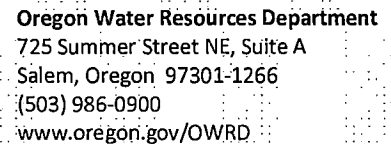


Part 1 of 5 – Minimum Requirements Checklist



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)

- ☒ 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.

☒ 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-18207
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)).

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- _____ Date: ____/____/____

Part 2 of 5 – Permit Amendment Map Checklist

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 **RECEIVED**
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	\$1,360
	Types of change proposed: ☐ Place of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	\$0
	Number of permits included in Permit Amendment <u>1</u> (3a) Subtract 1 from the number in 3a: <u>0</u> (3b) <i>If only one permit this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 ☒ Yes: enter \$480 for the 1 st well to be added or changed <u>\$480</u> (4a) Do you propose to add or change additional wells? ☒ No: enter 0 ☐ Yes: multiply the number of additional wells by \$410 _____ (4b)		
4	Add line 4a to line 4b and enter »	4	\$480
	Do you propose to change the place of use? ☒ No: enter 0 on line 5 ☐ Yes: enter the cfs for the portions of the permits to be amended (see below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		
5		5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1,840
	Is this permit amendment: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ 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		
7	If no box is applicable, enter 0 on line 7 »	7	\$0
8	Subtract line 7 from line 6 » Permit Amendment Fee:	8	\$1,840

*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:

1. For irrigation calculate cfs for each permit involved as follows:
 - a. Divide total authorized cfs by total acres in the permit (*for S-12345, $1.25 \text{ cfs} \div 100 \text{ ac}$*); then multiply by the number of acres to be changed to get the application cfs (*$\times 45 \text{ ac} = 0.56 \text{ cfs}$*).
 - b. 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$*)
2. 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 Aaron Lake			PHONE NO. 541-214-9127	ADDITIONAL CONTACT NO.
ADDRESS 84735 Parkway Road			FAX NO.	
CITY Pleasant Hill	STATE OR	ZIP 97455	E-MAIL amfamfarms@gmail.com	
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.				

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

AGENT/BUSINESS NAME Michael Gelardi, Gelardi Law P.C.			PHONE NO. 541-689-3094	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 8529			FAX NO.	
CITY Coburg	STATE OR	ZIP 97408	E-MAIL mike@gelardilaw.com	
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.				

Explain in your own words what you propose to accomplish with this permit amendment; and why:
 Applicant proposes to change the location of one out of three of the wells permitted under G-18207. Well 4-A of this amendment will replace Well 4 approved under G-18207.
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

☐ 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)? 5/1/2024

- 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: The Register Guard

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



[Handwritten Signature]

Applicant Signature

Aaron Lake

Print Name (and Title if applicable)

3/24/22

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 N/A	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 N/A	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 Lane County	ADDRESS Public Works Department, 3050 N Delta Highway	
CITY Eugene	STATE OR	ZIP 97401

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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-18207

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)
See attached Exhibit A.	☐ Authorized							
	☐ Proposed							
	☐ Authorized							
	☐ Proposed							
	☐ Authorized							
	☐ Proposed							
	☐ Authorized							
	☐ Proposed							

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

- | | |
|---|--|
| ☐ Place of Use (POU) | ☒ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ 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.

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

Table 2. Description of Changes to Water Use Permit # G-18207

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	Acre (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	Acre (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
TOTAL ACRES												TOTAL ACRES												

Additional remarks: No changes to POU

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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)

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
See attached Exhibit A.										

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EXHIBIT A
TABLES FOR PERMIT AMENDMENT APPLICATION

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ATTACHMENT TO PERMIT AMENDMENT APPLICATION FOR PERMIT # G-18207

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

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)
Well 2	Authorized	Lane 15957	18	S	2	W	35	NW	NW	2500	670 feet south and 40 feet east from NW corner, Section 35
Well 3	Authorized	N/A – not yet drilled	18	S	2	W	35	NW	NW	2500	870 feet south and 510 feet east from NW corner, Section 35
Well 4	Authorized	N/A – not drilled, replaced by 4-A	18	S	2	W	35	NW	NW	2500	470 feet south and 1,040 feet east from NW corner, Section 35
Well 4-A	Proposed	Lane 78499	18	S	2	W	34	NW	NW	2500	780 feet south and 290 feet west from NE corner, Section 34

Table 3. Construction of Point(s) of Appropriation

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
Well 2	Yes	L-134033	See attached well log labeled "Well 2"							
Well 3	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Well 4	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Well 4-A	Yes	L-144557	See attached well log labeled "Well 4-A"							

