Permit amendment



| Name Pouschneider Forms Iv. | | | |
|--|--------------------------------------|--------------|--|
| | DESCRIPTION OF WATER RIGHT(s) | | |
| Address 1904 French Prone rd | DESCRIPTION OF WATER RIGHT(3) | | |
| St Paul oregon 9137 | Name of Stream Well | | |
| 0 | Cha | | |
| Change in Oro | Trib. of Champoea Creek | | |
| Change in PCA Date Filed 4 19 2022 | Use nursery | 0 | |
| Initial notice date 4 20 200 | | County | |
| DPD issued date | Quantity of water (CFS)Name of ditch | No. of Acres | |
| PD issued date | App# Gloyldo Per# 6 110132 | Cert # | PR Date |
| PD notice date | App# Per # | Cert # | |
| Date of FO 3/23/23 Vol 127 Page 1089-100 | AOApp# Per # | Cert # | THE CONTRACTOR AND ADDRESS OF THE CO |
| 2460110 | App# Per # | Cert # | |
| | App# Per # | Cert # | |
| C-Date | | | |
| COBU due date | | | |
| COBU Received date | | | |
| Certificate issued | | | |
| | | | |
| | | | |
| Assignments: | | | _ |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Irrigation District | | | |
| | | | |
| Agent learne Boatwront leans | e @ bootungstengs, com | | |
| | | | |
| CWRE | | | |
| cc's list many canty | | | |
| | | | |
| | | | |
| - Oversized map - Location_ | | | |

| FEES PAID | |
|-----------|---------|
| Amount | Receipt |

4-19-2022 \$1840.00 137958 10-10-2022 \$125.00 138370 8-2-2022 \$1,259.39 138816

Date

Date

FEES REFUNDED
Amount Receipt #



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904

March 23, 2023

POHLSCHNEIDER FARMS INC. 17904 FRENCH PRAIRIE RD SAINT PAUL, OR 97137

REFERENCE: Permit Amendment Application T-13981

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 this transfer, you may contact your caseworker, Stacy Phillips, by telephone at 503-979-9948 or by email Stacy.H.PHILLIPS@water.oregon.gov.

Sincerely,

Nila Kamis

Water Rights Services Support Transfers and Conservation Section

cc:

Gregory J. Wacker, Watermaster Dist. # 16 (via email)

Marion County

Jeanne Boatwright, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

| In the Matter of Permit Amendment |) | FINAL ORDER APPROVING A CHANGE |
|-----------------------------------|---|--------------------------------|
| T-13981, Marion County |) | IN POINT 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

POHLSCHNEIDER FARMS INC. 17904 FRENCH PRAIRIE RD SAINT PAUL, OR 97137

Findings of Fact

- On April 19, 2022, POHLSCHNEIDER FARMS INC. filed an application to change the point of appropriation of Well 1 under Permit G-16132. The Department assigned the application number T-13981.
- On July 9, 2008, the Department approved Permit Amendment T-10313 for a change in points of appropriation. The final order is recorded at Special Order Volume 75, Page 353 to 356.
- On September 13, 2013, the Department approved an extension of time for complete application of water to October 1, 2026.
- Notice of the application for the permit amendment was published in the Department's weekly notice on April 26, 2022.
- Permit Amendment Application T-13981 proposes to move the authorized point of appropriation of Well 1 approximately 830 feet from the existing point of appropriation to:

| Twp | Rng | Mer | Sec | Q-Q | DLC | Measured Distances |
|-----|-----|-----|-----|-------|-----|---|
| 45 | 2 W | WM | 32 | NE SW | 59 | WELL 1 - 255 FEET NORTH AND 1375 FEET EAST FROM THE SE CORNER OF BERGEVIN DLC 64 |

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.

Permit Amendment Review Criteria

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

Conclusions of Law

The change in point of appropriation proposed by Permit Amendment Application T-13981 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

- The change in point of appropriation proposed by Permit Amendment Application T-13981 is approved.
- Permit G-18833, in the name of POHLSCHNEIDER FARMS INC., is issued to replace Permit G-16132, and incorporates the amendments approved by this order and the extension of time. Permit G-16132, in the name of POHLSCHNEIDER FARMS INC, is no longer of any force or effect.
- The quantity of water diverted at the new point of appropriation, (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well1).
- 4. Water shall be acquired from the same aquifer as the original point of appropriation, Well 1.
- 5. All other terms and conditions of Permit G-18833 remain the same.

Dated in Salem, Oregon on

MAR 2 3 2023

Lisa J. Taramillo, Transfer and Conservation Section Manager, for

DOUGLAS E. WOODCOCK, ACTING DIRECTOR

Oregon Water Resources Department

Mailing Date: MAR 2 4 2023

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

POHLSCHNEIDER FARMS INC. 17904 FRENCH PRAIRIE RD SAINT PAUL, OR 97137

This superseding permit is issued to describe an amendment for a change in point of appropriation proposed under Permit Amendment Application T-13981 and approved by Special Order Vol. 127, Page 1089, entered MAR 2 3 2023, and Permit Amendment Application T-10313 approved by Special Order Vol. 75, Page 353 entered July 9, 2008, and to describe an extension of time for complete application of water approved September 13, 2013. This permit supersedes Permit G-16132.

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

APPLICATION FILE NUMBER: G-16466

SOURCE OF WATER: WELL 1 AND WELL 2 IN CHAMPOEG CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 490.0 ACRES

MAXIMUM RATE: 5.0 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: FEBRUARY 6, 2006

WELL LOCATIONS:

| Twp | Rng | Mer | Sec | Q-Q | DLC | Measured Distances |
|-----|-----|-----|-----|-------|-----|---|
| 4 S | 2 W | WM | 32 | NE SW | 59 | WELL 1 - 255 FEET NORTH AND 1375 FEET EAST FROM THE SE CORNER OF BERGEVIN DLC 64 |
| 45 | 2 W | WM | 32 | NE SW | 69 | WELL 2 – 1350 FEET NORTH AND 2140 FEET EAST FROM THE SW CORNER OF SECTION 32 |

The amount of water used for nursery use is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to one fortieth of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| | | | NURSERY | USE | | |
|-----|-----|-----|---------|-------|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | DLC | Acres |
| 45 | 2 W | WM | 31 | NE SE | 55 | 2.2 |
| 45 | 2 W | WM | 31 | NE SE | 69 | 2.5 |
| 45 | 2 W | WM | 32 | SW NE | 69 | 27.0 |
| 4 S | 2 W | WM | 32 | SE NE | 69 | 26.3 |
| 45 | 2 W | WM | 32 | SW NW | 69 | 22.5 |
| 45 | 2 W | WM | 32 | SE NW | 69 | 26.7 |
| 45 | 2 W | WM | 32 | NESW | 55 | 12.3 |
| 4 S | 2 W | WM | 32 | NESW | 69 | 27.7 |
| 45 | 2 W | WM | 32 | NW SW | 55 | 11.9 |
| 45 | 2 W | WM | 32 | NW SW | 69 | 26.1 |
| 45 | 2 W | WM | 32 | NE SE | 55 | 12.8 |
| 45 | 2 W | WM | 32 | NE SE | 69 | 27.2 |
| 45 | 2 W | WM | 32 | NW SE | 55 | 12.6 |
| 45 | 2 W | WM | 32 | NW SE | 69 | 27.4 |
| 45 | 2 W | WM | 33 | SW NE | 69 | 24.6 |
| 45 | 2 W | WM | 33 | SE NE | 69 | 14.2 |
| 45 | 2 W | WM | 33 | SW NW | 69 | 26.1 |
| 45 | 2 W | WM | 33 | SE NW | 69 | 25.1 |
| 45 | 2 W | WM | 33 | NE SW | 55 | 13.2 |
| 45 | 2 W | WM | 33 | NE SW | 69 | 23.1 |
| 45 | 2 W | WM | 33 | NW SW | 55 | 12.4 |
| 45 | 2 W | WM | 33 | NW SW | 69 | 27.0 |
| 45 | 2 W | WM | 33 | NE SE | 55 | 8.6 |
| 45 | 2 W | WM | 33 | NE SE | 69 | 20.3 |
| 45 | 2 W | WM | 33 | NW SE | 55 | 10.9 |
| 45 | 2 W | WM | 33 | NW SE | 69 | 19.3 |
| | | | | | Total | 490.0 |

Permit Amendment T-13981 Conditions:

The quantity of water diverted at the new point of appropriation (Well 1) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).

