

Permit amendment

Name McKenzie Cranberries IncAddress 92619 Airport Rd
Sixes, Oregon 97476Change in APDADate Filed 8/11/2021Initial notice date 9/7/2021

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 12/19/2022 Vol 127 Page 146-48

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream WellTrib. of Sixes river basinUse cranberry County Curry

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# G187108 Per # G185413 Cert # _____ PR Date 12/6/2018

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

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App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID

Date	Amount	Receipt #
<u>8-16-2021</u>	<u>\$3070.00</u>	<u>136174</u>
<u>9/29/22</u>	<u>\$216.00</u>	<u>139223</u>

FEES REFUNDED

Date	Amount	Receipt #
------	--------	-----------

Assignments: _____

Irrigation District _____

Agent GSI water solutions- Owen McMurtery

CWRE _____

CC's list Curry County☐ - Oversized map - Location _____



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

December 19, 2022

MCKENZIE CRANBERRIES INC.
92619 AIRPORT RD
SIXES, OR 97476

REFERENCE: Permit Amendment Application T-13792

Enclosed is a copy of the order approving your Permit Amendment application.

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane by telephone at (503) 979-3917 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Julie C. Baustian
Water Rights Services Support
Transfers and Conservation Section

cc: Scott C. Ceciliani, Watermaster Dist. # 14 (via email)
Curry County Planning Division
Owen McMurtrey, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment)	FINAL ORDER
T-13792, Curry County)	APPROVING ADDITIONAL POINTS OF
)	APPROPRIATION

Authority

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

MCKENZIE CRANBERRIES, INC.
92619 AIRPORT ROAD
SIXES, OR 97476

Findings of Fact

1. On August 16, 2021, MCKENZIE CRANBERRIES, INC., filed an application for additional points of appropriation under Permit G-18543. The Department assigned the application number T-13792.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on September 7, 2021, and in the Port Orford News newspaper on October 12 and 19, 2022, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
3. Permit Amendment Application T-13792 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
31 S	15 W	WM	29	SE SW	WELL 4 - 650 FEET NORTH AND 3150 FEET WEST FROM THE NE CORNER OF SECTION 32	2470 ft.
31 S	15 W	WM	32	NW NE	WELL 1 - 160 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 32	829 ft.

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 and OAR 690-01-0005 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.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
31 S	15 W	WM	32	NW NE	WELL 2 - 145 FEET SOUTH AND 1760 FEET WEST FROM THE NE CORNER OF SECTION 32	961 ft.
31 S	15 W	WM	32	NW NE	WELL 3 - 155 FEET SOUTH AND 2310 FEET WEST FROM THE NE CORNER OF SECTION 32	1309 ft.

Permit Amendment Review Criteria

4. The change would not result in injury to other water rights.
5. The change does not enlarge the permit.
6. The change does not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-13792 are consistent with the requirements of ORS 537.211.

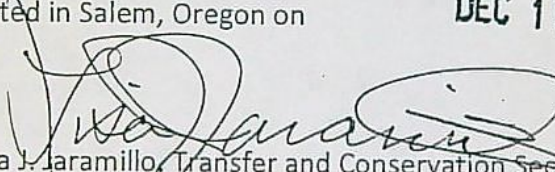
Now, therefore, it is ORDERED:

1. The additional points of appropriation proposed by Permit Amendment Application T-13792 are approved.
2. Permit G-18818, in the names of MCKENZIE CRANBERRIES, INC., AND ROBERT MCKENZIE is issued to replace Permit G-18543, and incorporates the amendments approved by this order. Permit G-18543, in the name of MCKENZIE CRANBERRIES INC., AND ROBERT MCKENZIE is no longer of any force or effect.
3. The combined quantity of water diverted at the new additional points of appropriation (Wells 1, 2, 3, and 4), together with that diverted at the old point of appropriation (Well 5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 5).

4. 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 appropriation (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.
5. Water shall be acquired from the same aquifer as the original point of appropriation.
6. All other terms and conditions of Permit G-18818 remain the same.

Dated in Salem, Oregon on

DEC 19 2022



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing Date:

DEC 20 2022

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MCKENZIE CRANBERRIES INC.
92619 AIRPORT RD
SIXES, OR 97476

ROBERT MCKENZIE
PO BOX 1362
PORT ORFORD, OR 97465

This superseding permit is issued to describe an amendment for additional points of appropriation proposed under Permit Amendment Application T-13792 and approved by Special Order Vol. 127, Page 146, entered December 9, 2022. This permit supersedes Permit G-18543.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-18768

SOURCE OF WATER: WELLS 1, 2, 3, 4, AND 5 IN SIXES RIVER BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 90.0 ACRES

MAXIMUM RATE: 0.169 CUBIC FOOT PER SECOND

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: DECEMBER 6, 2018

AUTHORIZED POINTS OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	29	SE SW	WELL 4 - 650 FEET NORTH AND 3150 FEET WEST FROM THE NE CORNER OF SECTION 32
31 S	15 W	WM	32	NE NE	WELL 5 - 990 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 32
31 S	15 W	WM	32	NW NE	WELL 1 - 160 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 32
31 S	15 W	WM	32	NW NE	WELL 2 - 145 FEET SOUTH AND 1760 FEET WEST FROM THE NE CORNER OF SECTION 32
31 S	15 W	WM	32	NW NE	WELL 3 - 155 FEET SOUTH AND 2310 FEET WEST FROM THE NE CORNER OF SECTION 32

The amount of water diverted for cranberry operations, together with amounts secured under any other rights existing for the same lands, shall not exceed a maximum of 3.0 acre feet per acre, and is further limited as follows: for temperature control, 0.15 cubic foot per second per acre; for flood harvesting or pest control, 0.05 cubic foot per second per acre; for irrigation of cranberries, ONE FORTIETH of one cubic foot per second and 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year. For irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

AUTHORIZED PLACE OF USE:

CRANBERRY OPERATIONS					
Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	15 W	WM	29	SW SE	19.0
31 S	15 W	WM	29	SE SE	5.0
31 S	15 W	WM	32	NE NE	33.0
31 S	15 W	WM	32	NW NE	33.0
Total					90.0

Permit Amendment T-13792 Conditions:

The combined quantity of water diverted at the new additional points of appropriation (Wells 1, 2, 3, and 4), together with that diverted at the old point of appropriation (Well 5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 5).

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 appropriation (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.

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

Existing Permit Conditions:

1. Water Use Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.

- B. The permittee shall allow the watermaster access to the device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Static Water Level Condition:

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water-level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Static Water Level Measurements

The Department requires the permittee to report an initial water-level measurement in the month specified above once well construction is complete, and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Static Water Level Measurements

Following the first year of water use, the user shall report seven consecutive annual static water-level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require the user to obtain and report additional annual static water-level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

3. Well Identification Tag Condition:

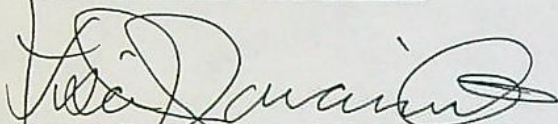
Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

1. 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.
2. 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.
3. If substantial interference with surface water or a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
4. The well(s) 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 adequate to determine water-level elevation in the well at all times. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
6. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
7. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. 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.

9. The original permit was issued February 12, 2021. Construction of the well shall begin on or before February 12, 2026. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. The original permit was issued February 12, 2021. Complete application of the water shall be made on or before February 12, 2026. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for an extension of time, which may be approved based upon the merit of the application.
11. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Signed DEC 19 2022 ;



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Permit Amendment Checklist

Transfer: T- 13792

Transfer Specialist:

Corley

Transfer Type: Permit Amendment

Applicant Name/Address/email: MCKENZIE CRANBERRIES INC. 92619 AIRPORT RD SIXES, OR 97476	Agent Name/Address/email: OWEN MCMURTREY 1600 SW WESTERN BLVD SUITE 240 CORVALLIS, OR 97333	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: County Of Curryplanning Director
Commentor(s): Name/Address:	Current Landowner Name/Address (if different than applicant):	

Permit(s) Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Superseding Permit No.
<input type="checkbox"/>	<input type="checkbox"/>	G-18768	G-18543	G-18818

Key Dates & Initial Actions

Rec'd: August 16, 2021	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 3070.00	WM District:14	ODFW District:
Initial Notice: September 7, 2021	WM Review sent: Done:	ODFW Review sent: Done:
Acknowledgement Letter Sent: <input checked="" type="checkbox"/> Date:		GW Review sent: Done:

Processing Dates & Actions

Deficiency Contact(s): _____

Draft Mailed: _____

If yes, date rec'd okay from agent/applicant: _____

☐ ODFW contact sheet sent; need? Yes ☐ or No ☐

☐ WM measurement sheet sent; need?

Yes ☐ or No ☐

Port Orford News
Newspaper: _____

☐ not required

Date quote requested: 9/2/22

Request for news \$ sent: _____

News \$ received: 9/29/22

Request to publish sent to newspaper: _____

Affidavit of publication received: _____

Dates of publication: _____

Final Order

<p>Draft Order & Superseding Permit Review (Optional)</p> <p>Reviewer: <i>Joan</i> Date: 8/1/22 Coordinator: <i>PES</i> Date: 8/29/22 Signature Bin Date: 12/8/22</p>	<p>Final Order & Superseding Permit Review (Salem)</p> <p>Reviewer: _____ Date: _____ Coordinator: _____ Date: _____ Signature Bin Date: _____</p>
<p>Comments/Special Issues: _____</p>	

Special Order Volume: Vol: _____, Pages _____ Final Order Signature Date: _____

Notice of FO e-mailed to processors: _____

Application

PR CW

- ☐ ☒ The type of change is clearly indicated.
- ☐ ☒ The application is appropriately signed.
- ☐ ☒ Appropriate fees were paid. N/A ☐ If overpayment, Refund Request submitted _____
- ☐ ☒ Land use form matches affected tax lots and is signed by proper official. (from ALL affected Gov't's) _____
- ☐ ☐ N/A Ditch company, district, and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ ☒ All required attachments received.
- ☐ ☒ Check application file and WRIS for assignment(s) and/or extension(s). Cdate = 10/1/26

Application Map

PR CW

- ☐ ☒ The map size and scale are accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ ☒ All authorized and proposed POD's/POA's and POU are properly described on the map.
- ☐ ☒ The POD/POA location description(s) on the map match the PA application and permit descriptions.
- ☐ ☒ Map acres (to, from and rr, if applicable) match Table 2 on the PA application and as applicable, on the permit
- ☐ ☒ Have permit map(s).

Determining the "From" and "To" Lands (make working copy of application and permit(s))

PR CW

- ☐ ☒ Only the authorized POD's/POA's and/or POU's to be transferred are listed (Tables 1 & 2).
- ☐ ☒ PA application and permit tabulations (acreage) match. (Mark on appl. and permit copies and note corrections needed)
- ☐ ☐ ALL Mark on permit the acreage and amount of water being transferred.

Permit Ownership

- ☐ ☒ The applicant(s) is/are the holder(s) of the permit.
- ☐ ☒ All holders of the permit have signed the application or
- ☐ ☐ N/A If necessary, there is a notarized, signed statement of consent from permit holders other than applicant.
- ☐ ☐ N/A If necessary, the permit has been assigned to permit amendment applicant.

Evaluation Materials

- | | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> Application complete | <input checked="" type="checkbox"/> Permit | <input checked="" type="checkbox"/> Land Use form | <input type="checkbox"/> N/A Plat card |
| <input type="checkbox"/> Amendment Map | <input checked="" type="checkbox"/> Permit Map | <input checked="" type="checkbox"/> Fees paid | <input checked="" type="checkbox"/> N/A Well logs |

Reviews/comments/conditions received? ☐ ☐ Watermaster ☐ ☐ N/A ODFW ☐ ☐ N/A GWN/A Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintainN/A Measuring Devices ☐ When in the judgment ☒ Prior to diverting ☐ Existing and maintainType of device, if applicable: _____ totalizing flow meter: at new at existing and newInjury: ☐ Yes ☒ NoEnlargement: ☐ Yes ☒ No

Conditions to avoid enlargement/injury -

ODFW conditions: _____

GW Conditions: _____

COURCHANE Corey A * WRD

From: ELLIOTT Chloe * WRD
Sent: Thursday, September 08, 2022 11:36 AM
To: COURCHANE Corey A * WRD
Cc: BAUSTIAN Julie C * WRD; MARTIN Duff A * WRD
Subject: PD T 13792 completed by Data

Good Morning!