ATTACHMENT TO PERMIT AMENDMENT APPLICATION FOR PERMIT # G-18207

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EXHIBIT B

SITE PLAN

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EXHIBIT C

LAND USE COMPATIBILITY STATEMENT DOCUMENTS

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Explanation of Documents in this Exhibit

Applicant secured a Land Use Compatibility Statement from Lane County in 2017 for WRD permit application G-18536 (permit G-18207). Applicant has requested that Lane County reissue this LUCS in conjunction with the instant application to amend G-18207. As documented in this Exhibit A, Lane County required Applicant to file a new "Type I" application, declined to complete WRD's LUCS form over the counter, and declined to sign the receipt portion of WRD's LUCS form. County planning staff explain in the attached correspondence that they have taken this course of action in an effort to avoid WRD's requirement that the county complete the LUCS in 30 days.

Given this situation, Applicant requests that WRD proceed to process Applicant's permit amendment application based on the 2017 LUCS and the other documents included in this Exhibit C. Applicant's farm use is outright permitted on Applicant's Exclusive Farm Use-zoned property under state law (ORS 215.203(1)), which the county acknowledged in 2017. There is therefore no question of land use compatibility in this application and WRD should not allow the county's internal process to delay WRD's processing of this permit amendment.

Thank you for your attention to this matter.

13954



LAND MANAGEMENT DIVISION

Date Received:

TYPE I APPLICATION
Zoning Determination Application

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only. FILE #

FEE:

Applicant (print name): Michael Gelardi, Gelardi Law P.C.

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Mailing address: P.O. Box 8529, Coburg, OR 97408

Phone: 541-689-3094

Email: mike@gelardilaw.com

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Applicant Signature:

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PROPERTY LOCATION

18-02-35-00-2500

Assessor's Map and Tax Lot

84735 Parkway Road, Pleasant Hill, OR 97455

Site address

The Zoning Determination Application (ZD) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

Applicant requests that the county reissue its 2017 Land Use Compatibility Statement (LUCS) to Oregon Water

Resources Department (WRD) for an irrigation water right permit for farm use on this EFU property. The WRD

LUCS form is attached. The LUCS was previously issued through 509-PA17-05575. Applicant is applying to WRD

to amend the water right permit to move the location of a well associated with the permit. The new well is on the

same property recognized by the 2017 LUCS and there is no change to the acreage being irrigated.

13954 Version: 08/2019



<http://www.lanecounty.org>

TRANSACTION RECEIPT

RECEIPT NO: LC22001626
TRANSACTION DATE: 03/22/2022
CASHIER: JGRYZIEC

LAND MANAGEMENT DIVISION

3050 N. Delta Hwy
Eugene, OR 97408
541-682-4065

lmdiv@lanecountyor.gov

RECORD NO: 509-PA22-05184

RECORD TYPE: Type I NA

SITE ADDRESS: 84735 PARKWAY RD, Pleasant Hill, OR 97455

PARCEL: 1802350002500

APPLICANT: Michael Gelardi, Gelardi Law P.C.

DESCRIPTION OF WORK: Type I Application Zoning Determination Application

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FEE ITEMIZATION FOR 509-PA22-05184

FEE ITEM DESCRIPTION	ACCOUNT CODE	AMOUNT PAID
Type I General Zoning Determination - Simple	570-3628010-426520	\$110.00
LMD Administrative Fee (15% of applicable fees)	570-3628040-466605	\$16.50
Long Range Planning Surcharge (13% of applicable fees)	570-3628015-466606	\$14.30
LMD Technology Assessment (2% with \$100 max of applicable fees)	570-3628042-466604	\$2.20
TOTAL PAID:		\$143.00

PAYMENT SUMMARY FOR 509-PA22-05184

PAYMENT TYPE	PAYOR	COMMENTS	AMOUNT PAID
Credit Card (CSC) 2	Michael Gelardi		\$143.00

13954

Megan Pyle

From: CARSLEY Taylor H <Taylor.CARSLEY@lanecountyor.gov>
Sent: Wednesday, March 23, 2022 12:17 PM
To: Michael Gelardi
Cc: Megan Pyle; BELL Amber R
Subject: RE: 509-PA22-05184: LUCS procedure

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Hi Mike,

As I explained yesterday to Megan, the process established by the Land Management Division is to intake state LUCS forms needing signature through a Type I Zoning Determination application. These are routed to a staff person for further review and signature. I recognize that this Zoning Determination appears non-complex in nature, which is why the lesser fee for a "simple" application was charged.

