

## Permit Amendment

RA

Name Wilber & Sons, LLCAddress 77 W. Adams St  
Burns, OR 97720Change in POA APOADate Filed 11-19-2021Initial notice date 12-7-2021

DPD issued date \_\_\_\_\_

PD issued date \_\_\_\_\_

PD notice date \_\_\_\_\_

Date of FO 6/15/2022 Vol 125 Page 2410-48

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT(S)

Name of Stream A WellTrib. of Malheur RiverUse Irrigation; Supplemental IR County Harney

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# G-17048 Per # G-110425 Cert # \_\_\_\_\_ PR Date 5/1/2008

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 \_\_\_\_\_

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 \_\_\_\_\_

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 \_\_\_\_\_

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 \_\_\_\_\_

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 \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt #
11-19-2021	\$2660.00	136916
11-19-2021	\$125.00	136907
1-31-2022	\$1288.76	137375

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: \_\_\_\_\_

Irrigation District Drewsy Reclamation CompanyAgent John Short; Water Right Services LLC - johnshort@usa.com

CWRE \_\_\_\_\_

CC's list Harney 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

June 15, 2022

WILBER & SONS LLC  
77 W ADAMS ST  
BURNS, OR 97720

REFERENCE: Permit Amendment Application T-13868

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 transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at [Scott.A.Grew@oregon.gov](mailto:Scott.A.Grew@oregon.gov).

Sincerely,

Julie C. Baustian

Water Rights Services Support  
Transfers and Conservation Section

cc: J R. Johnson, Watermaster Dist. # 10 (via email)  
Harney County  
Drewsey Reclamation Company  
John A. Short, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Permit Amendment	)	FINAL ORDER APPROVING A CHANGE IN
T-13868, Harney County	)	POINT OF APPROPRIATION AND FOR
	)	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**

WILBER & SONS LLC  
77 W ADAMS ST  
BURNS, OR 97720

**Findings of Fact**

1. On November 19, 2021, WILBER & SONS LLC filed an application to change the point of appropriation and for additional points of appropriation under Permit G-16425. The Department assigned the application number T-13868.
2. On November 29, 2021, the Department approved an assignment of the permit from Wilbur Brothers to Wilbur and Sons LLC.
3. On August 9, 2019, the Department approved an extension of time for complete application of water to October 1, 2023.
4. Notice of the application for the permit amendment was published in the Department's weekly notice on December 7, 2021, and in the Burns Times Herald newspaper on May 18 and 25, 2022, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

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.

5. Permit Amendment Application T-13868 proposes additional points of appropriation and to move the authorized point of appropriation (WELL 1A) to:

Type of change	Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Well
POA	20 S	35 E	WM	25	NE NE	WELL #1 P - 390 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF SECTION 25	140 feet
APOA	20 S	36 E	WM	30	SE SW	WELL #3 - 1240 FEET NORTH AND 820 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 30	0.77 mile
APOA	20 S	36 E	WM	31	SW SE	WELL # 2 - 1310 FEET NORTH AND 270 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 31	1.75 mile

#### **Permit Amendment Review Criteria**

6. The changes would not result in injury to other water rights.
7. The changes do not enlarge the permit.
8. The changes do not alter any other terms of the permit.

#### **Conclusions of Law**

The change in point of appropriation and additional points of appropriation proposed by Permit Amendment Application T-13868 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in point of appropriation and additional points of appropriation proposed by Permit Amendment Application T-13868 are approved.
2. Permit G-18795, in the name of Wilber & Sons, LLC, is issued to replace Permit G-16425, and incorporates the amendments approved by this order, the extension of time, and the assignment. Permit G-16425, in the name of Wilber Brothers, as assigned to Wilber & Sons, LLC, is no longer of any force or effect.
3. The quantity of water diverted at the new point of appropriation (WELL 1P), shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL 1A)
4. The combined quantity of water diverted at the proposed additional points of appropriation (Wells 2 and 3), together with that diverted at the old point of appropriation (Well 1 P), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1 A).

5. Water use measurement conditions:

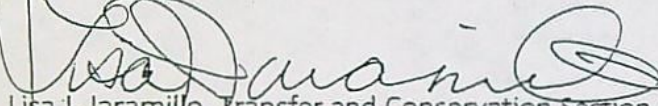
- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
- b. The water user shall maintain the meters or measuring devices in good working order.
- 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.

6. Water shall be acquired from the same aquifer as the original point of appropriation (Well 1 A).

7. All other terms and conditions of Permit G-18795 remain the same.

Dated in Salem, Oregon on

JUN 15 2022



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

Mailing Date:

JUN 16 2022

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILBER & SONS LLC  
77 W ADAMS ST  
BURNS, OR 97720

This superseding permit is issued to describe an amendment for a change in point of appropriation and additional points of appropriation proposed under Permit Amendment Application T-13868 and approved by Special Order Vol. 125, Page 240 entered June 15, 2022, and to describe an extension of time for complete application of water approved August 9, 2019, and an assignment to a new permittee approved November 30, 2021. This permit supersedes Permit G-16425

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

APPLICATION FILE NUMBER: G-17048

SOURCE OF WATER: THREE WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION USE ON 66.6 ACRES; SUPPLEMENTAL IRRIGATION USE ON 439.3 ACRES

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND (CFS), BEING NO MORE THAN 0.83 CFS FOR IRRIGATION OF 66.6 ACRES

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 1, 2008

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	35 E	WM	25	NE NE	WELL #1 P - 390 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF SECTION 25
20 S	36 E	WM	30	SE SW	WELL #3 - 1240 FEET NORTH AND 820 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 30
20 S	36 E	WM	31	SW SE	WELL #2 - 1310 FEET NORTH AND 270 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 31

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOW

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
20 S	35 E	WM	25	SE SE	0.8
20 S	36 E	WM	30	SW SW	5.0
20 S	36 E	WM	30	SW SE	6.0
20 S	36 E	WM	31	NE NW	1.9
21 S	36 E	WM	5	NW NE	1.2
21 S	36 E	WM	5	SW NE	17.0
21 S	36 E	WM	5	NE NW	9.2
21 S	36 E	WM	5	SE NW	20.6
21 S	36 E	WM	5	NE SE	0.1
21 S	36 E	WM	5	NW SE	4.8
Total					66.6

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
20 S	35 E	WM	25	NE NE	40.0
20 S	35 E	WM	25	SW NE	14.8
20 S	35 E	WM	25	SE NE	39.0
20 S	35 E	WM	25	NE SE	14.4
20 S	35 E	WM	25	SE SE	12.8
20 S	36 E	WM	30	SW NW	26.0
20 S	36 E	WM	30	SE NW	1.2
20 S	36 E	WM	30	NE SW	31.1
20 S	36 E	WM	30	NW SW	40.0
20 S	36 E	WM	30	SW SW	32.0
20 S	36 E	WM	30	SE SW	39.8
20 S	36 E	WM	31	NE NW	22.0
20 S	36 E	WM	31	NW NW	21.3
20 S	36 E	WM	31	SW NW	0.1
20 S	36 E	WM	31	SE NW	22.6
20 S	36 E	WM	31	NE SW	0.8
20 S	36 E	WM	31	SW SE	6.0
20 S	36 E	WM	31	SE SE	36.8
20 S	36 E	WM	32	SW SW	12.2
21 S	36 E	WM	5	NE NW	7.0
21 S	36 E	WM	5	NW NW	17.8
21 S	36 E	WM	5	SW NW	0.8
21 S	36 E	WM	6	NE NE	0.8
Total					439.3

**Permit Amendment T - 13868 Conditions:****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.
- 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.

