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JUN 10 2021

Application for a Permit to Use Surface Water

OWRD



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

Form with fields: NAME, PHONE (HM), PHONE (WK), CELL, FAX, ADDRESS, CITY, STATE, ZIP, E-MAIL *

Organization

Form with fields: NAME, PHONE, FAX, ADDRESS, CELL, CITY, STATE, ZIP, E-MAIL *

Agent - The agent is authorized to represent the applicant in all matters relating to this application.

Form with fields: AGENT / BUSINESS NAME, PHONE, FAX, ADDRESS, CELL, CITY, STATE, ZIP, E-MAIL *

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
Evaluation of this application will be based on information provided in the application.
I cannot legally use water until the Water Resources Department issues a permit.
The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
If I receive a permit, I must not waste water.
If development of the water use is not according to the terms of the permit, the permit can be cancelled.
The water use must be compatible with local comprehensive land use plans.
Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate

Handwritten signature of John Morrison

John Morrison
Print Name and Title if applicable

5/3/2021
Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

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Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

See Attachment A for list of land owners and the tax lot information of those whose properties are being crossed by the conveyance. See Attachment B for legal descriptions.

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: COLUMBIA RIVER	Tributary to: PACIFIC OCEAN
TRSQQ of POD: 2,910 ft. N and 120 ft. E from the SW corner of Sec 8, T5N R30E, W.M	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes.
- No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

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If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

For Department Use: App. Number: _____

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Columbia River	Primary Irrigation	October 1 to April 14, 7.15 cfs	<input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
Columbia River	Supplemental Irrigation	October 1 to April 14, 9.56 cfs	<input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 286 Acres Supplemental: 382.5 Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):
CERT. 67300

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: Prim. 1,000 Ac-ft; Supp 1147.5 Ac-ft

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): East Improvement District (EID) River Station: 1,000 hp Turbine; P-Farm Booster 500 hp, turbine; JML Farm Booster: 325 hp, centrifugal.
- Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

The EID pipeline runs from the Columbia River Pump Station south approximately 8.8 miles terminating on the south side of Despain Gulch Road. This pipeline consists of 78", 75", 72", and 66" pipe. The EID system, which deliveries water at nine points along its length, is designed to deliver 176 cfs to the end. From the end of the EID pipeline the St. Hilaire Brothers system takes water across their P-Farm from west to east just over 3.8 miles through 40", 30", and 24" pipelines. Their system is designed to take up to 50 cfs from the EID system and deliver up to 19 cfs to the JML Farm. The 24" pipeline from the P-Farm continues across the JML Farm to a cluster near their existing well. From this cluster water is conveyed to the center pivots through pipelines ranging in size from 14" down to 6"

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Center Pivots

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Optimized water use at 7.5 gpm/ac as prescribed for irrigation in the Hermiston region - flowmeter is installed at the EID delivery point. Use of mitigated water.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: EID river station has National Marine Fisheries Services approved intake screens.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: None required

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: None required

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: None required.

List other federal and state permits or contracts to be obtained, if a water right permit is granted.
Not applicable.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: September, 2020
- b) Date construction will be completed: _____
- c) Date beneficial water use will begin: _____

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SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name East Improvement District (EID)	Address 495 East Main St.	
City Hermiston	State Oregon	Zip 97838

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. *(Attach additional sheets if necessary).*
EID River Pumping Station and pipeline is designed to serve a wider community.
P-Farm is part of the St. Hilaire Brothers Hermiston Farm, LLC and has a tap at the end of the EID pipeline. It is in the process of building pipeline infrastructure. JML will have a tap at a cluster point on the East side of the P-Farm. The horse power indicated is for the head and the flow for JML pivots only.

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Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

Applicant

NAME JML FARMS			PHONE (HM)		
PHONE (WK) 541-969-7708		CELL		FAX	
ADDRESS P.O. BOX 1166					
CITY PENDLETON		STATE OREGON	ZIP 97801	E-MAIL* JT_MORRISON@MSN.COM	

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:
5 N	30 E	8	SW NW	200	EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
					SEE EFU ATTACHMENT A	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
4N	30E	26	ALL	2801	EFU AGRICULTURAL	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4N	30E	27	NE 1/4; N 1/2 OF SE 1/4	2801	EFU AGRICULTURAL	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation

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

Umatilla County

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B. Description of Proposed Use

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Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Water Right Transfer
- Permit Amendment or Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) Columbia River

Estimated quantity of water needed: 11.17 cfs 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 diverted, conveyed, and applied through the East Improvement District (EID) irrigation system for irrigation during the period from October 1 through April 14, as weather permits.

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.

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.

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Please check the appropriate box below and provide the requested information

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- 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): UCDC Section 152.05(d)(A)
- 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.

Irrigation for Farm Use.

NAME <u>CAROL JOHNSON</u>	TITLE: <u>Planner</u>
SIGNATURE <u>Carol Johnson</u>	PHONE: <u>511-278-6252</u>
GOVERNMENT ENTITY <u>Watauga County</u>	DATE: <u>07/01/2021</u>

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: _____

ATTACHMENT 2
LEGAL DESCRIPTIONS

Point of Diversion: T5N R30E, W.M. Sec 8, SW NW, Located 2,910 feet North and 120 ft East from the SW Corner of Section 8.