Data has completed entering and mapping for PD T 13792.

Best Wishes,

Chloe Elliott

Data Tech 1

Oregon Water Resources Department

725 Summer St. NE, Suite A

Salem, Oregon 97301



OREGON
WATER
RESOURCES
DEPARTMENT

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

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment)	FINAL ORDER
T-13792, Curry County)	APPROVING ADDITIONAL POINTS OF
)	APPROPRIATION

Authority

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

MCKENZIE CRANBERRIES, INC.
92619 AIRPORT ROAD
SIXES, OR 97476

Findings of Fact

1. On August 16, 2021, MCKENZIE CRANBERRIES, INC. filed an application for additional points of appropriation under Permit G-18543. The Department assigned the application number T-13792.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on September 7, 2021, and in the Port Orford News newspaper on [REDACTED], 2022, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
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Permit Amendment Review Criteria

4. The change would not result in injury to other water rights.
5. The change does not enlarge the permit.
6. The change does not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-13792 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional points of appropriation proposed by Permit Amendment Application T-13792 are approved.
2. Permit G-XXXXX, in the name of MCKENZIE CRANBERRIES, INC., is issued to replace Permit G-18543, and incorporates the amendments approved by this order. Permit G-18543, in the name of MCKENZIE CRANBERRIES INC., is no longer of any force or effect.
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AND Robert McKenzie

AND Robert McKenzie

I think original both places otherwise same as like 2nd point area

5. Water shall be acquired from the same aquifer as the original point of appropriation.
6. All other terms and conditions of Permit G-XXXXX remain the same.

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date:

Notice of Permit Amendment T-13792

T-13792 filed by McKenzie Cranberries, Inc., 92619 Airport Road, Sixes, OR 97476, proposes ~~four~~ ^{no space} additional points of appropriation under Permit G-18543. The permit allows the use of 0.169 cubic foot per second from a well in Sec. 32, T31S, R15W, WM for cranberry operations in Sects. 29 and 32. The applicant proposes additional points of appropriation in Sects. 29 and 32, T31S, R15W, WM. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is MM/DD/YEAR.

~~I think
you need to
say how many
appropriations
they are in the
sections only~~

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MCKENZIE CRANBERRIES INC.
92619 AIRPORT RD
SIXES, OR 97476

ROBERT MCKENZIE
PO BOX 1362
PORT ORFORD, OR 97465

This superseding permit is issued to describe an amendment for additional points of appropriation proposed under Permit Amendment Application T-13792 and approved by Special Order Vol. 125, Page____, entered September , 2022. This permit supersedes Permit G-18543.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-18768

SOURCE OF WATER: WELLS 1, 2, 3, 4, AND 5 IN SIXES RIVER BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 90.0 ACRES

MAXIMUM RATE: 0.169 CUBIC FOOT PER SECOND

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: DECEMBER 6, 2018

AUTHORIZED POINTS OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	29	SE SW	WELL 4 - 650 FEET NORTH AND 3150 FEET WEST FROM THE NE CORNER OF SECTION 32
31 S	15 W	WM	32	NE NE	WELL 5 - 990 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 32
31 S	15 W	WM	32	NW NE	WELL 1 - 160 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 32
31 S	15 W	WM	32	NW NE	WELL 2 - 145 FEET SOUTH AND 1760 FEET WEST FROM THE NE CORNER OF SECTION 32
31 S	15 W	WM	32	NW NE	WELL 3 - 155 FEET SOUTH AND 2310 FEET WEST FROM THE NE CORNER OF SECTION 32

diverted

The amount of water used for cranberry operations, together with amounts secured under any other rights existing for the same lands, shall not exceed a maximum of 3.0 acre feet per acre, and is further limited as follows: for temperature control, 0.15 cubic foot per second per acre; for flood harvesting or pest control, 0.05 cubic foot per second per acre; for irrigation of cranberries, ONE FORTIETH of one cubic foot per second and 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year. For irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

AUTHORIZED PLACE OF USE:

CRANBERRY OPERATIONS					
Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	15 W	WM	29	SW SE	19.0
31 S	15 W	WM	29	SE SE	5.0
31 S	15 W	WM	32	NE NE	33.0
31 S	15 W	WM	32	NW NE	33.0
Total					90.0

Permit Amendment T-13792 Conditions:

The combined quantity of water diverted at the new additional points of appropriation (Wells 1, 2, 3, and 4), together with that diverted at the old point of appropriation (Well 5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 5).

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 appropriation (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.

it sounds like 2 separate points

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

Existing Permit Conditions:

1. Water Use Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.

- B. The permittee shall allow the watermaster access to the device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Static Water Level Condition:

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water-level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Static Water Level Measurements

The Department requires the permittee to report an initial water-level measurement in the month specified above once well construction is complete, and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Static Water Level Measurements

Following the first year of water use, the user shall report seven consecutive annual static water-level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require the user to obtain and report additional annual static water-level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

3. Well Identification Tag Condition:

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 tag), which shall be permanently attached to the well. 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.

STANDARD CONDITIONS

1. 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.
2. 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.
3. If substantial interference with surface water or a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
4. The well(s) 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 adequate to determine water-level elevation in the well at all times. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
5. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
6. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
7. 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.
8. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
9. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

10. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Signed _____;

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

9. The original permit was issued February 12, 2021. Construction of the well shall begin on or before February 12, 2026. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. The original permit was issued February 12, 2021. Complete application of the water shall be made on or before February 12, 2026. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for an extension of time, which may be approved based upon the merit of the application.

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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PO BOX 1362
PORT ORFORD OR 97465

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-18768

SOURCE OF WATER: WELL 5 IN SIXES RIVER BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 90.0 ACRES

MAXIMUM RATE: 0.169 CUBIC FEET PER SECOND

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: DECEMBER 6, 2018

AUTHORIZED POINT OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	32	NE NE	990 FEET SOUTH AND 1300 FEET WEST FROM NE CORNER, SECTION 32

The amount of water diverted for cranberry operations, together with amounts secured under any other rights existing for the same lands, shall not exceed a maximum of 3.0 acre feet per acre, and is further limited as follows: for temperature control, 0.15 cubic foot per second per acre; for flood harvesting or pest control, 0.05 cubic foot per second per acre; for irrigation of cranberries, ONE FORTIETH of one cubic foot per second and 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year. For irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	15 W	WM	29	SW SE	19.0
31 S	15 W	WM	29	SE SE	5.0
31 S	15 W	WM	32	NE NE	33.0
31 S	15 W	WM	32	NW NE	33.0

*Entirety of
permit*

1. **Water Use Measurement, Recording, and Reporting Condition:**

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. **Static Water Level Condition:**

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

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The Department requires the permittee to report an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall report seven consecutive annual static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require the user to obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by

the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

3. Well Identification Tag Condition:

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 tag), which shall be permanently attached to the well. 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.

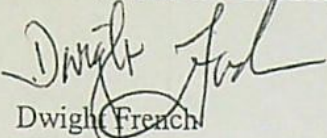
STANDARD CONDITIONS

- 1. 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.

2. 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.
3. If substantial interference with surface water or a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.
5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
6. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
7. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. 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.
9. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

11. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued FEB 12 2021



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





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)

- ☒ 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. 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-18543 (Attachment A)
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). **See Attachment B**
- ☐ ☒ 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. **See Attachment C**
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **See Attachment D**
- ☐ ☒ 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 18792 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. **OWRED**
30 x 30
- ☒ 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°).

13792

*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:

- 13792

Part 4 of 5 – Applicant Information and Signature

Applicant Information

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APPLICANT/BUSINESS NAME McKenzie Cranberries, Inc.		PHONE NO. (541) 670-1441	ADDITIONAL CONTACT NO.
ADDRESS 92619 Airport Road		FAX NO.	
CITY Sixes	STATE OR	ZIP 97476	E-MAIL RMCK101@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 GSI Water Solutions, Inc. ATTN: Owen McMurtrey		PHONE NO. 541 257 9005	ADDITIONAL CONTACT NO.
ADDRESS 1600 SW Western Boulevard, Suite 240		FAX NO.	
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL omcmurtrey@gsiws.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:

The applicant proposes to add additional points of appropriation to permit G-18543 to increase flexibility in the location of the point of appropriation and to reduce the reliance on a single well.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment I".

☐ 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)? 2/12/2026

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: Port Orford News.

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


Applicant Signature

Robert McKenzie, President
Print Name (and Title if applicable)

07-26-21
Date

Applicant Signature

Print Name (and Title if applicable)

Date

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	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	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 Curry County	ADDRESS 94235 Moore St., Suite 113	
CITY Gold Beach	STATE OR	ZIP 97444

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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AUG 16 2021

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13792

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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-18543**

OWRD

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	1/4	1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	31 S	15 W	32	NE	NE	100	990 feet South and 1300 feet West from the NE Corner of Section 32.
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CURR 1433	31 S	15 W	32	NW	NE	100	160 feet South and 1300 feet West from the NW NE Corner of Section 32. NE
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CURR 50232	31 S	15 W	32	NW	NE	100	145 feet South and 1760 feet West from the NE Corner of Section 32.
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CURR 1627	31 S	15 W	32	NW	NE	100	155 feet South and 2310 feet West from the NE Corner of Section 32.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CURR 979	31 S	15 W	29	SE	SW	4002	650 feet North and 3150 feet West from the NE Corner of Section 32.

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

- ☐ Place of Use (POU)
 ☐ Point of Appropriation/Well (POA)
 ☒ Additional Point of Appropriation (APOA)
 ☐ Surface water POD to Ground Water POA (SW/GW)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)

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: **N/A**

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-18543

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			
										APOA	31	S	15	W 29	SW SE			19.0	WELL 1 WELL 2 WELL 3 WELL 4 WELL 5	12/6/2018		
										APOA	31	S	15	W 29	SE SE			5.0				
										APOA	31	S	15	W 32	NE NE			33.0				
										APOA	31	S	15	W 32	NW NE			33.0				
										APOA												
TOTAL ACRES											TOTAL ACRES						90.0					

Additional remarks: The applicant proposes to add additional points of appropriation to Permit G-18543 to increase flexibility in the location of the point of appropriation and to reduce the reliance on a single well. The applicant does not propose to change the place of use.