**Extension of Time Conditions:****Last Extension Condition:**

This may be the last extension of time granted for Permit G-16425. Any future extensions of time request may be denied, unless the permit holder can provide the Department with evidence that diligence is shown during this extension period. In addition, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

**Original Permit Conditions:****Measurement, recording and reporting conditions:**

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a 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.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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.

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.

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

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.

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 not be valid, unless the Department authorizes the change in writing.

If substantial interference with 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.

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, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415-030 adopted November 13, 1991, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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.

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.

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.

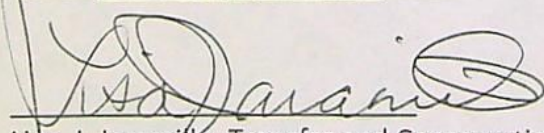
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2013. By Extension of Time Final Order dated August 9, 2019, the deadline for complete application of water to use was extended to October 1, 2023. If the water is not completely applied before this date, and the permittee wished to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 (CWRE).

Issued JUN 15 2022 2022



Lisa J. Jaramillo, Transfer and Conservation Section manager,  
for Thomas M. Byler, Director  
Water Resources Department

# Permit Amendment Checklist

Transfer: T-13868

Transfer Specialist: Joan

Transfer Type: Permit Amendment

Applicant Name/Address/email: WILBER & SONS LLC 77 W ADAMS ST BURNS, OR 97720	Agent Name/Address/email: JOHN A. SHORT PO BOX 1830 BEND, OR 97709	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address: Drewsey Reclamation Company	Affected Gov'ts Name/Address: County Of Harney
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-17048	G-16425	G-18795

## Key Dates & Initial Actions

Rec'd: November 19, 2021	Proposed Action(s): POA; APOA	
Fees Pd: 2660.00	WM District: 10	ODFW District: <u>NA</u>
Initial Notice: December 7, 2021	WM Review sent: Done:	ODFW Review sent: Done: <u>NA</u>
Acknowledgement Letter Sent: <input checked="" type="checkbox"/> Date: 12/3/2021		GW Review sent: Done: <u>2/23/22 done ✓</u>

## 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 ☐

Newspaper: Burns Times Herald

☐ not required

Date quote requested: \_\_\_\_\_

Request for news \$ sent: \_\_\_\_\_

News \$ received: \_\_\_\_\_

Request to publish sent to newspaper: \_\_\_\_\_

Affidavit of publication received: \_\_\_\_\_

Dates of publication: \_\_\_\_\_

## Final Order

<b>Draft Order &amp; Superseding Permit Review (Optional)</b>  Reviewer: _____ Date: _____ Coordinator: _____ Date: _____  Signature Bin Date: _____	<b>Final Order &amp; Superseding Permit Review (Salem)</b>  Reviewer: <u>Solt</u> Date: <u>3/1/22</u> Coordinator: <u>PKS</u> Date: <u>3/30/22</u>  Signature Bin Date: _____
Comments/Special Issues: _____	

Special Order Volume: Vol: 125 Pages 246-48

Final Order Signature Date: 6/15/2022

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 Govt'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). \_\_\_\_\_

**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 type="checkbox"/> Application complete | <input type="checkbox"/> Permit     | <input type="checkbox"/> Land Use form | <input type="checkbox"/> N/A Plat card |
| <input type="checkbox"/> Amendment Map        | <input type="checkbox"/> Permit Map | <input type="checkbox"/> Fees paid     | <input 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 maintain

Type of device, if applicable: \_\_\_\_\_ totalizing flow meter: at new at existing and new

Injury: ☐ Yes ☐ NoEnlargement: ☐ Yes ☐ No

Conditions to avoid enlargement/injury –

ODFW conditions: \_\_\_\_\_

GW Conditions: \_\_\_\_\_

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 138093

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Drewsey Field Ranch Co  
BY: \_\_\_\_\_

APPLICATION  
PERMIT  
TRANSFER T-13868

CASH: ☐ CHECK: # 6953 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$156.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$  
0207 OTHER: (IDENTIFY) Newspaper Notice \$156.00

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:

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

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ 0219 LICENSE FEE \$  
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: 138093

DATED: 5-6-2022 BY: Mindy Carlson

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

DREWSEY FIELD RANCH COMPANY

Oregon Water Resources Department

RECEIVED

MAY 06 2022

OWRD

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 138093

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Drewsey Field Ranch Co  
BY: \_\_\_\_\_

APPLICATION  
PERMIT  
TRANSFER T-13868

CASH: ☐ CHECK: # 6953 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$156.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$  
0207 OTHER: (IDENTIFY) Newspaper Notice \$156.00

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:

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

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ 0219 LICENSE FEE \$  
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: 138093

DATED: 5-6-2022 BY: Mindy Carlson

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

4/29/2022

6953

156.00

PUBLIC NOTICE

Notice of  
Permit Amendment  
T-13868

T-13868 filed by Wilber & Sons LLC, 77 W Adams St Burns, OR 97720, proposes a change in point of appropriation and additional points of appropriation under Permit G-16425. The permit allows the use of 2.0 cubic feet per second from a well in Sec. 25, T20S, R35E, WM for irrigation and supplemental irrigation in Sects. 25, 30, and 31, T20S, R35E, WM and in Sec. 5, T21S, R36E, WM. The applicant proposes to move the point of appropriation within Sec. 25, T20S, R35E, WM and additional points of appropriation in Sects. 30 and 31, T20S, R36E, 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 05/25/2022.

Publish May 18 and 25, 2022

BURNS TIMES-HERALD

355 N. Broadway, Burns, Oregon 97720

AFFIDAVIT OF PUBLICATION

STATE OF OREGON

(  
(S.S.

County of Harney

I Terri L. Smith, being first and duly sworn, depose and say that I am the Advertising Manager of the Burns Times-Herald, a newspaper of general circulation, as defined by ORS 193.010 and 193.020, published at Burns, in the aforesaid County and State by the Burns Times-Herald that the

Public Notice: T-13868

a printed copy of which is hereto annexed, was published in the said newspaper for

2

successive and consecutive weeks in the following issues:

Dates of Publication: 18th & 25th May 2022

Signed

*Terri L. Smith*

By Terri L. Smith, Advertising Manager  
The Burns Times-Herald

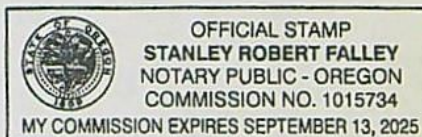
Subscribed and sworn before me this 25 day of May 2022.

*Stan R. Falley*  
Notary Public for Oregon

RECEIVED

MAY 31 2022

OWRD



No. \_\_\_\_\_

STATE OF OREGON  
for the  
COUNTY OF HARNEY

Filed \_\_\_\_\_, 21

Clerk

Deputy

From the Office of \_\_\_\_\_

Attorney for \_\_\_\_\_

RECEIVED

MAY 06 2022

OWRD

**From:** SMITH Joan M \* WRD <Joan.M.SMITH@water.oregon.gov>  
**Subject:** Transfer Application T-13868  
**Date:** April 27, 2022 at 11:37:24 AM PDT  
**To:** "johnshort@usa.com" <johnshort@usa.com>  
**Cc:** JOHNSON JR \* WRD <JR.JOHNSON@water.oregon.gov>

SUBJECT: Permit Amendment Application T-13868

Your Permit Amendment application requires publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the permit is located. The Department will publish the notice in the **Burns Times Herald** newspaper upon receiving your payment for the notice.

