



**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

March 25, 2021

D. Rahn Hostetter & Rebecca Hostetter  
62369 Wallowa Lake Highway  
Joseph OR 97846

Dear Applicants:

The Oregon Water Resources Department has received your surface water application for a water use permit. Your application has been assigned file number **S-89090**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

Lisa Graham, Water Rights Specialist	Phone: 503-986-0808
	Email: <a href="mailto:elisabeth.a.graham@oregon.gov">elisabeth.a.graham@oregon.gov</a>

A description of the steps that are used for processing a surface water application are shown on the reverse side of this letter. Surface water applications that propose to use stored water exclusively are reviewed using an expedited process and contain slightly different processing steps.

The Department's goal is to process applications within statutory deadlines. The first step in the process is issuance of an Initial Review, which summarizes the Department's preliminary determinations. Surface water applications typically receive an Initial Review in approximately two to three months. Copies of the Initial Review, Proposed Final Order, and Final Order will be mailed to you. Applications proposing to use stored water only under the expedited process will receive a Final Order.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

Judy Ferrell  
Customer Service Representative  
Oregon Water Resources Department

cc: File S-89090

# **Water-Use Permit Application Processing Steps**

## **Oregon Water Resources Department**

### **Standard Process for a Surface Water Application:**

#### **1. Initial Review**

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

#### **2. Public Notice**

Within 7 days of the mailing of the Initial Review, the Department gives public notice of the application in the weekly notice published by the Department at [www.oregon.gov/owrd](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

#### **3. Proposed Final Order Issued**

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened, or endangered fish species. Within 60 days of completion of the Initial Review, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit and may request additional information or outstanding fees required prior to permit issuance.

#### **4. Public Notice & Protest Opportunity**

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. A protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing, if necessary.

#### **5. Final Order Issued**

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit will specify the details of the authorized use and any terms, limitations, or conditions that the Department deems appropriate.

### **Expedited Process for a Surface Water Application:**

*Note: The expedited process only applies to an application using stored water only under ORS 537.147.*

The expedited process allows the Department to process an application within several weeks in cases where no public interest concerns are identified. It does not provide an opportunity to protest the Department's recommendation unless public interest issues are identified, in which case the Department will then evaluate the application using the standard process and a protest opportunity will be available. For expedited applications, the Department issues a Final Order only. Once accepted by the Department, these applications are published in the weekly public notice every Tuesday and a 30-day public comment period begins. Following the public comment period, the Department can issue the Final Order.

**E-2 App** Yes No**Standard Application Completeness Checklist****Groundwater and Surface Water Applications Only**

Minimum Application Requirements (OAR 690-310-0040 &amp;-0050)

For use by WRD staff only

Application #:		Receipt #:	
Applicant Name:		Amount Requested:	
Priority Date:		Proposed Use:	
County:		POD's TRS &TL:	
WM #:		Caseworker:	<input type="checkbox"/> <b>KF</b> <input type="checkbox"/> <b>LG</b>
Reviewed by:		Reviewed Date:	

 Applicant/Organization Name and Mailing Address Signature of **all** applicants (include title or authority of representative if applicant is an organization or corporation). Note: Applicant's agent may NOT sign the application on behalf of the applicant. Property Ownership: Does the applicant own all the land for the proposed project?       Yes     No

If No:

 The affected landowner's name(s) and mailing address(s) must be listed. A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted. **For a SW Application:** Source of water must be indicated. If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400) If for stored water, is the source authorized under a permit, certificate, or decree?Permit or Certificate issued:     Y     N      Permit or Certificate #: \_\_\_\_\_**NOTE:** An expedited secondary (E2) application and a reservoir application cannot be filed at the same time. The reservoir must be legally authorized first, under an existing water right, in order to accept and process an E2 application. **For a GW Application:** Well development table completed and a well log report included (if existing) Division 33 (Sensitive, Threatened, Endangered, Fish Species) Proposed Water Use: Amount of water from *each* source in GPM, CFS, or AF Period of use indicated If for supplemental irrigation, primary acreage or underlying permit or certificate number listed.

