



State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900

# Application for Permit Amendment

## Part 1 of 5 – Minimum Requirements Checklist

**This permit amendment application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**

For questions, please call (503) 986-0900, and ask for Transfer Section.

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Check all items included with this application. (N/A = Not Applicable)

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**  
**List the Permits here: G-17749**  
Please include a separate Part 5 for each permit. (See instructions on page 6)
- ☒ Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- ☐ ☒ N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- ☐ ☒ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(For Staff Use Only)

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

\_\_\_ Application fee not enclosed/insufficient

\_\_\_ Map not included or incomplete

\_\_\_ Land Use Form not enclosed or incomplete

\_\_\_ Additional signature(s) required

\_\_\_ Part \_\_\_ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



**Your permit amendment application will be returned if any of the map requirements listed below are not met.**

**Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.**

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- ☐ ☒ N/A If **more than three** permits are involved, separate maps for each permit.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- ☒ ☐ N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- ☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).



# Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,160
2	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i> Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	\$930
3	Number of permits included in Permit Amendment <u>1 (3a)</u> Subtract 1 from the number in 3a: <u>0 (3b)</u> <i>If only one permit this will be 0</i> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input checked="" type="checkbox"/> Yes: enter \$410 »	4	\$410
5	Do you propose to change the place of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see example below*): <u>8.9 (5a)</u> Subtract 1.0 from the number in 5a above: <u>7.9 (5b)</u> If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>8 (5c)</u> and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	\$2800
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$5300
7	Is this permit amendment: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » <b>Permit Amendment Fee:</b>	8	<b>\$5300</b>

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

- For irrigation calculate cfs for each permit involved as follows:
  - Divide total authorized cfs by total acres in the permit (*for S-12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be changed to get the application cfs (*x 45 ac = 0.56 cfs*).
  - If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
- Add cfs for the portions of permits on all the land included in the application; however **do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land**. The fee should be assessed only once for each “on the ground” acre included in the application. (*In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Thomas A. MacDonald</b>			PHONE NO. <b>541-943-3104</b>	ADDITIONAL CONTACT NO. <b>541-815-4070</b>
ADDRESS <b>PO Box 87</b>				FAX NO.
CITY <b>Summer Lake</b>	STATE <b>OR</b>	ZIP <b>97640</b>	E-MAIL	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

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

AGENT/BUSINESS NAME <b>Scott D Montgomery</b>			PHONE NO. <b>541-548-5833</b>	ADDITIONAL CONTACT NO. <b>541-420-0401</b>
ADDRESS <b>PO Box 767</b>				FAX NO.
CITY <b>Terrebonne</b>	STATE <b>OR</b>	ZIP <b>97760</b>	E-MAIL <b>scott@apeands.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this permit amendment; and why:  
The permit holder wishes to update the locations of the POA's and POU for fish harvesting.

☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

**Is the applicant the permit holder of record?** ☒ Yes ☐ No

If NO, include either:

- ☐ A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
- ☐ An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

**Has the Completion ("C") Date of the permit(s) in this application expired?** ☐ Yes ☒ No

If YES, this application will not be accepted by the Department.

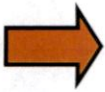
If NO, what are the completion dates of the permit(s)? 10/1/2020

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

**By my signature below, I confirm that I understand:**

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Lake County Examiner.

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

Thomas A. MacDonald  
Applicant Signature

Thomas A. MacDonald  
Print Name (and Title if applicable)

12/23/2019  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Print Name (and Title if applicable)

\_\_\_\_\_  
Date

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**Check one of the following:**

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

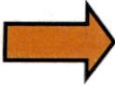
**Check the appropriate box, if applicable:**

- ☐ Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME <b>NA</b>	ADDRESS	
CITY	STATE	ZIP

- ☐ Check here if water for any of the permits supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME <b>NA</b>	ADDRESS	
CITY	STATE	ZIP

 To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>Lake County</b>	ADDRESS <b>515 Center St</b>	
CITY <b>Lakeview</b>	STATE <b>OR</b>	ZIP <b>97630</b>

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**Part 5 of 5 – Water Use Permit Information**

Please use a separate Part 5 for each permit being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

**PERMIT # G-17749**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
(Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
#1	<input checked="" type="checkbox"/> Authorized	LAKE	30 S	17 E	8	NE NW	800	390' S & 150' W from



	<input type="checkbox"/> Proposed	3030									the N ¼ cor, Sec 8
#2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 1507	30	S	17	E	8	NE	NW	800	480' S & 190' W from the N ¼ cor, Sec 8
#3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 4444	30	S	17	E	8	NE	NW	800	525' S & 140' W from the N ¼ cor, Sec 8
#4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3029	30	S	17	E	8	NE	NW	800	340' S & 145' W from the N ¼ cor, Sec 8
#5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52367	30	S	17	E	5	SE	NW	800	3155' N & 220' W from the S ¼ cor, Sec 5
#6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52368	30	S	17	E	5	SW	SE	800	105' N & 250' E from the S ¼ cor, Sec 5
#7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52369	30	S	17	E	8	NE	NW	800	180' S & 250' W from the N ¼ cor, Sec 8
#8	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52487	30	S	17	E	5	NW	SE	800	2010' N & 135' E from the S ¼ cor, Sec 5
#9	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NOT BUILT	30	S	17	E	5	SE	SW	800	835' N & 125' W from the S ¼ cor, Sec 5

**Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Place of Use (POU)        | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)  |
| <input type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA)      |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

**Will all of the proposed changes affect the entire water use permit?**

- ☒ Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the permit to be changed.