At this time you need to:

1. Submit a check for **\$156.00** (to cover cost\* of publication of the notice), made out to the Oregon Water Resources Department.
2. Write **"for T-13868 NOTICE"** on the front of your check, and
3. Submit it with the tracking stub at the bottom of this letter.

**\*PLEASE NOTE:** As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs for processing).

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than May 27, 2022.**

Upon receipt of your check, processing will continue on the permit amendment application. **If we do not receive payment for newspaper notice by May 27, 2022, a Final Order may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0892 or [Joan.M.Smith@water.oregon.com](mailto:Joan.M.Smith@water.oregon.com) if I may be of assistance.

Sincerely,

Joan Smith  
Permit Amendment Specialist  
Transfer and Conservation Section

**NOTE:** OWRD offices re-open to the public on Monday, May 2, 2022. Given that many staff continue to work remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

SMITH Joan M \* WRD

T-13868

**From:** PHILLIPS Stacy H \* WRD  
**Sent:** Wednesday, April 20, 2022 7:29 AM  
**To:** STARNES Patrick K \* WRD  
**Cc:** SMITH Joan M \* WRD  
**Subject:** RE: Newspaper Estimate for Permit Amendment T-13868

Hey Joan,

The quote came in for this notice. Total cost is 156.00.

Thanks,

Stacy H. Phillips

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 503-979-9948



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

---

**From:** STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>  
**Sent:** Tuesday, April 19, 2022 9:30 AM  
**To:** PHILLIPS Stacy H \* WRD <Stacy.H.PHILLIPS@water.oregon.gov>  
**Cc:** SMITH Joan M \* WRD <Joan.M.SMITH@water.oregon.gov>  
**Subject:** Newspaper Estimate for Permit Amendment T-13868

Hi Stacy –

Joan will need a quote for the attached PERMIT AMENDMENT Application notice to run in the Burns Times Herald. Run time is two weeks.

Thanks!

Kelly

\*\*\*\*\*  
Kelly Starnes, Transfer Program Analyst  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Cell phone: 503-979-3511 Fax: 503-986-0903  
E-mail: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

## Groundwater Transfer Review Summary Form

Transfer/PA # T- 13868

GW Reviewer Phillip I. Marcy Date Review Completed: 12/06/2021

### 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-13868

Applicant Name: Wilber and Sons, LLC

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

Reviewer(s): Phillip I. Marcy

Date of Review: 12/06/2021

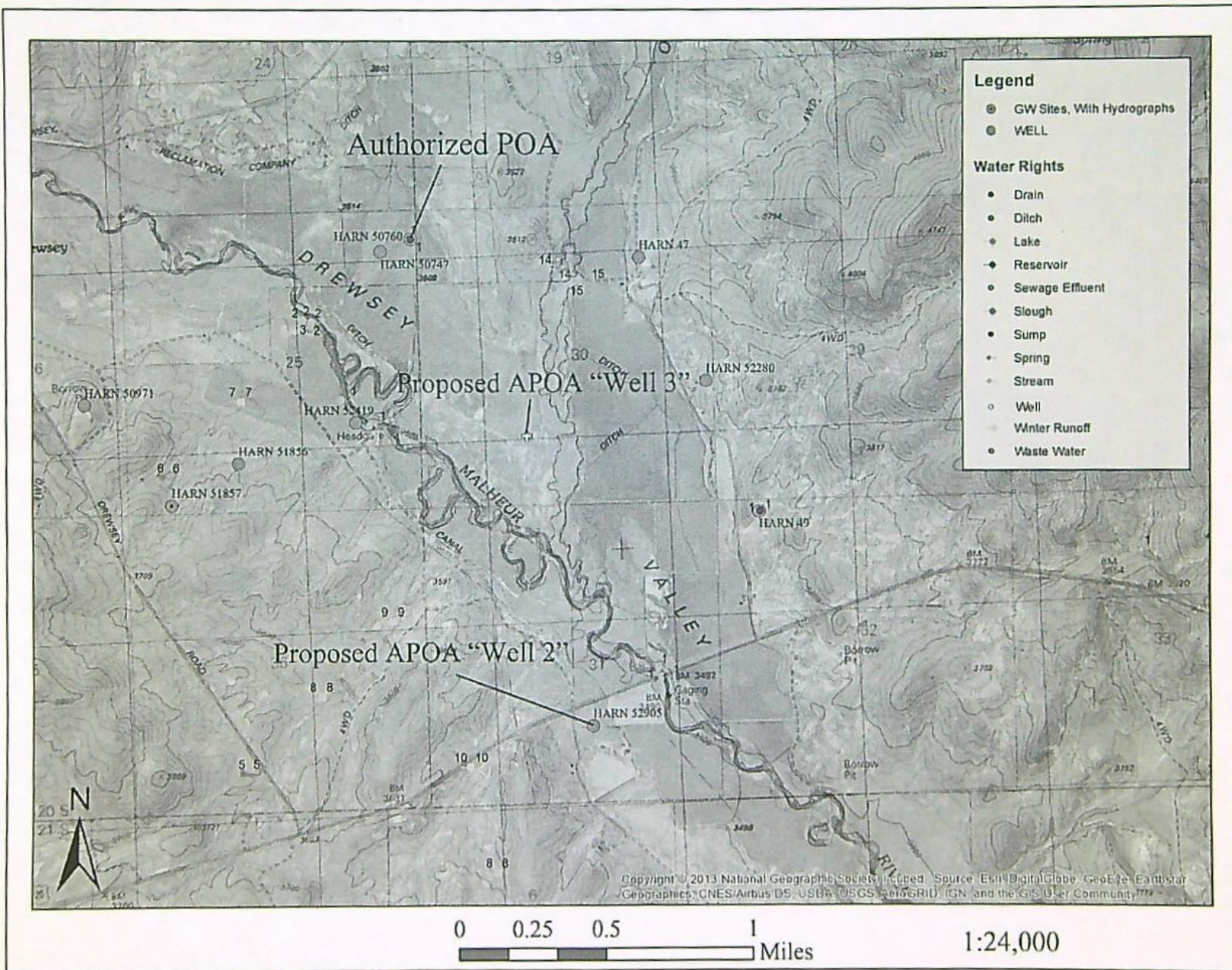
Date Reviewed by GW Mgr. and Returned to WRSD: JTI 2/1/22

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 proposes to change the location of the authorized Point of Appropriation (POA: HARN 50760) and add two Additional Point of Appropriation (APOA) wells to the authorized use under permit G-16425.
  2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
☒ Yes ☐ No Comments: Existing and proposed POA wells produce from a succession of fine to coarse grained alluvium and thin lava flows that represent a single interconnected aquifer system in this area.
  3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
☐ Yes ☒ No All wells produce groundwater from a combination of basalt and alluvium that are hydraulically interconnected.  
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: The authorized POA location for Certificate 44690 is located 4,400 feet from the proposed location for Well 3, closer than the authorized POA location.