Water shall be acquired from the same aquifer as the original point of appropriation, Well 1.

Permit Amendment T-10313 Conditions:

The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-16132 (Superseded by Permit G-18833).

Prior to water use from the proposed points of appropriation, the permittee shall install meter(s) or other suitable measuring device(s) as approved by the Director. The permittee shall maintain the meter(s) or measuring device(s) in good working order, and 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.

The permittee shall allow the watermaster access to the meter(s) or measuring device(s); provided however, where the meter(s) or measuring device(s) is located within a private structure, the watermaster shall request access upon reasonable notice.

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

Extension of Time Conditions:

The permit holder had to submit a completed Progress Report Form to the Department by October 1, 2017, and 2022. Forms were included with the Extension Final Order.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

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 on each well. The totalizing flow meters must be installed and maintained in good working order consistent with those standards identified in OAR 690-507-645(1) through (3). The permittee 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 meters; provided however, where the meters are located within a private structure, the watermaster shall request access upon reasonable notice.

The wells shall produce groundwater only from the alluvial groundwater reservoir.

- (1) Use of water from the well, as allowed herein, shall be regulated if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The permittee/appropriator shall install a meter or other measuring device suitable to the Director and shall keep a complete record of water uses.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until the initial water level in the well has been measured. A measurement of initial water level shall be made at the time a pump is installed, but before pumping begins.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made twice each year, one during the month of March and one during the month of September.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals include certified water rights examiners, licensed water well drillers, registered geologists, registered professional engineers, registered land surveyors, licensed well constructor, pump installer licensed by the Construction Contractors Board, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be received not later than 30 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

STANDARD CONDITIONS

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 wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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

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

This permit is for 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 landuse goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2026. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

MAR 2 3 2023

Lisa . Jaramillo, Transfer and Conservation Section Manager

DOUGLAS E. WOODCOCK, Acting Director Oregon Water Resources Department

Permit Amendment Checklist

| Transfer: T- 13981 | | | | Trans | fer Specialist: Stall | |
|---|-------------------------------|---|-------------------------------------|--|---|--|
| Transfer Type: Permit A | Amendmen | t | | | 1 | |
| Applicant Name/Address/email: POHLSCHNEIDER FARMS INC. 17904 FRENCH PRAIRIE RD SAINT PAUL, OR 97137 | | Agent Name/Address/email: JEANNE BOATWRIGHT 2613 12TH ST SE SALEM, OR 97302 | | Rec Lando | owner Name/Address: | |
| CWRE Name/Number: | | | | The state of the s | Gov'ts Name/Address: County Planning nent | |
| Commentor(s): Name/Ac | idress: | Current Landowner Nan (if different than applica | | | | |
| Permit(s) Affected | | | | | | |
| Records Marked | Records Copied | App File No. or Decree Name | Permit N | 0. | Superseding Permit No. | |
| | | G-16466 | G-1613 | 32 | | |
| Key Dates & Initial Acti | ons | | | | | |
| Rec'd: April 19, 2022 | 2 | Proposed Action(s): POIN | T OF APPROPR | IATION | | |
| Fees Pd: 1840.00 | | WM District:16 | | ODFW District: | | |
| Initial Notice: UNAVAI | LABLE | | | ODFW Review sent: Done: NAA | | |
| Acknowledgement Lette | er Sent: 🛛 D | ate: | | GW Review sent: Done: 9-29-2022 | | |
| Processing Dates & Act Deficiency Contact(s): Draft Mailed: If yes, date rec'd okay fro | om agent/app sent; need? Y | es or No | Newspaper: | equested: news \$ sent: ved: ublish sent t ublication re | - G-18833 | |
| Final Order | | | | | | |
| Revie Date: Coord | nit Review (Optional) | Rev Dat Coo Dat | riewer: ce: ordinator: ce: | ng Permit Review (Salem) | | |
| Signa | ture Bin Date | | Sig | nature Bin D | Pate: | |
| Comments/Special | Issues: | | | | | |
| | | | | | | |
| Special Order Volume: Vo | l. Das | 105 | inal Order Signat | ura Data | | |

Notice of FO e-mailed to processors: ___

| <u>Application</u> |
|---|
| 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) |
| 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). 10-1-2026 |
| 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 |
| If necessary, there is a notarized, signed statement of consent from permit holders other than applicant. |
| If necessary, the permit has been assigned to permit amendment applicant. |
| Evaluation Materials |
| Application complete Permit Land Use form N/A Plat card |
| Amendment Map Permit Map Fees paid N/A Well logs |
| Application complete Permit Land Use form N/A Plat card Amendment Map Permit Map Fees paid N/A Well logs Reviews/comments/conditions received? Watermaster N/A ODFW N/A GW |
| N/A Headgate |
| N/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 No |
| Enlargement: Yes No |
| Conditions to avoid enlargement/injury – |
| ODFW conditions: |
| GW Conditions: |

| POHLSCHNEIDER FARMS, INC., C/O ALFRED POHLS | CHNEIDER RA R11-377-23 T- | 13981 | | |
|--|---------------------------|-------|-------|------------|
| Front Desk Staff receipts received AA funds | | | | |
| Transfer Support process Application | | | | |
| Administrator signs AA | | | | |
| NRS 1 Support 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 writes and sends deficiency ltr (email and hard copy) | | | | |
| NRS 2 addresses correspondence from app/agent regarding deficiencies | | | | |
| Watermaster completes review | | | | |
| Groundwater completes review | | | | |
| NRS 2 completes DPD, PN, and RR | | | | |
| Transfer staff peer reviews DPD, PN, RR | | | | |
| Transfer Analyst completes policy check at DPD stage | | | | |
| NRS 2 sends DPD to app/agent by email and/or mail | | | | |
| NRS 2 drafts and sends revised DPD | | | | |
| Transfer Staff peer reviews revised DPD | | | | |
| Transfer Analyst peer reviews revised DPD | | | | |
| NRS 2 reviews report of ownership | | | | |
| NRS 2 completes PD | | | | |
| Transfer Staff peer reviews PD | | | | |
| Transfer Analyst peer reviews PD | | | | |
| Data Center reviews PD AND RR: | | | | |
| 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 | | | | |
| Transfer Support processes fee and newspaper publishing | | | | |
| Transfer Support processes public notice (dept notice) | | | | |
| Administrator signs PD | | | | |
| NRS 2 completes FO | | | | |
| Transfer Staff peer reviews FO | | | | |
| Transfer Analyst peer reviews FO | | | | |
| Administrator signs FO | | | | |
| Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy | | | | |
| NRS 1 closes out RA Contract | | | | |
| | TOTAL ESTIMATE HOURS | 22.34 | | |
| | | | | |
| | | | TOTAL | \$1,259.39 |

Groundwater Transfer Review Summary Form

| Transfer/PA # T- 13981 (RA) |
|---|
| GW Reviewer Travis Brown Date Review Completed: 9/29/2022 |
| 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. |

| 0 1 | RE | GO |
|-----|------|--------|
| | | - |
| WAT | ERRI | ESOURC |
| | | TMEN |

Application: T-13981

Reviewer(s): Travis Brown

Proposed Changes:

