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December 4, 2019

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

RE: Limited Water Use License Application in the name of the City of Amity

Dear Ms. Bjork,

On behalf of the City of Amity (City), we are submitting the enclosed application for a Limited Water Use License and supporting documentation. Also enclosed is the \$280 application fee. The City is proposing to divert surface water from the South Yamhill River for municipal use at a total rate of up to 400 gallons per minute (0.89 cubic feet per second).

Ultimately, the City intends for Permit S-39599 and Certificate 61988 to authorize the diversion of surface water at the location described in this application, however, the water rights transactions required to provide these authorizations are expected to take several years. (Certificate 61988 authorizes the use of up to 0.475 cfs, limited to 95 acre-feet, from April 1 to September 30. Permit S-39599 authorizes the use of up to 1 cfs year-round.) An application for an extension of time for Permit S-39599 is currently pending with the Department. After approval of the extension, the City intends to apply for a permit amendment to authorize the new point of diversion on the South Yamhill River. In addition, the City has filed a transfer application (Transfer T-13121) to add the new point of diversion to Certificate 61988. The City is requesting this limited license to authorize the use of surface water from the new point of diversion described while these water right transactions are pending (up to 5 years).

Please contact me if you have any questions. My telephone number is 541-257-9004.

Sincerely,

A handwritten signature in blue ink that reads "Kimberly Grigsby".

Kimberly Grigsby
Principal Water Resources Consultant

Enclosures: Application for a Limited Water Use License and Attachments
Application fee in the amount of \$280

LL-1810



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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 OWRD

License No.: LL-1810

Applicant Information

NAME City of Amity, ATTN: Michael Thomas		PHONE (HM)	
PHONE (WK) 503-835-3711	CELL	FAX	
ADDRESS City Hall, P.O. Box 159			
CITY Amity	STATE OR	ZIP 97101	E-MAIL * mthomas@ci.amity.or.us

Agent Information

NAME GSI Water Solutions, ATTN: Kimberly Grigsby		PHONE 541-257-9004	FAX
ADDRESS 1600 SW Western Blvd, Suite 240			CELL
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL * kgrigsby@gsiws.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:** South Yamhill River a tributary of Willamette River
- AMOUNT OF WATER** to be diverted;
 Maximum and instantaneous rate (cubic feet or gallons per minute): 400 gpm
 Total volume (gallons or acre-feet): Up to 645.2 AF. If water is to be used from more than one source, give the quantity from each: N/A
- INTENDED USE(S) OF WATER:** (check all that apply)
 - Road construction or maintenance
 - General construction
 - Forestland and rangeland management; or
 - Other: Municipal use

4. **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:
Water will be diverted from the South Yamhill River through a side channel intake at the location shown on the map provided in Attachment B. A cylindrical-propeller self-cleaning fish screen approved by ODFW will be installed in the intake. Raw water will gravity feed through 12-inch ductile iron intake pipe, and 12-inch HDPE intake pipe (~90 linear feet total) into a 7-foot diameter concrete wet well. Raw water will be pumped from the wet well to the water treatment plant via three 11HP submersible pumps. Raw water will be conveyed to the plant through ~8,000 linear feet of 8-inch PVC transmission line. The water treatment plant will have a capacity of 400 gpm in the near term. Treated water will be distributed to the City's service area, which is shown on the attached map.

- PROJECT SCHEDULE:** (List day, month, and year)
 Date water use will begin: Upon completion of construction, approximately August 1, 2020
 Date water use will be completed: Five years from issuance of limited license, or upon approval of an amendment to Permit S-39599
 Months of the year water would be diverted and used: Year-round
 If for other than irrigation from stored water, how and where will water be discharged after use:
The City treats its waste water at a municipal treatment plant. Following treatment, water is discharged into Salt Creek from November 1 to April 30. Water is also land applied from May 1 through October 30.

authorizing the diversion of water from the new intake.

Applicant Signature

Michael Thomas, City Administrator
 Print Name and title if applicable

23 OCT 19
 Date

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:

For WRD Use Only

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Attachment A
Water Availability Statement
Application for a Limited Water Use License

LL-1810

This page to be completed by the local Watermaster.

WATER AVAILABILITY STATEMENT

Name of Applicant: City of Amity Limited License Number: LL-1810

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:

Stream and tribs upstream of hwy 99 at Bayou Golf Course was regulated in 2019 for certificate 59461. Flows not met as of 6/25/2019. Flows also not met starting 7/24/2018 resulting in regulation, stream was regulated in 2017 due to senior right not being met. Stream was also regulated in 2015.

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

I believe this would cause injury to existing water rights specifically Certificate 59461

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

Yes No

If yes, what are your observations for the stream?

Low flow during July through October results in regulation of junior users

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 at POD and use only allowed November through June in order to prevent injury to existing water rights

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

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Attachment B
Application Maps

Application for a Limited Water Use License

0181-77

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Attachment C
Land Use Information Form
Application for a Limited Water Use License

LA-1810

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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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



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Applicant(s): City of Amity, Attn: Michael Thomas

Mailing Address: City Hall, P.O. Box 159

City: Amity

State: OR

Zip Code: 97101

Daytime Phone: 503-835-3711

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:
See map provided in Attachment A						<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Municipal</u>
<u>5S</u>	<u>5W</u>	<u>26</u>	<u>SENE</u>	<u>NONTL</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Municipal</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<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:

City of Amity; Yamhill 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) South Yamhill River

Estimated quantity of water needed: 400
 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:

The applicant intends to divert water from the South Yamhill River at a new intake for municipal use in the City of Amity.



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. →

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): 402.02(T)
- 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:	
<u>Floodplain Dev. Permit</u>	<u>901</u>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input checked="" 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
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		<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: Stephanie Armstrong Title: Assoc. Planner
 Signature: [Signature] Phone: 503-434-7516 Date: 10/31/19
 Government Entity: Yamhill 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: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

Land Use Information Form



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Land Use Information Form



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City: Amity State: OR Zip Code: 97101 Daytime Phone: 503-835-3711

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 cubic feet per second
 gallons per minute
 acre-feet

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 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

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LL-1810

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QWRD

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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

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municipal water supply for the incorporated city of Amity allowed pursuant to Amity Development Code Section 2.403 Uses Permitted in All Zones (attached).

Name: Holly C. Byram Title: City Planner
 Signature: [Signature] Phone: 503.540.1617 Date: 10/29/19
 Government Entity: for the City of Amity

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Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____