

Oregon Water Resources Department

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WATER RESOURCES DEPT
SALEM, OREGON



**Final Order
Regarding Limited License Request 758**

Requested Water Use

On November 11, 2003 the Water Resources Department received completed LL request 758 from Hudson Bay District Irrigation Company for the use of 50.0 cfs from the Walla Walla River, located in the SW1/4, NE1/4, Section 12, Township 5 North, Range 35 East, W.M., for the purpose of artificial ground water recharge testing, for a period of five years, pursuant to ORS 537.143 and 537.144.

Department Review

The Department, in consultation with Oregon Department of Fish and Wildlife (ODFW), Oregon Department of Environmental Quality (ODEQ), and Confederated Tribes of the Umatilla Indian Reservation (CTUIR), has determined that the requested use may be approved as conditioned and limited below.

The use of water for artificial ground water recharge testing, as requested in limited license application 758, is a use allowed under ORS 537.143.

Sufficient water is available, as required under 690-340-0030(1)(b), for this short-term, fixed duration use. The Director may revoke the right to use water for any reason described in ORS 537.143(2).

The Department provided public notice of the application in the Department's weekly public notice as required by OAR 690-340-0030(2). The Department has received comments related to the issuance of the limited license. The authorization of limited license 758, as conditioned below, will satisfactorily address the issues raised in those comments.

Conditions and Limitations

The use of water from the Walla Walla River shall be limited to 50.0 cfs for the purpose of testing artificial ground water recharge during a testing season of November 1 through May 15. Water may only be diverted when there is adequate flow in the Walla Walla River to honor all existing water rights. When water is diverted under this limited license, the use is further limited to times when there is, at a minimum, the following streamflows in the Tum A Lum reach of the Walla Walla River, between the Little Walla Walla River diversion and Nursery Bridge Dam and flowing past

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Nursery Bridge Dam: November - 64 cfs, December and January - 95 cfs, February to May 15 - 150 cfs. Nursery Bridge Dam is located just downstream of Nursery Bridge and is downstream of the Little Walla Walla diversion. The District 5 Watermaster, based on gage and/or streamflow measurements, shall make the determination that the above described streamflows are flowing past Nursery Bridge Dam. Diversion under this limited license shall cease when said streamflows are not being met.

Based on a review of water quality information generated during the term of this limited license or from other sources, ODEQ can require the licensee to terminate the diversion of water into the recharge area. If monitoring data or other information results in identification of potential water quality concerns ODEQ may require modifications to the existing limited license and/or require a permit to address the water quality concerns prior to reinitiating artificial ground water recharge.

The licensee shall install, maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. See copy of enclosed fish screening criteria for information.

The use of water under a limited license shall not have priority over any water right exercised according to a permit or certificate, and shall be subordinate to all other authorized uses that rely upon the same source. The Director may be prompted by field regulatory activities or by any other reason to revoke the right to use water (ORS 537.143 (2) and OAR 690-340-0030 (6)).

The licensee shall give notice to the Watermaster at least 15 days, but no more than 60 days, in advance of using water. The notice shall include the location of the diversion, place of recharge, the quantity of water to be diverted and the intended use.

ORS 537.143(8) provides that a limited license cannot be issued for the same use for more than five consecutive years. This limited license provides for the maximum allowable time.

The licensee shall meter all water use and maintain a record of use, including the total number of hours of diversion and an estimate of the total quantity diverted. During the period of the limited license, the record of use shall be available for review by the Department upon request and shall be submitted to the Watermaster upon request.

Upon project completion, the licensee shall submit the record of use to the Water Resources Department.

The licensee shall conduct artificial ground water recharge testing in a manner consistent with the license application proposal. This includes monitoring the amount of water diverted from the Walla Walla River and the amount delivered to the recharge pits from the ditch.

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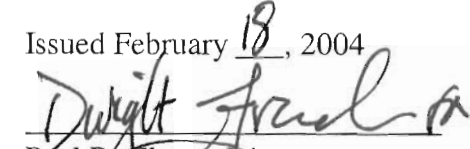
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Order

Therefore, pursuant to ORS 537.143 and ORS 537.144, limited license 758 is issued as conditioned and limited above.

Issued February 18, 2004


Paul R. Cleary, Director
Water Resources Department

Enclosures - limited license and fish screen criteria

cc: Tony Justus, Watermaster, District 5
Tim Bailey, ODFW
Phil Richerson, ODEQ
Rick George, CTUIR

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File

If you need further assistance, please contact the Water Rights Section at the address, phone number, or fax number below. When contacting the Department, be sure to reference your limited license number for better service.

Remember, the use of water under the terms of this limited license is not a secure source of water. Water use can be revoked at any time. Such revocation may be prompted by field regulatory activities or by any other reason.

Water Rights Section
Oregon Water Resources Department
158 12th ST NE
SALEM, OR 97310

Phone: (503)378-8455
Fax: (503)378-6203

FISH SCREENING CRITERIA FOR WATER DIVERSIONS

This summary describes ODFW fish screening criteria for all fish species.

Screen material openings for ditch (gravity) and pump screens must provide a minimum of 27% open area:

Perforated plate: Openings shall not exceed 3/32 or 0.0938 inches (2.38 mm).

Mesh/Woven wire screen: Square openings shall not exceed 3/32 or 0.0938 inches (2.38 mm) in the narrow direction, e.g., 3/32 inch x 3/32 inch open mesh.

Profile bar screen/Wedge wire: Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction.

Screen area must be large enough not to cause fish impact. Wetted screen area depends on the water flow rate and the approach velocity.

Approach velocity: The water velocity perpendicular to and approximately three inches in front of the screen face.

Sweeping velocity: The water velocity parallel to the screen face.

Bypass system: Any pipe, flume, open channel or other means of conveyance that transports fish back to the body of water from which the fish were diverted.

Active pump screen: Self cleaning screen that has a proven cleaning system.

Passive pump screen: Screen that has no cleaning system other than periodic manual cleaning.

Screen approach velocity for ditch and active pump screens shall not exceed 0.4 fps (feet per second) or 0.12 mps (meters per second). The wetted screen area in square feet is calculated by dividing the maximum water flow rate in cubic feet per second (1 cfs = 449 gpm) by 0.4 fps.

Screen sweeping velocity for ditch screens shall exceed the approach velocity. Screens greater than 4 feet in length must be angled at 45 degrees or less relative to flow. An adequate bypass system must be provided for ditch screens to safely and rapidly collect and transport fish back to the stream.

Screen approach velocity for passive pump screens shall not exceed 0.2 fps or 0.06 mps. The wetted screen area in square feet is calculated by dividing the maximum water flow rate by 0.2 fps. Pump rate should be less than 1 cfs.

For further information please contact:

Bernie Kepshire
Oregon Department of Fish and Wildlife
7118 NE Vandenberg Avenue
Corvallis, OR 97330-9446
(541)757-4186 x255
bernard.m.kepshire@state.or.us

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