I declined to sign the receipt at the bottom of LUCS form because it unnecessarily obligates the County to sign within 30 days (note on the form copied below), which is likely to occur but not necessarily feasible given current application volume and service obligations. While we strive to expedite simple LUCS signoffs, Type I actions may take longer than 30 days. In an effort to the best customer service under the circumstances, I did leave notes in our permit tracking software to advise the staff that will be assigned to the ZD that Megan requested this be expedited; and to notify the applicant when assigned.

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.

I trust this addresses your request. Thank you.

Taylor

Taylor Carsley, Planner

Lane County Land Management Division
3050 North Delta Highway, Eugene, OR 97408
541-682-6765
taylor.carsley@lanecountyor.gov | www.lanecounty.org/planning

From: Michael Gelardi <mike@gelardilaw.com>
Sent: Tuesday, March 22, 2022 4:06 PM
To: CARSLEY Taylor H <Taylor.CARSLEY@lanecountyor.gov>
Cc: Megan Pyle <megan@gelardilaw.com>
Subject: 509-PA22-05184: LUCS procedure

Taylor, this email is to confirm your interaction with my colleague Megan at the county Customer Service Center this afternoon.

Megan brought in a Land Use Compatibility Statement (LUCS) from the Water Resources Department (WRD) regarding an irrigation water right permit amendment associated with farm use on EFU zoned land. As you know, farm use is outright permitted on EFU land. The LUCS form asks you to check a box acknowledging this so that WRD may process our application.

The completed WRD form we provided includes the coordinates of the property, and Megan provided a map of the proposed change in the water right, as well as the county's prior 2017 LUCS for this water right. We paid a fee and completed the county's additional "Type I" form to make a formal application for the new LUCS.

I understand that you declined to complete the LUCS form and indicated that the county no longer provides over the counter service for LUCS forms. Megan then asked you to sign the receipt at the bottom of WRD's LUCS form as required by WRD, which you also declined to do.

Please confirm that this summary is accurate. We will report the situation to the state.

Thank you.

Mike

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MAR 28 2022

OWRD



GELARDI LAW

Michael Gelardi, Attorney
541-689-3094 | gelardilaw.com

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MAR 28 2022

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Date Received: JUN 30 2017

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LAND MANAGEMENT DIVISION

LAND USE APPLICATION - ADMINISTRATIVE

Land Use Compatibility Statement

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # SDA-PA17-05575 FEE: \$130.00 MWApplicant (print name): Steven R. Bruce for Aaron LakeMailing address: 1626 Victorian Way Eugene OR 97401Phone: (503) 319-8926 Email: stew@skookumwater.comApplicant Signature: [Signature]

PROPERTY LOCATION

1802350002500

Township	Range	Section	Taxlot	Subdivision/partition	lot/parcel	block

84735 Parkway Road Pleasant Hill OR 97455

Site address

The Land Use Compatibility Statement (LUCS) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

Land Use Approval Needed for an Oregon Water Resources
Department Groundwater Use Permit Application

Version 1/2013

13954

EXHIBIT D
WELL LOGS

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13954

NOTICE TO WATER WELL CONTRACTOR:
The original and first copy of this report are to be filed with the

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SEP 1 - 1972
WATER WELL REPORT

Well 2 - page 1 of 2

STATE ENGINEER, SALEM, OREGON
within 30 days from the date of well completion.

STATE OF OREGON
STATE ENGINEER
SALEM, OREGON
(Do not write above this line)

State Well No. 185/2W-34
State Permit No. LANE 15957

(1) OWNER:

Name Herman Kildal
Address Jasper Rd
Pleasant Hill, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
6" Diam. from 0 ft. to 90 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used MILLS
Size of perforations $\frac{1}{4}$ in. by 4 in.
240 perforations from 30 ft. to 90 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom Ramsey-Waiter
Yield: 70 gal./min. with 73 ft. drawdown after 10 hrs.
" " " " " "

Ballor test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used cement grout
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 8 sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons
of water lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lane Driller's well number
1/4 Section 34 T. 188 R. 2W W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 42 ft.
Static level 17 ft. below land surface. Date 7-30-72
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6"

Depth drilled 92 ft. Depth of completed well 92 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
top soil	0'	2'	
brown sandy clay & boulders	2	42	
boulders-black	42	47	
gray cong	47	70	
fine black sand & gravel	70	74	
yellow clay & gravel & sand	74	81	
yellow sandy clay	81	84	
coarse black sand	84	92	

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OWRD

Work started 7-20-72 19 Completed 8-17-72 19
Date well drilling machine moved off of well 8-18-72 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Casey Jones Date 8-22-72, 19
(Drilling Machine Operator)

Drilling Machine Operator's License No. 652

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name CASEY JONES WELL DRILLING CO INC
(Person, firm or corporation) (Type or print)

Address Rt 8 Box 695 Pleasant Hill, Ore

[Signed] Casey Jones
(Water Well Contractor)

Contractor's License No. 558 Date 4-22-72 19



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

Application for Well ID Number

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MAY 07 2019

OWRD

Do not complete if the well already has a Well Identification Number.

