

T-13337

T-13337

Permit amendment

Name Thomas macdonaldAddress PO Box 87
Summer lake, Oregon 97140Change in POU, POADate Filed 12/26/2019Initial notice date 01/07/2020

DPD issued date

PD issued date

PD notice date

Date of FO 2/4/2021 Vol 18 Page 410-552

C-Date

COBU due date

COBU Received date

Certificate issued

Assignments:

Irrigation District

Agent Scott montgomery, scott@apeandis.com

CWRE

CC's list lake County

DESCRIPTION OF WATER RIGHT(s)

Name of Stream WellTrib. of ana river basinUse Fish Culture, Irrigation, Supp Ir County lake

Quantity of water (CFS) No. of Acres

Name of ditch

App# G-11640 Per # G-17749 Cert # PR Date 01/07/1987

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

FEES PAID

Date	Amount	Receipt #
12-26-19	\$5,300.00	131629
3-3-2020	\$2,800.00	132057
3-5-2020	\$350.00	132075

FEES REFUNDED

Date	Amount	Receipt #



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.Oregon.gov/OWRD

February 18, 2025

VIA EMAIL AND U.S. MAIL

Western State Steelhead LLC
2157 N Northlake Way
Seattle, WA 98103

AG West Farm Credit FLCA
AG West Farm Credit PCA
2157 N Northlake Way Suite 120
Seattle, WA 98103-9184

Re: Notice of Reconsideration of Final Order on Permit Amendment Application T-13337

Dear Western State Steelhead LLC, AG West Farm Credit FLCA, and AG West Farm Credit PCA:

On October 21, 2024, the Oregon Water Resources Department ("Department") issued a final order concerning Permit Amendment Application T-13337 captioned "Reconsideration of a Final Order Recorded in Special Order Volume 118, Pages 496-502, Withdrawing a Final Order" ("Final Order on Reconsideration"). The Final Order on Reconsideration is recorded in Special Order Volume 133, pages 226-235. On December 19, 2024, Western State Steelhead LLC filed a petition for reconsideration of the Final Order on Reconsideration. Pursuant to OAR 137-004-0080(4), the Department is reconsidering the Final Order on Reconsideration. Under OAR 137-004-0080(7), the Final Order on Reconsideration remains in effect during reconsideration.

Sincerely,

Lisa J. Jaramillo, Transfer and Conservation Section Manager, Oregon Water Resources Department

cc: Dominic Carollo, Attorney for Western State Steelhead LLC
P.O. Box 2456
Roseburg, OR 97470
dcarollo@carollolegal.com



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cc: Dominic Carollo, Attorney for Western State Steelhead LLC
P.O. Box 2456
Roseburg, OR 97470
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725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

October 21, 2024

Ag West Farm Credit FLCA
2157 N Northlake Way, Suite 120
Seattle, WA 98103-9184

Ag West Farm Credit PCA
2157 N Northlake Way, Suite 120
Seattle, WA 98103-9184

Western State Steelhead, LLC
2157 N Northlake Way
Seattle, WA 98103

FINAL ORDER ON RECONSIDERATION

Reference: T-13337

Enclosed is an Order on Reconsideration as recorded in Special Order Vol. 133, Page 226, issued to withdraw and supersede the final order recorded in Special Order Vol. 118 Page 496. The final order recorded in Special Order Vol. 118 Page 496 is of no further force or effect.

If you have any questions please contact your caseworker, Arla Davis, telephone at (503) 979-3129 or by e-mail at arla.l.davis@water.oregon.gov.

Sincerely,

Elyse D. Richman
Water Right Support
Transfers and Conservation Section

cc: Watermaster Dist. # 12, Matt A. Anderson (*via email*)

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment	)	RECONSIDERATION OF A FINAL ORDER
T-13337, Lake County	)	RECORDED IN SPECIAL ORDER VOLUME
	)	118, PAGES 496-502, WITHDRAWING A
	)	FINAL ORDER

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

AG WEST FARM CREDIT FLCA
2157 N NORTHLAKE WAY SUITE 120
SEATTLE, WA 98103-9184

WESTERN STATE STEELHEAD LLC
2157 N NORTHLAKE WAY
SEATTLE, WA 98103

AG WEST FARM CREDIT PCA
2157 N NORTHLAKE WAY SUITE 120
SEATTLE, WA 98103-9184

Findings of Fact

1. On December 26, 2019, THOMAS A. MACDONALD, filed an application to change the points of appropriation and to change the place of use under Permit G-17749. The Department assigned the application number T-13337.
2. On March 14, 1994, the Department approved an assignment of the permit from Robert F. Olson to Summer Lake Trout Farm.
3. On June 12, 1995, the Department approved an assignment of the permit from Summer Lake Trout Farm to Key Bank of Oregon, Agricultural Banking Center.
4. On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
5. On September 10, 2010, the Department approved an assignment of the permit from Northwest Farm Credit Services FLCA/PCA to Thomas A. MacDonald.

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.

6. On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
7. On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
8. On January 16, 2015, the Department approved an extension of time for complete application of water to October 1, 2016.
9. On July 28, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
10. On December 18, 2020, the Department approved an extension of time for complete application of water to October 1, 2025.
11. Notice of the application for the permit amendment was published in the Department's weekly notice on January 7, 2020, and in the Lake County Examiner newspaper on October 7 and 14, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
12. On February 20, 2020, the agent for the applicant contacted the Department regarding updated application materials and to address fees not submitted at the time the application was received.
13. On February 28, 2020, the Department received amended application pages and maps by mail. The amended application requested Western Development Group LP be added as an applicant.
14. On March 5, 2020, the Department received additional fees from the applicant.
15. On April 1, 2020, the agent for the applicant provided amended application pages and maps satisfying all deficiencies.
16. On February 4, 2021, the Department issued a Final Order approving Permit Amendment Application T-13337, recorded at Special Order Volume 118, Pages 496 to 502. The Department subsequently issued superseding Permit G-18433 describing the changes. The Final Order approving T-13337 and the superseding permit were placed in the U.S. Mail on February 5, 2021.
17. The Department received a timely request for reconsideration from Attorney Steve Shropshire in accordance with OAR 137-004-0080, requesting that the Final Order and Superseding Permit be reconsidered, withdrawn and reissued to correct certain deficiencies and inconsistencies set forth in marked up documents attached to the request for reconsideration.
18. On April 15, 2022, the Department received a letter from Attorney Dominic M. Carollo, requesting acceptance of the letter as a supplement to Petition for Reconsideration in the matter of Permit Amendment T-13337 filed by Attorney Steve Shropshire. The letter explained that the Department should remove "the condition that any one of Wells 1-4 be abandoned be struck from the Final Order" because those wells were the same as flowing artesian wells

included in a surface water registration (SWR 170) claiming pre-1909 surface water rights, and that requiring any of them to be abandoned as a condition of granting Permit Amendment T-13337 would infringe upon SWR 170 by ordering the abandonment of one of SWR 170's claimed points of diversion without affording the claimant due process. First, Mr. Carollo's letter was not a timely request for reconsideration of Final Order approving Permit Amendment Application T-13337 (recorded at Special Order Volume 118, Pages 496 to 502). Second, Mr. Carollo's assertions are inconsistent with the Department's long-standing position that well construction is distinct from the use of a spring box, and that well construction converts the use from surface water to groundwater.