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

☐ APOA

☐ POU

⊠ POA

USE

Ground Water Review Form: ■ Water Right Transfer Permit Amendment ☐ GR Modification Other Applicant Name: Pohlschneider Farms, Inc. ⊠ RA \square SW \rightarrow GW OTHER Date of Review: 9/29/2022 Date Reviewed by GW Mgr. and Returned to WRSD: JTI 11/7/22

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 |
| |

- Basic description of the changes proposed in this transfer: Applicant is requesting a change in the location of POA 1 under Permit G-16132, which authorizes nursery use on 490 acres with up to 5 cfs from 2 authorized POA. Per application T-13981, neither of the wells originally authorized under Permit G-16132 have been constructed yet.
- Will the proposed POA develop the same aguifer (source) as the existing authorized POA? Comments: Both the authorized From-POA and proposed To-POA would develop the alluvial aquifer system.
- 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)? Yes No Comments: All wells under Permit G-16132 would develop the alluvial aquifer system.
 - 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.): N/A
- 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?
 - Comments: The proposed To-POA is ~190 ft closer to neighboring well MARI 1356 than the authorized From-POA. The reduced intervening distance will likely result in an increase in interference with MARI 1342, albeit a minimal increase,

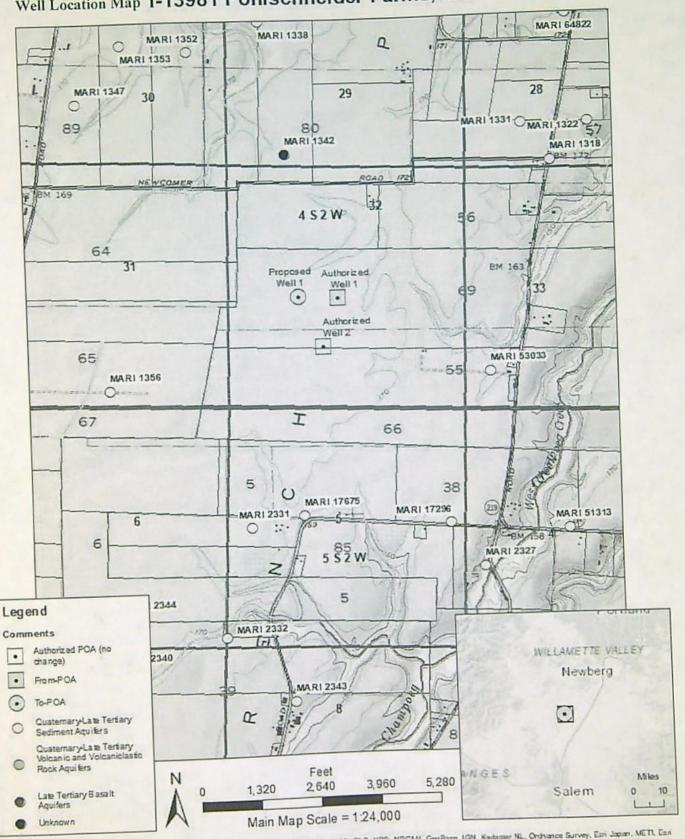
| Gro | ound Water Review Form | Transfer Application: T-1398 |
|-----|--|---|
| | b) If yes, would this proposed change, at its maximum a another groundwater right not receiving the water to what I yes No If yes, explain: The proposed To-Po that distance, interference from the proposed To-PoA is Undue Interference (SUI), as defined in OAR 690-008-distant wells (see attached Theis Interference Analysis). | nich it is legally entitled? OA is ~3,120 ft from MARI 1342. As unlikely to cause Substantial or 0001(8), with MARI 1342 or more |
| 5. | a) Will this proposed change, at its maximum allowed r in interference with another surface water source? Yes No Comments: The proposed To-POA surface water source (West Champoeg Creek) than the another surface water source (West Champoeg Creek) | is further away from the nearest |
| | b) If yes, at its maximum allowed rate of use, what is the interference with any surface water sources resulting for Stream: Minimal Stream: Minimal Provide context for minimal/significant impact: | from the proposed change? Significant |
| 6. | For SW-GW transfers, will the proposed change in poin water source similarly (as per OAR 690-380-2130) to the a specified in the water use subject to transfer? Yes No Comments: | |
| 7. | What conditions or other changes in the application are issues identified above: | necessary to address any potential |
| 8. | Any additional comments: | |
| Rei | eferences | |
| Con | onlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J. 2005, Ground-water hydrology of the Willamette Basin, Oregon, Sc. S. Geological Survey, Reston, VA. | ., Morgan, D.S., Lee, K.K., and Hinkle, S.R. cientific Investigations Report 2005-5168: U |
| Gan | nnett, M.W. and Caldwell, R., 1998, Geologic framework of the Will Washington, Professional Paper 1424-A, 32 p. U. S. Geological Sur | amette Lowland aquifer system, Oregon and vey, Reston, VA. |
| McF | Farland, W.D., and Morgan, D.S., 1996, Description of the Ground Oregon and Washington, Water Supply Paper 2470-A, 58 p. U.S. | d-Water Flow System in the Portland Basin Geological Survey, Reston, VA. |
| | eis, C.V., 1935, The relation between the lowering of the piezometric of a well using groundwater storage, American Geophysical Union | |

Page 2 of 4

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

Version: 20210204

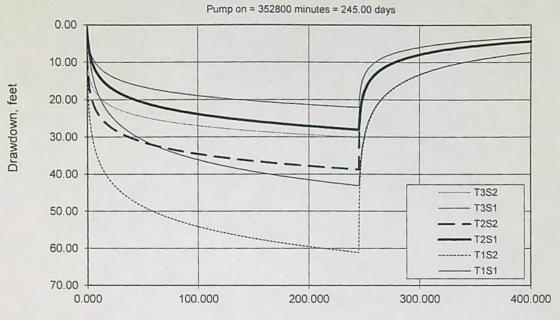
Well Location Map T-13981 Pohlschneider Farms, Inc.



Service Layer Credits: Sources: Esri, HERE, Germin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadasier NL, Ordnance Survey, Esri Japan, METI, Esri China (Hang Kong), (c) Open StreetMap contributors, and the GIS User Community Copyright O 2013 National Geographic Society, i cubied

Theis (1935) Interference Analysis - Proposed Well 1 to MARI 1342

Theis Drawdown and Recovery at r = 3120 ft From Pumping Well



Elapsed Time Since Pumping Started, days

Analysis Inputs

Total pumping time = 245 days [approx. time for duty to be exhausted at max rate, 5 cfs]

Radial distance = 3120 ft [distance from Proposed Well 1 to MARI 1342]

Pumping rate = 5 cfs [maximum authorized rate]

Transmissivity: T1=4400 ft²/day; T2=7400 ft²/day; T3=9850 ft²/day [pumping test reports]

Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

Watermaster Review Form Transfer Application

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13981

Review Due Date: 05/25/2022

| Applica | ant Name: Pohlschneider Farms Inc. | | | | | |
|---------|---|---|--|--|--|--|
| Propos | ed Changes: POU POD POA | USE OTHER | | | | |
| Review | ver(s): G. Wacker | Date of Review: 04/28/2022 | | | | |
| 1. | Do you have <u>evidence</u> that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.) | | | | | |
| 2. | Is there a history of regulation on the source that transferred right(s) and downstream water rights frequency of any regulation or explain why regula | | | | | |
| 3. | Have headgate notices been issued for the source Yes ✓ No Records not available | | | | | |
| 4. | In your estimation, after the proposed change, wo regulation of other water rights that would not hat was/were maximized? Yes Vo No If | | | | | |
| 5. | In your estimation, if the proposed change is appr be affected? Yes No If "Yes", describe most affected: | oved, are there upstream water rights that would how the rights would be affected and list the rights | | | | |

| 6. | Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: |
|----|---|
| 7. | For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: |
| 8. | N/A For instream transfers that propose protection of a reach beyond the mouth of the source stream: N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? Yes No |
| 9. | For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? Yes No If "Yes", explain: |
| 10 | . For POU or USE changes: N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No If "Yes", explain: |
| 11 | For POU changes that involve micro-irrigation: |