- 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: Due to the proposed pumping rate, the presence of a recharge boundary between proposed Well 3 and the only nearby groundwater right, and the distance to that POA, significant interference is not anticipated as a result of the proposed changes.
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 location for APOA Well 3 is less than 600 feet from Otis Creek and is anticipated to have a greater impact on this drainage, as opposed to the authorized POA location which is across a low topographic divide and 2,600 feet from Otis Creek.
- 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: Otis Creek ☒ Minimal ☐ Significant  
Stream: Malheur River ☒ Minimal ☐ Significant  
Provide context for minimal/significant impact: Though significantly closer to Otis Creek, the proposed APOA location is near the confluence of Otis Creek and the Malheur River. This is significant in that pumping of groundwater in the aquifer materials beneath these surface drainages is anticipated to produce impacts limited to downstream reaches of the Malheur River, and not propagate to upstream reaches of Otis Creek where authorized surface water diversions are located. Proposed APOA HARN 52905 is closer to the Malheur River but located in a downstream WAB with a larger minimum exceedance flow. Assuming total pumpage remains the same, impacts to minimum seasonal flows in the Malheur River as a result of the proposed changes are not anticipated to be significant.
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: \_\_\_\_\_
8. Any additional comments: \_\_\_\_\_





**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

December 3, 2021

WILBER & SONS LLC  
77 W ADAMS ST  
BURNS, OR 97720

Reference: Application T-13868

On November 19, 2021, OWRD received your water right Permit Amendment Application. The application was accompanied by \$2660.00. Our receipt number 136916 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) 979-9931.

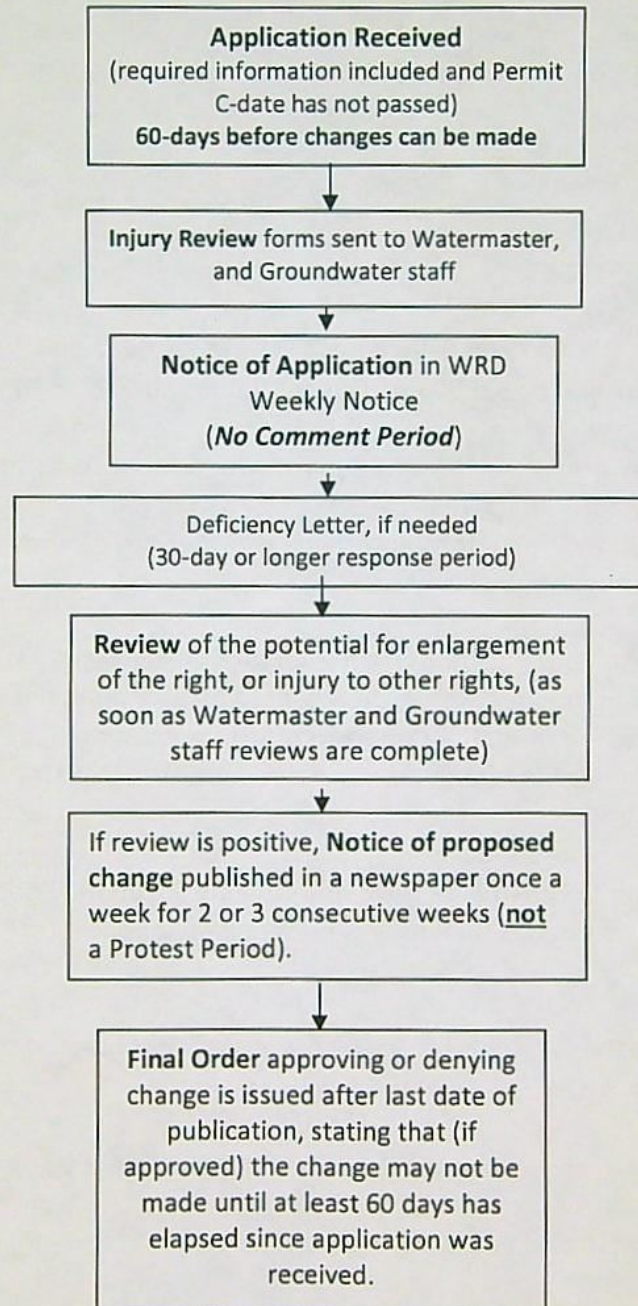
Cc: Watermaster Dist. #10, J R. Johnson (via email)  
John A. Short, Agent  
Drewsey Reclamation Company  
Harney County

Enclosure

## Permit Amendment Process

ORS 537.211

Changes: POD/POA, Place of Use



WILBER AND SONS RA# R11-337-23 T-13868							
Step	Review Step	Est. Time	Hourly Multiplier	Total Est. Hours	Individual	Hourly Rate	Est. Cost
4b	Receipts received AA funds	0.25		0.25	Front Desk Staff	\$36.74	\$9.19
4c	Transfer Support process Application	0.50		0.50	Julie	\$31.37	\$15.69
5	Administrator signs AA	0.02		0.02	Dwight	\$92.21	\$1.53
6	NRS 1 enters workflow record in WRIS and updates RA spreadsheet	0.25		0.25	Stacy	\$29.53	\$7.38
7a	NRS 2 completes initial review of file for deficiencies	1.00	26%	1.26	Tamera	\$45.82	\$57.73
7b	NRS 2 consults with Kelly and/or Lisa	0.75	26%	0.945	Tamera	\$45.82	\$43.30
8a	NRS 2 sends def. ltr (email and hard copy)	0.75	26%	0.945	Tamera	\$45.82	\$43.30
8b	NRS 2 addresses correspondence from app/agent regarding def.	1.50	26%	1.89	Tamera	\$45.82	\$86.60
9	Watermaster completes review	1.00		1.00	District WM	\$54.02	\$54.02
10	Groundwater completes review	2.00		2.00	GW Staff	\$60.60	\$121.20
11	NRS 2 completes FO, Permit, and PN	8.00	26%	10.08	Tamera	\$45.82	\$461.87
12	Transfer Staff completes peer review of FO, Permit, and PN	0.50		0.50	Transfer Staff	\$49.56	\$24.78
13	Transfer Analyst completes policy check at FO & Permit stage	0.50		0.50	Kelly	\$64.34	\$32.17
13b	Data Center Reviews PD and superseding permit	3.00		3	DC Staff	\$38.03	\$114.09
14	NRS 2 sends FO and Permit to app/agent by email and/or mail	0.25	26%	0.315	Tamera	\$45.82	\$11.46
15	Transfer Analyst completes peer review of PN review for newspaper noticing	0.25		0.25	Kelly	\$64.34	\$16.09
16	Transfer Support requests newspaper quote for PN publishing	0.25		0.25	Julie	\$31.37	\$7.84
17	NRS 2 sends publishing fee request to applicant/agent	0.25	26%	0.315	Tamera	\$45.82	\$14.43
18	Transfer Support processes fee and newspaper publishing	0.25		0.25	Stacy	\$31.37	\$7.84
19	Transfer Support processes public notice (dept notice)	0.30		0.30	Julie	\$31.37	\$9.41
20	Administrator signs FO and Permit	0.02		0.02	Lisa	\$74.90	\$1.24
21	Transfer Support issues FO and Permit, updates WRIS, copy to file, and mails hard copy to a	0.50		0.50	Julie	\$31.37	\$15.69
22	NRS 1 closes out RA Contract	0.50		0.50	Stacy	\$29.53	\$14.77
TOTAL ESTIMATE HOURS				25.83	SUB-TOTAL ESTIMATE COST		\$1,171.60
					10% OVERHEAD		\$117.16
					TOTAL		\$1,288.76
Step	Review Step	Est. Time	Hourly Multiplier	Total Est. Hours	Hourly Rate	Est. Cost	
7a	NRS 2 completes initial review of file for deficiencies	1.00	26%	1.26	45.82	\$57.73	
7b	NRS 2 consults with Kelly and/or Lisa	0.75	26%	0.945	\$45.82	\$43.30	
8a	NRS 2 sends def. ltr (email and hard copy)	0.75	26%	0.945	\$45.82	\$43.30	
8b	NRS 2 addresses correspondence from app/agent regarding def.	1.50	26%	1.89	\$45.82	\$86.60	
11	NRS 2 completes FO, Permit, and PN	8.00	26%	10.08	\$45.82	\$461.87	
14	NRS 2 sends FO and Permit to app/agent by email and/or mail	0.25	26%	0.315	\$45.82	\$14.43	
17	NRS 2 sends publishing fee request to applicant	0.25	26%	0.315	\$45.82	\$14.43	
TAMERA'S TOTAL ESTIMATE TIME				14.49	Sub-total	\$663.93	
					10% Overhead	\$66.39	
					TOTAL	\$730.32	

