



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

November 28, 2017

GARRY ZOLLMAN WWC# 1881  
LARRY BURD WELL DRILLING LLC  
PO BOX 1542  
PENDLETON, OREGON 97801

### FINAL ORDER

Dear Mr. Zollman:

The Special Standards Request Form you submitted for owner: Farmers Produce Outlet, Inc. (Cecil Zerba), Start Card number 1036208, is hereby approved for the following: You may remove your drilling machine from this well site due to the circumstances outlined on your Special Standards Request Form. *A stipulation of this Special Standards Request approval is that a drilling machine be returned to the well site to complete the well within 60 days of the date of this letter.* All other well construction standards apply. A copy of your Special Standards Request Form is enclosed.

Verbal approval of this Special Standards Request was provided on November 27, 2017.

The Well Construction Standards serve to protect ground water resources. By approving and issuing this special construction standard the Oregon Water Resources Department is not representing that a well, constructed in accordance with this condition will maintain structural integrity or that it meets engineering standards. The well constructor/or landowner is responsible for ensuring that a well is constructed in a manner that protects ground water resources as required under Oregon Administrative Rules 690-200 through 690-240.

If you have any questions concerning this letter, I may be contacted at (503) 986-0852, or by e-mail at [Joel.W.Jeffery@oregon.gov](mailto:Joel.W.Jeffery@oregon.gov).

Sincerely,

Joel Jeffery, Coordinator  
Well Construction Program  
Well Construction and Compliance Section

Enclosure

cc: Erik Thomasser, NC Region Well Inspector  
File

**This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.**



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

# Special Standards Request Form

## REQUEST FOR WRITTEN APPROVAL TO USE CONSTRUCTION METHODS NOT INCLUDED IN OREGON ADMINISTRATIVE RULES 690-200 THROUGH 690-240

Before the request can be considered, this form must be completed. Requests shall be submitted to the Well Construction Program Coordinator, Water Resources Department, 725 Summer Street NE, Suite A, Salem OR 97301-1266. Requests may also be considered by the appropriate Regional Manager.

Date of request: NOVEMBER 27, 2017 Oral approval date (if applicable): NOVEMBER 27, 2017

Bonded Well Constructor (name, license #, and mailing address): GARRY L. ZOLLMAN,

OR WELL CONST. #1881, ZOLLMAN'S LARRY BURD WELL DRILLING, LLC P.O. BOX 1542, PENDLETON, OR 97801

(1) Location of Well: SW 1/4 SW 1/4 Tax lot 802 Section 4,  
 Township 5 N, Range 36 E, UMATILLA County  
 Address at well site: SPOFFORD AND CEMETARY RD. MILTON FREEWATER, OR

PERMIT G-17293

(2) Start Card Number(s)(for work to be done): 1036208

(3) Name and Address of Land Owner: FARMERS PRODUCE OUTLET, INC (CECIL ZERBA)  
P.O. BOX 682, MILTON FREEWATER, OR 97862

(4) Distance to the nearest septic tank, drainfield, closed sewage line (if water supply well)  
N/A, IRRIGATION WELL IN A WHEAT FIELD

(5) The unusual site conditions which necessitate this request: \_\_\_\_\_  
SEE ATTACHED DOCUMENTS

(6) The proposed construction methods that the bonded well constructor believes will be adequate for this well: (attach additional pages if needed)

WE WILL RETURN TO FINISH WELL CONSTRUCTION IN 60 DAYS OR SOONER. TIMELINE WILL  
BE DETERMINED BY CUSTOMER'S REVIEW OF DOCUMENTS FROM OWRD BY INDEPENDENT THIRD  
PARTY ON HOW WELL SHOULD BE SEALED AND FINISHED TO MEET OR 690 RULES AND PERMIT.

RECEIVED

NOV 27 2017

- (7) Diagram showing the pertinent features of the proposed well design and construction:  
(attach additional pages if needed)

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PLEASE NOTE:

- (1) The Well Construction Standards serve to protect ground water resources. By approving and issuing this special construction standard the Oregon Water Resources Department is not representing that a well constructed in accordance with this condition will maintain structural integrity or that it meets engineering standards. The well constructor/or landowner is responsible for ensuring that a well is constructed in a manner that protects ground water resources as required under Oregon Administrative Rules 690-200 through 690-240.
- (2) If it should be determined at some future date that the well, due to its construction, is allowing ground water contamination, waste or loss of artesian pressure, the undersigned shall return to the site and rectify the problem.
- (3) If oral approval was granted, a written request must be submitted to the Department either within three (3) working days of the date of oral approval or prior to the completion of the associated well work. Failure to submit a written request as described above may void prior oral approval.

I have read and understand the above information. I further attest that the information provided is accurate to the best of my knowledge.

Bonded Constructor Signature: \_\_\_\_\_

*Harry Zolman* #1001

Zollman's Larry Burd Well Drilling, LLC  
P.O. Box 1542  
Pendleton, OR 97801

Garry L. Zollman, OR Well Const. #1881

Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

Attn: Joel Jeffery, Well Construction Compliance

RE: Permit G-17293, Farmers Produce Outlet, Inc.

Special Standards dated November 27, 2017 additional page for paragraph #5, first page:

Our Customer is obtaining a third party independent council to review the documents of construction and review any camera recordings made after this well was completed to total depth allowed by the OWRD. He is in question of the reason and under what rule the OWRD is using for the casing and sealing depth that has been received by our drilling company.

We have sat idle on this hole for over 4 weeks discussing with OWRD about the casing depth needed to satisfy the OR 690 rules and the Hydrologists of OWRD. This has been at a cost to our company of over \$69,000 while we obtained an answer.

Today we have been informed by the customer that he is going to the third party for a review and that it would be to our benefit to ask to remove the drill rig while he does the review and any litigation that may arise.

There were three videos recorded of the borehole and reviewed by the OWRD and our company. Currently, we see no issue of comingling or loss of water in a thieving zone, nor did we see this during the drilling. The borehole also has a formation type of the nearby 2 irrigation wells and shows a SWL that is much the same. We were directed to seal this well by OWRD at a depth of 640ft or more in a water bearing aquifer. This does not in our understanding meet the OR 690-210-0155 rule and we explained to the customer the position that OWRD gave us.

We believe that we are not leaving this borehole uncompleted. And we believe there is not loss of water nor waste of water currently. We base our decision on the original irrigation well and a nearby well just drilled that had the similar formations and type of water bearing zone.

We are asking to move our drilling rig and equipment off the constructed hole, which will be sealed at the top and our plan is to return to this well in 60 days or less to complete the well after OWRD and Mr. Zerba of Farm Produce Outlet, Inc. have negotiated a decision on the casing and sealing depth.

Sincerely,

  
Garry L. Zollman

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