Watermaster Review Form Transfer Application

| b. | Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer? |
|----|--|
| | Yes No If "Yes", answer the following: |
| | i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain: |
| | ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No If "No", explain: |
| | iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain: |
| | iv. Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe: |
| | v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain: |
| | c. To the best of your knowledge, if this transfer is approved, does it appear that: i. "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain: |
| | ii. "Enlargement" of the water right being transferred will occur? Yes No If "Yes", explain: |

Other:

Watermaster Review Form Transfer Application

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

| Transfer #: T- |
|--|
| In order to avoid enlargement of the right or injury to other rights, a will be required to be installed <u>prior to diversion of water</u> , as a condition of this transfer: at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation. |
| For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster: |
| Watermaster name: |
| District: |
| Address: |
| City/State/Zip: |
| Phone: |
| Email: |
| Note: If a device other than the one specified in the Preliminary Determination or Final Order is approve by the Watermaster, fill out and mail the form below to the Salem office. |
| ******************** |
| Approval of an Alternate Measurement Device T- (to be filled out after consultation with the applicant, or after a site visit) |
| On behalf of the Director, I authorize use of the following suitable alternate measurement device: |
| |
| Watermaster signature District Date |
| If this form is used for approval of an alternative measurement device, it must be mailed to: |
| Oregon Water Resources Department 725 Summer Street NE, Suite A |

TACS Page 5 of 5 Last revised May 2019

Salem, OR 97301-1266

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 137958

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

| | | | | | COMMISSION CONTRACTOR OF THE PARTY OF THE PA | 37 | | | |
|--|----------------------|--|------------------------|-------------|--|-------------|--------|-------------|--|
| RECEIVED FROM: Pohlschneider Farms, Inc. | | | | | APPL | APPLICATION | | | |
| BY: | | | | | | | RMIT | | |
| | CASH: CHECK:#// 1/17 | | | | | TRANSFER | | 1-1398) | |
| CASI | | | | ENTIFY) | | TOTAL | DEGID | 184n m | |
| | | 10101 | | | | TOTAL | REC'D | \$1,840.00 | |
| - | 1083 | TREASURY | 4170 | WRDM | ISC CASH A | CCT | | - | |
| | - Contraction | S. S. Company | 7110 | WILE III | 100 07(0117 | | | S | |
| 0407 COPIES | | | | TIPO | | | | S | |
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| | 0243 I/S L | ease 0244 | Muni Wate | r Mgmt. Pla | in 02 | 45 Cons. \ | Nater | _ | |
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| | | MISCELLANEOUS | | | 46110 | | | | |
| | 0407 | COPY & TAPE FEE | S | | 10110 | | | \$ | |
| | 0410 | RESEARCH FEES | | | | | | \$ | |
| | 0408 | MISC REVENUE: | (IDENTIFY | 7 | | | | \$ | |
| | TC162 | DEPOSIT LIAB. (I | DENTIFY) | | | | _ | \$ | |
| | 0240 | EXTENSION OF TI | ME | | | | | | |
| | | WATER RIGHTS: | | EXAM FEE | | | | RECORD FEE | |
| | 0201 | SURFACE WATER \$ GROUND WATER \$ TRANSFER \$ 1840. | | | | 0202 | | \$ | |
| | 0203 | | | | | 2000 | 204 | \$ | |
| | 0205 | | | | | | | | |
| | | WELL CONSTRUC | ELL CONSTRUCTION | | EXAM FEE | | | LICENSE FEE | |
| | 0218 | WELL DRILL CONSTRUCTOR LANDOWNER'S PERMIT | | | | 0219 | | \$ | |
| | | | | | | | 220 | 5 | |
| | | OTHER | (IDENTIF | FY) | | | - | | |
| _ | | | 0407 | \A/=1 1 6 | ONOT OTA | DT FFF | | | |
| | 0536 | TREASURY | 0437 | WELL | CONST. STA | RIFEE | | | |
| | 0211 | WELL CONST STA | RT FEE | | \$ | | CARD# | | |
| | 0210 | MONITORING WE | LLS | | \$ | | CARD# | | |
| | | OTHER | (IDENTII | FY) | | | | | |
| _ | 0607 | TREASURY | 0467 | HYDRO | ACTIVITY | LIC NU | IMBER | | |
| | 0233 | POWER LICENSE | FEE (FWA | VRD) | | | | \$ | |
| | 0231 | | O LICENSE FEE (FW/WRD) | | | | | \$ | |
| | | HYDRO APPLICAT | | | | | | \$ | |
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| | | | | 11 | 111 | | 2 0 | | |

RECEIPT: 137958

DATED: 4-19 2022 BY: Mind Cudson

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

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.

| | Check | all items included with this application. (N/A = Not Applicable) |
|-------------|-------|--|
| \boxtimes | | Part 1 – Completed Minimum Requirements Checklist. |
| \boxtimes | | 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. |
| \boxtimes | | 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-16132, modified by Sp Ord V 75, Pg 356 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/4 | 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. Wells not yet constructed |
| | ⊠ 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 Date:/ |

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

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

| | ≥ N/A | If more than three permits are involved, separate maps for each permit. |
|-------------|-------|---|
| \boxtimes | | Permanent quality printed with dark ink on good quality paper. |
| \boxtimes | | The size of the map can be $8\% \times 11$ inches, $8\% \times 14$ inches, 11×17 inches, or up to 30×30 inches. For 30×30 inch maps, one extra copy is required. |
| \boxtimes | | A north arrow, a legend, and scale. |
| \boxtimes | | 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 preapproved 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°). |
| | | |

| | FEE WORKSHEET for PERMIT AMENDMENT | | | | | |
|---|---|---|---------|--|--|--|
| 1 | Base Fee (includes one type of change to one permit for up to 1 cfs) | 1 | \$1,360 | | | |
| | Types of change proposed: Place of Use Point of Diversion/Appropriation | | | | | |
| | Number of above boxes checked = 1 (2a) | | | | | |
| | Subtract 1 from the number in line 2a = 0 (2b) If only one change, this will be 0 | | | | | |
| 2 | Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » » | 2 | \$1,090 | | | |
| | Number of permits included in Permit Amendment 1 (3a) | | | | | |
| 3 | Subtract 1 from the number in 3a: 0 (3b) If only one permit this will be 0 Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » » | 3 | 0 | | | |
| 3 | Do you propose to add or change a well, or change from a surface water POD to a well? | 3 | 0 | | | |
| | No: enter 0 Yes: enter \$480 for the 1st well to be added or changed \$480 (4a) | | | | | |
| | | | | | | |
| | Do you propose to add or change additional wells? No: enter 0 Yes: multiply the number of additional wells by \$410 0 (4b) | | | | | |
| 4 | Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » | 4 | 0 | | | |
| | Do you propose to change the place of use? | | | | | |
| | No: enter 0 on line 5 | | | | | |
| | Yes: enter the cfs for the portions of the permits to be amended (see below*): (5a) | | | | | |
| | Subtract 1.0 from the number in 5a above:(5b) If 5b is 0, enter 0 on line 5 » » » » » » » » » » » » » » » » » » | | | | | |
| | If 5b is greater than 0, round up to the nearest whole number: (5c) and multiply 5c | | | | | |
| 5 | by \$350, then enter on line 5 » » » » » » » » » » » » » » » » » » | 5 | 0 | | | |
| 6 | Add entries on lines 1 through 5 above » » » » » » » » » Subtotal: | 6 | \$1,840 | | | |
| | Is this permit amendment: | | | | | |
| | necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? | | | | | |
| | endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? | | | | | |
| | If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 | | | | | |
| 7 | If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » | 7 | 0 | | | |
| 8 | Subtract line 7 from line 6 » » » » » » » » » » » » » Permit Amendment Fee: | 8 | \$1,840 | | | |