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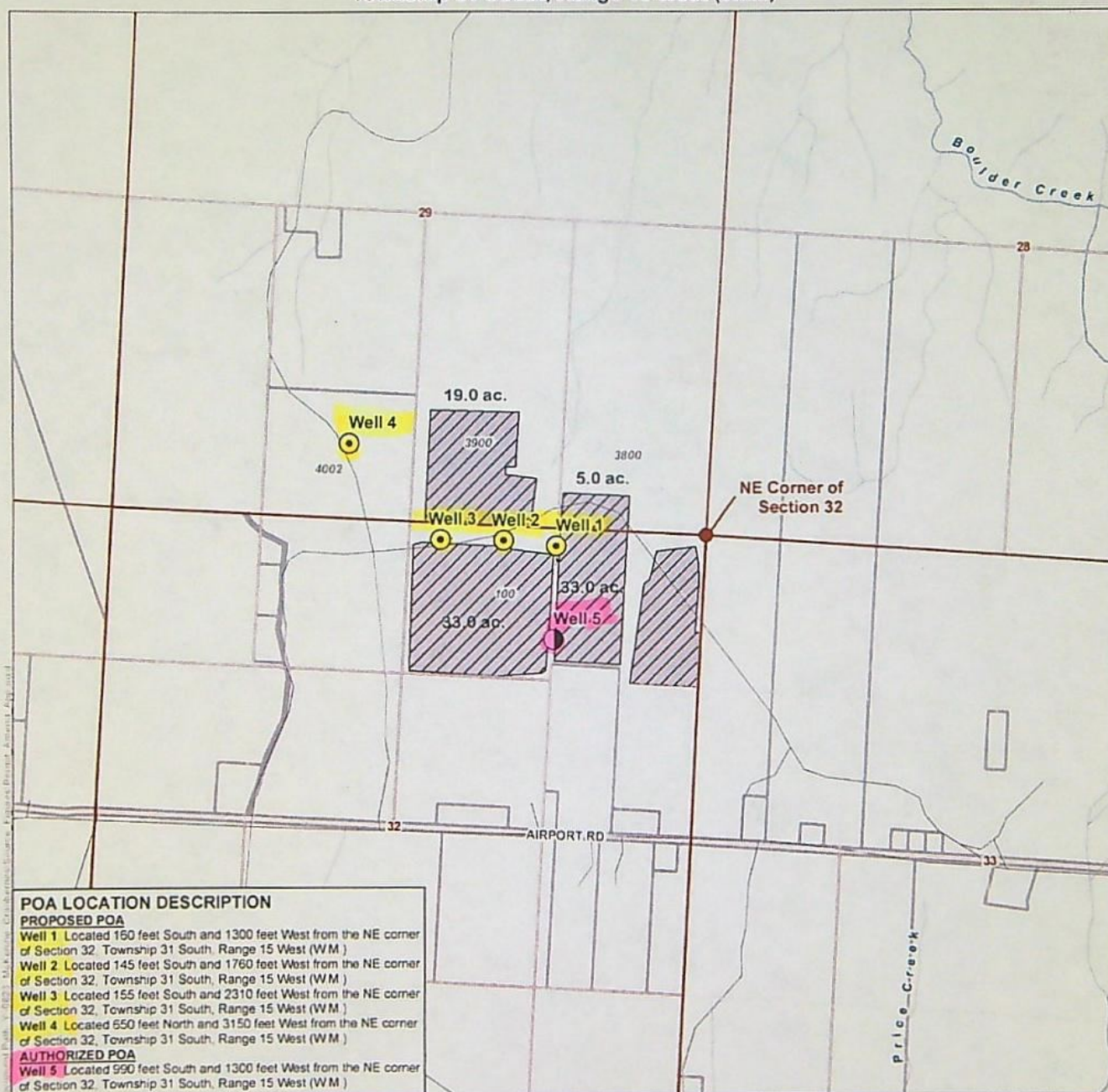
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AUG 16 2021

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Permit Amendment Application Permit G-18543 Authorized Place of Use and Authorized and Proposed Points of Appropriation

Curry County
Township 31 South, Range 15 West (W.M.)



LEGEND

- Proposed Point of Appropriation (POA)
- Authorized Point of Appropriation (POA)
- ▨ Place of Use (POU)
- ▭ Tax Lot
- Road
- ~ Watercourse

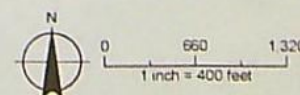
DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines

MAP NOTES

Date: June 30, 2021
Data Sources: BLM, ESRI, USGS, OGIC, OWRD, Curry Co.

13792



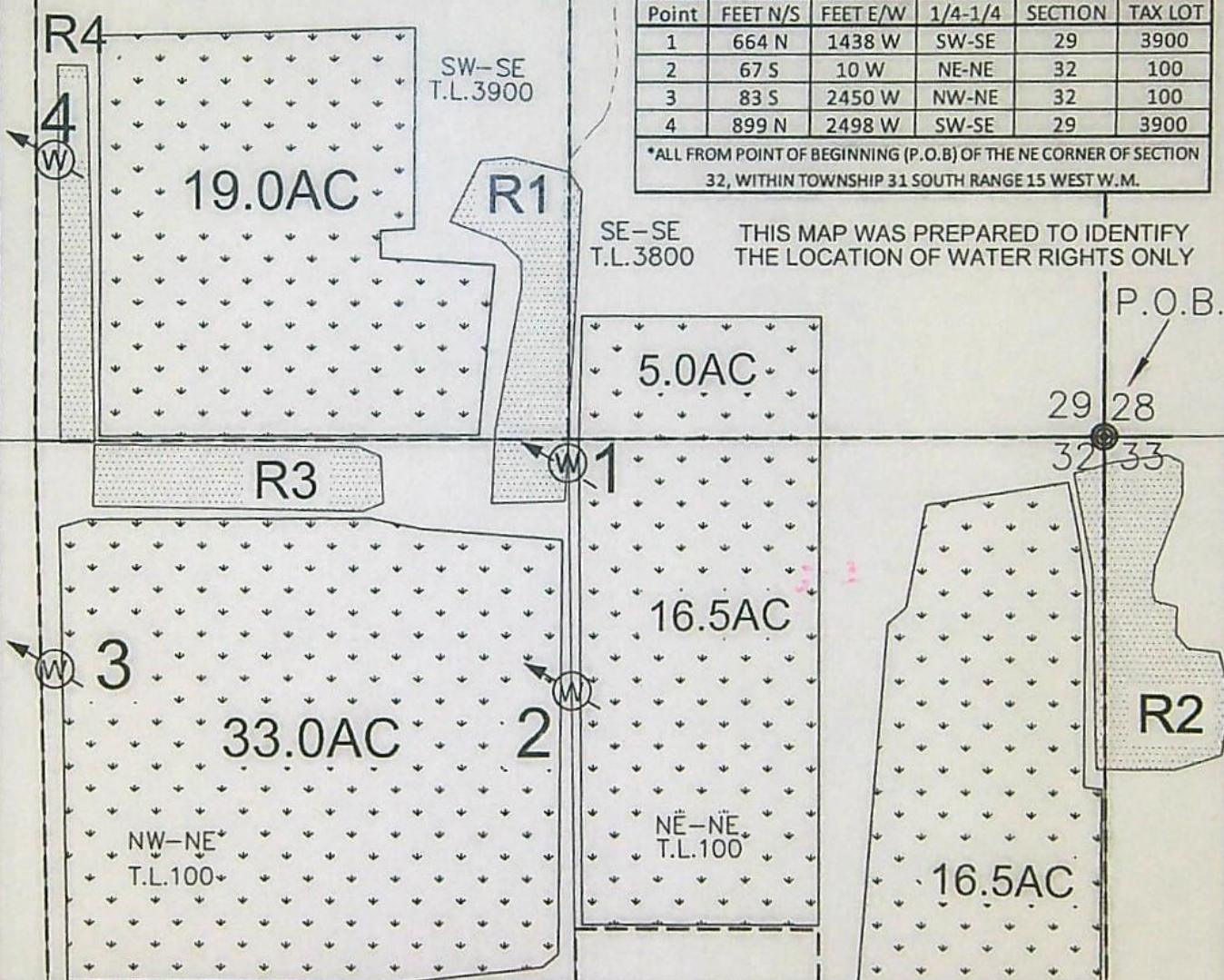
GROUNDWATER APPLICATION MAP

IN THE NAME OF ROBERT MCKENZIE
TOWNSHIP 31 S. RANGE 15 W.
SECTIONS 29, 32, AND 33.

WELLS					
Point	FEET N/S	FEET E/W	1/4-1/4	SECTION	TAX LOT
1	55 S	1285 W	SW-SE	29	100
2	605 S	1285 W	NE-NE	32	100
3	548 S	2540 W	NW-NE	32	100
4	672 N	2550 W	SW-SE	29	3900

RESERVOIRS					
Point	FEET N/S	FEET E/W	1/4-1/4	SECTION	TAX LOT
1	664 N	1438 W	SW-SE	29	3900
2	67 S	10 W	NE-NE	32	100
3	83 S	2450 W	NW-NE	32	100
4	899 N	2498 W	SW-SE	29	3900

*ALL FROM POINT OF BEGINNING (P.O.B.) OF THE NE CORNER OF SECTION 32, WITHIN TOWNSHIP 31 SOUTH RANGE 15 WEST W.M.



LEGEND

----- OWRD STREAM 17156001300030020

----- TAX LOT LINE

----- PLSS LINE

W WELL

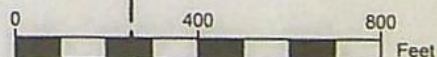
BOGS

RESERVOIR

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DEC 10 2018

SE-NE



Stuntzner

Engineering & Forestry, LLC

705 S. 4TH ST.
P.O. BOX 118
COOS BAY, OREGON 97420

Engineering - Land Surveying - Forestry - Land Planning - Water Rights

PHONE: (541) 267-2872
FAX: (541) 267-0588
www.stuntzner.com

JOB #: 117-130

DATE: July 1, 2018

DRAWN BY: MVC

CHECKED BY: MVC

PREPARED FOR:

Robert McKenzie

Groundwater Application

FILE NAME: McKenzie_WaterRights.dwg

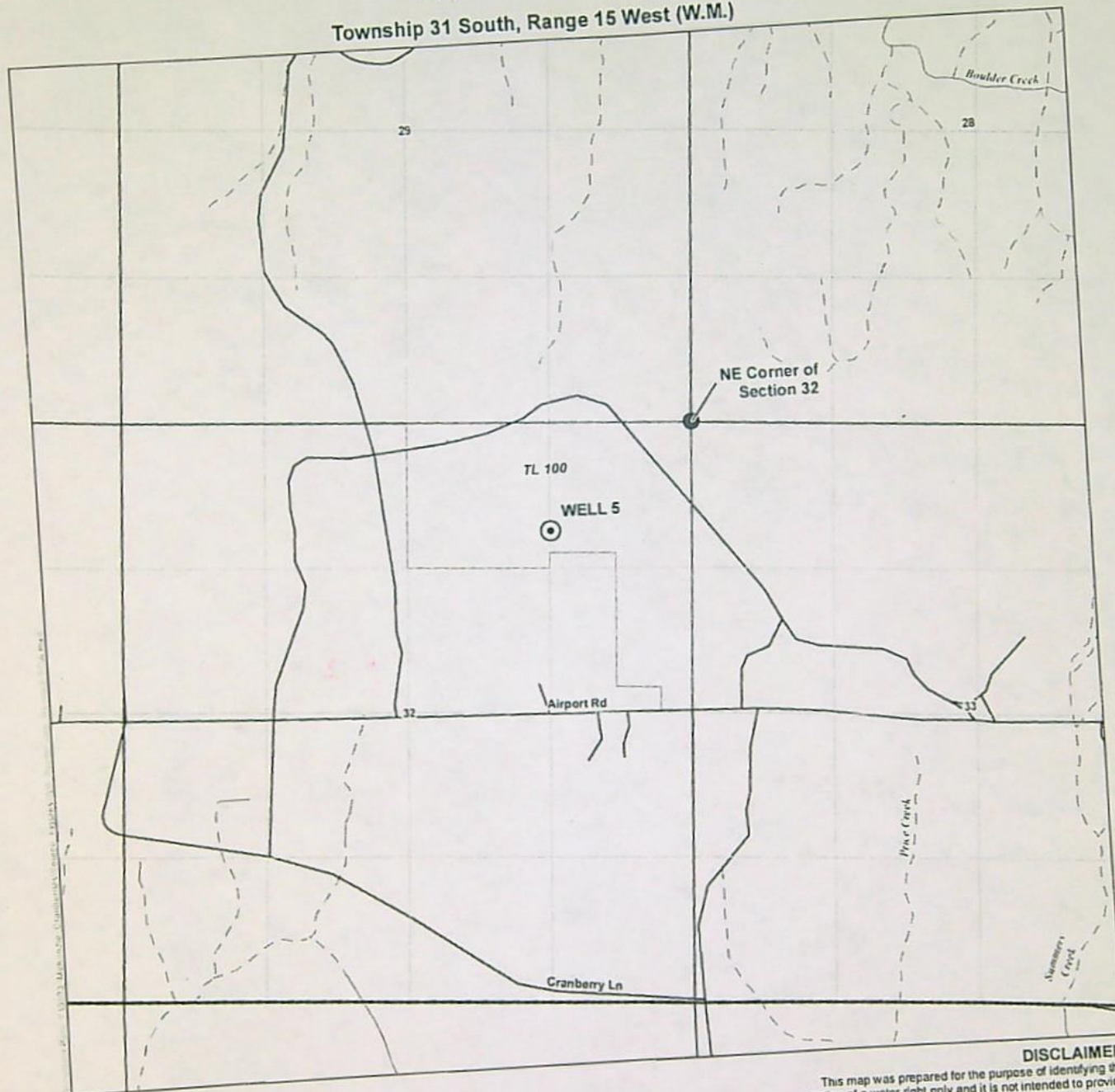
SHEET 1 OF 1

6-19-2018

Application for a Water Right Transfer in the Name of McKenzie Cranberry Revised Point of Appropriation Map

Application G-18768

Township 31 South, Range 15 West (W.M.)