WILBER AND SONS RA# R11-337-23 T-13868				
Receipts received AA funds				
Transfer Support process Application				
Administrator signs AA				
NRS 1 enters workflow record in WRIS and updates RA spreadsheet				
NRS 2 completes initial review of file for deficiencies				
NRS 2 consults with Kelly and/or Lisa				
NRS 2 sends def. ltr (email and hard copy)				
NRS 2 addresses correspondence from app/agent regarding def.				
Watermaster completes review				
Groundwater completes review				
NRS 2 completes FO, Permit, and PN				
Transfer Staff completes peer review of FO, Permit, and PN				
Transfer Analyst completes policy check at FO & Permit stage				
Data Center Reviews PD and superseding permit				
NRS 2 sends FO and Permit to app/agent by email and/or mail				
Transfer Analyst completes peer review of PN review for newspaper noticing				
Transfer Support requests newspaper quote for PN publishing				
NRS 2 sends publishing fee request to applicant/agent				
Transfer Support processes fee and newspaper publishing				
Transfer Support processes public notice (dept notice)				
Administrator signs FO and Permit				
Transfer Support issues FO and Permit, updates WRIS, copy to file, and mails hard copy to applicant				
NRS 1 closes out RA Contract				
TOTAL ESTIMATE HOURS		25.83		
			TOTAL	\$1,288.76

RECEIVED

JAN 31 2022

OWRD

WILBER AND SONS RA# R11-337-23 T-13868				
Receipts received AA funds				
Transfer Support process Application				
Administrator signs AA				
NRS 1 enters workflow record in WRIS and updates RA spreadsheet				
NRS 2 completes initial review of file for deficiencies				
NRS 2 consults with Kelly and/or Lisa				
NRS 2 sends def. ltr (email and hard copy)				
NRS 2 addresses correspondence from app/agent regarding def.				
Watermaster completes review				
Groundwater completes review				
NRS 2 completes FO, Permit, and PN				
Transfer Staff completes peer review of FO, Permit, and PN				
Transfer Analyst completes policy check at FO & Permit stage				
Data Center Reviews PD and superseding permit				
NRS 2 sends FO and Permit to app/agent by email and/or mail				
Transfer Analyst completes peer review of PN review for newspaper noticing				
Transfer Support requests newspaper quote for PN publishing				
NRS 2 sends publishing fee request to applicant/agent				
Transfer Support processes fee and newspaper publishing				
Transfer Support processes public notice (dept notice)				
Administrator signs FO and Permit				
Transfer Support issues FO and Permit, updates WRIS, copy to file, and mails hard copy to applicant				
NRS 1 closes out RA Contract				
TOTAL ESTIMATE HOURS		25.83		
			TOTAL	\$1,288.76



# Oregon

Kate Brown, Governor

T-13868

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 27, 2022

VIA E-MAIL

WILBER & SONS LLC

77 W ADAMS ST

BURNS, OR 97720

SUBJECT: Permit Amendment Application T-13868

Your Permit Amendment application requires publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the permit is located. The Department will publish the notice in the **Burns Times Herald** newspaper upon receiving your payment for the notice.

At this time you need to:

1. Submit a check for **\$156.00** (to cover cost\* of publication of the notice), made out to the Oregon Water Resources Department.
2. Write **"for T-13868 NOTICE"** on the front of your check, and
3. Submit it with the tracking stub at the bottom of this letter.

**\*PLEASE NOTE:** As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs for processing).

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than May 27, 2022.**

Upon receipt of your check, processing will continue on the permit amendment application. **If we do not receive payment for newspaper notice by May 27, 2022, a Final Order may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0892 or Joan.M.Smith@wrdd.state.or.us if I may be of assistance.

Sincerely,

Joan Smith

Permit Amendment Specialist

Transfer and Conservation Section

cc: Permit Amendment application file T-13868

J R. Johnson, District 10 Watermaster (via e-mail)

John A. Short, Agent for the applicant (via e-mail)

✂-----

**Attached** is a check for **\$156.00** Newspaper Notice for Permit Amendment T-1386813868

- made out to Oregon Water Resources Department (or OWRD)
- **"for T-13868 NOTICE"** written on front of check

Mail to: Oregon Water Resources Department

725 Summer St. NE, Suite A

Salem, OR 97301-1266

Caseworker: Joan RA

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 # 136916

INVOICE # \_\_\_\_\_

RECEIVED FROM:

BY:

CASH:

CHECK #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$2,660.00

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:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

3,660.00

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 (FWWRD)

\$

0231 HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT:

136916

DATED:

11-19-2021

BY:

[Signature]

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

Cash in checking

Wilber & Sons LLC

OWRD

NOV 19 2021

RECEIVED

DREWSEY FIELD RANCH COMPANY  
Oregon Water Resources Department

11/15/2021

2,660.00

6862

# Application for Permit Amendment

## Part 1 of 5 – Minimum Requirements Checklist



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

**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.

RECEIVED

NOV 19 2021

OWRD

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](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**  
**List the Permits here: G-16425**  
Please include a separate Part 5 for each permit. (See instructions on page 6)
- ☒ Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- ☒ ☐ N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- ☐ ☒ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(For Staff Use Only)

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

☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete

☐ Land Use Form not enclosed or incomplete

☐ Additional signature(s) required ☐ Part \_\_\_\_\_ is incomplete

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

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Part 2 of 5 – Permit Amendment Map Checklist

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

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

RECEIVED

NOV 19 2021

OWRD

- ☒ ☐ 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°).

RECEIVED  
NOV 19 2021  
OWRD

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

- For irrigation calculate cfs for each permit involved as follows:
  - Divide total authorized cfs by total acres in the permit (*for S-12345,  $1.25 \text{ cfs} \div 100 \text{ ac}$* ); then multiply by the number of acres to be changed to get the application cfs ( *$\times 45 \text{ ac} = 0.56 \text{ cfs}$* ).
  - 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,  $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$* )
- Add cfs for the portions of permits on all the land included in the application; however **do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land**. The fee should be assessed only once for each "on the ground" acre included in the application. (*In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>WILBER &amp; SONS, LLC</b>		PHONE NO. <b>541-740-8849</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>77 W. ADAMS ST</b>		FAX NO.	
CITY <b>BURNS</b>	STATE <b>OR</b>	ZIP <b>97720</b>	E-MAIL
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 <b>JOHN A. SHORT / WATER RIGHT SERVICES, LLC</b>		PHONE NO. <b>541-389-2837</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO BOX 1830</b>		FAX NO.	
CITY <b>BEND</b>	STATE <b>OR</b>	ZIP <b>97709</b>	E-MAIL <b>JOHNSHORT@USA.COM</b>
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