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

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

Applicant Information

| APPLICANT/BUSINESS NAME | | PHONE NO. | ADDITIONAL CONTACT NO. | |
|---------------------------|-------|-----------|------------------------|---------|
| Pohlschneider Farms, Inc. | | | 503.363.8341 | |
| ADDRESS | | | | FAX NO. |
| 17904 FRENCH PRAIRIE ROAD | D | | | |
| CITY | STATE | ZIP | E-MAIL | |
| ST. PAUL OREGON 97137 | | | alfredp@stpaultel.com | |

| | | nt is autho | rized to represent | the applicant in all i | matters relating to this application. | |
|--|--|--|----------------------|------------------------|---------------------------------------|--|
| AGENT/BUSINESS NAME | | | | PHONE NO. | ADDITIONAL CONTACT NO. | |
| JEANNE BOATWRIGHT | | | | 503.363.9225 | | |
| ADDRESS | | | | | FAX NO. | |
| BOATWRIGHT ENGINEERING, INC. 2613 12™ STREET SE | | | | | | |
| CITY STATE ZIP | | | | E-MAIL | | |
| SALEM OREGON 97302 jeanne@boatwrightengr.com BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT | | | | | | |
| | LLY. COPIES OF THE I | The state of the s | | | CE FROM THE DEPARTMENT | |
| | | | | | amendment; and why: | |
| | | | | | After consulting with our well | |
| | | | | | s to run power to and maintains | |
| | om surrounding sur | | | | | |
| If you need ac | ditional space, con | tinue on a s | separate piece of pa | aper and attach to the | e application as "Attachment 1". | |
| Check th | | t is fully or | partially funded b | y the American Reco | overy and Reinvestment Act. (Federal | |
| Is the applica | ant the permit hold | der of reco | rd? 🛛 Yes 🗌 No | | | |
| If NO, includ | le 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 Com | pletion ("C") Date | of the peri | mit(s) in this appli | cation expired? | Yes No | |
| | application will not | | | | | |
| If NO, what | are the completio | n dates of | the permit(s)? Oct | 1, 2026, per Final (| Order for Ext of Time for Pmt G-16132 | |
| | | | | | ation 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: Woodburn Independent

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

Alfred Pohlschneider, President Pohlschneider Farms, Inc. Print Name (and Title if applicable)

April __/8___ 2022

Permit Amendment Application - Page 4 of 9

13981

| Check one of the following: | | | | | |
|--|--|--|--|--|--|
| The applicant is responsible for concordinue to be sent to the applicant | | Notices and correspondence should | | | |
| The permit holder(s) of record will the final order is issued. Copies of holder(s) of record. | | npleting the proposed change(s) afte dence should be sent to the permit | | | |
| Check the appropriate box, if applicable: | | | | | |
| Check here if any of the permits prop by an irrigation or other water district | | are or will be located within or serve | | | |
| IRRIGATION DISTRICT NAME | ADDRESS | | | | |
| СІТУ | STATE | ZIP | | | |
| Check here if water for any of the pe | and the second s | The second of the second secon | | | |
| ENTITY NAME | ADDRESS | | | | |
| CITY | STATE | ZIP | | | |
| To meet State Land Use Consistency Requicity, municipal corporation, or tribal gover conveyed or used. | | | | | |
| Marion County | 555 Court Street NE | | | | |
| CITY Salem | STATE Oregon | ZIP 97301 | | | |
| | | | | | |
| ENTITY NAME ADDRESS | | | | | |
| CITY | STATE | ZIP | | | |
| ENTITY NAME | ADDRESS | | | | |
| CITY | STATE | ZIP | | | |
| | | | | | |

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

PERMIT # G-16132

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

| POD/POA Name or Number | Is this POD/POA Authorized by the permit or is it Proposed? | If POA, OWRD Well Log ID# (or Well ID Tag # L) | | | Rng | | Sec | % % | | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) | |
|---|--|--|--------|-------|-------|----------------|--------|--------|---------|--|--|--|
| Well 1 | Authorized Proposed | NOT CONSTRUCTED | 4 | S | 2 | w | 32 | NE | sw | 59 | 2430' N & 2460' E of SW COR SEC 32 | |
| Well 2 | Authorized Proposed | NOT CONSTRUCTED | 4 | S | 2 | w | 32 | NE | sw | 55 | 1350' N & 2140' E of SW COR SEC 32 | |
| Well 1 | ☐ Authorized ☐ Proposed | NOT CONSTRUCTED | 4 | S | 2 | w | 32 | NE | sw | 59 | 255' N & 1375' E of SE COR BERGEVIN DLC 64 | |
| Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses): Place of Use (POU) Point of Appropriation/Well (POA) Additional Point of Diversion (APOD) Additional Point of Diversion (APOD) Surface water POD to Ground Water POA (SW/GW) | | | | | | | | | | | | |
| Will | all of the propose | ed changes affect t | he e | ntire | wa | ter u | se per | mit? | | | | |
| | - Address Address Anna | te only the propos " listed above to o | | | | T. C. St. Land | | | | the ne | xt page. Use the | |
| | No Comple | te all of Table 2 to | desc | ribe | the | port | ion of | the pe | ermit t | o be ch | anged. | |
| or a chan | ge in place of use | : | | | | | | | | | | |
| ☐ Yes ☐ | No | ecord own or con | | | | | | | | | | |
| IF NIO +he | a landowner of th | e land TO which the | ne pla | ace o | of us | Pist | eing r | novec | must | be assi | igned to the nermit | |

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

Is the proposed place of use contiguous to the authorized place of use?

Yes

No

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

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

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

Table 2. Description of Changes to Water Use Permit # G-16132

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 | PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | | | | | |
|-----|---|-----|-----|------------|----------------------|-------|---|---|-----------------------------|----|----|---|----|-----|----|-----|---------|-------------------|-----------------------------|---|---------------|
| Twp | Rng | Sec | % % | Tax Lot | Gvt Lot or DLC | Acres | POD(s) or POA(s) (name or number from Table 1) | Priority Date | "CODES" from previous page) | Tv | wp | R | ng | Sec | 74 | 1/4 | Tax Lot | Gvt Lot or DLC | Acres (if applicable) | POD(s) or POA(s) to be used (from Table 1) | Priority Date |
| | | | | | | | | | POA | 4 | S | 2 | w | 31 | NE | SE | 500 | 55 | 2.5 | | |
| | | | | | | | | | POA | 4 | S | 2 | w | 31 | NE | SE | 500 | 69 | 2.2 | | FEB 6, 2006 |
| | | | | | | | | | POA | 4 | s | 2 | w | 32 | sw | NE | 500 | 59 | 27.0 | | |
| | | | | | | | | | POA | 4 | s | 2 | w | 32 | SE | NE | 500 | 59 | 26.3 | WELL #1 (PROPOSED) & WELL #2 (AUTHORIZED) | |
| | | | | | | | | | POA | 4 | S | 2 | w | 32 | sw | NW | 500 | 59 | 22.5 | | |
| | | | | | | | | | POA | 4 | s | 2 | w | 32 | SE | NW | 500 | 59 | 26.7 | | |
| | | | | | | | | | POA | 4 | s | 2 | w | 32 | NE | sw | 500 | 59 | 27.7 | ROPO | |
| | | | | | | | | | POA | 4 | s | 2 | w | 32 | NE | sw | 500 | 55 | 12.3 | #1 (PF & 2 (AU | |
| | | | | | | | | | POA | 4 | s | 2 | w | 32 | NW | sw | 500 | 59 | 26.1 | WELL #1 (PROPOSED) & JELL #2 (AUTHORIZED | |
| 2 | | | | | | | | | POA | 4 | S | 2 | w | 32 | NW | sw | 500 | 55 | 11.9 | 3 3 | |
| 3 | | | | | | | | | POA | 4 | S | 2 | w | 32 | NE | SE | 500 | 59 | 27.2 | | |
| 2 | | | | | | | | | POA | 4 | S | 2 | w | 32 | NE | SE | 500 | 55 | 12.8 | | |
| | | | | | | | | | POA | 4 | s | 2 | w | 32 | NW | SE | 500 | 59 | 27.4 | | |
| | | | | | | | | | POA | 4 | S | 2 | w | 32 | NW | SE | 500 | 55 | 12.6 | | |