19. On March 7, 2023, the Department approved an assignment of the permit from Thomas A. MacDonald and Western Development Group LP to Western State Steelhead, LLC.
20. On March 24, 2023, the Department approved an assignment of the permit from Western State Steelhead, LLC to Western State Steelhead, LLC, Ag West Farm Credit, FLCA and AgWest Farm Credit, PCA.
21. This order is issued to supersede the previous order recorded at Special Order Volume 118, Pages 496 to 502, issued February 4, 2021, and superseding permit, G-18433. The table described in Finding of Fact #16, now Finding of Fact #23, has been revised. The table described in Finding of Fact #17, now Finding of Fact #24, has been revised. Finding of Fact #19 was removed and some of that language was incorporated into the current Finding of Fact #26. Finding of Fact #20-#28 were removed and incorporated into what is now Finding of Fact #26. Condition #5 was removed in its entirety. Condition #4, now Condition #5, contained a scrivener's error which has been corrected. Some of the language in Condition #7, now condition #9, has been re-described. Superseding Permit G-18914 is issued to replace Permit G-18433.

22. The right to be amended is as follows:

Permit:	G-18433 in the name of AG WEST FARM CREDIT, FLCA, AG WEST FARM CREDIT, PCA and WESTERN STATE STEELHEAD, LLC
Use:	FISH CULTURE, IRRIGATION OF 50.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 569.6 ACRES
Priority Date:	APRIL 7, 1897 for 10.0 CFS FOR FISH CULTURE and 7.73 CFS FOR IRRIGATION and JUNE 14, 1989 for 7.8 CFS FOR FISH CULTURE.
Quantity:	The use is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE
Rate/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.
Source:	NINE WELLS in the ANA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	WELL 1 – 390 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 2 – 480 FEET SOUTH AND 190 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 3 – 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 4 – 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	SE NW	WELL 5 – 3155 FEET NORTH AND 220 FEET WEST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SE SW	WELL 9 – 1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL 8 – 2010 FEET NORTH AND 135 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SW SE	WELL 6 – 105 FEET NORTH AND 250 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	8	NE NW	WELL 7 – 180 FEET SOUTH AND 250 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 10 – 330 FEET SOUTH AND 180 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 11 – 550 FEET SOUTH AND 155 FEET WEST FROM THE N1/4 CORNER OF SECTION 8

Authorized Place of Use:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	5	SE NW
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	8	NW NE
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4
Total					50.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0
Total					569.6

23. Permit Amendment Application T-13337 proposes to re-describe four of the authorized points of appropriation, move four of the authorized points of appropriation and to add two additional points of appropriation, with approximate distances between 103 feet and 3720 feet from the existing points of appropriation, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Proposed Change
30 S	17 E	WM	8	NE NW	WELL 1 – 425 FEET SOUTH AND 145 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 8	Location Re-description
30 S	17 E	WM	8	NE NW	WELL 2 – 530 FEET SOUTH AND 170 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 8	Location Re-description
30 S	17 E	WM	8	NE NW	WELL 3 – 575 FEET SOUTH AND 135 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 8	Location Re-description
30 S	17 E	WM	8	NE NW	WELL 4 – 405 FEET SOUTH AND 150 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 8	Location Re-description
30 S	17 E	WM	5	SE NW	WELL 5 – 3155 FEET NORTH AND 220 FEET WEST FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SW SE	WELL 6 – 105 FEET NORTH AND 250 FEET EAST FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 5	POA
30 S	17 E	WM	8	NE NW	WELL 7 – 180 FEET SOUTH AND 250 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 8	POA
30 S	17 E	WM	5	NW SE	WELL 8 – 2010 FEET NORTH AND 135 FEET EAST FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SE SW	WELL 9 – 1040 FEET NORTH AND 130 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 10 – 330 FEET SOUTH AND 180 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 8	Additional POA
30 S	17 E	WM	8	NE NW	WELL 11 – 550 FEET SOUTH AND 155 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 8	Additional POA

24. Permit Amendment Application T-13337 also proposes to change the place of use of the fish culture portion of the permit to:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	5	SW NE
30 S	17 E	WM	5	SE NW
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	8	NW NE
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW

25. On August 11, 2020, the agent and attorney for the applicant met with Department staff via conference call regarding construction of the existing wells under Permit G-17749 to ensure each well is accessing the correct groundwater source; the potential for injury and enlargement if Permit Amendment Application T-13337 is not conditioned to limit the total number of wells under Permit G-17749 to no more than nine (9); and that all wells constructed under Permit G-17749 (and any superseding permits) must be properly constructed in accordance with current well construction standards. Additionally, it was clarified that WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029) will be replaced on a one for one basis by WELL 10 and WELL 11.
26. On April 21, 2020, a groundwater review of Permit Amendment Application T-13337 was completed by the Department's groundwater staff and submitted to the file. The groundwater review clarifies that geologic deposits in the vicinity of Ana Reservoir which includes the wells authorized and proposed by Permit Amendment Application T-13337, should receive groundwater solely from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill as follows:
- a) WELL 1 (LAKE 3030): well is open to receive groundwater from both the basin-fill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
 - b) WELL 2 (LAKE 1507): well is open to receive groundwater from both the basin-fill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
 - c) WELL 3 (LAKE 4444): well is open to receive groundwater from both the basin-fill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.

