



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

Water Right Application Initial Review

October 11, 2019

DOUG AND CAROLYN CRAWFORD FAMILY TRUST
45004 SCHOOLHOUSE RD
HAINES OR 97833

Reference: Application G-18817

This document is to inform you of the preliminary analysis of the 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 supplied, the Water Resources Department has made the following preliminary determinations:

Preliminary Determinations under Oregon Administrative Rule (OAR) 690-310-0080:

1. Application G-18817 proposes the appropriation of 0.08 cubic foot per second (CFS) of water from Well 1 (BAKE 50878/L50855) in Hunt Creek Basin for irrigation of 9.0 acres March 1 through October 31 and domestic use for 1 household January 1 through December 31 of each year.
2. Domestic use of up to 15,000 gallons per day from a well is exempt from permitting requirements. The Department will therefore not consider domestic use to be a part of your application unless you notify us in writing that you are interested in receiving a permit for domestic use for 1 household. Any permit issued, including permits for exempt uses, will be subject to metering requirements, rate limitations, and any other conditions contained in the permit.

If you do notify us in writing that you are interested in receiving a permit for domestic use for 1 household, fees in the amount of \$350 will be required for the additional use.

3. The proposed use is not prohibited by law or rule except where otherwise noted below.
4. Irrigation is allowed under the Powder Basin Program. (OAR 690-509-0000(1))
5. Groundwater will likely be available within the capacity of the resource, and /or the proposed use of groundwater will avoid injury to existing groundwater rights.
6. The Department has determined, based upon OAR 690-009, that the proposed groundwater use will not have the potential for substantial interference with any surface water source.
7. The proposed use is not located within or above any state or federal scenic waterway.

8. The point of appropriation is not located within a critical, limited, or withdrawn groundwater area.
9. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright.
10. The area proposed to be irrigated under this application is currently covered by an existing irrigation water right evidenced by Certificate 80953, which conflicts with the application. Please see the **Conflict Resolution Information** section below for more information.

Summary of Preliminary Determinations
The appropriation of 0.08 CFS of water from Well 1 (BAKE 50878/L50855) in Hunt Creek Basin for and irrigation of 9.0 acres March 1 through October 31 of each year is allowable.

Because of the favorable determinations described herein, Application G-18817 can move to the next phase of the water-rights application review process, which includes a public interest review.

Conflict Resolution Information:

The area proposed to be irrigated under this application is currently covered by an existing irrigation water right evidenced by Certificate 80953, which conflicts with the application. (See attached map of Certificate 80953)

If you would like this application to be the primary right, the Department must receive:

- A completed form authorizing cancellation of the conflicting portion of the existing right, along with a map describing those portions; or
- A completed affidavit of diminution of the conflicting portion of the existing right to reduce them to supplemental use, along with a map describing those portions; or
- A transfer application addressing the conflicting portion of the existing right; or
- Another means of dealing with the conflict between the existing right and the use proposed under this application.

If you would like this application to be supplemental to the existing certificate, the Department must receive an amended application page 5 proposing supplemental irrigation. Please note the supplemental lands will be limited and/or jeopardized as follows:

- If the existing right is found to have been forfeited, the use which is supplemental to such certificate may also be canceled.
- You may only use the supplemental right after the primary right becomes unavailable. Water from the primary source must be exhausted first.
- The season of use for the supplemental irrigation will be limited to that of the primary right.

Please submit this information no later than Thursday, November 14, 2019. If you are unable to submit the information listed above, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

Public Comment & Further Review:

Public interest issues and/or public comments will be addressed as the Department prepares a Proposed Final Order. If significant public interest issues are identified, they could have an impact on the eventual outcome of the application.

At this time, you must decide whether to proceed or to withdraw the application.

- To Proceed - If you choose to proceed with the application you do not have to notify the Department. The application will 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.
- To Withdraw - You may withdraw the application and receive a refund (minus a \$260 examination fee per application). You must notify the Department **in writing** by **October 25, 2019**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If a permit is issued, it will likely include the following conditions:

1. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.
3. **Water Use Measurement, Recording, and Reporting Condition:**
 - A. The Director may require the permittee to install a totalizing flow meter at each point of appropriation. 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 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.
 - C. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

4. Well Identification Tag Condition:

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 the 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 website at <https://www.oregon.gov/ODA/programs/NaturalResources/AgWQ/Pages/AgWQPlans.aspx> to learn more about the plans and how they may affect the proposed water use.