(Note: Primary and Supplemental Irrigation counts as 2 uses)

 Water Management Section Resource Protection Section

- Project schedule. (Note: If system is already completed, indicates "existing.", (Note: Estimates are okay if the water system has not been designed))
- Supplemental data sheets enclosed (if needed)
  - Form M (Municipal or Quasi-Municipal)
- A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department. Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- A **Legal Description** of all the properties involved where water is diverted, conveyed, and used. The legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable
- The proposed source **IS IS NOT** restricted or withdrawn from further appropriation. **NOTE:** If it is withdrawn under ORS 538, reject/return application and fees.
- The **map** must meet all the minimum requirements of OAR 690-310-0050.
  - Township, Range, Section
  - Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
  - Place of use, 1/4-1/4's and tax lot clearly identified
  - Even map scale not less than 4" = 1 mile (1"= 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
  - Location of **each** diversion point or well by reference to a recognized public land survey corner.
  - Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
  - Reference corner on map
  - North directional symbol
  - Number of acres per 1/4 1/4 if for irrigation, nursery, or agriculture
- Fees:** Amount of Water Requested: \_\_\_\_\_ Name on Check: \_\_\_\_\_

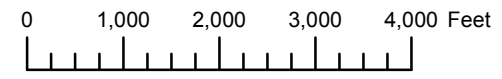
Exam Fee Due:	\$	
Exam Fee Submitted:	\$	
Difference:	\$	
Recording Fee Paid?	<input type="checkbox"/> Yes <input type="checkbox"/> No \$	
Total:	\$	



Today's Date: Wednesday, March 24, 2021

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	1.5	\$70.00
Subtotal:		\$590.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.		
Estimated cost of Permit Application		\$1,110.00

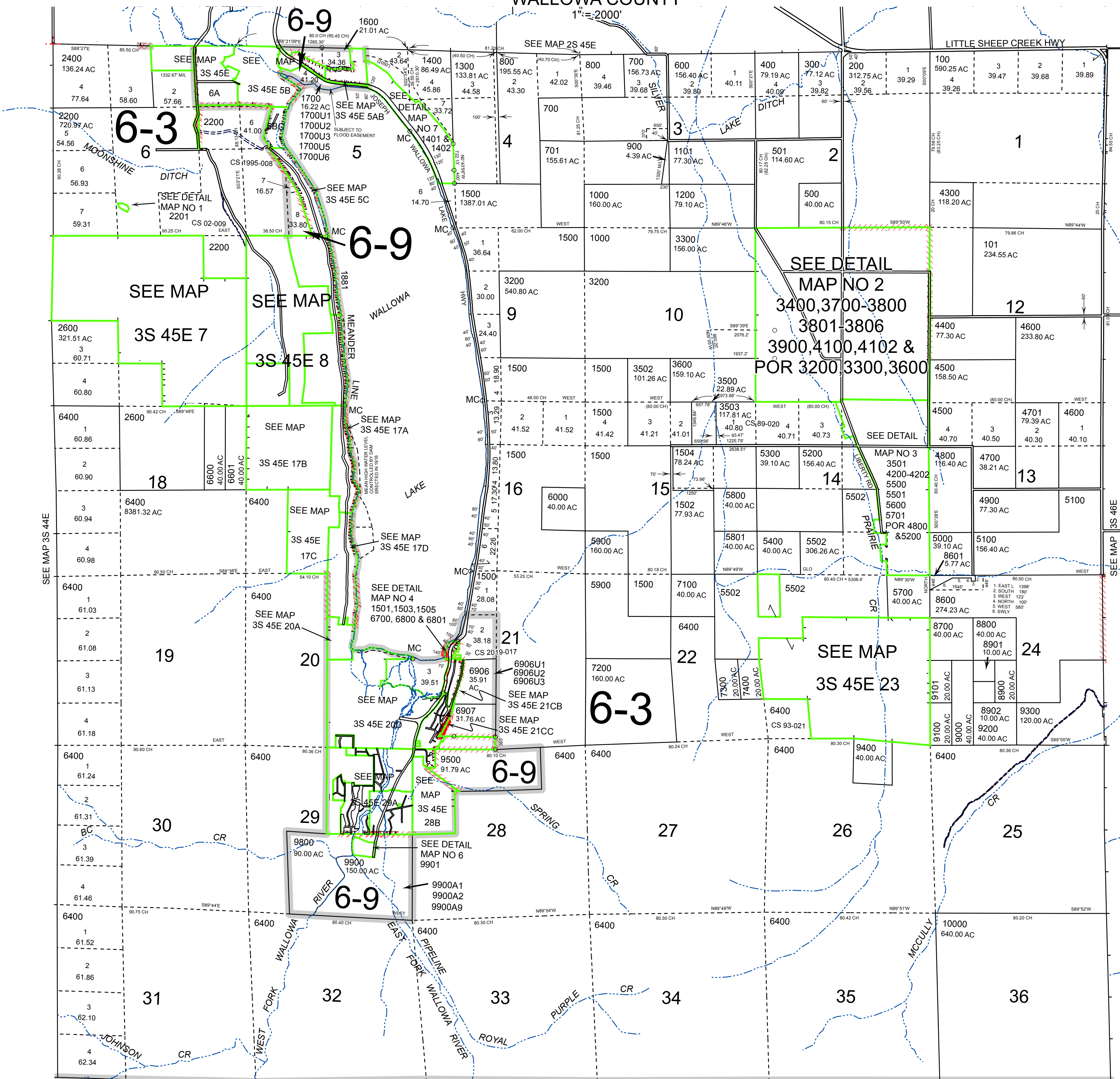
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