- d) WELL 4 (LAKE 3029): well is open to receive groundwater from both the basin-fill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.
 - e) WELL 5 (LAKE 52764) is open to receive groundwater from the basin-fill only. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
 - f) WELL 6 (LAKE 52368) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
 - g) WELL 7 (LAKE 52369) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill. However, the casing and seal stops at the base of the basin fill rather than extend into the volcanic rocks and sediments below the basin fill.
 - h) WELL 8 (LAKE 52487) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
 - i) WELL 9, WELL 10 and WELL 11, are not yet drilled and are required to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
27. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head. The applicant may, with approval of the Director, install another suitable measuring device.
28. Based on information received from the Watermaster, in order to prevent injury, the Permit Amendment must be conditioned to limit the total number of wells authorized under the permit to no more than 9 wells. Further:
- a) If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
 - b) If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
 - c) If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If

repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

29. All wells constructed under Permit G-17749 (or any superseding permit) must meet current well construction standards. Any well(s) constructed under Permit G-17749 (or any superseding permit) that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

30. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

31. Condition for construction of existing WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), and WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Permit Amendment Review Criteria

32. The changes, as conditioned, would not result in injury to other water rights.
33. The proposed place of use is owned and/or controlled by the permit holder.
34. The changes, as conditioned, do not enlarge the permit.
35. The changes do not alter any other terms of the permit.
36. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337, as conditioned, are consistent with the requirements of ORS 537.211.

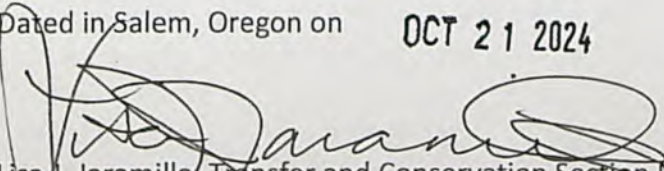
Now, therefore, it is ORDERED:

1. The order recorded at Special Order Volume 118, Pages 496-502 is withdrawn and is of no further force or effect and is superseded by this order.
2. The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337 are approved.
3. Permit G-18914, in the name of THOMAS A. MACDONALD, is issued to replace Permit G-18433 (originally Permit G-17749), and incorporates the amendments approved by this order, the extensions of time, and the assignments. Permit G-18433 (originally Permit G-17749), in the name of THOMAS A. MACDONALD, is no longer of any force or effect.
4. The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.
7. No more than a total of nine (9) wells may be authorized under Permit G-18433. Therefore:
 - a. If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
 - b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or

- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.
8. All wells constructed under Permit G-18914 must meet current well construction standards. Any well(s) constructed under Permit G-18914 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.
9. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):
- When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with well construction statutes and rules, as detailed in ORS 537 and OAR 690-220. Abandonment methods shall be consistent with artesian well abandonment requirements and shall take place within one year from the date of completion of the replacement well.
10. Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:
- All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.
11. Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029) WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.
12. All other terms and conditions of Permit G-18914 remain the same.

Dated in Salem, Oregon on

OCT 21 2024


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing Date: OCT 22 2024

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

AG WEST FARM CREDIT FLCA
2157 N NORTHLAKE WAY SUITE 120
SEATTLE, WA 98103-9184

WESTERN STATE STEELHEAD LLC
2157 N NORTHLAKE WAY
SEATTLE, WA 98103

AG WEST FARM CREDIT PCA
2157 N NORTHLAKE WAY SUITE 120
SEATTLE, WA 98103-9184

This superseding permit is issued to describe amendments for a change in place of use and a change in the points of appropriation proposed under Permit Amendment Application T-13337 and approved by Special Order Volume 181, Page 496 entered February 4, 2021, and to describe reconsideration of a final order of a Final Order approved by Special Order Volume 133, Page 226, entered OCT 21 2024, and to describe extensions of time for complete application of water approved January 10, 2008, January 20, 2012, October 18, 2013, January 16, 2015, July 28, 2017, and December 18, 2020 and to describe assignments to new permittees approved March 14, 1994, June 12, 1995, September 10, 2010, March 7, 2023, and March 24, 2023. This permit supersedes Permit G-18433.

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

The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE and 7.73 CFS FOR IRRIGATION and JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

*THE WELLS ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	WELL 1 - 425 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 2 - 530 FEET SOUTH AND 170 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 3 - 575 FEET SOUTH AND 135 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 4 - 405 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	SE NW	WELL 5 - 3155 FEET NORTH AND 220 FEET WEST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SE SW	WELL 9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL 8 - 2010 FEET NORTH AND 135 FEET EAST FROM THE S1/4 CORNER OF SECTION 5

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	5	SW SE	WELL 6 - 105 FEET NORTH AND 250 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	8	NE NW	WELL 7 - 180 FEET SOUTH AND 250 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 10 - 330 FEET SOUTH AND 180 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 11 - 550 FEET SOUTH AND 155 FEET WEST FROM THE N1/4 CORNER OF SECTION 8

*This permit is limited to a total of no more than nine wells. See condition on page 4 of permit G-18433.

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

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

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

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	5	SW NE
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4
Total					50.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0
Total					569.60

Permit Amendment T-13337 Conditions:

The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

Water use measurement conditions:

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

The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

* No more than a total of nine (9) wells may be authorized under Permit G-18433. Therefore:

- a. If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
- b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

Permit Amendment T-11749 Conditions

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

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

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

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

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

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

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

Water use measurement conditions:

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

Extension of Time Conditions:

Last Extension Condition

This is to be the last extension of time granted for Permit G-17749. Any future extensions of time requests shall be denied.

Original Permit Conditions:

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

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

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

Actual construction work was to begin on or before April 30, 1991, however, complete application of the water to the use was extended and shall be made on or before October 1, 2025. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

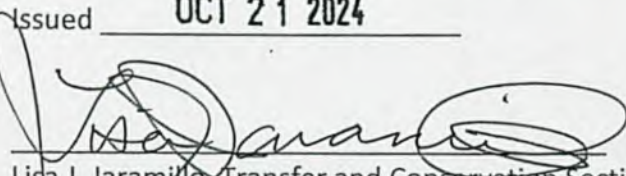
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued OCT 21 2024

A handwritten signature in black ink, appearing to read 'Lisa J. Jaramillo', is written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department



Oregon

Tina Kotek, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

March 24, 2023

Aleutian Spray Fisheries, Inc.
2157 N Northlake Way, Suite 210
Seattle, WA 98103

Reference: Application G-11640, Permit G-18433

The assignment from Western State Steelhead, LLC to Western State Steelhead, LLC, AgWest Farm Credit, FLCA and AgWest Farm Credit, PCA has been recorded in the records of the Water Resources Department.

The Departments records will now show Western State Steelhead, LLC, AgWest Farm Credit, FLCA, and AgWest Farm Credit, PCA as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 140354 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit requires complete application of water to the proposed use by October 1, 2025, and 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).

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt # 140354

cc: Western State Steelhead, LLC – 2157 N Northlake Way, Suite 210, Seattle, WA 98103
AgWest Farm Credit – 2157 N Northlake Way Suite 120, Seattle, WA 98103
Data Center, OWRD (cover letter & request)
File



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER
T-10716, Lake County	)	APPROVING ADDITIONAL POINTS
	)	OF APPROPRIATION

Authority

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

Thomas A. MacDonald
P.O. Box 40
Summer Lake, Oregon 97640

Findings of Fact

Background

1. On September 30, 2008, Thomas A. MacDonald, filed an application for additional points of appropriation under Permit G-11024. The Department assigned the application number T-10716.