| | 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 | (see are made. | | | | | | | | | | | |
|-----|---|-----|------|------------|----------------------|-------|---|------------------|--------------------------------|----------------|----|---|----|-----|-----|-----|------------|-------------------|-----------------------------|---|---------------|
| Twp | Rng | Sec | % % | Tax Lot | Gvt Lot or DLC | Acres | POD(s) or POA(s) (name or number from Table 1) | Priority Date | "CODES" from previous page) | T | wp | R | ng | Sec | 1/4 | 1/4 | Tax Lot | Gvt Lot or DLC | Acres (if applicable) | POD(s) or POA(s) to be used (from Table 1) | Priority Date |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | sw | NE | 500 | 59 | 24.6 | | |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | SE | NE | 500 | 59 | 14.2 | | FEB 6, 2006 |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | sw | NW | 500 | 59 | 26.1 | SED) | |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | SE | NW | 500 | 59 | 25.1 | | |
| | | | | | | | | | POA | 4 | S | 2 | w | 33 | NE | sw | 500 600 | 59 | 23.1 | | |
| | | | | | | | | | POA | 4 | S | 2 | w | 33 | NE | sw | 500 600 | 55 | 13.2 | WELL #1 (PROPOSED) & VELL #2 (AUTHORIZED) | |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | NW | sw | 500 | 59 | 27.0 | #1 (i | |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | NW | sw | 500 | 55 | 12.4 | WELL# | |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | NE | SE | 500 | 59 | 20.3 | > | |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | NE | SE | 500 | 55 | 8.6 | | |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | NW | SE | 500 | 59 | 19.3 | | |
| | | | | | | | | | POA | 4 | s | 2 | w | 33 | NW | SE | 500 | 55 | 10.9 | | |
| | | | TOTA | L ACR | ES | | | | | | | | | | | T | OTAL AC | RES | 490.0 | | |

Additional remarks:

| Are there other water rights certificates, water use permits or ground water registrations associated with |
|--|
| the "from" or "to" lands? ☐ Yes ⊠ No |
| If YES, list the other certificate, permit, or ground water registration numbers: |



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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

| Proposed or Authorized POA Name or Number | Is well already built? (Yes or No) | If an existing well, OWRD Well ID Tag No. L | Total well depth | Casing Diameter | Casing Intervals (feet) | Seal depth(s) (intervals) | Perforated or screened intervals (in feet) | Static water level of completed well (in feet) | Source aquifer (sand, gravel, basalt, etc.) | Well - specific rate (cfs or gpm). If less than full rate of water right |
|--|--|---|------------------------|--------------------|-------------------------------|---------------------------------|--|---|--|--|
| 1 | NO | | ~300′* | 8"-20" | 300 | ~150′ | 150-300* | TBD | SAND & GRAVEL | |
| 2 | NO | | ~300′* | 8"-20" | 300 | ~150′ | 150-300* | TBD | SAND & GRAVEL | |

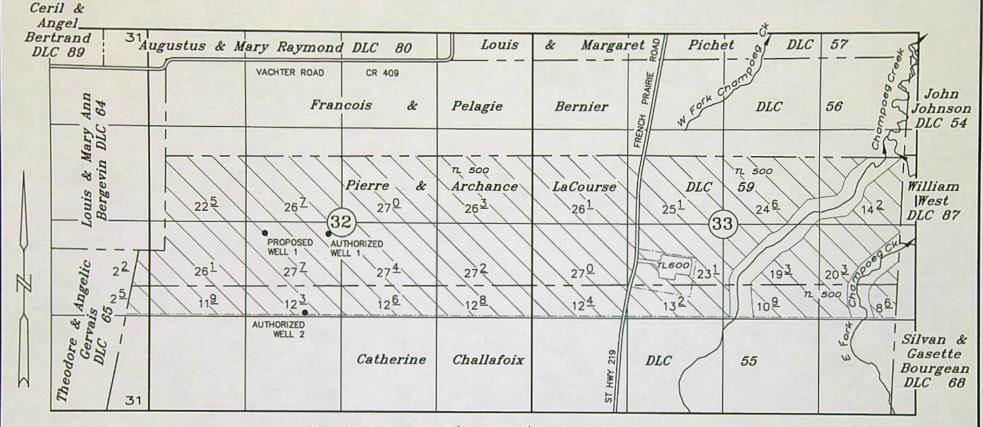
^{*}The diameter and length of well casings, perforation intervals, seal depth, and total well depths will vary depending on the actual location that water-bearing sands and gravel are encountered.

(Construction is the same as proposed in previous application.)

| Township | Range | Section | 1/4 1/4 | Tax Lo | ot# | Plan Designation (e.g. Rural Residential / RR-5) | | | Water to be: | | Proposed Land Use |
|----------|-------|---------|---------|--------|-------|---|---|----------|--------------|------|----------------------|
| 4S | 2W | 31 | NE-SE | 4S2WB | 1 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 32 | SW-NE | 4S2W3 | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 32 | SE-NE | 4S2W3 | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 32 | SW-NW | 4S2W | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 32 | SE-NW | 4S2W | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 32 | NE-SW | 4S2W | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 32 | NW-SW | 4S2W. | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 32 | NE-SE | 4S2W | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 32 | NW-SE | 4S2W | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 4S | 2W | 33 | SW-SW | 4S2W5 | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 33 | SW-NE | 4S2W3 | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 4S | 2W | 33 | SE-NE | 4S2W5 | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 33 | SW-NW | 4S2W3 | 1 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 4S | 2W | 33 | SE-NW | 4S2W3 | | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 45 | 2W | 33 | NE-SW | 4S2W. | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 4S | 2W | 33 | NE-SW | 4S2W | 600 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 45 | 2W | 33 | NW-SW | 4S2W | 500 | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 4S | 2W | 33 | NE-SE | 4S2WB | - | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| 48 | 2W | 33 | NW-SE | 4S2W3 | | Agriculture/EFU | | Diverted | Conveyed | Used | Farming |
| | | | | | (33 | | | Diverted | Conveyed | Used | |
| | | | | HUN | 200 | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | - |
| - | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | - |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
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| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | n | Diverted | Conveyed | Used | |
| | | | | | | | F | Diverted | Conveyed | Used | |
| | | | | | | | | Diverted | Conveyed | Used | |
| | | | | | | | F | Diverted | Conveyed | Used | |
| | | | | | | | H | Diverted | Conveyed | Used | |
| | | | | | | | | | | | |

T4S, R2W, WM

MARION COUNTY



---- Tax Lot Line

Authorized Well #1: 2430' N & 2460' E of SW Cor Sec 32

Proposed Well #1: 255' N & 1375' E of SE Cor Bergevin DLC No. 64

Authorized Well #2: 1350' N & 2140' E of SW Cor Sec 32

TAX LOTS: 429/ 33 500 600

Application for a Permit Amendment

POINT OF APPROPRIATION

G-16132

Application No. G-16466 Permit No's Sp Ord V 75, Pg 356 Transfer No. T-

Pohlschneider Farms, Inc.

NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.

April 5, 2022 SCALE: 1" = 1320'



Renews: December 31, 2023

Land Use **Information Form**



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

Applicant: Pohlschneider Farms, Inc.