**For a change in place of use:**

**Does the permit holder of record own or control the land TO which the place of use is being moved?**

☒ Yes ☐ No

If NO, the landowner of the land TO which the place of use is being **moved must be assigned to the permit as a permit holder of record** by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

**Is the proposed place of use contiguous to the authorized place of use?** ☒ Yes ☐ No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Use Permit # G-17749**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.									Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date			
									POA	30	S	17	E	4	SW	SW	800		30.0 IS	#1 - #9	1987
									POA	30	S	17	E	5	SE	NE	800		40.0 IS	#1 - #9	1987
									POA	30	S	17	E	5	SW	NE	800		40.0 IS	#1 - #9	1987
									POA	30	S	17	E	5	SE	NW	800		20.3 IR	#1 - #9	1987
									POA	30	S	17	E	5	NE	SW	800		28.4IR	#1 - #9	1987
									POA	30	S	17	E	5	NW	SE	800		39.1 IS	#1 - #9	1987
									POA	30	S	17	E	5	NE	SE	800		40.0 IS	#1 - #9	1987
									POA	30	S	17	E	5	SE	SE	800		40.0 IS	#1 - #9	1987
									POA	30	S	17	E	5	SW	SE	800		30.0 IS	#1 - #9	1987
									POA	30	S	17	E	5	SE	SW	800		1.4 IR	#1 - #9	1987
									POA	30	S	17	E	8	NE	NE	800		40.0 IS	#1 - #9	1987
									POA	30	S	17	E	8	NW	NE	800		33.0 IS	#1 - #9	1987

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[illegible]

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AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.									Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date			
									POU/POA	30	S	17	E	5	SE	NW	800			#1 - #9	1987 & 1989
									POU/POA	30	S	17	E	5	SE	NE	800			#1 - #9	1987 & 1989
									POU/POA	30	S	17	E	8	SW	NE	800			#1 - #9	1987 & 1989
TOTAL ACRES										TOTAL ACRES											

Additional remarks: **Fish harvest uses shown.**

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Permit # G-17749

Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands? ☐ Yes ☒ No

If YES, list the other certificate, permit, or ground water registration numbers: \_\_\_\_\_

 If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (**Tip:** You may search for well logs on the Department's web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- ☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
#1	YES	SEE WELL LOG								
#2	YES	SEE WELL LOG								
#3	YES	SEE WELL LOG								
#4	YES	SEE WELL LOG								
#5	YES	SEE WELL LOG								

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
#6	YES	SEE WELL LOG								
#7	YES	SEE WELL LOG								
#8	YES	SEE WELL LOG								
#9	NO		420'	18"	+1 to - 220	0 to -220		Artesian	Clay	2000 gpm

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## SMITH Tamera L \* WRD

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**From:** Scott <Scott@apeands.com>  
**Sent:** Friday, December 27, 2019 8:58 AM  
**To:** SMITH Tamera L \* WRD  
**Subject:** Re: Permit Amendment for Thomas MacDonald

Thanks, Tamara. I'll circle back with Tom and try to fill in the missing parts.

Get [Outlook for Android](#)

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**From:** SMITH Tamera L \* WRD <Tamera.L.Smith@oregon.gov>  
**Sent:** Friday, December 27, 2019 7:50:03 AM  
**To:** Scott <Scott@apeands.com>  
**Subject:** Permit Amendment for Thomas MacDonald

Good morning Scott,

I've received Tom's application and check, looks like he sent it to the Department rather than back to your office. If you could email the Land Use and well logs right away via email, then mail hard copy of Land Use with original signatures, I'll be able to accept the application without returning it with the check to Mr. MacDonald.

Hope your day is great 😊

Kindest regards,

TAMERA SMITH  
TRANSFER & CONSERVATION CASEWORKER  
725 Summer St. NE, Suite A | Salem, Oregon 97301 | Phone: 503.986.0864



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

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# Permit Amendment Application Checklist

Checked by AB

Date 12.27.19

App # 6-17749

Permit # \_\_\_\_\_

## **Permit Amendments are authorized for changes in POD/POA, APOD/APOA, or POU.**

(If OK, check box to left; if not, fill in the blank)

- ☒ 1. Is the name of the Permit Amendment applicant the same as the Water Right Permit holder(s) of record?

If not, one of the following must be included with the application:

- \_\_\_ a) An affidavit of consent from all Permit holder(s) or the other Permit holders that have not signed the Permit Amendment application form, consenting to the proposed Permit Amendment application; **OR**,  
\_\_\_ b) A completed Request for Assignment form (and statutory fee) to move all (or portion) of the permit into the Permit Amendment applicant's name.

