rows: Topsoil, Sand & Gravel, Brown Clay, Sand & Gravel, Brown Clay, Coarse Sand, Brown Clay, Coarse Sand & Gravel, Brown Clay, Grey Clay, Coarse Sand, Grey Clay, Coarse Sand, Grey Clay.

(7) PERFORATIONS/SCREENS: [] Perforations Method Johnston [X] Screens Type Wire Way Material Steel

Table with columns: From, To, Slot size, Number, Diameter, Casing, Liner. Rows for perforations.

(8) WELL TESTS: Minimum testing time is 1 hour

[] Pump [] Bailer [] Air [X] Flowing Artesian Yield gal/min Drawdown Depth at Time 1 hr. Temperature of water 59.0 Depth Artesian Flow Found Was a water analysis done? Did any strata contain water not suitable for intended use? Depth of strata:

Date started 10-21-97 Completed 10-30-97

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

Signed Date WWC Number

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above.

Signed Date 11-3-97 WWC Number 1506

LL-1720

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

WELL I.D. # L. 16197
START CARD # 103496

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____
Name R.D. MAC
Address 60931 McALISTER RD
City LAGRANGE State OR Zip 97930

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 180 ft.
Explosives used Yes No Type _____ Amount _____

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
10	0	2	Bentonite	0	2	16 sacks
7.5	2	180	gravel			

How was seal placed: Method A B C D E
 Other Powered dry
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6	+2	180	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 180

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Tele/pipe size	Casing	Liner
							<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
50+		195	1 hr.

Temperature of water 54 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Union Latitude _____ Longitude _____
Township 35 N or S Range 38E E or W. WM.
Section 13 SW 1/4 SE 1/4
Tax Lot 201 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) same

(10) STATIC WATER LEVEL:
65 ft. below land surface. Date 8-3-00
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 17

From	To	Estimated Flow Rate	SWL
17	17	20	70
65	65	4	60
140	190	50+	65

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
gravel	0	3	
steel + clay	3	10	
clay + gravel	10	17	10
gravel + clay	17	18	10
clay + gravel	18	60	10
gravel + clay	60	140	60
sand + gravel	140	180	60

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AUG 17 2000

WATER RESOURCES DEPT
SALEM, OREGON

Date started 8-2-00 Completed 8-3-00

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Carl Piteka WWC Number 494 Date 8-3-00

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Carl Piteka WWC Number 494 Date 8-3-00

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

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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: R. D. Mac, Inc.
First Last

Mailing Address: 60831 McAlister Road

La Grande Oregon 97850 Daytime Phone: 541-963-8601
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	1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
3 S	38 E	15	SWNE	201	UC-SM	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	UC-SM
3 S	38 E	15	NWSE	200	UC-SM	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	UC-SM
3 S	38 E	15	NESE	200	UC-SM	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	UC-SM
						<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:

Union 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 Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 464 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:

Water will be used in support of surface mining operations. Water will be primarily used for plant processing Requirements which include spray washing mined materials and separation of sand and gravel as it passes over Shaker screens. Tail water will be collected in onsite settling ponds that allow water to be reused or to seep Back into the aquifer. Some water will be consumptively used for concrete mixing. See application attachment.

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): 15.03.

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:	
Plan/Map Amendment Site Plan	O.A.R. 660-023-0180 UCZPSO Section J 15116.20 + 23	<input checked="" 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.

Name: Stacy Warren Title: Associate Planner
 Signature: Stacy W. Phone: 541-963-1014 Date: 10/16/17
 Government Entity: Union County Planning

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: RD Mac, Inc.
 City or County: Union County Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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This page to be completed by the local Watermaster.

WATER AVAILABILITY STATEMENT

Name of Applicant: RD MAC, INC. Limited License Number: _____

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:

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

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

Yes No

If yes, what are your observations for the stream?

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?

Applicant enters into a forbearance agreement in which Applicant agrees not to use the 112 acres of irrigation right under certificate 90393.

5. Any other recommendations you would like to make?

Signature _____ WM District #: _____ Date: _____

Application for Limited Water Use License/3

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