Mailing Address: 17904 French Prairie Road

City: St. Paul State: Oregon Zip Code: 97137 Daytime Phone: 503.633.8341

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 | % % | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | | Water to be: | | Proposed Land Use: |
|-----------------------|---|---|--------------------------|--|--|---------------|---------------|--------------------|-----------------------|
| | | | | See | Attached Sheet | Diverted | ☐ Conveyed | Used | |
| | | | | | | Diverted | ☐ Conveyed | Used | |
| | | | | | | ☐ Diverted | ☐ Conveyed | Used | |
| | | | | | | Diverted | ☐ Conveyed | Used | |
| List all cour | nties and ci | ties where | water is pro | oposed to be | diverted, conveyed, ar | id/or used or | developed: | | |
| Marion | | | | | | | | | |
| Permit Limited | olication to to Use or Sid Water Use vater: R | be filed wit tore Water License eservoir/Pon | h the Water Water Alloca | er Resources I Right Transfer tion of Conserv round Water | | nge of Water | | ter Registra | tion Modification |
| Estimated of | uantity of | water need | ed: 5.0 | ⊠ cubi | ic feet per second | gallons per n | ninute 🔲 a | acre-feet | |
| ntended us | e of water | : Irrigati | | Commercial Quasi-Municip | Industrial Instream | ☐ Dome | estic for | househole on 490.0 | d(s) |
| Briefly desc | ribe: | | | | | | | | |
| A Permit construct | Application | on is being | filed to c | hange the lo | cation of one of the | authorized | l wells, whic | th has not | t yet been |
| | | | | | | | | | |

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

13981

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 an | nd provide the requested information | | |
|--|---|--------------------------------------|--|
| Land uses to be served by the proposed water by your comprehensive plan. Cite applicable | er uses (including proposed construction) ar ordinance section(s): 136.620 | e allowed outri | ght or are not regulated |
| Land uses to be served by the proposed water as listed in the table below. (Please attach do Record of Action/land-use decision and according periods have not ended, check "Being pursuitation.") | er uses (including proposed construction) in ocumentation of applicable land-use approv mpanying findings are sufficient.) If approve | volve discretion als which have | already been obtained. |
| Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Lan | d-Use Approval: |
| | | ☐ Obtained ☐ Denied | ☐ Being Pursued ☐ Not Being Pursued |
| | | Obtained Denied | ☐ Being Pursued ☐ Not Being Pursued |
| | | ☐ Obtained ☐ Denied | ☐ Being Pursued ☐ Not Being Pursued |
| | | ☐ Obtained ☐ Denied | ☐ Being Pursued ☐ Not Being Pursued |
| | | ☐ Obtained ☐ Denied | ☐ Being Pursued ☐ Not Being Pursued |
| | ved outright per 17. | | |
| Name: Saved Bradfard | Title: Phone: 503.588.5038 | Associati | e Planner |
| Signature: | Phone: 503.588.5038 | Date: 4 | /13/2022 |
| Government Entity: Marion County Planning Di | vision | | |
| Note to local government representative: Pleas sign the receipt, you will have 30 days from the N Information Form or WRD may presume the land comprehensive plans. | Water Resources Department's notice date d use associated with the proposed use of w | to return the co rater is compati | ompleted Land Use ible with local |
| | for Request for Land Use Informati | | - Carried State of the Control of th |
| Applicant name: | | | |
| City or County: | Staff contact: | | |
| Signature: | Phone: Date |): | |

Boatwright Engineering, Inc.

civil engineering • water rights • land surveying

2613 12th Street SE, Salem, Oregon 97302 Phone (503) 363-9225 e-mail: jeanne@boatwrightengr.com

MEMO

To:

OWRD Transfer Section

From:

Jeanne Boatwright &B

Date:

April 19, 2022

Re:

Permit G-16132

The applicant intends to file a Transfer Reimbursement Authority Estimate Application as soon as the Transfer File Number is assigned.

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT #

138816

725 Summer St. N.E. Ste. A SALEM, OR 97301-4172

INVOICE # .

| (550) 550 5550 (550) 550 550 (150 | | |
|--|-----------------|-------------|
| RECEIVED FROM: Nohlschneider tarms, | APPLICATION | |
| BY: Inc. | PERMIT | |
| CACIL OUTCOM OTHER ADEATIES | TRANSFER | T-13981 |
| CASH: CHECK:# OTHER: (IDENTIFY) | TOTAL REC'D | \$1,25939 |
| 1083 TREASURY 4170 WRD MISC CASH A | CCT | |
| 0407 COPIES 47124 R11377-23 | | \$ |
| 0412 OTHER: (IDENTIFY) Reimburgemen | + authority | \$1,259.39 |
| 0243 I/S Lease 0244 Muni Water Mgmt. Plan 02 | | |
| 4270 WRD OPERATING | | |
| 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 S | 0202 | \$ |
| 0203 GROUND WATER \$ | 0204 | \$ |
| 0205 TRANSFER S | | |
| WELL CONSTRUCTION EXAM FEE | | LICENSE FEE |
| 0218 WELL DRILL CONSTRUCTOR \$ | 0219 | \$ |
| LANDOWNER'S PERMIT | 0220 | \$ |
| OTHER (IDENTIFY) | | |
| OTTLEY (IDENTITY) | | |
| 0536 TREASURY 0437 WELL CONST. STA | RT 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 | | s |
| And the property of the second | | |
| TREASURY OTHER / RDX | | |
| FUND TITLE REC | EIVED | are the |
| OBJ. CODE VENDOR # OVER THE | COLINITE | D |
| DESCRIPTION | COUNTE | 5 |
| | or +0 -200 Fig. | H ME COM |

RECEIPT: 138816

DATED: 09/04/22

BY:



REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT

Contract Number: R11-377-23

AUG 02 2022

OWRD

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Pohlschneider Farms Inc., hereafter Applicant, hereafter known together as the parties.

| OWRD | Information | Applica | nt's Information | Applicant | 's Representative |
|--------------------------------|---|-------------------------------|--|-------------------------------|--|
| Contact: Title: Address: | Kelly Starnes Transfer Advisor 725 Summer Street, NE, Suite A Salem, OR 97301-1266 | Name: Contact: Address: | Pohlschneider Farms, Inc. Alfred Pohlschneider 17904 French Prairie Rd St. Paul, OR 97137 | Name: Contact: Address: | Boatwright Engineering, Inc. Jeanne Boatwright 2613 12 th St. SE Salem, OR 97302 |
| Phone: Fax: Email: | 503 979-3511 503 986-0901 patrick.k.starnes@water.oregon.gov | Phone: Fax: Email: | (503) 633-8341 alfredp@stpaultel.com | Phone: Fax: Email: | (503) 363-9225 jeanne@boatwrightengr.com |

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-13981)

- 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.
- 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.
- 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 \$1,259.39. Applicant agrees to pay the full amount of \$1,259.39 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.
- 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:

For OWRD:

Name/Title:

Lackneider Farma One by

wight French - Administrator

Mail signed Agreement to:

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

RECEIVED

AUG 02 2022

OWRD

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT #

138370 SALEM, OR 97301-4172 (503) 986-0900 / (503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

| | (505) 555 | | The State of the S | |
|-------------------|--|--|--|-----------------|
| RECEIVED FROM: PO | nlschneider t | arms, Inc. | APPLICATION | |
| BY: | | | PERMIT | |
| CACH. OUTOK | OTUED UDENTIES | 0 | TRANSFER | 1-13981 |
| CASH: CHECK:# | The state of the s | 1) | TOTAL BECCO | 0106 00 |
| L X 163 | 330 | | TOTAL REC'D | \$ 25.00 |
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| | 47124 | H11377- | | s |
| CILLIA . | A | Stee Reinsh | ursement- | \$ 125.00 |
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| 0243 I/S Lease | 0244 Muni Water Mgmt | . Plan 024 | 5 Cons. Water | |
| | 4270 WRD | OPERATING A | CCT | |
| MISCEL | LANEOUS | | | |
| 0407 COPY 8 | TAPE FEES | | | \$ |
| 0410 RESEA | RCH FEES | | | \$ |
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| TC162 DEPOS | IT LIAB. (IDENTIFY) | | | \$ |
| 0240 EXTEN | SION OF TIME | | | \$ |
| WATER | RIGHTS: | EXAM FEE | | RECORD FEE |
| 0201 SURFA | CE WATER | \$ | 0202 | \$ |
| 0203 GROUN | ND WATER | \$ | 0204 | S |
| 0205 TRANS | FER | \$ | | |
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Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



