

Criteria for Evaluating An Application for a Limited License

Limited licenses provide permission from the Water Resources Department to divert and use water for a short-term or fixed duration for certain beneficial uses. The standards and procedures used by the Department in evaluating applications for a limited license are described in Oregon Revised Statute (ORS) Chapter 537

(<http://landru.leg.state.or.us/ors/>) and in Oregon Administrative Rules (OAR) Chapter 690, Divisions 5, 33, and 340 (<http://www.wrd.state.or.us/law/oar1999.shtml>).

This is a summary, prepared by the Water Resources Department, of criteria and procedures that are generally applicable to applications for a limited license. The summary is necessarily general, and may not specifically address every applicant's fact situation. The summary is intended as general guidance for applicants, and not as a substitute for reference to applicable statutes and rules.

In reviewing applications for limited licenses under ORS 537.143 to 537.144, the Department will consider the following criteria:

- Compliance with applicable basin program [ORS 537.143(1) & OAR 690-500 to OAR 690-520]
- Compliance with statewide planning goals [OAR-005-0030]
- Compliance with acknowledged land use comprehensive plans [OAR 690-005-0035]
- Completeness of application [OAR 690-340-030]
- Irrigation uses only for purposes listed under ORS 537.143(6) and ORS 537.143(9)
- Injury to existing water rights [OAR 690-340-030(6)]
- Injury to minimum perennial streamflows [OAR 690-340-030(6)]
- Water availability [OAR 690-340-030(1)(b)]
- Impairment or detriment to the public interest [OAR 690-340-030(2)]
- Public interest standards with regard to sensitive, threatened, or endangered species listed under OAR 690-033 except licenses for less than 120 days or licenses issued in conjunction with an enforcement order of the Department [OAR 690-033-0310(b)]
- Compliance with Scenic Waterway requirements [ORS 390.835]

Limited License Application Procedures and Review

The Water Resources Department processes a limited license application using the following procedure:

1. **Completeness Determination:**

The applicant submits a complete limited license application and the appropriate fees to the Department. If the Department determines that the application is incomplete or all fees have not been paid, the application and all fees submitted are returned to the applicant.

2. **Application and Public Interest Review:**

The Department reviews the complete application to determine if water is available during the time requested and if the proposed use is restricted or limited by rule or statute.

3. **Public Notice:**

The Department gives public notice of the application in the weekly notice published by the Department. The public comment period is 14 days from the date of publication in the weekly notice.

4. **Final Order Issued:**

After consideration of comments received, the Department issues a final order approving, rejecting, or modifying the application.

Limited License Completeness@ Checklist

Minimum Requirements (OAR 690-340-030) (ORS 537.143)

Received Date: _____	Township: _____
Public Notice Date: _____	Range: _____
Earliest Issue Date: _____	Section: _____
Source: _____	POD Loc: _____
Amount: _____	_____
Duration: _____	Watermaster: _____
County: _____	ODFW: _____
Basin: _____	DEQ: _____

- Applicant/Organization Name, Mailing Address ,Telephone Number, and Contact Person.***Signature in ink. Original "wet" signature required.*
- Source** listed?
- If source is groundwater...**are well log(s) or sufficient information for the Department to determine aquifer, well depth, well seal, open interval, etc. included ? Was the intended aquifer identified?. If for multiple wells, each map location shall be clearly tied to a well log.
- Proposed Use of the water....**is each proposed use identified?
- If source is stored water....** Is there a contract for delivery of stored water. Must have a copy
- If use is supplemental...**is the primary water right listed?
- Amount of water** from each source listed in GPM, CFS or AF?
- Acreage** being proposed, if applicable.
- Duration of Limited License** being requested by applicant.
- Project schedule...** Date when water use will start and date when water use will be completed
- Is the application signed in ink** by the applicant(s) or by the authorized agent with title or authority if an organization or corporation?
- Water Master Report...** Is the local Water Masters report on water availability included?
- Land Use Form...** Is the Land Use Form completed by local planning officials included?
Signature must be within the last 12 months. Signature must be an original "wet" signature.

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Does the **map meet requirements** of OAR 690-340-030? If map is larger than 11 x 17, four copies must be submitted.

- Township, Range, Section
- Reference corner on map
- Scale of the Map, not less than 2" = 1 mile
- Other topographical features such as roads, streams, railroads, etc, which may be helpful in locating the diversion points in the field.
- Location of each diversion point, well or dam
- Each POD coordinate by reference to a recognized public land survey corner

Fees enclosed?

Base Fee

Water Amount

\$250.00 including the first point of diversion
\$25.00 for each additional point of diversion

+ _____
_____ **total fee**

FEE PAID

- _____

STILL OWED

Completeness Check by: _____

Date: _____

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