



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

February 23, 2001

JANET T HADDOCK
PO BOX 974
PILOT ROCK, OREGON 97868

541-443-2920

Reference: File G-15257

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 and potential limitations to your water use permit application and to describe your options. In determining whether a water use permit 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 proposed use is not prohibited by law or rule.
2. The use of water from A WELL, A TRIBUTARY OF STEWART CREEK for IRRIGATION OF 5.0 ACRES is **allowable** under OAR 690-507-060(3)(a)(A), the Umatilla Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. The Department has also determined, based upon available data, that the use of groundwater in the amount of 0.063 CUBIC FOOT PER SECOND for IRRIGATION OF 5.0 ACRES if properly conditioned, will not injure existing rights or the groundwater resource.
5. The well, requested under this application, is located within a five-mile radius around the City of Pilot Rock's municipal wells. Groundwater use from the basalt reservoir within a five-mile radius around any municipal well of the City of Pilot Rock could be limited to



only municipal uses, group domestic uses, or statutorily exempt groundwater uses, if the city has an approved water management and conservation plan in effect [OAR 690-507-060(3)(a)(B)]. The City of Pilot Rock does not currently have a full-time water management and conservation program in effect, therefore, OAR 690-507-060(3)(a)(B) shall not affect this application.

Please Note: The conclusions of this Initial Review are subject to change if a water management and conservation plan is approved by the Water Resources Department for the City of Pilot Rock before the protest filing deadline passes. The protest period ends 45 days after the issuance of the Proposed Final Order (OAR 690-507).

6. The applicant requested the use of water for irrigation year round. The use shall be limited to the standard irrigation season of March 1 through October 31 of each year.

Summary of Initial Determinations

The use of 0.063 CUBIC FOOT PER SECOND from A WELL, A TRIBUTARY OF STEWART CREEK for IRRIGATION OF 5.0 ACRES may be allowed from March 1 through October 31 of each year.

Because of the Departments determination, your application can be moved to the next phase of the water rights application review process. However, due to #6 above your application will likely be limited as summarized above.

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.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, March 9, 2001**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, 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. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. You will be required to comply with state and federal water quality standards.
3. The priority date for this application is December 6, 2000.
4. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

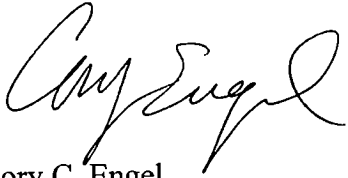
The water source identified in your application is in an area that has an approved Agricultural Water Quality Management Area Plan. These plans have been developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Mike Wolf, (503) 986-4711 at the ODA to learn more about the plan and how it may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503)

378-8455 extension 201. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 318 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cory Engel', written in a cursive style.

Mr. Cory C. Engel
Water Right Processing Technician

cc: Regional Manager, Watermaster District 5, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-15257
wab 07-220
pou 07-220
gw c

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15257

Applicant: JANET T HADDOCK

County: UMATILLA

Watermaster: District 5

Priority Date: December 6, 2000

Source: A WELL, A TRIBUTARY OF STEWART CREEK

Use: IRRIGATION OF 5.0 ACRES

Quantity: 0.063 CUBIC FOOT PER SECOND

Basin Name & Number: Umatilla, #07

Stream Index Reference: Volume 4 STEWART CR & MISC

Point of Diversion Location: SWSW, SECTION 19, T 1S, R33E, W.M.; SOUTH 65 DEG 51 MIN
25 SEC, EAST 1126.53 FEET FROM W1/4 CORNER, SECTION 19

Place of Use: SWSW 5.0 ACRES, SECTION 19, TOWNSHIP 1 SOUTH, RANGE 33 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, March 9, 2001

PUBLIC NOTICE DATE: Tuesday, March 13, 2001

30 DAY COMMENT DEADLINE DATE: Thursday, April 12, 2001

IR CHECKLIST

Application # 6-15257 Priority Date: 12-6-2000
 Basin: 7-Umatilla County: Umatilla Watermaster District: # 5-NC
 Township: 1S Range: 33E Section: 19 1/4 1/4 Yout Lots 17 & 18
 WID: # 220 POU WID: # _____ SW/SW?

CE 2. Complete by Minimum Requirements checklist? (Yes) No _____
 Items still required: _____

4/12 ☆Groundwater/Surface Water Interference: A B (C) D If "A", indicate River/Stream _____

☆Groundwater Availability: A B (C) ☆Conditions to be included on IR? List under Item #23 (over)

★★PLEASE NOTE: If GW / SW Interference (above) = "B", "C" or "D".....Skip Items #5, #14, #18 & #19

CE 3. Basin Maps checked? (Yes) No _____

4/1 4. Within or above a Scenic Waterway? Yes (No) _____ Scenic Waterway
 If Yes.....cc: State Parks Dept. Conditions/Restrictions? Yes No _____

4/17 5. Within Oregon Streamflow Restoration Area? Yes NoIf Yes, include Streamflow Restoration Block

4/1 6. Is the well located in a Groundwater Limited Area? Yes (No) Name _____ GW Limited Area

4/1 7. Is the well located in T. 1N, R. 3E, Sec. 20, 21, 28, 29? Yes (No) If Yes...Notify DEQ immediately!!!
 If Yes...cc: Andy Schaedel, NW Region Water Quality Manager, 2020 SW Fourth Ave, Portland, OR 97201
Call Andy at Phone #: 503-229-6121 & E-mail Andy at: "SMTPschaedel.andrew.l@deq.state.or.us"

CE 8. Requested Use & Rate: 5² IR ; 0.0625 CFS

CE 9. Season requested by applicant: 4/R

CE 10. For Irrigation: Rate 1/80 Duty 3 Season 3/1 - 10/31

4/1 11. For Nursery or Cranberry: Rate _____ Duty _____ Season _____
690-507-060(3)(a)(A)