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 |
|---------|-------------|-------------------------|
| | Transfer | |
| × | Application | Transfer Number T-13981 |

| | Applicant Information | Applicant's Representative/Contact |
|-----------------|--|------------------------------------|
| Name: | Pohlschneider Farms, Inc. | Jeanne Boatwright |
| Address: | c/o Alfred Pohlschneider | Boatwright Engineering, Inc. |
| | 17904 French Prairie Rd. St. Paul OR 97137 | 2613 12th St SE, Salem OR 97302 |
| Phone: | 503.633.8341 | 503.363.9225 |
| Fax: | | |
| E-Mail Address: | alfredp@stpaultel.com | jeanne@boatwrightengr.com |

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 Received by OWRD

JUN 1 0 2022

Salem, OR

| I certify | that | am the | Icheck | onel. |
|-----------|-------|-----------|--------|--------|
| CELLII | Lilat | alli tile | CHECK | Ulicj. |

| Applicant 1 | Applicant's | Representative | Other | (Please specify) | |
|-------------|-------------|----------------|-------|------------------|--|
|-------------|-------------|----------------|-------|------------------|--|

Name: Alfred Pohlschneider, President, Pohlschneider Farms, Inc.

Signature: Offeel Pohlschneider Presiden

OWRD USE ONLY: Reimbursement Authority Number: R11- 377 -23 Caseworker: T. Smith



Water Resources Department

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

April 25, 2022

POHLSCHNEIDER FARMS INC. 17904 FRENCH PRAIRIE RD SAINT PAUL, OR 97137

Reference: Application T-13981

On April 19, 2022, OWRD received your water right Permit Amendment Application. The application was accompanied by \$1840.00. Our receipt number 137958 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 to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application <u>may</u> 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 in the new place of use or 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. #16, Gregory J. Wacker (via email)
Marion County Planning Department
Jeanne Boatwright, Agent

Enclosure

Permit Amendment Process

ORS 537.211 Changes: POD/POA, Place of Use

Application Received

(required information included and Permit C-date has not passed) 60-days before changes can be made

Injury Review forms sent to Watermaster, and Groundwater staff

> Notice of Application in WRD Weekly Notice (No Comment Period)

Deficiency Letter, if needed (30-day or longer response period)

Review of the potential for enlargement of the right, or injury to other rights, (as soon as Watermaster and Groundwater staff reviews are complete)

If review is positive, **Notice of proposed** change published in a newspaper once a week for 2 or 3 consecutive weeks (<u>not</u> a Protest Period).

Final Order approving or denying change is issued after last date of publication, stating that (if approved) the change may not be made until at least 60 days has elapsed since application was received.

POA A

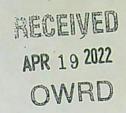
Permit Amendment Application Checklist
Checked by Joan Date 4/20/22

T-13981 App#<u>G-16466</u> Permit#<u>G-16132</u>

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

| (If O | K, c | heck box to left; if not, fill in the blank) |
|-------|------|--|
| | 1. | Is the name of the Permit Amendment applicant the same as the Water Right Permit holder(s) of record? |
| | | If not, one of the following must be included with the application: |
| | | a) An affidavit of consent from all Permit holder(s) or the other Permit holders that have not signed the Permit Amendment application form, consenting to the proposed Permit Amendment application; OR, |
| | | b) A completed Request for Assignment form (and statutory fee) to move all (or portion) of the permit into the Permit Amendment applicant's name. |
| | | If not, what is missing? |
| / | / | |
| V | 2. | Page 1 of application: Are all attachments that have been checked actually included? |
| | | If not, what is missing? |
| V | 3. | Are fees included and correct? Fee Paid: 1840. 92 |
| , | | If not, the correct fee would be:, so the amount missing is: |
| M | 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? |
| V | 5/ | Are the Permit completion date(s) current? Ext of Time 10/1/2026e If the Permit completion date has expired, we CANNOT accept the application. |
| ₩ W | 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. |





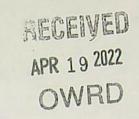
Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

| Applicant Name(s) & Address: Pohlschnlider Farms, LLC | |
|---|---------------------------------|
| 17904 French Prairie RD, St. Paul OR 97, | 137 |
| Transaction Type: Permit Amendment | |
| Fees Received: \$ 1846.00 | |
| ☐ Cash ☐ Check: Check No. 16262 | |
| Name(s) on Check: Same as abov | e. |
| Address on Check: Same as abov | e |
| Thank you for your submission. Oregon Water Resources Department (Department review your submittal as soon as possible. | t) staff will |
| If your submission is determined to be complete, you will receive a receipt for the an acknowledgement letter stating your submittal is complete. | fees paid and |
| If determined to be incomplete, your submission and the accompanying fees will be an explanation of deficiencies that must be addressed in order for the submittal to | e returned with be accepted. |
| If you have any questions, please feel free to contact the Department's Customer sat 503-986-0801 or 503-986-0810. | Service staff |
| Sincerely, OWRD Customer Service Staff | |
| Submission received by: LOVIL LOVILIN (Name of OWRD staff) | |
| Instructions for OWRD staff: | • |

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.





Date Received (Date Stamp Here)

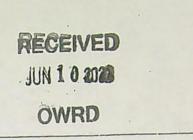
OWRD Over-the-Counter Submission Receipt

| Applicant Name(s) & Address: Pohlschnlider Farms, LLC |
|--|
| 17904 French Prairie RD, St. Paul OR 97137 |
| Transaction Type: Permit Amendment |
| Fees Received: \$ 1846.00 |
| □ Cash ☐ Check: Check No. 16262 |
| Name(s) on Check: Same as above |
| Address on Check: Same as above |
| Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible. |
| If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete. |
| If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted. |
| If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810. |
| Sincerely, OWRD Customer Service Staff |
| Submission received by: LOVILO (Name of OWRD staff) |
| |

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other
 copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
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- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other.document) in the large bottom drawer.





Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

| Applicant Name(s) & Address: Poh/schneider Farms, Inc. |
|--|
| c/o Alfred Pohlschneider, 17904 France Rd, St. Paul, OR |
| Transaction Type: RA - Pernet Ameranent - T- 13981 9713 |
| Fees Received: \$ 105.00 |
| □ Cash □ Check: Check No. 16330 |
| Name(s) on Check: Pohlschneider Farms, Inc. |
| Address on Check: 1904 French Prane Rd NE |
| Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible. |
| If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete. |
| If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted. |
| If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810. |
| Sincerely, OWRD Customer Service Staff |
| Submission received by: Ada Davis (Name of OWRD staff) |
| Instructions for OWRD staff: |

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other
 copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



RECEIVED

AUG 02 2022

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

| Applicant Name(s) & Address: Pohlschneider Farms Inc |
|--|
| 17904 French Prairie RD St. Paul OR 97137 |
| Transaction Type: PA |
| Fees Received: \$ 1259.39 |
| Cash Check: Check No. 16409 |
| Name(s) on Check: Same as above |
| Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible. |
| If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete. |
| If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted. |
| If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810. |
| Sincerely, OWRD Customer Service Staff |
| Submission received by: LOVILD (Name of OWRD staff) |
| Instructions for OWRD staff: |

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place
 the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

725 Summer St. NE, Suite A, Salem, OR 97301 Phone: 503-986-0900