RECEIVED  
NOV 19 2021  
GWRD

Explain in your own words what you propose to accomplish with this permit amendment; and why:  
**CHANGE LOCATION OF AUTHORIZED POA AND ADD TWO NEW POINTS OF APPROPRIATION.**

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

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

If NO, include either:

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

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

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

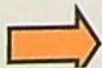
If NO, what are the completion dates of the permit(s)? **10-1-2023**

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

By my signature below, I confirm that I understand:

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

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



*Patrick J Wilber*  
Applicant Signature

**PATRICK J WILBER**  
Print Name (and Title if applicable)

**11-17-21**  
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 <b>DREWSEY RECLAMATION COMPANY</b>	ADDRESS <b>77 W. ADAMS ST</b>	
CITY <b>BURNS</b>	STATE <b>OR</b>	ZIP <b>97720</b>

- ☐ 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 <b>HARNEY COUNTY PLANNING DEPARTMENT</b>	ADDRESS <b>360 N. ALVORD AVE</b>	
CITY <b>BURNS</b>	STATE <b>OR</b>	ZIP <b>97720</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

NOV 19 2021

OWRD

19



0 1,320 Feet



$$1'' = 1,320'$$

© Authorized Well (POA Change)

© APOA Well

===== Ditch

----- River

 POU IR PERMIT G-16045 Township

Section

----- Quarter Quarter

☐ Tax Lot

RECEIVED

NOV 19 2021

OWRD

**Well Locations:**

**Well #1A:**

250' S, 60' W of NE Cor Sec 25,  
T20S R35E, W.M.

Well #1P (L-51734/HARN 50760/51401):  
390' S, 50' W of NE Cor Sec 25,  
T20S R35E, W.M.

Well #3 (Proposed): 1240' N, 820' W of  
S 1/4 Cor Sec 30, T20S R36E, W.M.

**WATER RIGHT SERVICES, LLC**  
PO BOX 1200 SEATTLE WA 98101

PO BOX 1830, BEND, OR 97709

**WWW.OREGONWATER.US** CCB # 197121  
johnshort@usa.com 541-389-2837

johnshort@usa.com

541-389-2837

**APOA PERMIT AMENDMENT MAP  
WILBER & SONS, LLC**

Date: 10/28/2021      Ap G-17048      Permit G-16425

PG 1 OF 2

This map is not intended to provide legal dimensions or locations of property ownership lines.

**WATER RIGHT SERVICES, LLC**  
PO BOX 1830, BEND, OR 97709  
**WWW.OREGONWATER.US CCB # 197121**  
johnshort@usa.com 541-389-2837

- Well Location:  
Well #2 (L-136134/HARN 52905):  
1310' N, 270' E of S 1/4 Cor Sec 31,  
T20S R36E, W.M.

NOV 19 2021



**WATER RIGHT SERVICES, LLC**  
PO BOX 1830, BEND, OR 97709  
**WWW.OREGONWATER.US CCB # 197121**  
johnshort@usa.com 541-389-2837

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

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

**Table 2. Description of Changes to Water Use Permit # G-16425**

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	
												POA/APOA	20	S	35	E	25	NE	NE	3700		40.0 IS	WELLS 1-3	5/1/2008
												"	"	"	"	"	SW	NE	"		14.8 IS	"	"	
												"	"	"	"	"	SE	NE	"		39.0 IS	"	"	
												"	"	"	"	"	NE	SE	"		14.4 IS	"	"	
												"	"	"	"	"	SE	SE	"		12.8 IS/ 0.8 IR	"	"	
												"	20	S	36	E	30	SW	NW	2300	L2	26.0 IS	"	"
												"	"	"	"	"	SE	NW	"		1.2 IS	"	"	
												"	"	"	"	"	NE	SW	"		31.1 IS	"	"	
												"	"	"	"	"	NW	SW	"	L3	40.0 IS	"	"	
												"	"	"	"	"	SW	SW	"	L4	32.0 IS/ 5.0 IR	"	"	
												POA/APOA	"	"	"	"	"	SE	SW	2300		39.8 IS	"	"



## Part 5 of 5 – Water Use Permit Information

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

RECEIVED

PERMIT # **G-16425**

NOV 19 2021

**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.)

OWRD

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
<b>WELL #1 (A)</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		20 S	35 E	25	NE NE	3700	250' S, 60' W OF NE COR SEC 25
<b>WELL #1 (P)</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-51734/ HARN 50760/51401	20 S	35 E	25	NE NE	3700	390' S, 50' W OF NE COR SEC 25
<b>WELL #2</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L-136134/ HARN 52905	20 S	36 E	31	SW SE	2400	1310' N, 270' E OF S 1/4 COR SEC 31
<b>WELL #3</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		20 S	36 E	30	SE SW	2300	1240' N, 820' W OF S ¼ COR SEC 30

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

- ☐ Place of Use (POU)  
☐ Point of Diversion (POD)

☒ Point of Appropriation/Well (POA)  
☒ Additional Point of Appropriation (APOA)

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

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

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

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

☐ Yes ☐ No

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

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

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

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: C-89050, C-21426, C-60643, C-52032, & PERMIT S-51626.

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

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

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

**AND/OR**

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

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

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (Intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well #3	NO		510'	14"	0-60'	0-35'		10'	GRAVEL, CLAY, CLAYSTONE, & BASALT	

# Land Use Information Form



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

RECEIVED

NOV 19 2021

OWRD

## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

## NOTE TO LOCAL GOVERNMENTS

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

# Land Use Information Form

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

RECEIVED

NOV 19 2021

OWRD

Applicant(s): WILBER & SONS, LLC

Mailing Address: 77 W ADAMS ST

City: BURNS

State: OR

Zip Code: 97720

Daytime Phone: \_\_\_\_\_

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>20S</u>	<u>35E</u>	<u>25 &amp; 36</u>	—	<u>3700</u>	<u>EFRU-1</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>20S</u>	<u>36E</u>	<u>30 &amp; 31</u>	—	<u>2300</u>	"	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
"	"	<u>30</u>	—	<u>2200</u>	"	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
"	"	<u>31</u>	—	<u>200</u>	"	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
"	"	<u>31 &amp; 32</u>		<u>2400</u>	"	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>21S</u>	<u>36E</u>	<u>5 &amp; 6</u>		<u>400</u>	"	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
"	"	<u>5</u>		<u>300</u>	"	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>

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

HARNEY.

## 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: 2.0    ☒ cubic feet per second    ☐ gallons per minute    ☐ acre-feet

Intended use of water: ☒ Irrigation    ☐ Commercial    ☐ Industrial    ☐ Domestic for \_\_\_\_\_ household(s)  
☐ Municipal    ☐ Quasi-Municipal    ☐ Instream    ☐ Other \_\_\_\_\_

Briefly describe:

CHANGE THE POINT OF APPROPRIATION AND ADD 2 NEW POINTS OF APPROPRIATION.