2. The permit to be amended is as follows:

Permit: G-11024 in the name of Thomas A. MacDonald
Use: Fish culture, primary irrigation of 50.1 acres and supplemental irrigation of 569.6 acres
Priority Dates: April 7, 1987 for 10.0 cubic feet per second (cfs) for fish culture and 7.73 cfs for irrigation; June 14, 1989 for 7.8 cfs for fish culture
Rate: 17.8 cubic feet per second (cfs); being 7.73 cfs for irrigation and 17.8 cfs for fish culture
Limit/Duty: ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.
Sources: Four wells in the Ana River Basin

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 137-004-080 and OAR 690-01-005 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.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	Well 1 - 530 feet South and 160 feet West from the N $\frac{1}{4}$ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 2 - 560 feet South and 160 feet West from the N $\frac{1}{4}$ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 3 - 590 feet South and 170 feet West from the N $\frac{1}{4}$ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 4 - 500 feet South and 150 feet West from the N $\frac{1}{4}$ Corner of Section 8.

Authorized Places of Use:

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0

3. The applicant has provided information that better describes the authorized points of appropriation as being located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	Well 1 - 390 feet South and 150 feet West from the N¼ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 2 - 480 feet South and 190 feet West from the N¼ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 3 - 525 feet South and 140 feet West from the N¼ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 4 - 340 feet South and 145 feet West from the N¼ Corner of Section 8.

4. Permit Amendment Application T-10716 proposes four additional points of appropriation approximately 200 to 900 feet North from the existing points of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	Well 5 - 150 feet South and 300 feet West from the N¼ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 6 - 160 feet South and 80 feet West from the N¼ Corner of Section 8.
30 S	17 E	WM	5	SE SW	Well 7 - 150 feet North and 30 feet West from the S¼ Corner of Section 5.
30 S	17 E	WM	5	SE SW	Well 8 - 340 feet North and 280 feet West from the S¼ Corner of Section 5.

5. Notice of the application for the permit amendment was published in the Department's weekly notice on October 7, 2008 pursuant to ORS 540.520(5). No comments were filed in response to the notice.

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 additional points of appropriation proposed by Permit Amendment Application T-10716 are consistent with the requirements of ORS 537.211.

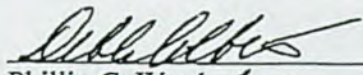
Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

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

2. The permittee shall construct and maintain the necessary pipelines or ditches and install and maintain the necessary measuring devices so the provisions of the permit may be enforced by the proper state officer.
3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of Permit G-11024 remain the same.
5. Permit G-11024, in the name of Thomas A. MacDonald, is amended as described herein.

Dated at Salem, Oregon this 10 day of December 2008.



Phillip C. Ward, *for*
Director

Mailing Date: DEC 12 2008

Affidavit of Publication

STATE OF OREGON,
County of Lake,

} ss.

I, Matilda W. Flynn, being first duly sworn, depose and say that I am the

General Manager

Publisher, Editor or Business Manager

of

the Lake County Examiner, a newspaper of general circulation printed and published at Lakeview in the aforesaid county and state, as defined by Chapter 193ORS, that

Notice of Water Permit

Amendment #T-13337 MacDonald

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Two successive and consecutive weeks in the following issues:

October 7, 2020; October 14, 2020

Matilda W. Flynn

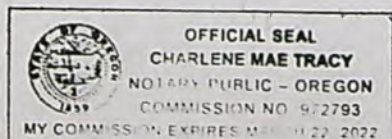
Subscribed and sworn to before me this 26th

day of October 2020

Charlene Mae Tracy

Notary Public for Oregon

(My commission expires 03-22-2022)



LAKE COUNTY EXAMINER

Notice of Permit
T-13337

Western Dev
LP, PO Box
OR 9764
MacDon
mer l
a c

14 | WEDNESDAY, OCTOBER 14, 2020

per second from nine wells in Sects. 5 and 8, T30S, R17E, WM for irrigation, supplemental irrigation and fish culture in Sects. 4, 5, 8 and 9, T30S, 17E, WM.

The applicant proposes to move the points of appropriation in Sec. 5 and 8, T30S, R17E, WM, to add points of appropriation in Sec. 8, T30S, R17E, WM and to change the place of use for the fish culture to Sects 5 and 8, T30S, 17E, WM.

The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is 10/14/2020.

DATES OF PUBLICATION:
October 7, 2020
October 14, 2020

5343

RECEIVED
OCT 29 2020
OWRD

I, Matilda W. Flynn, being first duly sworn, depose and say that I am the

General Manager

Publisher, Editor or Business Manager

of

the Lake County Examiner, a newspaper of general circulation printed and published at Lakeview in the aforesaid county and state, as defined by Chapter 193ORS, that

Notice of Water Permit

Amendment #T-13337 MacDonald

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Two successive and consecutive weeks in the following issues:

October 7, 2020; October 14, 2020

Matilda W. Flynn

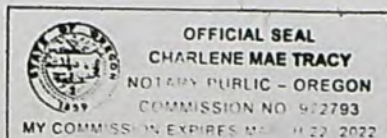
Subscribed and sworn to before me this 26th

day of October 2020

Charlene Mae Tracy

Notary Public for Oregon

(My commission expires 03-22-2022)



Notice of Permit Amendment T-13337

T-13337 filed by Western Development Group LP, PO Box 40, Summer Lake, OR 97640 and Thomas A. MacDonald, PO Box 87, Summer Lake, OR 97640, propose a change in point of appropriation, additional points of appropriation and change the place of use under Permit G-17749.

The permit allows the use of 17.79 cubic feet per second from nine wells in Sects. 5 and 8, T30S, R17E, WM for irrigation, supplemental irrigation and fish culture in Sects. 4, 5, 8 and 9, T30S, 17E, WM.

The applicant proposes to move the points of appropriation in Sec. 5 and 8, T30S, R17E, WM, to add points of appropriation in Sec. 8, T30S, R17E, WM and to change the place of use for the fish culture to Sects 5 and 8, T30S, 17E, WM.

The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is 10/14/2020.