CE 12. Allowed under Basin Program? (Yes) No CC PILOT ROLIC / BSAAT
 Limitations? (Yes) No S - ME COND. / LANGUAGE

CE 13. Withdrawn? Yes (No) Season Allowed: _____

4/1 14. Water Availability Applies: Yes No - 80% or 50% _____

CE 15. Conflict? Yes (No) _____
plat cards

CE 16. BOR project? Yes No If Yes... Contract # and Duty: _____

CE 17. Land use approval: OK'd Needs Approval County Notified N/A

N/A 18. Subject to Division 33: Yes No N/A = Well does not have the potential for substantial interference

★ Upper Columbia Div 33 Rules (Above Bonneville)? Yes No
If Yes..... NO WATER USE ALLOWED from APRIL 15 thru SEPTEMBER 30 of each year
❖❖❖(EXCEPT for Domestic Use & other Exempt uses under OAR 690-33-140)❖❖❖

cc: ☐ ODFW Biologist District # _____ ☐ NMFS.....Marc Liverman
☐ Columbia River Intertribal Fish Commission ☐ Dept. Of Agriculture.....Steve Applegate
☐ US Fish & Wildlife ☐ DEQ→ East Region - Dick Nichols, Bend
☐ NW Power Planning Council →West Region - John Blanchard, Medford
→Northwest Region - Andy Schaedel, Portland

★ Statewide Div 33 Rules ("Sensitive" statewide (Blue on Map) & "Threatened or Endangered" OUTSIDE Columbia Basin)? Yes No
If Yes...cc: ☐ ODFW Biologist District # _____
☐ Steve Applegate.....Dept. of Agriculture
☐ DEQ→ East Region - Dick Nichols, Bend
→West Region - John Blanchard, Medford
→Northwest Region - Andy Schaedel, Portland

★ DIVISION 33 CONDITIONS ★

→Above Bonneville: "B54B"

→Below Bonneville: "PISPC"

❖❖NOTE: If "Q" is over 1.0 CFS,
See: OAR 690-33-220(3)

N/A 19. On DEQ 303d (Water Quality Limited) list? Yes No If Yes...cc: appropriate Regional Water Quality Manager
☐ East Region-Dick Nichols, Bend ☐ West Region-John Blanchard, Medford ☐ NW Region-Andy Schaedel, Portland

CE 20. Within Dept. of Agriculture Water Quality Management Area? Yes No If Yes.....cc: Mike Wolf - Dept. of Ag
ADOPTED: TUALATIN__ BEAR CREEK(ROGUE)__ UMATILLA__ ~~UPPER GRANDE RONDE~~__ YAMHILL__ LOWER DESCHUTES__
NORTH COAST__ (includes: Lower Columbia/Clatskanie, Lower Columbia, Necanicum, Nehalem, Wilson/Trask/Nestucca)

DRAFT RULES: LOWER COLUMBIA/SANDY__ CLACKAMAS__ MOLALLA/PUDDING__ FRENCH/PRAIRIE__ NORTH SANTIAM__
HOOD RIVER__ MID DESCHUTES__ N FORKS JOHN DAY__ (includes: Middle Fork John Day, North Fork John Day)
UMPQUA__ (includes: Umpqua, North Umpqua, South Umpqua) MALHEUR__ (includes: Willow/Malheur, Bully,
Lower Malheur, Upper Malheur, Farewell Bend, Middle Snake/Payette)

IN COMMITTEE: COQUILLE__ COOS__ MID COAST__ (includes: Siletz/Yaquina, Alsea, Siuslaw, Siltcoos) WALLA WALLA__
SOUTHERN WILLAMETTE VALLEY__ (includes: Coast Willamette, Middle Willamette, McKenzie) UPPER JOHN DAY__
KLAMATH HEADWATERS__ (includes: Butte, Sprague, Williamson, Upper Klamath, Upper Klamath Lake) LOST RIVER__
INLAND ROGUE__ (includes: Lower Rogue, Middle Rogue, Upper Rogue, Applegate, Illinois)
WALLOWA__ (includes: Wallowa, Lower Grande Ronde, Imnaha)

CE 21. WM District: NWR: 1 2 16 18 20 (NCR: 3 4 5) 21 ER: 6 8 9 10 SCR: 11 12 17 SWR: 13 14 15 19

CE 22. Initial Review will be: GOOD LIMITED BAD BAD W/IR SHORT BAD W/HC EXCEPT

CE 23. ☆Proposed Allowed Use & Rate: S² IR, 0.0625

☆Proposed Allowed Period of Use: 3/1 - 10/31

☆Measuring condition: Small Medium Large

☆Conditions (BOR, GW, other)? Yes No 7B (and, see Groundwater memo of 2/20/00)

Reviewer's Name: Cory ENGEL Date: 20 FEB 2001

Mailing List for IR Copies

Application #G-15257

IR Date : February 23, 2001

Original mailed to:

Applicant: JANET T HADDOCK , PO BOX 974, PILOT ROCK, OREGON 97868

Copies sent to:

- 1. WRD - File # G-15257
- 2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

- 3. WRD - Watermaster # District 5
- 4. WRD - Regional Manager (not Bob Main): NC
- 5. DOA (N.Salem/Keizer): Mike Wolf

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

- 6. CWRE: David L Haddock, PO Box 1574, Pendleton OR 97801
- 7. CITY OF PILOT ROCK, PO BOX 130, PILOT ROCK, OREGON 97868

8. _____

9. _____

10. _____

11. _____

Copies Mailed
By: <u>DG</u>
(SUPPORT STAFF)
on: <u>2/26/01</u>
(DATE)

ID# CE

COPYSHIT.IR