NOV 19 2021

OWRD

**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): HC20 3.00 / EFDV-1
- ☐ 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
		<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
		<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: Brandon McMillan Title: Planning Director

Signature: [Signature] Phone: (511) 573-6655 Date: 10/28/2021

Government Entity: Harney County

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

NOV 19 2021

STATE OF OREGON  
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

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

WELL I.D. # L 51734  
START CARD # 144595

OWRD

(1) LAND OWNER  
Name Wright, Kathleen Wilber Well Number \_\_\_\_\_  
Address HC #1 Box 8  
City Juntura State OR Zip 97911(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 270 ft.  
Explosives used ☐ Yes ☒ No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
18	0	35	benstone	0	35	50 SACKS
14	35	270				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E  
☒ Other poured dry & tamped  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_(6) CASING/LINER:  

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 14	0	60	2.50	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used ☐ Inside ☐ Outside ☐ None  
Final location of shoe(s) \_\_\_\_\_(7) PERFORATIONS/SCREENS:  
☐ Perforations Method \_\_\_\_\_  
☐ Screens Type \_\_\_\_\_ Material \_\_\_\_\_  

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
150	8'		1 hr.

Flowing ☐ Artesian ☐Temperature of water 55° Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done? ☒ No ☐ Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use? ☒ No ☐ Too little  
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_(9) LOCATION OF WELL by legal description:  
County Harney Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 20 S N or S Range 35 E E or W. WM.  
Section 25 NE 1/4 NE 1/4  
Tax Lot 3700 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Dreusay Valley(10) STATIC WATER LEVEL:  
10 ft. below land surface. Date 1-20-02  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_(11) WATER BEARING ZONES:  
Depth at which water was first found 22'

From	To	Estimated Flow Rate	SWL
22	28	50	10
110	252	700	8

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
topsoil, silty loam	0	1	
silt brn	1	8	
clay, sand	8	22	
gravel, med	22	28	10
clay, blue	28	70	
clay, brn	70	74	
clay, grey	74	110	
claystone	110	160	8
clay, claystone grey	160	202	8
claystone grey	202	212	
clay, grey	212	230	
vesicular basalt	230	252	
clay, grey, silty	252	270	

Date started 1-8-02 Completed 1-20-02(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 \_\_\_\_\_ 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. 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 Timothy K. Ruff WWC Number 1424 Date 01-20-02

NOV 19 2021

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

WELL I.D. # L 51734  
START CARD # 1001615

OWRD

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

(1) LAND OWNER Well Number \_\_\_\_\_  
Name Wilber Brothers  
Address 278 West "F" St  
City Burns State OR Zip 97720

(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 510 ft.  
Explosives used ☐ Yes ☒ No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
0	270	existing			
14	270 510				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E  
☒ Other existing  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	existing			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used ☐ Inside ☐ Outside ☐ None  
Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:

☐ Perforations Method \_\_\_\_\_  
☐ Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<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 \_\_\_\_\_  
300 \_\_\_\_\_ 510 1 hr.

Temperature of water 55° Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done? ☒ No ☐ 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 Harnett Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 20 S N or S Range 35 E E or W. WM.  
Section 25 NE 1/4 NE 1/4  
Tax Lot 3700 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Drews Valley

(10) STATIC WATER LEVEL:  
8 ft. below land surface. Date 9-14-07  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found existing

From	To	Estimated Flow Rate	SWL
270	510	400	8

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
SWL prior to deepening			8
existing	0	270	
Claystone / clay grey	270	300	
rock blk basalt	300	450	
shale blk	450	470	
claystone / pumice	470	475	
claystone / shale, clay grey	475	510	8

RECEIVED

SEP 26 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Date started 9-12-07 Completed 9-14-07

## (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 \_\_\_\_\_ 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. 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 Mark Riley WWC Number 1424 Date 9-20-07



✓ BJORK Mary F \* WRD

---

**From:** BJORK Mary F \* WRD  
**Sent:** Tuesday, November 30, 2021 8:37 AM  
**To:** PHILLIPS Stacy H \* WRD  
**Cc:** SMITH Tamera L \* WRD; PHILLIPS Stacy H \* WRD; GREW Scott A \* WRD; MILLER Tonya L \* WRD; BJORK Mary F \* WRD  
**Subject:** RE: G-17048 submitted RA Perm Amend

Hi Stacy,

I'm in the office today, and found the application file G-17048, in your cubicle IN Box. I took it to complete processing the assignment and forwarding to Tonya for mailing. I've flagged the file to return to you (I left the transfer file and related receipts in you IN Box.

Thanks,

Mary F. Bjork

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-979-9895



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

---

**From:** SMITH Tamera L \* WRD <Tamera.L.SMITH@water.oregon.gov>  
**Sent:** Monday, November 29, 2021 9:38 AM  
**To:** PHILLIPS Stacy H \* WRD <Stacy.H.PHILLIPS@water.oregon.gov>; SMITH Joan M \* WRD <Joan.M.SMITH@water.oregon.gov>; BJORK Mary F \* WRD <Mary.F.BJORK@water.oregon.gov>  
**Cc:** GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov>  
**Subject:** RE: G-17048 submitted RA Perm Amend

Mystery solved!!! Thanks, team 😊 You da best.

Happy Monday!

---

**From:** PHILLIPS Stacy H \* WRD <Stacy.H.PHILLIPS@water.oregon.gov>  
**Sent:** Monday, November 29, 2021 9:34 AM  
**To:** SMITH Tamera L \* WRD <Tamera.L.SMITH@water.oregon.gov>; SMITH Joan M \* WRD <Joan.M.SMITH@water.oregon.gov>; BJORK Mary F \* WRD <Mary.F.BJORK@water.oregon.gov>  
**Cc:** GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov>  
**Subject:** RE: G-17048 submitted RA Perm Amend

Hey T,

Yes, I completed the RA pink slip and sent it back upstairs for receipting. So sorry!

Stacy H. Phillips

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301  
Office: 503-986-0898 | Work Cell: 503-979-9948



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

---

**From:** SMITH Tamera L \* WRD <[Tamera.L.SMITH@water.oregon.gov](mailto:Tamera.L.SMITH@water.oregon.gov)>  
**Sent:** Monday, November 29, 2021 9:28 AM  
**To:** SMITH Joan M \* WRD <[Joan.M.SMITH@water.oregon.gov](mailto:Joan.M.SMITH@water.oregon.gov)>; BJORK Mary F \* WRD <[Mary.F.BJORK@water.oregon.gov](mailto:Mary.F.BJORK@water.oregon.gov)>  
**Cc:** GREW Scott A \* WRD <[Scott.A.GREW@water.oregon.gov](mailto:Scott.A.GREW@water.oregon.gov)>; PHILLIPS Stacy H \* WRD <[Stacy.H.PHILLIPS@water.oregon.gov](mailto:Stacy.H.PHILLIPS@water.oregon.gov)>  
**Subject:** RE: G-17048 submitted RA Perm Amend

Hi Joannee!

Thank you for letting me know. Possibly Stacy picked up the RA pink? I didn't see it in my in box this morning...

Stace?

Thanks, all!

-T

---

**From:** SMITH Joan M \* WRD <[Joan.M.SMITH@water.oregon.gov](mailto:Joan.M.SMITH@water.oregon.gov)>  
**Sent:** Monday, November 29, 2021 9:19 AM  
**To:** SMITH Tamera L \* WRD <[Tamera.L.SMITH@water.oregon.gov](mailto:Tamera.L.SMITH@water.oregon.gov)>; BJORK Mary F \* WRD <[Mary.F.BJORK@water.oregon.gov](mailto:Mary.F.BJORK@water.oregon.gov)>  
**Cc:** GREW Scott A \* WRD <[Scott.A.GREW@water.oregon.gov](mailto:Scott.A.GREW@water.oregon.gov)>; PHILLIPS Stacy H \* WRD <[Stacy.H.PHILLIPS@water.oregon.gov](mailto:Stacy.H.PHILLIPS@water.oregon.gov)>  
**Subject:** RE: G-17048 submitted RA Perm Amend

Tamera, it is true we accepted the PA application however, we left the RA portion for your review. I discussed this with Kelly last Wednesday and he thought we should keep this moving regardless of the RA status. I hope that makes sense. The RA pink slip is in your IN Box.