DATES OF PUBLICATION:

October 7, 2020

October 14, 2020

5343

RECEIVED

OCT 29 2020

OWRD

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER
T-13337, Lake County	)	APPROVING CHANGES IN POINTS
	)	OF APPROPRIATION AND A
	)	CHANGE IN PLACE OF USE

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.

align
Applicant

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

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

Findings of Fact

1. On December 26, 2019, THOMAS A. MACDONALD, filed an application to change the points of appropriation and to change in place of use under Permit G-17749. The Department assigned the application number T-13337.
2. On March 14, 1994, the Department approved an assignment of the permit from Robert F. Olson to Summer Lake Trout Farm.
3. On June 12, 1995, the Department approved an assignment of the permit from Summer Lake Trout Farm to Key Bank of Oregon, Agricultural Banking Center.
4. On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
5. On September 10, 2010, the Department approved an assignment of the permit from Northwest Farm Credit Services FLCA/PCA to Thomas A. MacDonald.
6. On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
7. On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
8. On January 16, 2015, the Department approved an extension of time for complete application of water to October 1, 2016.

<p>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.</p>

9. On July 28, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
10. Notice of the application for the permit amendment was published in the Department's weekly notice on January 7, 2020, and in the _____ newspaper on _____, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notice(s).
11. On February 20, 2020, the agent for the applicant contacted the Department regarding updated application materials and to address fees not submitted at the time the application was received.
12. On February 28, 2020, the Department received amended application pages and maps by mail. The amended application requested Western Development Group LP be added as an applicant.
13. On March 5, 2020, the Department received additional fees from the applicant.
14. On April 1, 2020, the Department provided amended application pages and maps satisfying all deficiencies.
15. Permit Amendment Application T-13337 proposes to move four of the authorized points of appropriation and to add two points of appropriation, with approximate distances between 103 feet and 3720 feet from the existing points of appropriation, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Proposed Change
30 S	17 E	WM	8	NE NW	WELL 1 – 390 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 2 – 480 FEET SOUTH AND 190 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 3 – 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 4 – 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	5	SE NW	WELL 5 – 3155 FEET NORTH AND 220 FEET WEST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SW SE	WELL 6 – 105 FEET NORTH AND 250 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	8	NE NW	WELL 7 – 180 FEET SOUTH AND 250 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	POA
30 S	17 E	WM	5	NW SE	WELL 8 – 2010 FEET NORTH AND 135 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SE SW	WELL 9 – 1040 FEET NORTH AND 130 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 10 – 330 FEET SOUTH AND 180 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Additional POA
30 S	17 E	WM	8	NE NW	WELL 11 – 550 FEET SOUTH AND 155 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Additional POA

16. Permit Amendment Application T-13337 also proposes to change the place of use of the fish culture portion of the permit to:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW

17. On August 11, 2020, the applicants' agents and attorneys met via conference call with Department staff to discuss: construction of the existing wells under Permit G-17749 to ensure each well is accessing the correct groundwater source; the potential for injury and enlargement if Permit Amendment Application T-13337 is not conditioned to limit the total number of wells under Permit G-17749 to no more than nine (9); and that all wells constructed under Permit G-17749 (and any superseding permits) must be properly constructed in accordance with current well construction standards. Additionally, it was clarified that WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029) will be replaced on a one for one basis by WELL 10 and WELL 11.
18. The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.
19. WELL 1 (LAKE 3030): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
20. WELL 2 (LAKE 1507): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
21. WELL 3 (LAKE 4444): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.

22. WELL 4 (LAKE 3029): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.
23. WELL 5 (LAKE 52764) is open to receive groundwater from the basin-fill only. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
24. WELL 6 (LAKE 52368) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
25. WELL 7 (LAKE 52369) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill. However, the casing and seal stops at the base of the basin fill rather than extend into the volcanic rocks and sediments below the basin fill.
26. WELL 8 (LAKE 52487) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
27. WELL 9, WELL 10 and WELL 11, are not yet drilled and are required to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
28. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.
29. Based on information received from the Watermaster, in order to prevent injury, the Permit Amendment must be conditioned to limit the total number of wells authorized under the permit to no more than 9 wells. Further:
 - a) If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
 - b) If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
 - c) If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

30. All wells constructed under Permit G-17749 (or any superseding permit) must meet current well construction standards. Any well(s) constructed under Permit G-17749 (or any superseding permit) that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

31. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

32. Condition for construction of existing WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), and WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Permit Amendment Review Criteria

33. The changes, as conditioned, would not result in injury to other water rights.

34. The proposed place of use is owned and/or controlled by the permit holder.

35. The changes, as conditioned, do not enlarge the permit.

36. The changes do not alter any other terms of the permit.

37. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337, as conditioned, are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337 are approved.
2. Permit G-18433, in the name of THOMAS A. MACDONALD, is issued to replace Permit G-17749, and incorporates the amendments approved by this order, the extensions of time, and the assignments. Permit G-17749, in the name of THOMAS A. MACDONALD, is no longer of any force or effect.

3. The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.
4. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private
5. The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.
6. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.
7. No more than a total of nine (9) wells may be authorized under Permit G-18433. Therefore:
 - a. If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
 - b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or

- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.
8. All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.
9. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.
10. Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.
11. Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.
12. All other terms and conditions of Permit G-18433 remain the same.

Dated in Salem, Oregon on

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

Mailing Date:

STATE OF OREGON
COUNTY OF LAKE
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

This superseding permit is issued to describe amendments for a change in place of use and a change in the points of appropriation proposed under Permit Amendment Application T-13337 and approved by Special Order Volume 117, Page ____ entered _____, and to describe extensions of time for complete application of water approved January 10, 2008, January 20, 2012, October 18, 2013, January 16, 2015, and July 28, 2017 to describe assignments to new permittees approved March 14, 1994, June 12, 1995, and September 10, 2010. This permit supersedes Permit G-17749.

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

The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE and 7.73 CFS FOR IRRIGATION and JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

*THE WELLS ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	WELL 1 - 390 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 2 - 480 FEET SOUTH AND 190 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 3 - 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 4 - 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	SE NW	WELL 5 - 3155 FEET NORTH AND 220 FEET WEST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SE SW	WELL 9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL 8 - 2010 FEET NORTH AND 135 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SW SE	WELL 6 - 105 FEET NORTH AND 250 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	8	NE NW	WELL 7 - 180 FEET SOUTH AND 250 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 10 - 330 FEET SOUTH AND 180 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 11 - 550 FEET SOUTH AND 155 FEET WEST FROM THE N1/4 CORNER OF SECTION 8

*This permit is limited to a total of no more than nine wells. See condition on page 4 of permit G-18433.

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

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

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

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4
Total					50.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0
Total					569.60

Permit Amendment T-13337 Conditions:

The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029 WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029 WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

Water use measurement conditions:

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

The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.