T.3S. R.45E. W.M. WALLOWA COUNTY

03S45E

1" = 2000'



- Cancelled
- 1700U4
- 1701U1 THRU
- 1701U3
- 1701U5
- 1701U6
- 1800
- 1900 THRU
- 1902
- 2000 THRU
- 2012
- 2099
- 2100
- 2300
- 2500
- 2700 THRU
- 2738
- 2800 THRU
- 2806
- 2900 THRU
- 3105
- 3504
- 4000
- 4101
- 4203
- 5101
- 5301
- 6100 THRU
- 6107
- 6200 THRU
- 6203
- 6300 THRU
- 6313
- 6500 THRU
- 6502
- 6900 THRU
- 6905
- 7000 THRU
- 7002
- 7500 THRU
- 8500
- 8602
- 9501 THRU
- 9509
- 9600
- 9700 THRU
- 9702

Revised: TK 08/14/2019

03S45E

# MONEY SLIP

DATE: <u>3-18-2021</u>	RECEIPT #: <u>134773</u>
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RECEIVED FROM: <u>D Rahn Hostetter</u> <u>Rebecca Hostetter</u>	APPLICATION
	PERMIT
	TRANSFER

CASH	<input type="checkbox"/>	CHECK #	<input checked="" type="checkbox"/>	<u>6547</u>	OTHER (IDENTIFY)	<input type="checkbox"/>	
							TOTAL REC'D \$ <u>1,110.00</u>

<b>1083 TREASURY</b>	<b>4170 MISC CASH ACCT.</b>
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0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$

0243 Instream Lease \_\_\_\_\_      0244 Muni. Water Mgmt. Plan \_\_\_\_\_      0245 Cons. Water \_\_\_\_\_

<b>1083 TREASURY</b>	<b>4270 WRD OPERATING ACCT.</b>
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**MISCELLANEOUS**

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME _____	\$

**WATER RIGHTS**

0201	SURFACE WATER	EXAM FEE		RECORD FEE
		\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

**WELL CONSTRUCTION**

0218	WELL DRILL CONSTRUCTOR	EXAM FEE		RECORD FEE
		\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$
_____	OTHER (IDENTIFY) _____			

<b>0607 TREASURY</b>	<b>0467 HYDROELECTRIC</b>
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0233	POWER LICENSE FEE (FW/WRD)		LIC NUMBER
0231	HYDRO LICENSE FEE (FW/WRD)	\$	
_____	HYDRO APPLICATION	\$	

**SPECIAL INSTRUCTIONS:**

RETURN TO APPLICANT -- LETTER ATTACHED