LEGEND

- Proposed Point of Appropriation
- Tax Lot
- Railroad
- Road
- ~ Watercourse
- Waterbody

POA LOCATION DESCRIPTION

Point of Diversion
Located 990 feet South and 1300 feet West from the NE corner
of Section 32, Township 31 South, Range 15 West (W.M.)

DISCLAIMER
This map was prepared for the purpose of identifying the
location of a water right only and it is not intended to provide
legal dimensions or location of property ownership lines

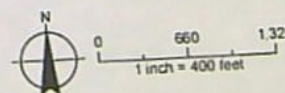
MAP NOTES

Date: May 7, 2020
Data Sources: BLM, ESRI, USGS, OGIC

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MAY 26 2020

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STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **139223**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: McKinzie Cranberries Inc.
BY: _____

APPLICATION _____
PERMIT _____
TRANSFER T-13792

CASH: ☐ CHECK: # 9156 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 216.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 216.00
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME _____ \$ _____

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **139223**

DATED: 9/29/12 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Attached is a check for \$216.00 Newspaper Notice for Permit Amendment T-13792

- made out to Oregon Water Resources Department (or OWRD)
- "for T-13792 NOTICE" written on front of check

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

Caseworker: cc

OWRD

SEP 27 2012

RECEIVED

RECEIVED

OCT 24 2022

OWRD

Affidavit of Publication

STATE OF OREGON

COUNTY OF CURRY } ss

I, Ruby Wagner being
first duly sworn, depose and say that I am the *Publisher*
of the Curry County Reporter, a newspaper of general
circulation, as defined by sections
193.010 and 193.020 O.R.S.; and published at
Gold Beach in the aforesaid county and state;

**Public Notice of Permit Amendment T-13792 filed by
McKenzie Cranberries, Inc.**

a copy of which is here annexed, was published in the entire
issue of said newspaper for two (2) successive and
consecutive weeks in the following issues:

October 12 & 19, 2022

Signed Ruby Wagner

By: Ruby Wagner- Assistant to Publisher

Subscribed and sworn to before me this

19th day of October, 2022

Christine Susanna Aiello
Notary Public of Oregon

(My Commission expires Aug 24th 2025)

Legal and Public Notice

Notice of Permit Amendment T 13792

T-13792 filed by McKenzie Cranberries, Inc., 92619 Airport Road, Sixes, OR 97476, proposes additional points of appropriation under Permit G-18543. The permit allows the use of 0.169 cubic foot per second from a well in Sec. 32, T31S, R15W, WM for cranberry operations in Sects. 29 and 32. The applicant proposes additional points of appropriation in Sects. 29 and 32, T31S, R15W, WM. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is October 19, 2022.

Published: October 12 & 19, 2022
in the Curry County Reporter, Curry County, Oregon.



OFFICIAL STAMP
CHRISTINE SUSANNA AIELLO
NOTARY PUBLIC-OREGON
COMMISSION NO. 1012899
MY COMMISSION EXPIRES MAY 24, 2025

Watermaster Review Form: Water Right Transfer



Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Transfer Application: T-13792

Review Due Date:

Applicant Name: McKenzie Cranberries, Inc.

Proposed Changes: ☐ POU ☐ POD ☒ POA ☐ USE ☒ OTHER

Reviewer(s): Scott Ceciliani

Date of Review: 07/26/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☒ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☐ No If "Yes", explain:

10. For POU or USE changes: ☒ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☐ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☒ N/A

a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☐ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☒ Yes ☐ No If "Yes", explain:

Division 9 review is not required for permit amendments adding additional points of appropriation (APOA). The original GW review for Permit G-18543, dated 20 August 2019, indicated that CURR 1433, CURR 1627, CURR 50232, and CURR 979 were hydraulically connected with Boulder Creek and an unnamed tributary to Floras Lake. According to the IR for Permit G-18543 and the water availability model, surface water is not available for further appropriation over the entire permitted season of use. Please refer to the IR dated 4 October 2019 and the GW review dated 20 August 2019 for Permit G-18543.

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☒ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☒ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

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/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

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.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install staff gages, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

<input type="checkbox"/> Weir	<input type="checkbox"/> Submerged Orifice
<input type="checkbox"/> Parshall Flume	<input type="checkbox"/> Flow Restrictor
<input type="checkbox"/> Other: _____	

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13792



In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will be required to be installed prior to diversion of water, as a condition of this transfer:



at each point of diversion/appropriation (new and existing) OR



at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Scott Ceciliani

District: 14

Address: 700 NW Dimmick Street

City/State/Zip: Grants Pass, OR 97526

Phone: 541-476-1288

Email: scott.c.ceciliani@water.oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device

T-

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

 Watermaster signature

 District

 Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13792

GW Reviewer Joe Kemper Date Review Completed: 12/7/2021

Summary of Same Source Review:

- ☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

- ☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

- ☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☐ Water Right Transfer
☒ Permit Amendment
☐ GR Modification
☐ Other

Application: T-13792

Applicant Name: McKenzie Cranberries Inc.

Proposed Changes: ☐ POA ☒ APOA ☐ SW→GW ☐ RA
☐ USE ☐ POU ☐ OTHER

Reviewer(s): Joe Kemper

Date of Review: 12/7/2021

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 2/1/22

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other: _____

1. Basic description of the changes proposed in this transfer: The applicant wishes to add four APOAs to the authorized POA in permit G-18543 (see table). Proposed Well 1 will replace CURR 1433 and be drilled immediately adjacent.

LOGID	Well No.	T-13972 POA	Location
Not Drilled	5	Authorized	990' S, 1300' W, fr NE cor S32
Proposed	1	Proposed	160' S, 1295' W fr NE cor S32
CURR 1627	2	Proposed	145' S, 1760' W fr NE cor S32
CURR 50232	3	Proposed	155' S, 2310' W fr NE cor S32
CURR 979	4	Proposed	650' N, 3150' W fr NE cor S32

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The three drilled APOAs access an aquifer hosted in unconsolidated sediment of the Pleistocene-aged Pioneer Terrace. The current POA (Well 5) is targeted to access the same aquifer based on proposed construction in the original water right application. The construction of the undrilled APOA (Well 1) is proposed be the same as Well 5 to access only the aquifer hosted in sediments of the Pioneer Terrace. Water level measurements in adjacent wells constructed in the target aquifer show some difference in water level elevations and seasonal trends. However, those are likely due to site scale topography and water use as opposed to any hydraulic separation between water bearing zones within the sediments that would be considered a separate source.
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No Comments: NA
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: Shifting groundwater pumpage from the current POA "Well 5" to the requested APOAs puts that use closer to several current groundwater rights including an undeveloped POA to the southwest under permit G-13032 on tax lot 1100 and a likely exempt well on tax lot 700 to the north. This change to permit G-18543 will increase any well-to-well interference at these wells.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: A Theis distance drawdown model is used to estimate the increase in well-to-well interference from the changes proposed here. The results below estimate that the maximum drawdown in the closest well would be less than ten feet after a full year of use. Considering intermittent use between wells and precipitation recharging, the actual well-to-well interference is likely to be less than this estimate.
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☒ Yes ☐ No Comments: The proposed changes would move groundwater production closer to several streams in the area. Because the distance between a pumping well and a stream is a key factor in stream depletion, these changes will increase interference with several streams (Barlow and Leake, 2012).
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
- Stream: Boulder Creek ☒ Minimal ☐ Significant
- Stream: Unnamed trib. to Floras Lake ☒ Minimal ☐ Significant

Provide context for minimal/significant impact: The Hunt (1999) model is used to estimate the increase in stream depletion that results from moving groundwater pumpage from Well 5 (5350 feet from Boulder Creek) to CURR 1433 (4750 feet from Boulder Creek). The increase in stream depletion is less than 5% over the course of a year of pumping.

The Hunt (1999) model is used to estimate the increase in stream depletion that results from moving groundwater pumpage from Well 5 (5450 feet from the unnamed tributary to Floras Lake) to CURR 979 (3600 feet from the unnamed tributary to Floras Lake). The increase in stream depletion is approximately 5-10% over the course of a year of pumping.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
☐ Yes ☐ No Comments: NA
7. What conditions or other changes in the application are necessary to address any potential issues identified above: All wells on the resulting permit shall be constructed to access only the aquifer hosted by the sediments of the Pioneer Terrace.
8. Any additional comments:

References

Hunt, B. 1999. Unsteady Stream Depletion from Ground Water Pumping. Journal of Hydrologic Engineering, Vol 8(1), pp 12-19

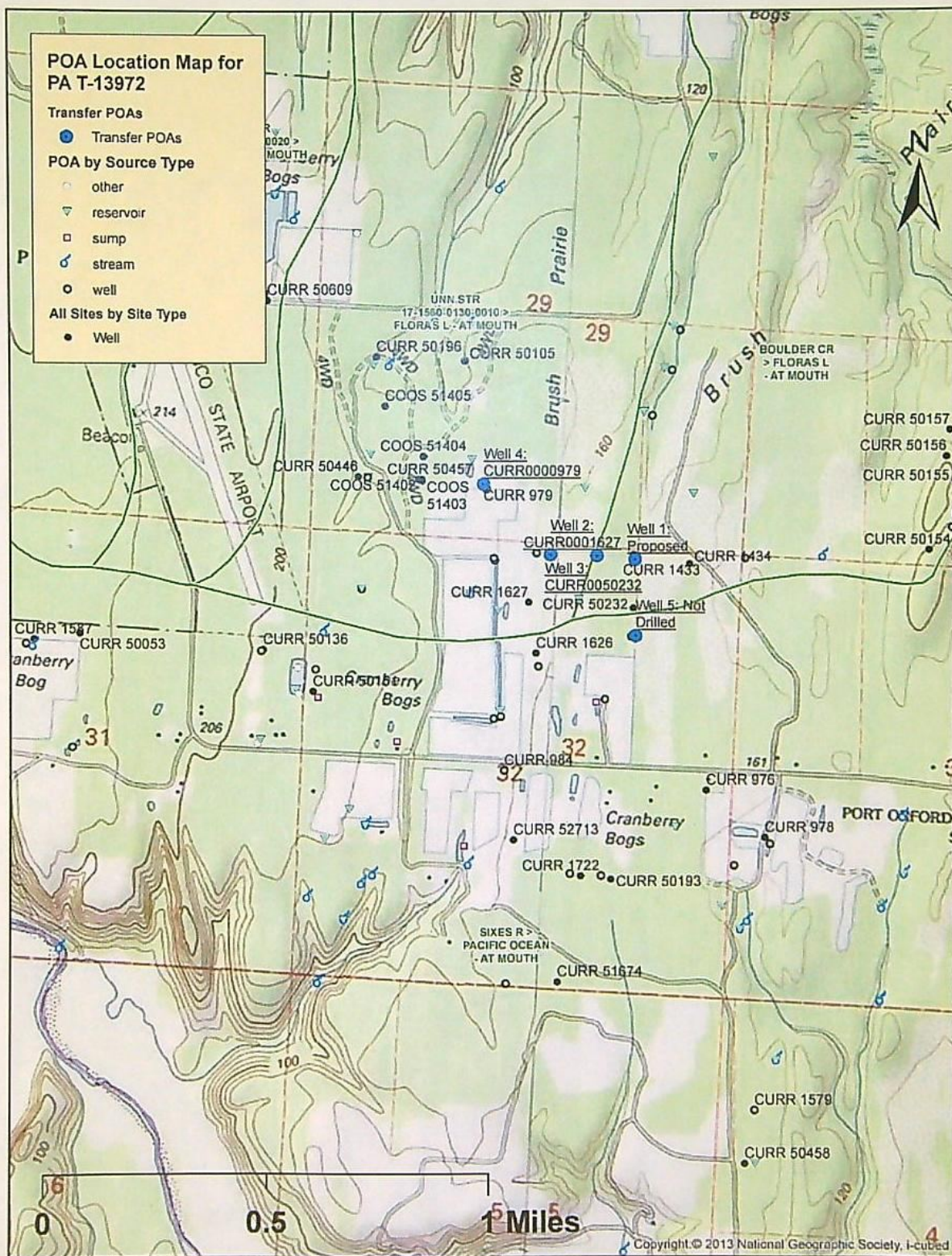
OWRD Groundwater Site Information System Database – Accessed 11/10/2021.