The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

* No more than a total of nine (9) wells may be authorized under Permit G-18433. Therefore:

- a. If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
- b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

Permit Amendment T-11749 Conditions

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

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

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

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

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

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

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

Water use measurement conditions:

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

Extension of Time Conditions:

Last Extension Condition

This is to be the last extension of time granted for Permit G-17749. Any future extensions of time requests shall be denied.

Original Permit Conditions:

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

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

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

Actual construction work was to begin on or before April 30, 1991, however, complete application of the water to the use was extended and shall be made on or before October 1, 2020. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

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

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

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

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

Issued _____

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

Notice of Permit Amendment T-13337

T-13337 filed by Western Development Group LP, PO Box 40, Summer Lake, OR 97640 and Thomas A. MacDonald, PO Box 87, Summer Lake, OR 97640, propose a change in point of appropriation, additional points of appropriation and change the place of use under Permit G-17749. The permit allows the use of 17.79 cubic feet per second from nine wells in Sects. 5 and 8, T30S, R17E, WM for irrigation, supplemental irrigation and fish culture in Sects. 4, 5, 8 and 9, T30S, 17E, WM. The applicant proposes to move the points of appropriation in Sec. 5 and 8, T30S, R17E, WM, to add points of appropriation in Sec. 8, T30S, R17E, WM and to change the place of use for the fish culture to Sects 5 and 8, T30S, 17E, WM. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is MM/DD/YEAR.



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 25, 2021

Western Development Group LP
PO Box 40
Summer Lake, OR 97640

Re: Notice of Reconsideration of Final Order on Permit Amendment Application T-13337

Dear Western Development Group, LP

The petition for reconsideration was received by the Department on April 7, 2021. Pursuant to OAR 137-004-0080(4) the Department is reconsidering the Final Order on T-13337, Special Order Volume 118, Page 496, issued February 4, 2021, and superseding permit, G-18433. The Final Order remains in effect during reconsideration. On conclusion of reconsideration the Department will issue an order confirming, modifying or reversing the existing order.

Sincerely,

Lisa J. Jaramillo, Transfer and Conservation Section Manager

cc: Steve Shropshire, Attorney



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 25, 2021

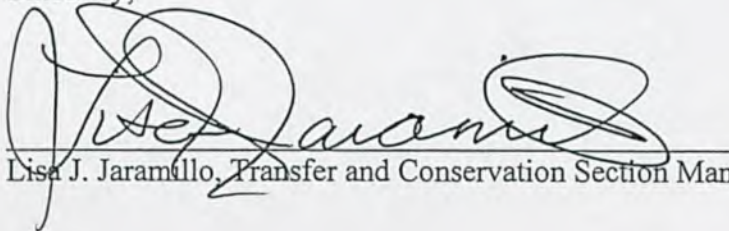
Thomas A. MacDonald
PO Box 87
Summer Lake, OR 97640

Re: Notice of Reconsideration of Final Order on Permit Amendment Application T-13337

Dear Thomas A. MacDonald

The petition for reconsideration was received by the Department on April 7, 2021. Pursuant to OAR 137-004-0080(4) the Department is reconsidering the Final Order on T-13337, Special Order Volume 118, Page 496, issued February 4, 2021, and superseding permit, G-18433. The Final Order remains in effect during reconsideration. On conclusion of reconsideration the Department will issue an order confirming, modifying or reversing the existing order.

Sincerely,



Lisa J. Jaramillo, Transfer and Conservation Section Manager

cc: Steve Shropshire, Attorney

RECEIVED

FEB 28 2020

Part 5 of 5 – Water Use Permit Information

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

PERMIT # G-17749

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)	
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3030	30 S	17 E	8	NE NW	601	390 feet South and 150 feet West from the North ¼ corner of Section 8	✓ m1
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 3030	30 S	17 E	8	NE NW	601	*425 feet South and 145 feet West from the North ¼ corner of Section 8	m2
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 1507	30 S	17 E	8	NE NW	601	480 feet South and 190 feet West from the North ¼ corner of Section 8	m3
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 1507	30 S	17 E	8	NE NW	601	*530 feet South and 170 feet West from the North ¼ corner of Section 8	m4
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 4444	30 S	17 E	8	NE NW	601	525 feet South and 140 feet West from the North ¼ corner of Section 8	m5
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 4444	30 S	17 E	8	NE NW	601	*575 feet South and 135 feet West from the North ¼ corner of Section 8	m6
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3029	30 S	17 E	8	NE NW	601	340 feet South and 145 feet West from the North ¼ corner of Section 8	m7
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 3029	30 S	17 E	8	NE NW	601	*405 feet South and 150 feet West from the North ¼ corner of Section 8	m8
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52764	30 S	17 E	5	SE NW	600	3200 feet North and 300 feet West from the North ¼ corner of Section 8	m9
Well 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52764	30 S	17 E	5	SE NW	600	*3,155 feet North and 220 feet West from the South ¼ corner of Section 5	m10
Well 6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52368	30 S	17 E	5	SW SE	600	155 feet North and 230 feet East from the North ¼ corner of Section 8	m11
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52368	30 S	17 E	5	SW SE	600	*105 feet North and 250 feet East from the South ¼ corner of Section 5	m12
Well 7	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52369	30 S	17 E	8	NE NW	601	110 feet South and 280 feet West from the North ¼ corner of Section 8	m13
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52369	30 S	17 E	8	NE NW	601	*180 feet South and 250 feet West from the North ¼ corner of Section 8	m14
Well 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52487	30 S	17 E	5	NW SE	600	2070 feet North and 100 feet East from the North ¼ corner of Section 8	m15

Well 8	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52487	30	S	17	E	5	NW	SE	600	*2,010 feet North and 135 feet East from the South ¼ corner of Section 5	m16
Well 9	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	not drilled yet	30	S	17	E	5	SE	SW	600	1,040 feet North and 130 feet West from the North ¼ corner of Section 8	m17
Well 10	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	not drilled yet	30	S	17	E	8	NE	NW	601	330 feet South and 180 feet West from the North ¼ corner of Section 8	m18
Well 11	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	not drilled yet	30	S	17	E	8	NE	NW	601	550 feet South and 155 feet West from the North ¼ corner of Section 8	m19

*These POAs have been re-described slightly from that listed on the Permit to more accurately reflect the location of the wells. The location, as presented in this Permit Amendment, are the same location as these well have always been located.

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

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

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

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

For a change in place of use:

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

☐ Yes ☒ No (an assignment form is being submitted that will be completed on a parallel track to this application)

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.