For Further Information:

Feel free to contact me at Elisabeth.A.Graham@oregon.gov or 503-986-0808 if you have any questions regarding the contents of this letter or the application. Please include the application number in all correspondence. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0900. When corresponding by mail, please use this address: Lisa Graham, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Lisa Graham
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description and Stop Processing Request Form

G-18817
WAB: No PSI

APPLICATION FACT SHEET

Application File Number: G-18817

Applicant: DOUG AND CAROLYN CRAWFORD FAMILY TRUST

County: BAKER

Watermaster: RICK LUSK, 8, ER

Priority Date: APRIL 18, 2019

Source: WELL 1 (BAKE 50878/L50855) IN HUNT CREEK BASIN

Use: IRRIGATION OF 9.0 ACRES AND DOMESTIC USE FOR 1 HOUSEHOLD

Quantity: 0.08 CUBIC FOOT PER SECOND

Basin Name & Number: POWDER, #9

WAB: WILLOW CR > POWDER R - AT MOUTH

Well Location:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	39 E	WM	18	NW SE	800 FEET SOUTH AND 1710 FEET WEST FROM E1/4 CORNER, SECTION 18

Place of Use:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	39 E	WM	18	NW SE	9.00

DOMESTIC USE				
Twp	Rng	Mer	Sec	Q-Q
8 S	39 E	WM	18	NW SE

PUBLIC NOTICE DATE: October 15, 2019

14 DAY STOP PROCESSING DEADLINE DATE: October 25, 2019

30 DAY COMMENT DEADLINE DATE: November 14, 2019

APPLICATION PROCESS DESCRIPTION FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

In order to use the waters of Oregon, an application must be submitted and a permit obtained from the Water Resources Department. The water must be used for beneficial purpose without waste. For more information about water right topics, weekly public notice, forms and fees please visit our web site at www.oregon.gov/OWRD

1. Pre-application considerations

- Follow instructions in the application packet.
- If you have questions about completing an application or would like to arrange a pre-application conference contact the Department's Water Rights Customer Service Group at (503) 986-0900.

2. Application filing

- Application with fee is received by the Department.
- Department determines completeness of application.
- If use is not allowed by statute (ORS 538), the application and fees are returned to the applicant.
- An incomplete application and fees are returned to the applicant.
- Only a complete application receives a tentative priority date, is assigned a caseworker, and moves forward for processing.

3. Initial Review (IR)

- Caseworker reviews application by considering basin plans, water availability, statutory restrictions, and all other appropriate factors.
- Caseworker sends IR report to Applicant.
- Contact the Caseworker if you have questions about the IR.
- Four days after date of the IR, it is included in Department's weekly Public Notice.
- Public comments must be submitted within 30 days after the Public Notice.
- **An administrative hold** may be requested in writing by Applicant.

4. Proposed Final Order (PFO)

- Caseworker evaluates application against required criteria and develops draft permit, if appropriate.
- PFO includes instructions for filing of protests.
- Caseworker considers public comments and mails PFO to Applicant.
- The PFO is included in Department's weekly Public Notice.
- Public protests to the PFO must be submitted within 45 days after the Public Notice.

5. Final Order (FO)

- If no protest is filed, Final Order is issued.

The protest process

If one or more protests are filed, the process consists of:

- settlement discussion;
- contested case hearing;
- proposed Order;
- period of time to file exceptions; or
- Possible hearing by Water Resources Commission.
- Final Order is issued.

Permit holder responsibilities

- Comply with all water use conditions of the permit.
- Advise Department of address change or assignment to new permit holder.
- If need arises, request extension of time or authorize cancellation of permit.
- Submit timely claim of beneficial use (COBU) to the Department.
- Most permits require COBU to be prepared by a Certified Water Right Examiner.
- Permits may be canceled by the permit holder or by the Department for failure to comply with or one or more permit conditions.

STOP PROCESSING REQUEST FORM
FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR
APPLICATIONS

- Stop processing deadline is within 14 days of Initial Review.

Applicant notification to withdraw Water Right Application **G-18817**.

After reviewing the Initial Review for my application, I request that processing be stopped and fees be refunded (minus a \$260 examination fee). I understand that without a valid permit I may not legally use the water as requested in my application.

Signature _____ Date _____

Signature _____ Date _____

- Under ORS 537.150 (5) and 537.620 (5), timely submission of this request authorizes that the water right application process be stopped and all filing fees (except \$260 examination fee) be returned.
- This notice must be received by the Water Resources Department no later than:

October 25, 2019

- Return the notice to:

OWRD, Water Right Services Division
STOP PROCESSING
725 Summer Street, NE - Suite A
Salem, OR 97301-1271