Theis, C. V., 1935, Relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using ground-water storage : Am. Geophys. Union Trans., pt. 2, p. 519-524 ; dupl. as U.S . Geol. Survey Ground Water Note 5, 1952

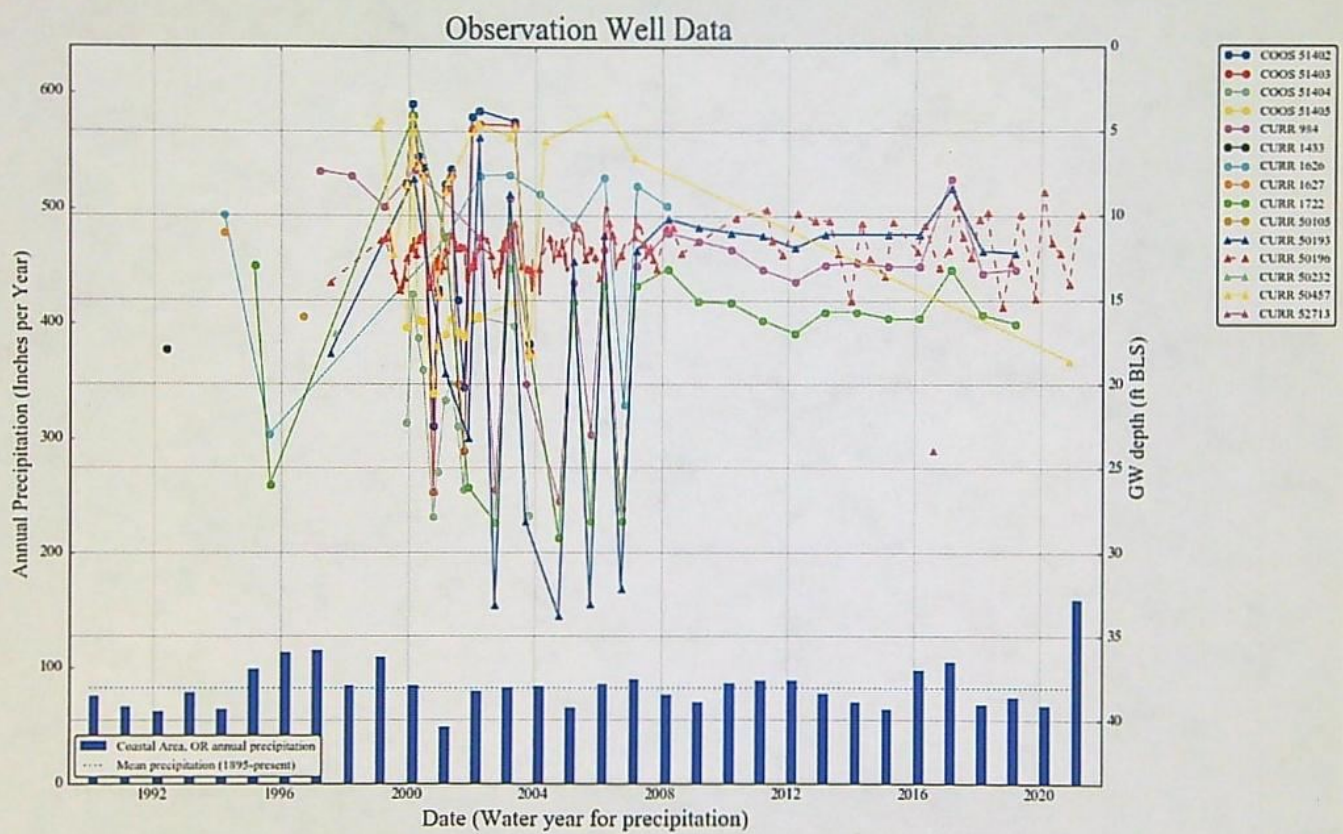
Wiley, T., McClaughry, J., Ma, L., Mickelson, K., Niewendorp, C., Stimely, L., Rivas, J. (2014). Geologic map of the southern Oregon coast between Port Orford and Bandon, Curry and Coos Counties, Oregon (No. O-14-01). DOGAMI.

Golder Associates Inc. 2004. *Phase Two Groundwater Resources Study, Bandon, OR*. For Bandon Cranberry Water Control District.

Well Location Map

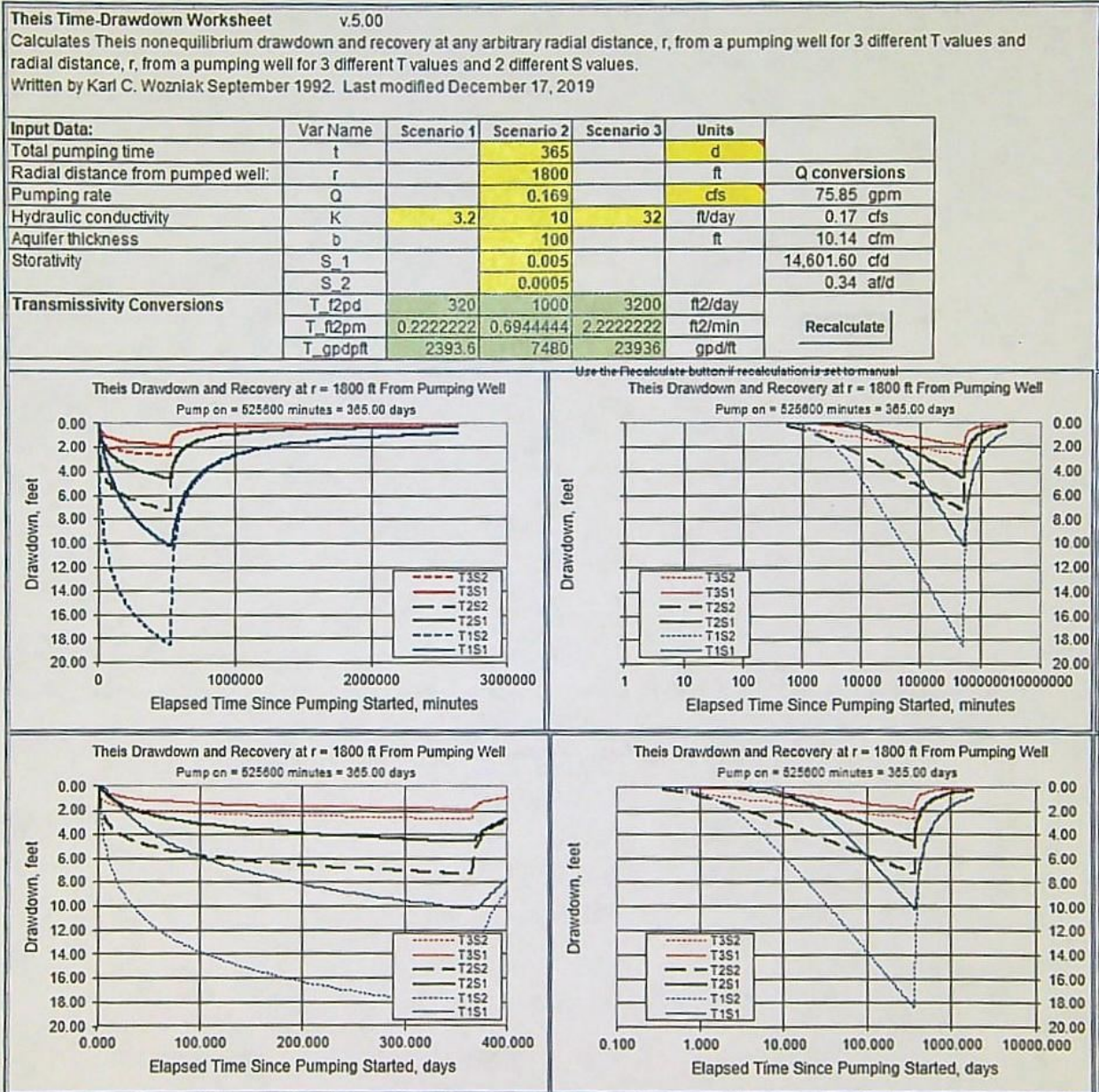


Water Levels in Adjacent Wells



Theis Distance Drawdown Modeling

Q = permitted rate of 0.169 cfs, r = distance between APOA Well 4 and closest POA under permit G-13029, aquifer parameter range is based on expected values for unconsolidated sands/silts and well tests conducted by Golder and Associates (2004).

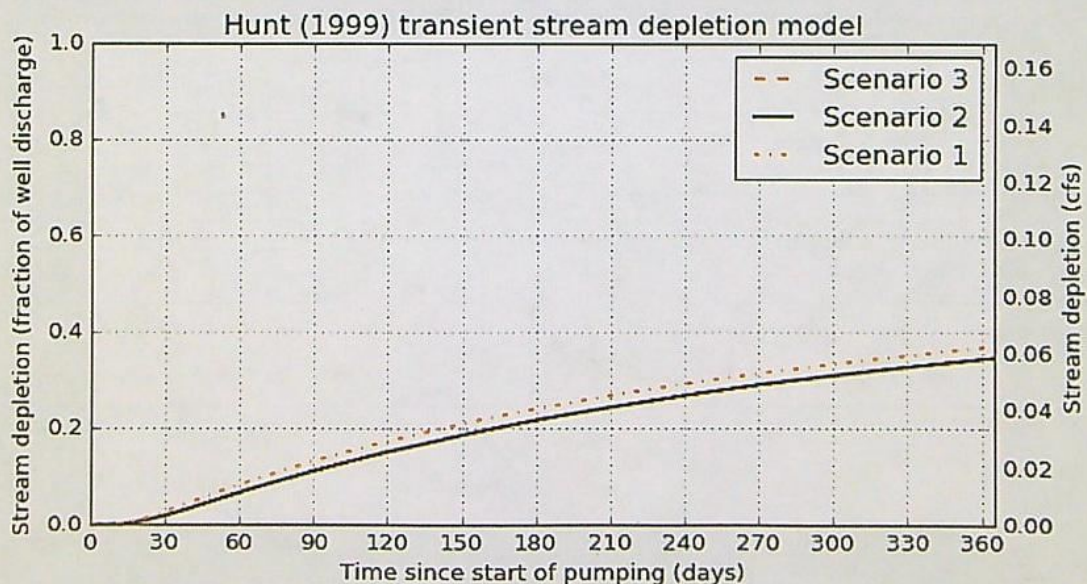


Stream Depletion Modeling (Hunt, 1999)

Application type:	T
Application number:	13792
Well number:	5 to 1
Stream Number:	Boulder Ck
Pumping rate (cfs):	0.169
Pumping duration (days):	365
Pumping start month number (3=March)	1

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	4750	5350	5350	ft
Aquifer transmissivity	T	1000	1000	1000	ft ² /day
Aquifer storativity	S	0.005	0.005	0.005	-
Aquitard vertical hydraulic conductivity	Kva	0.05	0.05	0.05	ft/day
Not used		1	1	1	
Aquitard thickness below stream	babs	5	5	5	ft
Not used		1	1	1	
Stream width	ws	25	25	25	ft

Stream depletion for Scenario 2:													
Days	10	30	60	90	120	150	180	210	240	270	300	330	360
Depletion (%)	0	2	7	11	15	19	22	24	27	29	31	33	35
Depletion (cfs)	0.00	0.00	0.01	0.02	0.03	0.03	0.04	0.04	0.05	0.05	0.05	0.06	0.06

