



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.: LL 1836

Applicant Information

NAME RLK Smith Orchards (attn: RICHARD & LEONI SMITH)		PHONE (HM) (503)-359-5835	
PHONE (WK)	CELL (503)-475-1543	FAX	
ADDRESS 47500 NW Strohmayr Rd			
CITY Forest Grove	STATE OR	ZIP 97116	E-MAIL * rlksmith@pacifier.com

Agent Information

NAME Jennie Bricker (Land Shore Water Legal Services, LLC)		PHONE (503)-928-0976	FAX
ADDRESS 818 SW Third Avenue PMB 1517			CELL
CITY Portland	STATE OR	ZIP 97204	E-MAIL * jennie@landshorewater.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:** Well 1 (WASH 3314) a tributary of West Fork Dairy Creek
- AMOUNT OF WATER** to be diverted;
 Maximum and instantancous rate (cubic feet or gallons per minute): 50 gpm
 Total volume (gallons or acre-feet): 250,000 gallons (per year). If water is to be used from more than one source, give the quantity from each: _____

3. INTENDED USE(S) OF WATER: (check all that apply)

- Road construction or maintenance
- General construction
- Forestland and rangeland management; or
- Other: Establish of new hazelnut trees

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:

RLK Smith Orchards is replacing hazelnut trees to a disease-resistant strain. Drip irrigation will be used during the establishment of the new trees. Water will be pumped from an existing 866' deep basalt well at up to 50 gpm using a submersible pump (10 hp). There is a drip emitter every 3 feet, and each emitter flows at 0.4 gpm. The trees will be watered for up to 12 hours at a time, as needed.

5. PROJECT SCHEDULE: (List day, month, and year)

Date water use will begin: As soon as permit is issued
 Date water use will be completed: September 1, 2024

Months of the year water would be diverted and used: March 1 - October 31

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

No discharge - drip irrigation will be used.

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Richard L. Smith
 Applicant Signature

RICHARD SMITH (OWNER)
 Print Name and title if applicable

6/2/2020
 Date

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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:

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This page to be completed by the local Watermaster.

WATER AVAILABILITY STATEMENT

Name of Applicant: RLK Smith Orchards 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:

The Tualatin River Basin is regulated each year for senior water rights

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?

low streamflow levels in dry season.

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* for surface water

What would you recommend for conditions on a limited license that may be issued approving this application?

~~limited season of Dec. - April 30 each year~~
limited season of Dec. - April 30 each year

5. Any other recommendations you would like to make?

standard limited license conditions should apply

Signature John Carter WM District #: 18 Date: 6/8/20

Land Use Information Form



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Applicant(s): RLK Smith Orchards (attn: Richard & Leoni Smith)

Mailing Address: 47500 NW Strohmayer Rd

City: Forest Grove

State: OR

Zip Code: 97116

Daytime Phone: (503)-359-5835

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>T2N</u>	<u>R4W</u>	<u>33</u>	<u>SE1/4</u> <u>SE1/4</u>	<u>TL 801</u>	_____	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Temporary Irrigation</u>
<u>T2N</u>	<u>R4W</u>	<u>33</u>	<u>SW1/4</u> <u>SE1/4</u>	<u>TL 801</u>	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Temporary Irrigation</u>
<u>T2N</u>	<u>R4W</u>	<u>33</u>	<u>SE1/4</u> <u>SW1/4</u>	<u>TL 801</u>	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Temporary Irrigation</u>
<u>T1N</u>	<u>R4W</u>	<u>3</u>	<u>NE 1/4</u> <u>NW1/4</u>	<u>TL 800</u>	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Temporary Irrigation</u>

* Please see attached table for continuation

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

Washington County
Forest Grove, OR

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) _____

Estimated quantity of water needed: 50
 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 pumped from an existing 866 foot deep basalt well at up to 50 gpm and applied to up to 15 acres for the establishment of new hazelnut trees.

ATTACHMENT TO:
 Oregon Water Resources Department
Land Use Information Form

Applicant Name: RLK Smith Orchards (attn: Richard & Leoni Smith)

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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	Water to be:	Proposed Land Use:
T2N	R4W	34	SW ¼ SW ¼	TL 601		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Temporary Irrigation
T2N	R4W	24	NW ¼ SW ¼	TL 601		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Temporary Irrigation
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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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): Unregulated Activity
- 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.

Name: Stephen Shane Title: Senior Planner
 Signature: [Signature] Phone: 503-846-8127 Date: 06/03/20
 Government Entity: Washington County - Land Use & Transportation

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: _____