Application No. 911
 Permit No. 470

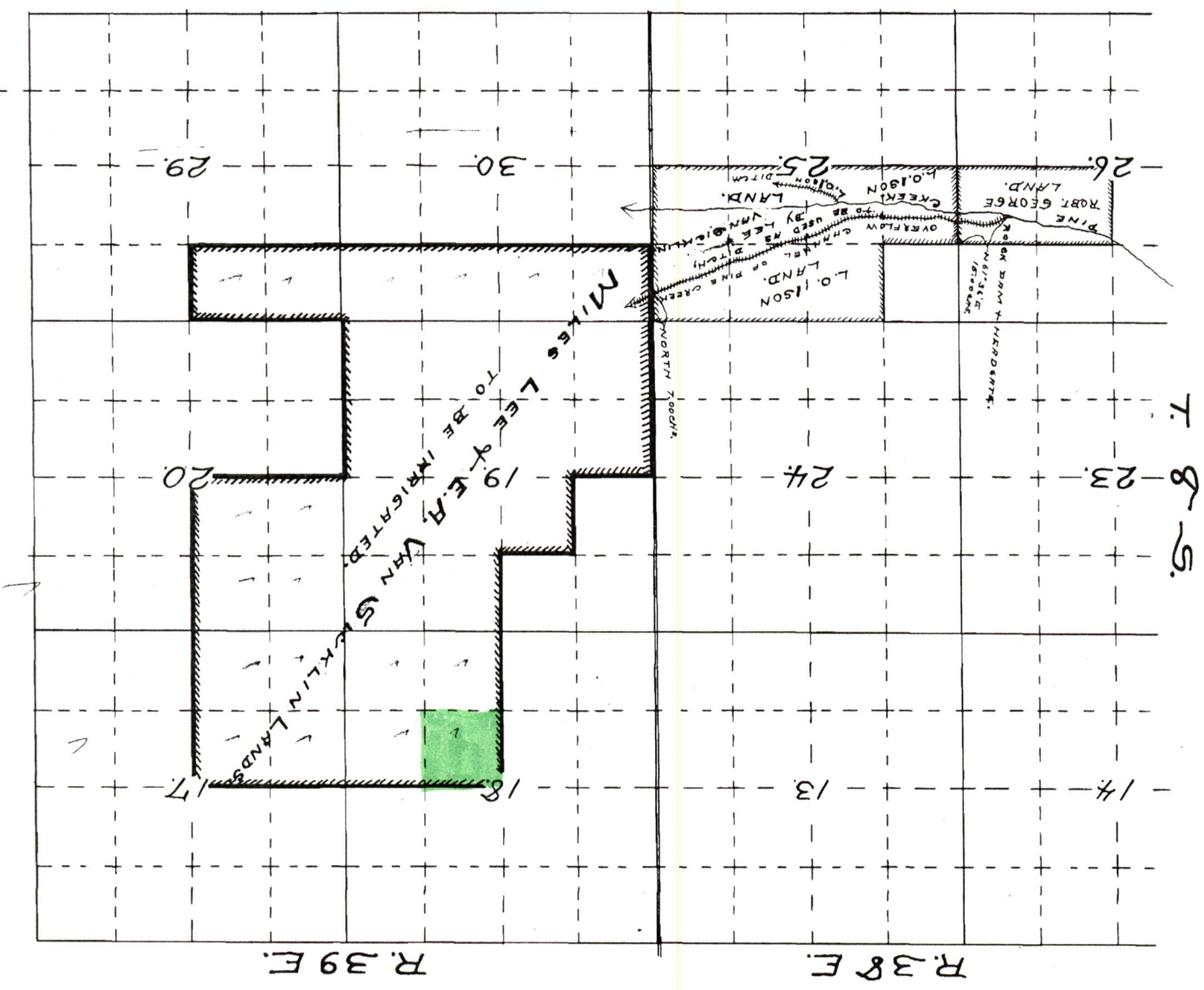
IRRIGATION PROJECT,
 LEE + VAN SICKLIN
 SHOWING THE PROPOSED
 SKETCH
 T 8 S, R 39 E, W 11 M., OREGON.
 STATE, ONE INCH = 30 FEET.
 IRA L. HOFFMAN,
 SURVEYOR.

CERTIFICATE OF SURVEYOR.

STATE OF OREGON,
 COUNTY OF BAKER, S. S.

I, Ira L. Hoffman, of Baker City, Ore., hereby certify that the map made from the notes taken during an actual survey made by me on August 15th, 1910, and that it correctly represents the work described in the accompanying application together with the location of the stream + ditches in the same area creation.

Ira L. Hoffman,
 Surveyor.



Mailing List for IR Copies

Application G-18817

IR Date: October 11, 2019

Original and map mailed to applicant:

DOUG AND CAROLYN CRAWFORD FAMILY TRUST
45004 SCHOOLHOUSE RD
HAINES OR 97833

Copies Mailed

By: _____
(SUPPORT STAFF)

On: _____
(DATE)

Sent via auto email:

1. Applicant - ceecee@rconnections.com
2. WRD – Watermaster Rick Lusk # 8

Copies sent to:

1. WRD - File G-18817
2. Agent- David A. Crawford; 45004 Schoolhouse Rd; Haines OT 97833
3. District – Powder Valley Water Control District; 690 E St; North Powder OR 97867

Application Specialist: Lisa Graham