RECEIVED

FEB 28 2020

OWRD

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Sunday, July 19, 2020 9:36 AM
To: Steve Shropshire; Bruce Brody-Heine; Scott Montgomery (Scott@apeands.com)
Cc: JARAMILLO Lisa J * WRD; STARNES Patrick K * WRD; GALL Ivan K * WRD; Dennis Orłowski; GRONDIN Gerald H * WRD; PIERCEALL Jeffrey D * WRD; MAYER Brian M * WRD; John Young (JYoung@williamskastner.com); NASHEM William D * WRD
Subject: Draft Final Order for Permit Amendment T-13337 for Permit G-17749 for Thomas MacDonald and Western Developments Group LP
Attachments: 13337 pa ord approve.pdf; G-17749 superseded G-18433.pdf

Good Morning,

Please find attached a **DRAFT** copy of the final order and the superseding permit for Permit Amendment T-13337 for Permit G-17749 for Thomas MacDonald and Western Developments Group LP.

A newspaper notice will be required and I will follow-up very shortly with a request for the amount needed to run the notice in the Lake County Examiner which is the newspaper that has been selected by the applicant. Once those monies are received the notice will run in the paper for 2 weeks. The Department will receive an affidavit of publication from the newspaper normally within 30 days. Once the affidavit is received by the Department, the final order and final superseding permit will be issued at that time. If there are any questions please let me know. Hope everyone is well!

Arla L. Davis

Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301



OREGON
WATER
RESOURCES
DEPARTMENT

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

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Sunday, July 19, 2020 9:38 AM
To: STARNES Patrick K * WRD
Cc: JARAMILLO Lisa J * WRD
Subject: URGENT!! - Newspaper Estimate for Permit Amendment T-13337 for Thomas MacDonald and Western Development Group LP
Attachments: newspaper notice.docx
Importance: High

Hi Kelly,

I need a quote from the Lake County Examiner for a 2-week run of the attached notice for this Permit Amendment. Thanks! ☺

Arla L. Davis

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Direct; 503-986-0806



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

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

12-10-2008

In the Matter of Permit Amendment
T-10716, Lake County

) **FINAL ORDER**
) **APPROVING ADDITIONAL POINTS**
) **OF APPROPRIATION**

Authority

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

Thomas A. MacDonald
P.O. Box 40
Summer Lake, Oregon 97640

Findings of Fact

Background

1. On September 30, 2008, Thomas A. MacDonald, filed an application for additional points of appropriation under Permit G-11024. The Department assigned the application number T-10716.

2. The permit to be amended is as follows:

Permit: G-11024 in the name of Thomas A. MacDonald
Use: Fish culture, primary irrigation of 50.1 acres and supplemental irrigation of 569.6 acres
Priority Dates: April 7, 1987 for 10.0 cubic feet per second (cfs) for fish culture and 7.73 cfs for irrigation; June 14, 1989 for 7.8 cfs for fish culture
Rate: 17.8 cubic feet per second (cfs); being 7.73 cfs for irrigation and 17.8 cfs for fish culture
Limit/Duty: ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.
Sources: Four wells in the Ana River Basin

ADDS 4 wells
well #5
well #6
well #7
well #8

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 137-004-080 and OAR 690-01-005 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.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	Well 1 - 530 feet South and 160 feet West from the N¼ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 2 - 560 feet South and 160 feet West from the N¼ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 3 - 590 feet South and 170 feet West from the N¼ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 4 - 500 feet South and 150 feet West from the N¼ Corner of Section 8.

Authorized Places of Use:

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0

3. The applicant has provided information that better describes the authorized points of appropriation as being located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	Well 1 - 390 feet South and 150 feet West from the N $\frac{1}{4}$ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 2 - 480 feet South and 190 feet West from the N $\frac{1}{4}$ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 3 - 525 feet South and 140 feet West from the N $\frac{1}{4}$ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 4 - 340 feet South and 145 feet West from the N $\frac{1}{4}$ Corner of Section 8.

4. Permit Amendment Application T-10716 proposes four additional points of appropriation approximately 200 to 900 feet North from the existing points of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	Well 5 - 150 feet South and 300 feet West from the N $\frac{1}{4}$ Corner of Section 8.
30 S	17 E	WM	8	NE NW	Well 6 - 160 feet South and 80 feet West from the N $\frac{1}{4}$ Corner of Section 8.
30 S	17 E	WM	5	SE SW	Well 7 - 150 feet North and 30 feet West from the S $\frac{1}{4}$ Corner of Section 5.
30 S	17 E	WM	5	SE SW	Well 8 - 340 feet North and 280 feet West from the S $\frac{1}{4}$ Corner of Section 5.

new wells

5. Notice of the application for the permit amendment was published in the Department's weekly notice on October 7, 2008 pursuant to ORS 540.520(5). No comments were filed in response to the notice.

Permit Amendment Review Criteria

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

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-10716 are consistent with the requirements of ORS 537.211.

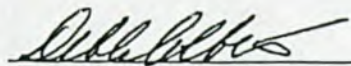
Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

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

2. The permittee shall construct and maintain the necessary pipelines or ditches and install and maintain the necessary measuring devices so the provisions of the permit may be enforced by the proper state officer.
3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of Permit G-11024 remain the same.
5. Permit G-11024, in the name of Thomas A. MacDonald, is amended as described herein.

Dated at Salem, Oregon this 10 day of December 2008.



Phillip C. Ward, *for*
Director

Mailing Date: DEC 12 2008

SMITH Joan M

From: SMITH Joan M
Sent: Tuesday, September 02, 2014 1:21 PM
To: GRONDIN Jerry H
Subject: RE: T-11749 language question

Thank you Jerry.

WRD
Joan Smith
503-986-0892

From: GRONDIN Jerry H
Sent: Tuesday, September 02, 2014 1:11 PM
To: SMITH Joan M
Cc: GRONDIN Jerry H
Subject: RE: T-11749 language question

Hi Joan,

Here is my recommendation, a bit of rearranging the text and some rewording in blue:

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

I hope this works for you.

Jerry

Jerry Grondin, Hydrogeologist
Ground Water Hydrology Section
Technical Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0848
E-Mail: Gerald.H.Grondin@wrdd.state.or.us

Please Note: under Oregon law, messages to and from this e-mail address may be available to the public

From: SMITH Joan M
Sent: Tuesday, September 02, 2014 11:35 AM
To: GRONDIN Jerry H
Subject: T-11749 language question

Jerry, the applicants for transfer application T-11749, are having difficulty with the wording on one of the conditions I placed in the draft final order; I modified the language from the original and would like if you could take a minute and look it over(see the attached document). Original wording appears in yellow, modified in green. I want to capture what you were saying in a way the applicant could understand.

Original in Yellow-modified in Green.

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

Please feel free to send me edits.