If not, what is missing? \_\_\_\_\_

- ☐ 2. Page 1 of application: Are all attachments that have been checked actually included?

If not, what is missing? LU, well logs

- ☒ 3. Are fees included and correct? Fee Paid: 5300 ✓

If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_

- ☒ 4. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?

If not, whose signature is missing? \_\_\_\_\_

- ☒ 5. Are the Permit completion date(s) current? 10/2020

If the Permit completion date has expired, we **CANNOT** accept the application.

- ☒ 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application **CANNOT** be accepted.

It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

applicant mtd  
direct to board,

for APOA's

missing WL & LU



STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THOMAS A. MACDONALD  
PO BOX 87  
SUMMER LAKE, OR 97640

**This superseding and correcting permit is issued to describe amendments for changes in the points of appropriation and an additional point of appropriation proposed under Permit Amendment Application T-11749 approved by Special Order Volume 103, Page 268 entered October 24, 2016, amendments for additional points of appropriation as described in T-10716 approved by Special Order Vol. 76, Page 833, entered December 10, 2008, and to describe all assignments and the extension of time for complete application of water approved October 30, 2016. This permit supersedes Permit G-11024 and G-17282.**

to use the waters of NINE WELLS in the ANA RIVER BASIN for FISH CULTURE, IRRIGATION OF 50.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 569.6 ACRES.

The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE AND 7.73 CFS FOR IRRIGATION AND JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.80 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.80 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	WELL#1 - 390 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL#2 - 480 FEET SOUTH AND 190 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL#3 - 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL#4 - 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	SE NW	WELL#5 - 3200 FEET NORTH AND 300 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	SW SE	WELL#6 - 155 FEET NORTH AND 230 FEET EAST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL#7 - 110 FEET SOUTH AND 280 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL#8 - 2070 FEET NORTH AND 100 FEET EAST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	SE SW	WELL#9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.

At any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into Ana River to the extent necessary to restore Ana River to its historic flow.

The permittee shall construct and maintain the necessary pipelines or ditches and install and maintain the necessary measuring devices so the provisions of the permit may be enforced by the proper state officer.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under the permit is as follows:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.30
30 S	17 E	WM	5	NE SW	28.40
30 S	17 E	WM	5	SE SW	1.40
Total					50.10

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.00
30 S	17 E	WM	5	SW NE	40.00
30 S	17 E	WM	5	SE NE	40.00
30 S	17 E	WM	5	NE SE	40.00
30 S	17 E	WM	5	NW SE	39.10
30 S	17 E	WM	5	SW SE	30.00
30 S	17 E	WM	5	SE SE	40.00
30 S	17 E	WM	8	NE NE	40.00
30 S	17 E	WM	8	NW NE	33.00
30 S	17 E	WM	8	SW NE	11.00
30 S	17 E	WM	8	SE NE	31.00
30 S	17 E	WM	9	SW NE	2.00



SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	9	NW NW	36.00
30 S	17 E	WM	9	SW NW	32.00
30 S	17 E	WM	9	SE NW	30.00
30 S	17 E	WM	9	NE SW	31.00
30 S	17 E	WM	9	NE SE	0.50
30 S	17 E	WM	9	NW SE	28.00
30 S	17 E	WM	9	SW SE	20.00
30 S	17 E	WM	9	SE SE	16.00
Total					569.60

### Permit Amendment T-11749

At any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into the Ana River to the extent necessary to restore Ana River to its historic flow. If the flow of Ana Springs is insufficient to furnish the amount of water required for existing rights with earlier priority dates and not all the ground water derived under this permit can be delivered into the Ana River, then all of the ground water derived under this permit shall be shut off.

The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

The permittee shall construct and maintain the necessary pipelines or ditches and install and maintain the necessary measuring devices so the provisions of the permit may be enforced by the proper state officer.

Water shall be acquired from the same aquifer as the original points of appropriation.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

The Additional Point of Appropriation Well #9 and the new Point of Appropriation Well #5 shall obtain groundwater from the predominately volcanic/basalt unit below the predominately basin-fill unit and both wells shall have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic/basalt unit.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID). The tag showing the Well ID shall be permanently attached to the well. If a well does not have a Well ID tag, the permittee shall apply for one from the Department and attach it to the well within 60 days of the date the permit is issued. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

**Water use measurement conditions:**

- a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

**Original Permit Conditions**

This project was considered and approved by the Water Resources Commission on March 30, 1990.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an airline and pressure gauge adequate to determine water level elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. Artesian wells must have control valves installed to regulate the flow of water.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the Department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work was to begin on or before April 30, 1991, however, complete application of the water to the use was extended and shall be made on or before October 1, 2016. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.


By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.



The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued March 17, 2017

  
Dwight French, Water Right Services Administrator for,  
Thomas M. Byler, Director  
Oregon Department of Water Resources