Delivery System: The East Improvement District will deliver the Applicant's water from the Point of Diversion mentioned above, to its delivery point at the end of the pipeline.
St. Hilaire Brothers P-Farm system, will carry the water from the end of the EID system, through its delivery system to a cluster point east of the farm.
See Attachment A for the list of affected and owners.

Place of Use: JML Farm's delivery pipeline conveys the water and distributes it to the Place of Use as detailed below.

Tax Lot: 2801

Township Range	Section	QQ	Primary	Supplimental
4N30E	26	NENE	20.4	-
4N30E	26	NWNE	7.5	20.1
4N30E	26	SWNE	30.1	7.5
4N30E	26	SENE	36.3	-
4N30E	26	NENW	-	30.8
4N30E	26	NWNW	1.0	30.8
4N30E	26	SWNW	3.6	19.7
4N30E	26	SENW	16.7	13.4
4N30E	26	NESW	1.5	38.4
4N30E	26	NWSW	-	21.3
4N30E	26	SWSW	-	21.2
4N30E	26	SESW	-	36.2
4N30E	26	NESE	31.3	-
4N30E	26	NWSE	31.9	4.5
4N30E	26	SWSE	31.3	4.3
4N30E	26	SESE	29.4	-
4N30E	27	NENE	4.5	27.8
4N30E	27	NWNE	35.2	-
4N30E	27	SWNE	5.3	23.9
4N30E	27	SENE	-	29.9
4N30E	27	NESE	-	19.0
4N30E	27	NWSE	-	33.7
Total			286.0	382.5

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Attachment A

Land Use Information Form - Section A. Land and Location

Water Right Application for JML Farms

Tax lot information of the conveyance of the water source.

The East Improvement District has Easements Across the Following Tax Lots

Township	Range	Section	1/4 1/4	Tax Lot #	Owner
5N	30E	8	SW	200	USA-USFWS
5N	30E	17	W1/2	106	Hawman Prperties, LLC
5N	30E	20	NW	201	Hawman Prperties, LLC
5N	30E	20	W1/2	1200	St. Hilaire Brothers Hermiston Farm, LLC
5N	30E	29	NW	1100	Royal Columbia Farms Inc.
5N	30E	30	E1/2	1100	Royal Columbia Farms Inc.
5N	30E	31	E1/2	1100	Royal Columbia Farms Inc.
4N	30E	6	W1/2	700	Royal Columbia Farms Inc.
4N	30E	6	SW	701	Royal Columbia Farms Inc.
4N	30E	7	W1/2	704	Stahl Hutterian Brethern
4N	29E	12	SE	2700	Brian & Duane LLC
4N	29E	13	E1/2	100	Brian & Duane LLC
4N	29E	24	E1/2	100	Ditchen Land Company, LLC
4N	29E	25	NE	204	Ditchen Land Company, LLC

The St. Hilaire Brothers Hermiston Farm Pipeline Crosses the Following Tax Lots

Township	Range	Section	1/4 1/4	Tax Lot #	Owner
4N	29E	25	NE	204	Ditchen Land Company, LLC
4N	30E	30	NW	3300	St. Hilaire Brothers Hermiston Farm, LLC
4N	30E	30	NE	3102	St. Hilaire Brothers Hermiston Farm, LLC
4N	30E	29	W1/2	3102	St. Hilaire Brothers Hermiston Farm, LLC
4N	30E	29	E1/2	3103	St. Hilaire Brothers Hermiston Farm, LLC
4N	30E	28	N1/2	3103	St. Hilaire Brothers Hermiston Farm, LLC
4N	30E	27	W1/2	3103	St. Hilaire Brothers Hermiston Farm, LLC

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ _____
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. 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.

3. 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. The public comment period is 30 days from publication in the weekly notice.

4. 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 IR, 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.

5. Public Notice

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. 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.

6. 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 specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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Date: 06/14/2021

Oregon Water Resources Department
Salem, OR 97301

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Reference: Water Right Application, CM-14

Please find attached a check for \$7,750 on behalf of JML Farms, as an application fee for the application referenced as CM-14.

Thank you.

Suva Shakya
IRZ Consulting, LLC

Suva Shakya

From: OWRD Submit WR App* WRD <OWRD.SubmitWRApp@oregon.gov>
Sent: Friday, June 11, 2021 11:26 AM
To: Suva Shakya; OWRD Submit WR App* WRD
Cc: Gibb Evans
Subject: RE: Surface Water Permit Application in the Name of JML Farms

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Follow Up Flag: Follow up
Flag Status: Flagged

Suva,

Thank you for the clarification, and thank you for submitting the application electronically. Everything looks good from a completion stand point. I have assigned this application a temporary number of CM-14. I have also attached a snippet of the Fee Calculator for the submitted application, if you agree with the fees please send a check and reference CM-14. Once fees have been received, I'll enter the application into our system and assign it a caseworker

Today's Date: Friday, June 11, 2021

Base Application Fee
Number of proposed cubic feet per second (cfs) to be diverted (1 cfs = 448.83 gallons per minute)
Number of proposed Use's for the appropriated water. (I.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *
Number of proposed Surface Water points of diversions. **
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)
Permit Recording Fee. ***
* the 1st Water Use is included in the base cost ** the 1st Surface Water point of diversion is included in the base cost *** 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 reco is not paid prior to issuance of the Final Order, permit issuance will be delayed.
Estimated cost of Permit Application

Thank you, Cory Middleton
Customer Service Representative
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0801



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