I. OWNER INFORMATION

Current Owner Name (please print): Aaron Lake

Mailing Address: 84735 Parkway Road

City, State, Zip: Pleasant Hill, OR 97455

Mail Well ID to: ☒ SAME AS ABOVE ☐ In Care Of (C/O)

Name & Address:

City, State, Zip:

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II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 18S (North / South) Range: 2W (East / West) Section: 35 1/4 of the 1/4

Tax Lot (usually last 3-5 numbers of Tax Map #): 2500 County LANE

GPS Coordinates: Latitude: 43.96606807 Longitude: -122.90579582

Street Address of Well City: 84735 PARKWAY RD, PLEASANT HILL

If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Please fill out as completely as possible, AND attach copy of Well Report, if available)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): Irrigation

Date Well Constructed (or property built): 8/17/1972 Total Well Depth: 92 Casing Diameter: 6"

Owner at time the well was constructed (if known): herman kildall Well Report # (if known): LANE 15957

Other Information:

SUBMITTED BY (please print): Aaron Lake

PHONE: 541-214-9127 EMAIL &/or FAX: amfamfarms@gmail.com

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902.
Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

For Official Use Only by the Oregon Water Resources Department:

Received Date:

5-7-19

Well Report Number:

LANE 15957

Well Identification #:

L-134033

Received Time: May 6, 2019 5:04PM No. 0534

Well ID Number/2

13954

WCC

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

Well 4-A - page 1 of 1
LANE 78499

WELL I.D. LABEL# 144557
START CARD # 217148
ORIGINAL LOG #

(1) LAND OWNER

First Name Aaron Last Name Lake
Company
Address 84735 Parkway Rd.
City Pleasant Hill State OR Zip 97455

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Dia + From To Gauge Stl Plstc Wld Thrld
Casing: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
Material From To Amt. sacks/lbs
Seal: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other:

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other:

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 120 ft. Special Standard ☐ (Attach copy)

BORE HOLE
Dia From To Material From To Amt. sacks/lbs
10" 0 21 Cement 21 9 12 sacks
6" 21 120 Bentrite 9 0 7 sacks
Calculated 3.6

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☒ Other Bentrite Poured Dry

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: ☐ Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER

Casing Liner Dia + From To Gauge Stl Plstc Wld Thrld
☒ ☐ 6" 4 1/2 119 250 ☒ ☐ ☒ ☐
Shoe ☒ Inside ☐ Outside ☐ Other Location of shoe(s)
Temp casing ☐ Yes Dia From To

(7) PERFORATIONS/SCREENS

Perforations Method Perforator
Screens Type Hotte Material
Perf/S Casing/ Screen Dia From To Serf/slot Slot # of Telc/
even Liner Dia From To width length slots pipe size
Perf Casing 660 119 1/2" 1 1/2" 120 6"

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian
Yield gal/min 120 Drawdown 116' Drill stem/Pump depth 116' Duration (hr) 1 HR

Temperature 55 °F Lab analysis ☐ Yes ☐ No By

Water quality concerns? ☐ Yes (describe below) TDS amount 52 ppm
From To Description Amount (units)

(9) LOCATION OF WELL (legal description)

County Lane Twp 18.5 N/S Range 2W E/W WM
Sec 35 NW 1/4 of the NW 1/4 Tax Lot 02500
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD
☒ Street address of well ☐ Nearest address

84735 Parkway Rd. Pleasant Hill OR

(10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)
Existing Well / Pre-Alteration 3/2/22 8
Completed Well
Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 60

SWL Date From To Est Flow SWL(psi) + SWL(ft)
3/2/22 60 120 120 8

(11) WELL LOG

Ground Elevation

Material	From	To
Dark Topsoil	0	2
Brown Clay	2	9
Gray clay Gravel	9	16
Sand Gravel	16	120
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MAK 05 2022		
MAK 28 2022		
OWRD		
OWRD		

Date Started 2/23/22 completed 3/2/22

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1562 Date 3/4/22

Signed Dean C. Oldham

Contact info (optional) 13954



LAND MANAGEMENT DIVISION

Date Received:

RECEIVED MAR 22 2022

TYPE I APPLICATION
Zoning Determination Application

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # 509-PA22-05184

FEE:

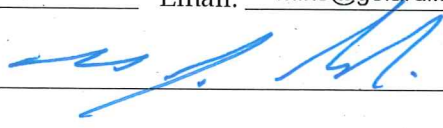
\$143⁰⁰ cc pd gmg

Applicant (print name): Michael Gelardi, Gelardi Law P.C.