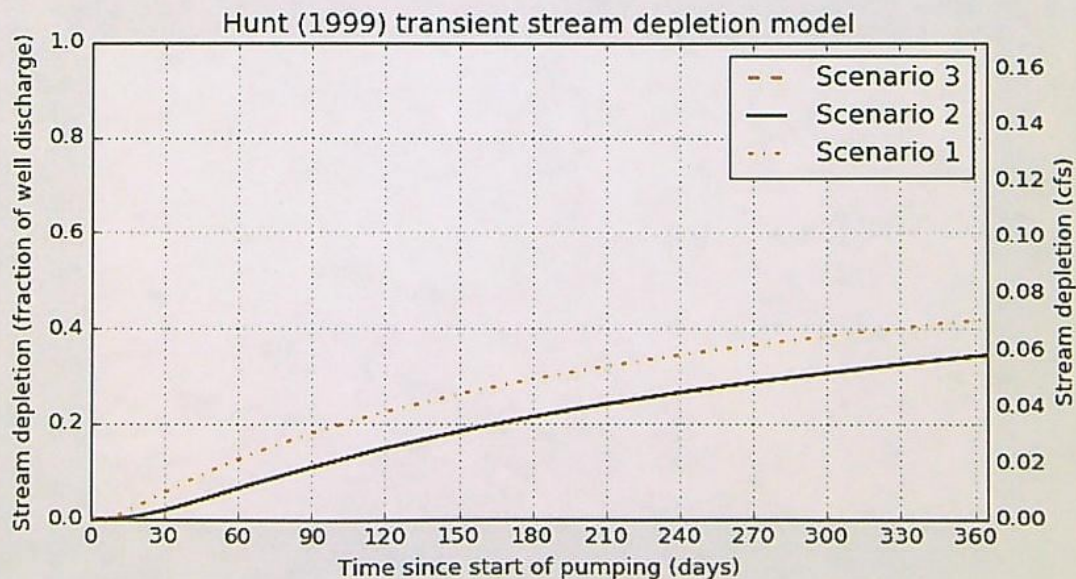


Application type:	T
Application number:	13792
Well number:	5 to 4
Stream Number:	Unnam Trib
Pumping rate (cfs):	0.169
Pumping duration (days):	365
Pumping start month number (3=March)	1

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	3600	5450	5450	ft
Aquifer transmissivity	T	1000	1000	1000	ft ² /day
Aquifer storativity	S	0.005	0.005	0.005	-
Aquitard vertical hydraulic conductivity	Kva	0.05	0.05	0.05	ft/day
Not used		1	1	1	
Aquitard thickness below stream	babs	5	5	5	ft
Not used		1	1	1	
Stream width	ws	25	25	25	ft

Stream depletion for Scenario 2:

Days	10	30	60	90	120	150	180	210	240	270	300	330	360
Depletion (%)	0	2	6	11	15	18	21	24	26	29	31	32	34
Depletion (cfs)	0.00	0.00	0.01	0.02	0.03	0.03	0.04	0.04	0.04	0.05	0.05	0.05	0.06





Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 1, 2021

MCKENZIE CRANBERRIES INC.

92619 AIRPORT RD

SIXES, OR 97476

Reference: Application T-13792

On August 16, 2021, OWRD received your water right Permit Amendment Application. The application was accompanied by \$3070.00. Our receipt number 136174 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the application has been issued by the Department.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0815.

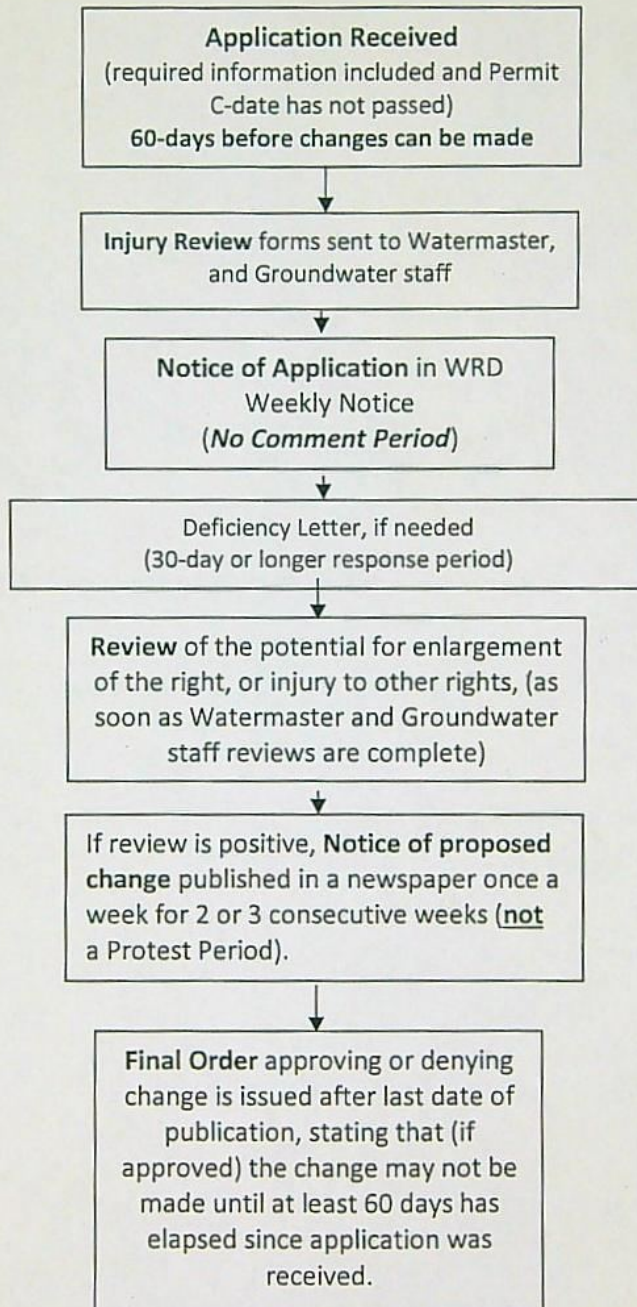
Cc: Watermaster Dist. #14, Scott C. Ceciliani (via email)
Owen McMurtrey, Agent
Curry County Planning Department

Enclosure

Permit Amendment Process

ORS 537.211

Changes: POD/POA, Place of Use



STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 136174

INVOICE # _____

RECEIVED FROM: GSI Water Solutions, Inc.

BY: _____

CASH: ☐ CHECK: # 23174 OTHER: (IDENTIFY) _____APPLICATION
PERMIT
TRANSFER T-13792TOTAL REC'D \$ 3070.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) _____ \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ _____ 0202 RECORD FEE \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 3070.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 LICENSE FEE \$ _____

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____ 0220 \$ _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____

0231 HYDRO LICENSE FEE (FW/WRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: 136174

DATED: 8-16-2021 BY: Mindy Carlson

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

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OWRD
725 Summer St. NE Suite A
Salem, OR 97301-1371

For McKenzie Permit Amendment

\$ 3070.00

8-9-2021



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. 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-18543 (Attachment A)
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). **See Attachment B**
- ☐ ☒ 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. **See Attachment C**
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **See Attachment D**
- ☐ ☒ 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: ____/____/____

18792

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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30x30

- ☐ ☒ 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: <input 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>		2	\$0
2	Multiply line 2b by \$1090 and enter »	2	\$0
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>		3	\$0
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? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$1230 (4b)</u> Add line 4a to line 4b and enter »		4	\$1,710
Do you propose to change the place of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> 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	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$3070
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		7	\$0
8	Subtract line 7 from line 6 » Permit Amendment Fee:	8	\$3,070

*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

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APPLICANT/BUSINESS NAME McKenzie Cranberries, Inc.		PHONE NO. (541) 670-1441	ADDITIONAL CONTACT NO.
ADDRESS 92619 Airport Road		FAX NO.	
CITY Sixes	STATE OR	ZIP 97476	E-MAIL RMCK101@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 GSI Water Solutions, Inc. ATTN: Owen McMurtrey		PHONE NO. 541 257 9005	ADDITIONAL CONTACT NO.
ADDRESS 1600 SW Western Boulevard, Suite 240		FAX NO.	
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL omcmurtrey@gsiws.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:
The applicant proposes to add additional points of appropriation to permit G-18543 to increase flexibility in the location of the point of appropriation and to reduce the reliance on a single well.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment I".

☐ 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)? 2/12/2026

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: Port Orford News.

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


Applicant Signature

Robert McKenzie, President
Print Name (and Title if applicable)

07-26-21
Date

Applicant Signature

Print Name (and Title if applicable)

Date

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	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	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 Curry County	ADDRESS 94235 Moore St., Suite 113	
CITY Gold Beach	STATE OR	ZIP 97444

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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-18543

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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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	31 S	15 W	32	NE NE	100	990 feet South and 1300 feet West from the NE Corner of Section 32.
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CURR 1433	31 S	15 W	32	NW NE	100	160 feet South and 1300 feet West from the NW Corner of Section 32.
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CURR 50232	31 S	15 W	32	NW NE	100	145 feet South and 1760 feet West from the NE Corner of Section 32.
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CURR 1627	31 S	15 W	32	NW NE	100	155 feet South and 2310 feet West from the NE Corner of Section 32.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CURR 979	31 S	15 W	29	SE SW	4002	650 feet North and 3150 feet West from the NE Corner of Section 32.

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

- | | |
|---|--|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" 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: N/A

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-18543

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(s) (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(s) (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					
									APOA	31	S	15	W 29 SW SE			19.0	WELL 1 WELL 2 WELL 3 WELL 4 WELL 5	12/6/2018				
									APOA	31	S	15	W 29 SE SE			5.0						
									APOA	31	S	15	W 32 NE NE			33.0						
									APOA	31	S	15	W 32 NW NE			33.0						
									APOA													
TOTAL ACRES										TOTAL ACRES						90.0						

Additional remarks: The applicant proposes to add additional points of appropriation to Permit G-18543 to increase flexibility in the location of the point of appropriation and to reduce the reliance on a single well. The applicant does not propose to change the place of use.

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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: Permit S-53011 also authorizes the use of water from an unnamed stream and seven reservoirs constructed under Permit R-12114 for cranberry operations.

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)

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Well logs for Wells 1-4 included in Attachment D.

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.

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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
Well 5	No	N/A	104 ft	10 in. 6 in.	0-20 20-104	0-20 ft	84-94 94-99 99-104	17 ft	Sediments of the Pioneer Terrace	N/A

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Attachment A

Permit G-18543

Application for a Permit Amendment – McKenzie Cranberries, Inc.

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

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THIS PERMIT IS HEREBY ISSUED TO

MCKENZIE CRANBERRIES INC.
92619 AIRPORT RD
SIXES OR 97476

ROBERT MCKENZIE
PO BOX 1362
PORT ORFORD OR 97465

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-18768

SOURCE OF WATER: WELL 5 IN SIXES RIVER BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 90.0 ACRES

MAXIMUM RATE: 0.169 CUBIC FEET PER SECOND

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: DECEMBER 6, 2018

AUTHORIZED POINT OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	32	NE NE	990 FEET SOUTH AND 1300 FEET WEST FROM NE CORNER, SECTION 32

The amount of water diverted for cranberry operations, together with amounts secured under any other rights existing for the same lands, shall not exceed a maximum of 3.0 acre feet per acre, and is further limited as follows: for temperature control, 0.15 cubic foot per second per acre; for flood harvesting or pest control, 0.05 cubic foot per second per acre; for irrigation of cranberries, ONE FORTIETH of one cubic foot per second and 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year. For irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	15 W	WM	29	SW SE	19.0
31 S	15 W	WM	29	SE SE	5.0
31 S	15 W	WM	32	NE NE	33.0
31 S	15 W	WM	32	NW NE	33.0

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1. Water Use Measurement, Recording, and Reporting Condition:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Static Water Level Condition:

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place**Initial and Annual Measurements**

The Department requires the permittee to report an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun**Seven Consecutive Annual Measurements**

Following the first year of water use, the user shall report seven consecutive annual static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require the user to obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by

the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

3. Well Identification Tag Condition:

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 tag), which shall be permanently attached to the well. 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.