I meant to let you know first thing.

Sorry for any confusion.

Joan

Joan Smith  
Transfer Specialist  
503-986-0892



---

**From:** SMITH Tamera L \* WRD <[Tamera.L.SMITH@water.oregon.gov](mailto:Tamera.L.SMITH@water.oregon.gov)>  
**Sent:** Monday, November 29, 2021 9:14 AM  
**To:** BJORK Mary F \* WRD <[Mary.F.BJORK@water.oregon.gov](mailto:Mary.F.BJORK@water.oregon.gov)>  
**Cc:** GREW Scott A \* WRD <[Scott.A.GREW@water.oregon.gov](mailto:Scott.A.GREW@water.oregon.gov)>; SMITH Joan M \* WRD

<[Joan.M.SMITH@water.oregon.gov](mailto:Joan.M.SMITH@water.oregon.gov)>; PHILLIPS Stacy H \* WRD <[Stacy.H.PHILLIPS@water.oregon.gov](mailto:Stacy.H.PHILLIPS@water.oregon.gov)>

Subject: FW: G-17048 submitted RA Perm Amend

Hi Mary,

Glad you sent me an email 😊 In the future, if you would put this in my actual in box at my cubicle, I should receive it.

I'm not seeing these anywhere, so I'm thinking one of my team mates processed the RA and Permit Amendment applications.

Thank you, Tamera

---

From: BJORK Mary F \* WRD <[Mary.F.BJORK@water.oregon.gov](mailto:Mary.F.BJORK@water.oregon.gov)>

Sent: Tuesday, November 23, 2021 1:44 PM

To: SMITH Tamera L \* WRD <[Tamera.L.SMITH@water.oregon.gov](mailto:Tamera.L.SMITH@water.oregon.gov)>

Cc: BJORK Mary F \* WRD <[Mary.F.BJORK@water.oregon.gov](mailto:Mary.F.BJORK@water.oregon.gov)>

Subject: G-17048 submitted RA Perm Amend

Hi Tamera,

I've accepted an assignment on the referenced right that was also received with the attached items, and have forwarded the file to your CSG In Box. I'll flag the file with a routing slip for fiscal to return to me when receipted so that I can complete the assignment, before forwarding back to you.

Thanks so much!

Mary

Mary F. Bjork

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-979-9895



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

## BJORK Mary F \* WRD

---

**From:** BJORK Mary F \* WRD  
**Sent:** Tuesday, November 23, 2021 1:44 PM  
**To:** SMITH Tamera L \* WRD  
**Cc:** BJORK Mary F \* WRD  
**Subject:** G-17048 submitted RA Perm Amend  
**Attachments:** Pink Slips.pdf; G-17048-submitted docs-11-23-2021.pdf

Hi Tamera,

I've accepted an assignment on the referenced right that was also received with the attached items, and have forwarded the file to your CSG In Box. I'll flag the file with a routing slip for fiscal to return to me when receipted so that I can complete the assignment, before forwarding back to you.

Thanks so much!

Mary

[Mary F. Bjork](#)

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-979-9895



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

# Permit Amendment Application Checklist

Checked by Joan

Date 11/24/21

App # G-17048

Permit # G-16425

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

POA  
APOA

(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? Assignment pending - see note from Mary B.  
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: 2660.00 ok  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
- ☒ 4. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?  
If not, whose signature is missing? \_\_\_\_\_
- ☒ 5. Are the Permit completion date(s) current? 10/23 ✓  
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.

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 137375

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: *Drowsey Field Ranch*

BY: \_\_\_\_\_

CASH: ☐ CHECK: # *6890* OTHER: (IDENTIFY) ☐

APPLICATION \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER *T-13868*

TOTAL REC'D \$ *1,288.76*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES *47124* *R11337-23* \$ \_\_\_\_\_

*0412* OTHER: (IDENTIFY) *Transfer - Reimbursement Authority* \$ *1,288.76*

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 \$ \_\_\_\_\_

WELL CONSTRUCTION

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

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: 137375

DATED: *1-31-2022* BY: *[Signature]*

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

Cash in checking

Wilber & Sons LLC

DREWSEY FIELD RANCH COMPANY  
Oregon Water Resources Department

12/10/2021

1,288.76

6890

RECEIVED

JAN 31 2022

OWRD

1,288.76

**REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R11-337-23**

RECEIVED

JAN 31 2022

OWRD

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Wilber & Sons, LLC**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes Title: Transfer Advisor Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266  Phone: 503 986-0886 Fax: 503 986-0901 Email: <a href="mailto:patrick.k.starnes@oregon.gov">patrick.k.starnes@oregon.gov</a>	Name: Wilber & Sons, LLC Contact: Address: 77 W. Adams St. Burns, OR 97720  Phone: (541) 740-8849 Fax: Email:	Name: Water Right Services, LLC Contact: Bryce Withers Address: PO Box 1830 Bend, OR 97709  Phone: (541) 389-2837 Fax: Email: <a href="mailto:johnshort@usa.com">johnshort@usa.com</a>

**Purpose** The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-13868)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
  - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,288.76**. Applicant agrees to pay the full amount of **\$1,288.76** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

Carah Phillips, Owner

Name/Title:

1/28/2022  
Date

For OWRD:

Dwight French  
Dwight French – Administrator

2/4/2022  
Date

Mail signed Agreement to:

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

RECEIVED  
JAN 31 2022  
OWRD

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **136907**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Drewsey Field Ranch Co  
BY: \_\_\_\_\_

CASH: ☐ CHECK: # 6863 OTHER: (IDENTIFY) ☐

APPLICATION \_\_\_\_\_  
PERMIT \_\_\_\_\_  
TRANSFER T-13868

TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47124 R 11337-23 \$ \_\_\_\_\_  
0412 OTHER: (IDENTIFY) Transfer reimbursement Authority \$ 125.00  
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:**

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

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ \_\_\_\_\_ 0219 LICENSE FEE \$ \_\_\_\_\_  
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: **136907**

DATED: 11-19-2021 BY: [Signature]

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

Cash in checking

Wilber & Sons LLC

OWRD

RECEIVED  
NOV 19 2021

DREWSEY FIELD RANCH COMPANY  
Oregon Water Resources Department

11/15/2021

6863  
125.00

125.00



OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

**Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate from Transfer fees.**

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. **There is a non-refundable application fee of \$125.00 per request.**

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-138168 tbd</u>

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Wilber &amp; Sons LLC</u>	<u>Water Right Services, LLC/Bryce Withers</u>
Address:	<u>77 W. Adams St.</u>	<u>PO Box 1830</u>
	<u>Burns, OR 97720</u>	<u>Bend, OR 97709</u>
Phone:	<u>541-740-8849</u>	<u>541-389-2837</u>
Fax:		
E-Mail Address:		<u>johnshort@usa.com</u>

I understand the following:

- That upon receipt of my non-refundable application fee of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department  
Transfer Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271**

I certify that I am the (check one):

☐ Applicant ☒ Applicant's Representative ☐ Other (Please specify) \_\_\_\_\_

Name: Bryce Withers

Signature: \_\_\_\_\_

RECEIVED

NOV 19 2021

OWRD

OWRD USE ONLY: Reimbursement Authority Number: R11-337 -23