



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

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 NOV 25 2019

License No.: LL-1809

Applicant Information

NAME Morningstar 2006, LLC Attn: James Bisenius		PHONE (HM) 503-603-2500	
PHONE (WK) (503) 603-2500	CELL	FAX	
ADDRESS 15350 S.W. Sequoia Parkway, Suite 250			
CITY Portland	STATE OR	ZIP 97224	E-MAIL * Jim@strongrefuge.com

OWRD

Agent Information

NAME Shonee D. Langford Schwabe, Williamson & Wyatt		PHONE (503) 540-4261	
ADDRESS 530 Center Street NE, Suite 730		CELL	
CITY Salem	STATE OR	ZIP 97301	E-MAIL * Slangford@schwabe.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:** Willamette River a tributary of Columbia River
- AMOUNT OF WATER** to be diverted;
 Maximum and instantaneous rate (cubic feet or gallons per minute): 300 gpm
 Total volume (gallons or acre-feet): 5 AF/year. If water is to be used from more than one source, give the quantity from each: NA
- INTENDED USE(S) OF WATER:** (check all that apply)
 - Road construction or maintenance
 - General construction
 - Forestland and rangeland management; or
 - Other: Farm Use – equine activities, including stabling and horse shows
- 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:
Up to 5 acre-feet of water will be used between May 1 and September 30 for dust control, stabling horses, sanitizing stables and related facilities and conducting horse shows. The water will be diverted using 100-hp submersible pump with a fish screen located on an existing dock on the Willamette River. The water will be conveyed by an 8-inch-diameter underground pipeline that extends across a neighboring property (an easement exists for the dock and pipeline) and crosses beneath Wilsonville Road. The pipeline ends on north of the road at a standpipe that includes a flowmeter. The standpipe will be used to fill water trucks that distribute the water.
- PROJECT SCHEDULE:** (List day, month, and year)
 Date water use will begin: 8/25/20
 Date water use will be completed: 8/25/2025
 Months of the year water would be diverted and used: May 1 to September 30

If for other than irrigation from stored water, how and where will water be discharged after use:

No offsite discharges are planned.

Applicant Signature

James A. Bisenius
 Print Name and title if applicable

10.29.19
 Date

NOV 25 2019

PLEASE READ CAREFULLY

NOTE: A completed water availability statement from the local watermaster, Land Use Information Form OWRD 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:

For WRD Use Only

LL-1809

This page to be completed by the local Watermaster.

WATER AVAILABILITY STATEMENT

Name of Applicant: Morningstar 2006 LLC 3S1W29 Limited License Number: LL-1809

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?

Water available


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?

5. Any other recommendations you would like to make?

Totalizing flow meter

Signature  WM District #: 16 Date: 11/8/2019

ZINFO 0273-19

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(s): Morningstar 2006, LLC Attn: James A. Bisenius

Mailing Address: 15350 S.W. Sequoia Parkway, Suite 250

City: Portland

State: OR

Zip Code: 97224

Daytime Phone: (503) 603-2500

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	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>3 S</u>	<u>1 W</u>	<u>29</u>	<u>NE NE</u>	<u>106</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Farm Use</u>
<u>3 S</u>	<u>1 W</u>	<u>29</u>	<u>SE NE</u>	<u>106</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Farm Use</u>
<u>3 S</u>	<u>1 W</u>	<u>29</u>	<u>SE NE</u>	<u>108</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Farm Use</u>
<u>3 S</u>	<u>1 W</u>	<u>29</u>	<u>NE SE</u>	<u>108</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Farm Use</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Clackamas 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
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) Willamette River

Estimated quantity of water needed: 300 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 Farm Use – equine activities

Briefly describe:

Up to 5.0 acre-feet of water will be used between May 1 and September 30 each year for 5 years for dust control, stabling horse, sanitizing stables and related facilities, and conducting horse shows.

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): Land is zoned EFU and is subject to section 401 of the ZDO.
- 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:	
		<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
		<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.

The property(s) located at 14900 SW Wilsonville RD are zoned Exclusive Farm Use. Equestrian facilities are allowed. This LUCS is approved pursuant to ZDO Section 401 and previous land use decision 20157-12-INFO.

Name: Joy Fields Title: Sr. Planner
 Signature: [Signature] Phone: 503-742-4510 Date: 11-12-19
 Government Entity: Clackamas County

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: Morning Star 2006 LLC
 City or County: Clackamas County Staff contact: Joy Fields
 Signature: [Signature] Phone: 503-742-4510 Date: 11-12-19

LL-1809

November 22, 2019

Shonee D. Langford
T: 503-540-4261
C: 503-807-2082
slangford@schwabe.com

VIA FIRST CLASS MAIL

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Application for Limited Water Use License
Our File No.: 122870-178284

To Whom it May Concern:

Enclosed for filing is an Application for Limited Water Use License, together with a check made payable to Oregon Water Resources Dept in the amount of \$280 for the required filing fee.

I will serve as the applicant's agent. Please copy me on all correspondence relating to this application.

Best regards,



Shonee D. Langford

SDL:asc
Enclosures

cc: Client (w/Enclosures, via e-mail)

PDX\122870\178284\SDL\26648221.1

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