STANDARD CONDITIONS

- 1. 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.

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2. 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.
3. If substantial interference with surface water or a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.
5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
6. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
7. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. 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.
9. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

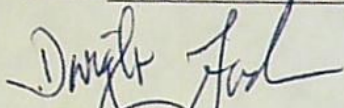
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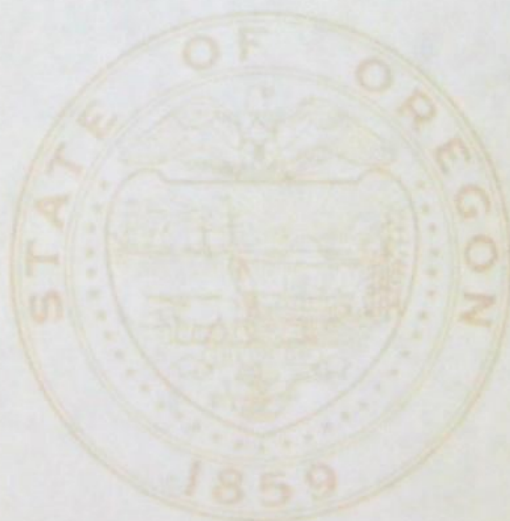
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11. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued FEB 12 2021



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



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Attachment B

Application Map

Application for a Permit Amendment – McKenzie Cranberries, Inc.

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Attachment D

Well Logs CURR 1433, CURR 50232, CURR 1627 and CURR 979

Application for a Permit Amendment – McKenzie Cranberries, Inc.

137 92

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

WATER RESOURCES DEPT.

(START CARD) # 33107

(1) OWNER:

Name Robert McKenzie
Address 92819 Airport Rd
City Siles State OR Zip 97476

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 60 ft.
Explosives used Yes ☐ No ☒ Type Amount

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
9	0 20	Cement	20 0		
6 1/2	20 60				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other

Backfill placed from 20 ft. to 60 ft. Material pea gravel

Gravel placed from 20 ft. to 60 ft. Size of gravel pea gravel

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	4 1/2	12	40	SDR26	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☐ Perforations
☒ Screens

Method Hydrophilic Material plastic
Type

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
40	60	10/10			4 1/2	<input type="checkbox"/>	<input type="checkbox"/>

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

☒ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
30	5'		1 hr.

Temperature of water 52° Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County Curry Latitude Longitude
Township 31 North Range 15 East or West
Section 32 NE 1/4 NE 1/4
Tax Lot 100 Lot Block Subdivision
Street Address of Well (or nearest address) Airport Rd

(10) STATIC WATER LEVEL:

18 ft. below land surface. Date 6/4/92
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWI
38	60	30 gpm	1'

(12) WELL LOG:

Material	From	To	SWI
Brown sandy clay	0	8	
Brown Fine sand	8	24	
Blue Fine sand	24	38	
Blue coarse sand	38	60	18

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Date started 6/4/92 Completed 6/5/92

(unbonded) Water Well Constructor Certification:

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

Signed 137-92 WWC Number
Date

(bonded) Water Well Constructor Certification:

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

Signed Don Murray WWC Number 138
Date 8/28/92



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August 12, 2021

Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Permit Amendment Application for Permit G-18543 in the name of the McKenzie Cranberries, Inc.

Dear Mr. Starnes:

GSI Water Solutions, Inc. (GSI) is submitting the enclosed permit amendment application on behalf of the McKenzie Cranberries, Inc. (applicant). Permit G-18543 authorizes the use of 0.169 cfs for cranberry operations on 90.0 acres. The applicant is proposing to add four additional authorized points of appropriation to Permit G-18543.

The Permit Amendment Application and a check in the amount of \$3,070.00 for the application fee are enclosed. If you have any questions regarding this application, you may reach me at 541-257-9005.

Sincerely,

A handwritten signature in black ink that reads "Owen McMurtrey". The signature is written in a cursive, flowing style.

Owen McMurtrey
Project Water Resources Consultant

CC: Robert McKenzie, McKenzie Cranberries, Inc.

Enclosures: Permit Amendment Application
Check in the amount of \$3,070

13792

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

APR 19 1994

WATER RESOURCES DEPT.

SALEM, OREGON

(START CARD) # 63539

Instructions for completing this report are on the last page of this form.

(1) OWNER:

Well Number

Name McKenzie Cranberries Inc.
Address 92619 Airport Road
City Sixes State Or Zip 97476

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

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

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 100 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE

SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
14"	0	100	Cement	0	20	12

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

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from 99 ft. to 20 ft. Size of gravel 1/4"

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
8"	+1	69	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8"	89	99	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Liner:

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____
☒ Screens Type Stainless Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
69'	89'	1200	8"x20"			<input type="checkbox"/>	<input type="checkbox"/>

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing
Yield gal/min _____ Drawdown _____ Drill stem at _____ Time _____
20 _____ 94 1 hr.

Temperature of water 50 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Curry Latitude _____ Longitude _____
Township 31S N or S Range 15W E or W. WM. _____
Section 32 1/4 1/4
Tax Lot 100 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 92619 Airport Road

(10) STATIC WATER LEVEL:

11 ft. below land surface. Date 3/16/94
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 44'

From	To	Estimated Flow Rate	SWL
44'	100'	20	11

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Blow Sand & Clay	0	18	
Brown Hardpan	18	20	
Blow Sand & Clay	20	44	
Black Sand	44	100	11xx
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OWRD			
8" Casing from +1 to 69' -	8"x20'	x1200	slot
Stainless well screen from	69'	to 89'	
8" Casing from 89' to 99'			
Gravel pack from 99' to 20' -	1/4"	Gravel	
Approx. 5 yd.			
137 92			

Date started 3/25/94 Completed 3/26/94

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, 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.

Signed G. L. Meyer Well Drilling WWC Number 709
Date 4/16/94

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, 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.

Signed G. L. Meyer Well Drilling WWC Number 709
Date 4/16/94

WATER WELL REPORT

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion

000979
CURR

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 315/15W-32hd

State Permit No.

(1) OWNER:

Name Bob McKenzie

Address Box 187

Port Orford Ore 97465

(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 ☐
Jettied ☐
Bored ☐

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

8" Diam. from 0 ft. to 25'-2" ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☒ Yes ☐ No

Manufacturer's Name Johnson

Type Stainless steel Model No. telescope

Diam. 8 Slot size .050 Set from 24'-3" ft. to 30'-4" ft.

Diam. 8 Slot size .010 Set from 30'-4" ft. to 35'-4" ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

" " " "

" " " "

Barrier test 30 gal./min. with 5 ft. drawdown after 1 hrs.

Artesian flow g.p.m.

Temperature of water 52 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement

Well sealed from land surface to 18

Diameter of well bore to bottom of seal 12 in.

Diameter of well bore below seal 8 in.

Number of sacks of cement used in well seal 12 sacks

How was cement grout placed? Pumped via tremie pipe

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 Curry Driller's well number

SE 1/4 NW 1/4 Section 32 T. 31R. 15W W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 18 ft.

Static level 9'-6" ft. below land surface. Date 4-7-80

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 0

Depth drilled 73 ft. Depth of completed well 35 1/2 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
Sandy soil brown	0	4	
Sand medium tan	4	14	
Clay dark brown with wood	14	18	
Gravel fine blue	18	30 1/2	
Sand medium brown	30 1/2	38	
Sand very fine brown	38	50	
Silt blue	50	64	
Silt with shell blue	64	67	
Claystone gray	67	--	

Back filled from 35 to 67 feet with clean pea gravel, before setting sand screen.

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APR 15 1980

WATER RESOURCES DEPT
SALEM, OREGON

Work started 4-2 1980 Completed 4-7 1980

Date well drilling machine moved off of well 4-7 1980

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] Drilling Machine Operator Date 4-9 1980

Drilling Machine Operator's License No. 469

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 Bill Miller Well Drilling

(Person, firm or corporation) (Type or print)

Address Route 1, Box 1115 Bandon, Ore 97411

[Signed] Water Well Contractor

(Water Well Contractor)

Contractor's License No. 600 Date 4-9 1980

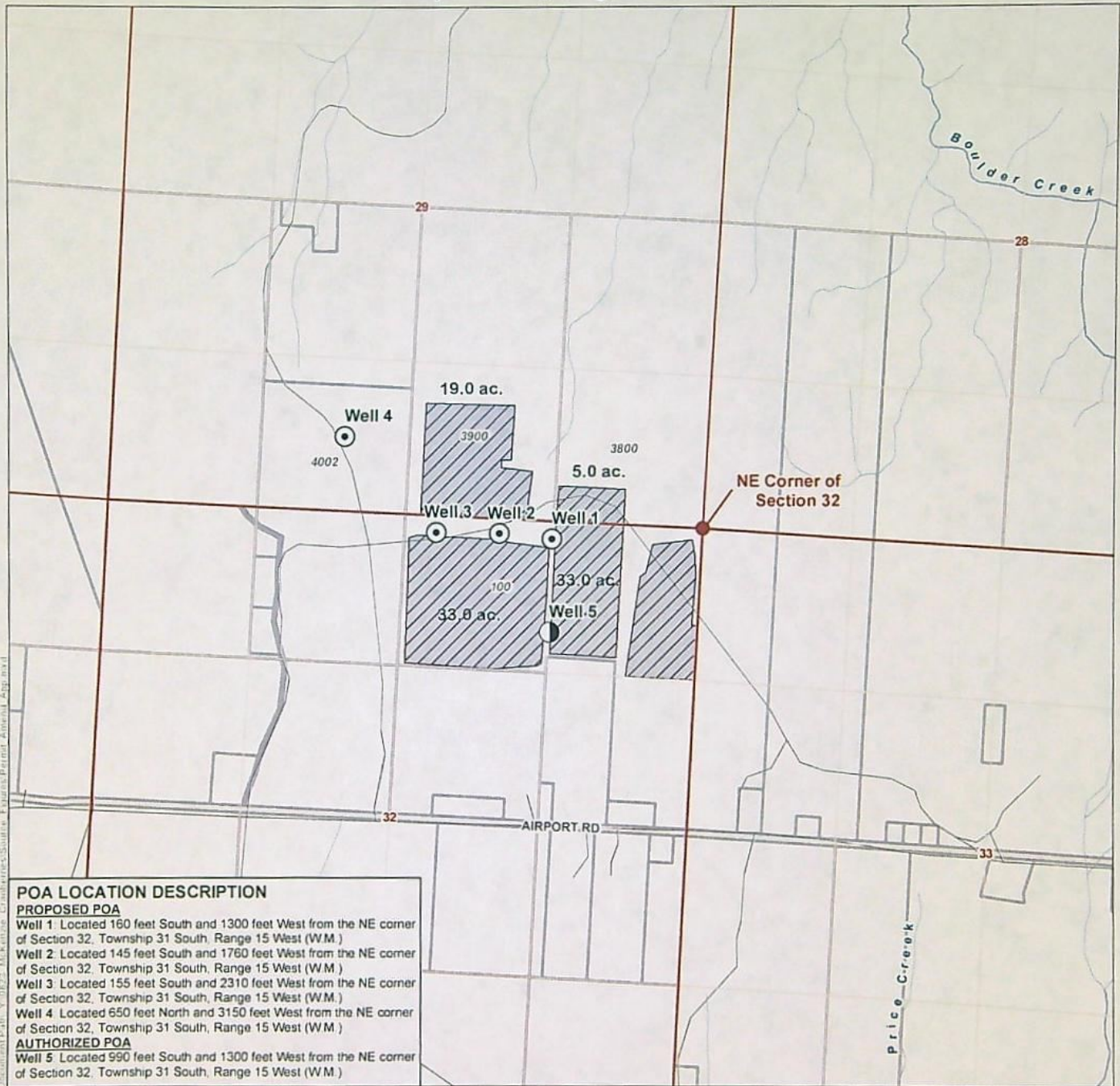
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Permit Amendment Application Permit G-18543 Authorized Place of Use and Authorized and Proposed Points of Appropriation

Curry County
Township 31 South, Range 15 West (W.M.)