Mailing address: P.O. Box 8529, Coburg, OR 97408

Phone: 541-689-3094

Email: mike@gelardilaw.com

Applicant Signature: 

PROPERTY LOCATION

18-02-35-00-2500

Assessor's Map and Tax Lot

84735 Parkway Road, Pleasant Hill, OR 97455

Site address

The Zoning Determination Application (ZD) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

Applicant requests that the county reissue its 2017 Land Use Compatibility Statement (LUCS) to Oregon Water

Resources Department (WRD) for an irrigation water right permit for farm use on this EFU property. The WRD

LUCS form is attached. The LUCS was previously issued through 509-PA17-05575. Applicant is applying to WRD

to amend the water right permit to move the location of a well associated with the permit. The new well is on the

same property recognized by the 2017 LUCS and there is no change to the acreage being irrigated.

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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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(s): Aaron Lake

Mailing Address: 84735 Parkway Road

City: Pleasant Hill State: OR Zip Code: 97455 Daytime Phone: 541-214-9127

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:
18 S	2 W	35	NW NW	2500	E25	☒ Diverted ☐ Conveyed ☒ Used	irrigation
18 S	2 W	34	NE NE	2500	E25	☒ Diverted ☐ Conveyed ☒ Used	irrigation
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

Lane County

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 0.36 ☒ 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:

Amendment of groundwater permit G-18207 to relocate Well 4, approved by that permit. The amended well location is on the same map and tax lot as the previously approved well location. The property is zoned Exclusive Farm Use and the well is for farm use.

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.

See bottom of Page 3. →

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.

Please check the appropriate box below and provide the requested information

☒ 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): LC 16.212-1(1-1) Farm Use

☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Lane County has not reviewed specific proposed uses as part of this request besides "farm use". Applicant must abide by LC 16.212 for uses on this property.

Name: Taylor Carsley Title: Associate Planner
 Signature: [Signature] Phone: 541-682-6765 Date: 3/28/2022
 Government Entity: Lane County

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

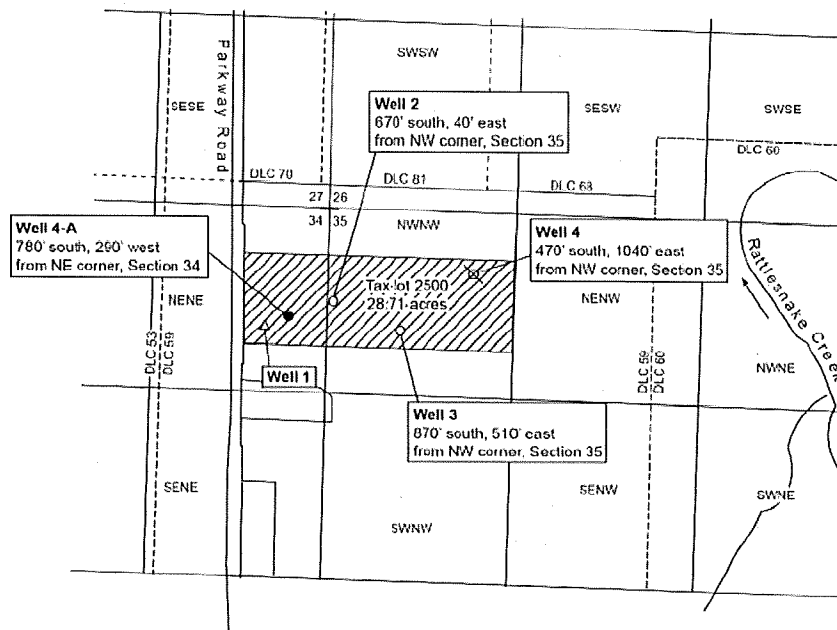
Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

SITE PLAN

GROUNDWATER PERMIT AMENDMENT APPLICATION

Sections 34 and 35 in T18S, R2W, W.M.

Lane County, Oregon



March 8, 2022

Scale: 1 inch = 1320 Feet

- △ Existing domestic well
- G-18207 permitted well - no proposed change
- ⊗ G-18207 permitted well - proposed change
- Proposed well
- ▨ Existing place of use - no proposed change
- Section line
- Donation Land Claim boundary

North

Aaron Lake
84735 Parkway Road
Pleasant Hill, Oregon 97455