LEGEND

- Proposed Point of Appropriation (POA)
- Authorized Point of Appropriation (POA)
- ▨ Place of Use (POU)
- Tax Lot
- Road
- Watercourse

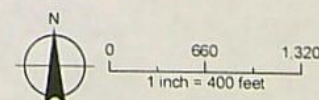
DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

MAP NOTES

Date: June 30, 2021
Data Sources: BLM, ESRI, USGS, OGIC, OWRD, Curry Co.

13792



Permit Amendment Application Checklist

Checked by Joan

Date 8/18/21

App # G-18768

Permit # G-18543

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? _____

- ☒ 3. Are fees included and correct? Fee Paid: 3070.22

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?

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.

T-13792

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Attachment C

Land Use Information Form

Application for a Permit Amendment – McKenzie Cranberries, Inc.

Land Use Information Form



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

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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.

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Land Use Information Form

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

21-000188

Applicant(s): McKenzie Cranberries, Inc.

Mailing Address: 92619 Airport Road

OWRD

City: Sixes

State: OR

Zip Code: 97476

Daytime Phone: 541-670-1441

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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>See Attached Map</u>					<u>AFD</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Agriculture</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Curry 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: 0.169 ☒ 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 Cranberry Operations

Briefly describe:

The applicant proposes to add four existing wells as points of appropriation to Permit G-18543.

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): PARCELS ARE ZONED AFD (AGRICULTURE). CRANBERRY BOGS ARE ALLOWED OUTRIGHT PER SECTION 3.060 OF CURRY CO. ZONING ORD.
- ☐ 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	AUG 16 2021	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> 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.

Name: Becky Crockett Title: Planning Director
 Signature: Becky Crockett Phone: (541) 247-3228 Date: July 21, 2021
 Government Entity: CURRY COUNTY, OR

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: _____

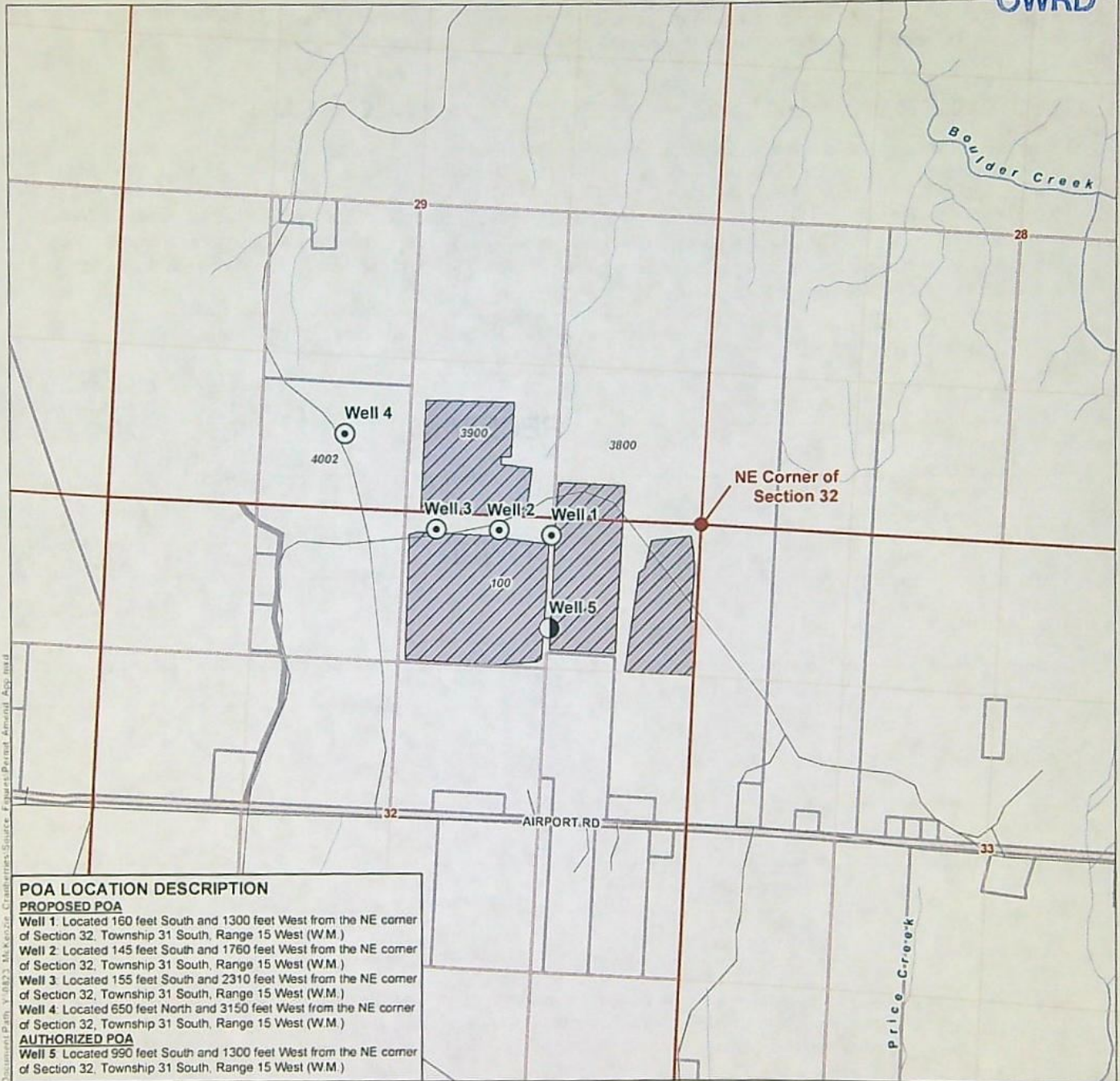
Permit Amendment Application Permit G-18543
Authorized Place of Use and Authorized and
Proposed Points of Appropriation

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Curry County
Township 31 South, Range 15 West (W.M.)

OWRD



LEGEND

- Proposed Point of Appropriation (POA)
- Authorized Point of Appropriation (POA)
- ▨ Place of Use (POU)
- Tax Lot
- Road
- ~ Watercourse

DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

MAP NOTES

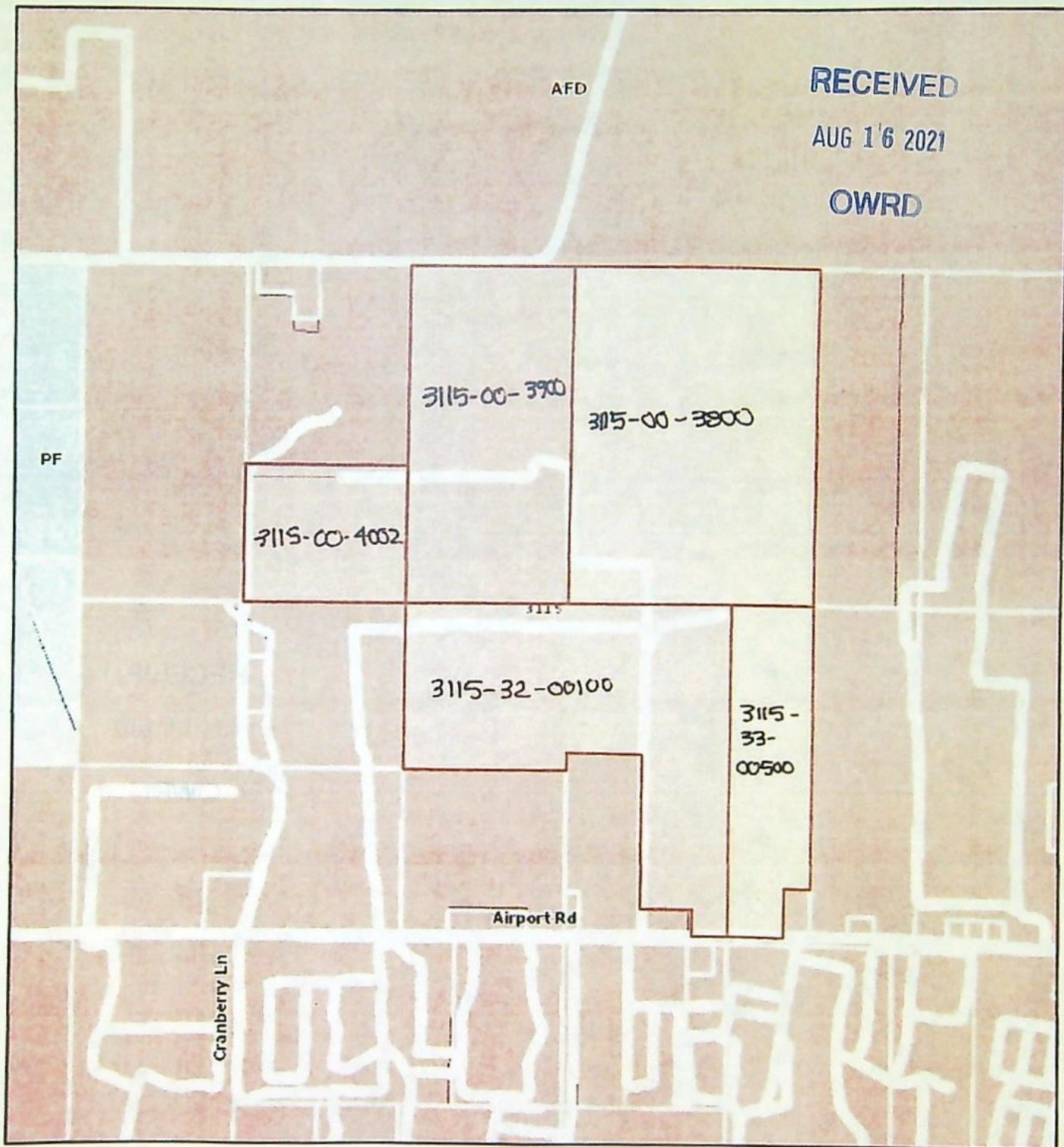
Date: June 30, 2021
Data Sources: BLM, ESRI, USGS, OGIC,
OWRD, Curry Co



0 660 1,320
1 inch = 400 feet



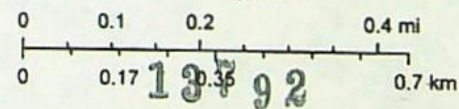
Curry County Web Map



7/21/2021, 2:26:34 PM

1:18,056

- | | | |
|------------------------------|-----------------------|---------------|
| World Imagery | Highways (1) | County Zoning |
| Low Resolution 15m Imagery | All Roads | AFD |
| High Resolution 60cm Imagery | Parcels | C-1 |
| High Resolution 30cm Imagery | Townships | C-2 |
| Citations | City Limits | CON |
| 4.8m Resolution Metadata | Urban Growth Boundary | EFU |
| Override 1 | Counties | FG |



Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri HERE, Garmin, USGS, METVNSA, EPA, USDA, Maxar

Created by LCOG for Curry County

The information on this map was derived from digital databases from the Curry County regional geographic information system by LCOG. Care was taken in the creation of this map, but is not



Transaction Receipt
Record ID: 221-21-000188-PLNG
IVR Number: 221026739423

Curry County Planning Department

94235 Moore St., STE 113
Gold Beach, OR 97444
541-247-3284
Fax: 541-247-4579
planning@co.curry.or.us

Receipt Number: 30502

Receipt Date: 7/21/21

www.co.curry.or.us

Worksite address: 93031 AIRPORT RD, SIXES, OR 97476

Parcel: 311500 0380000

Fees Paid					
Transaction date	Units	Description	Account code	Fee amount	Paid amount
7/21/21	1.00 Ea	State/Federal Agency Permit Review (LUCS)	1.10-419-10-341.30-000-00	\$100.00	\$100.00

Payment Method: Check number: 4987	Payer: MCKENZIE, ROBERT & GLORIA	Payment Amount:	\$100.00
------------------------------------	----------------------------------	-----------------	----------

Cashier: Penny Hudgens

Receipt Total: \$100.00

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