Thank you,

Joan Smith

Joan M Smith
Transfer Specialist
Oregon Department of Water Resources
725 Summer St NE Suite A
Salem Oregon 97301
phone 503-986-0892

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

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT F. OLSON
PO BOX 40
SUMMER LAKE, OREGON 97640

503-943-3277

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

This Permit is issued approving Application G-11640. The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE AND 7.73 CFS FOR IRRIGATION AND JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.80 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

NE 1/4 NW 1/4, SECTION 8, T 30 S, R 17 E, W.M.; WELL 1 - 530 FEET SOUTH AND 160 FEET WEST; WELL 2 - 560 FEET SOUTH AND 160 FEET WEST; WELL 3 - 590 FEET SOUTH AND 170 FEET WEST; WELL 4 - 500 FEET SOUTH AND 150 FEET WEST, ALL FROM N 1/4 CORNER, SECTION 8.

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

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

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

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

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

	PRIMARY	SUPPLEMENTAL
SW 1/4 SW 1/4		30.0 ACRES
SECTION 4		
SW 1/4 NE 1/4		40.0 ACRES
SE 1/4 NE 1/4		40.0 ACRES
SE 1/4 NW 1/4	20.3 ACRES	
NE 1/4 SW 1/4	28.4 ACRES	
SE 1/4 SW 1/4	1.4 ACRES	
NE 1/4 SE 1/4		40.0 ACRES
NW 1/4 SE 1/4		39.1 ACRES
SW 1/4 SE 1/4		30.0 ACRES
SE 1/4 SE 1/4		40.0 ACRES
SECTION 5		

Application G-11640 Water Resources Department

PERMIT G-11024

NE 1/4 NE 1/4	40.0 ACRES	
NW 1/4 NE 1/4	33.0 ACRES	
SW 1/4 NE 1/4	11.0 ACRES & FISH	
SE 1/4 NE 1/4	31.0 ACRES	
NE 1/4 NW 1/4		FISH
SE 1/4 NW 1/4		FISH

SECTION 8

SW 1/4 NE 1/4	2.0 ACRES
NW 1/4 NW 1/4	36.0 ACRES
SW 1/4 NW 1/4	32.0 ACRES
SE 1/4 NW 1/4	30.0 ACRES
NE 1/4 SW 1/4	31.0 ACRES
NE 1/4 SE 1/4	0.5 ACRE
NW 1/4 SE 1/4	28.0 ACRES
SW 1/4 SE 1/4	20.0 ACRES
SE 1/4 SE 1/4	16.0 ACRES

SECTION 9

TOWNSHIP 30 SOUTH, RANGE 17 EAST, W.M.

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

The well 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 elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. Artesian wells must have control valves installed to regulate the flow of water.

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

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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

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

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

Issued this date, APRIL 30, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

Application G-11640 Water Resources Department
Basin 13 Volume 2 Ana River & Misc. Wells
G-11640.SB

PERMIT G-11024
District 12



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

Application for Permit Amendment

Part 1 of 5 – Minimum Requirements Checklist

This permit amendment application will be returned if Parts 1 through 5
and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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

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- ☒ ✓ Part 1 – Completed Minimum Requirements Checklist.
- ☒ ✓ Part 2 – Completed Application Map Checklist.
- ☒ ✓ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ ✓ Part 4 – Completed Applicant Information and Signature.
- ☒ ✓ Part 5 – Information about Permits to be Amended: Number of permits to be amended: 1
List them here: Permit G-11024
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 http://www.oregon.gov/owrd/pubs/docs/forms/req_assign_8_21_09.pdf). Assignment is not needed if the applicant is the permit holder of record.
- ☐ ☒ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant, or other permit holders of record that are not listed as applicants.
- ☐ ☒ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Land use form is not required if any of the following apply:
 - ☐ Water is to be diverted, conveyed, and/or used only on federal lands.
 - ☐ 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.
 - ☒ The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # G-11024.
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(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

___ Assignment Form and fee not enclosed/insufficient

___ Additional signature(s) required

Part ___ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 5 – Permit Amendment Map Checklist

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

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

- ☐ ☒ N/A ☒ If more than three permits are involved, separate maps for each permit.
- ☒ ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ ☒ A north arrow, a legend, and scale.
- ☒ ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ *partial* ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended. *+ 601 lines are there & this is noted; + 602 is not nor are 800, 1001, 700.*
- ☒ ☒ 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.
- ☒ *you not on map at all* ☒ 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.
- ☒ *slb from N ¼ cor. of sec 8 not from ¼ cor between sec's 5 & 8* ☒ 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°).

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Part 4 of 5 – Applicant Information and Signature

Copy

Applicant Information

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

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

AGENT/BUSINESS NAME Schroeder Law Offices, PC			PHONE NO. 503-281-4100	ADDITIONAL CONTACT NO.
ADDRESS 1915 NE Cesar E. Chavez Blvd.			FAX NO. 503-281-4600	
CITY Portland	STATE OR	ZIP 97212	E-MAIL counsel@water-law.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this permit amendment; and why:

The permit amendment is necessary for the following:

- 1) Replace Well #5 with a new well because the original well drilled did not produce water of an acceptable quality. Original Well #5 will not be used under Permit G-11024;
- 2) Add Well #9 because the current wells do not produce the amount of water allowed under Permit G-11024; and
- 3) Modify the locations of Wells #6-8 to the "as drilled" locations.

All point of appropriation changes will access the same aquifer as the existing authorized points of appropriation.

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

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

If NO, include either:

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

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



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

Applicant Signature

Thomas MacDonald
Print Name (and Title if applicable)

2/26/2014
Date

Part 5 of 5 – Water Use Permit Information

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

PERMIT # G-11024

Copy

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3030	30 S	17 E	8	NE NW	600	390 feet south and 150 feet west from the N ¼ of Section 8
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 1507	30 S	17 E	8	NE NW	600	480 feet south and 190 feet west from the N ¼ of Section 8
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 4444	30 S	17 E	8	NE NW	600	525 feet south and 140 feet west from the N ¼ of Section 8
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3029	30 S	17 E	8	NE NW	600	340 feet south and 145 feet west from the N ¼ of Section 8
Well 5	<input checked="" type="checkbox"/> Authorized* <input checked="" type="checkbox"/> Proposed	N/A	30 S	17 E	5	SE NW	600	3200 feet north and 300 feet west from the N ¼ of Section 8
Well 6	<input checked="" type="checkbox"/> Authorized** <input type="checkbox"/> Proposed	LAKE 52368	30 S	17 E	5	SW SE	600	155 feet north and 230 feet east from the N ¼ of Section 8
Well 7	<input checked="" type="checkbox"/> Authorized** <input type="checkbox"/> Proposed	LAKE 52369	30 S	17 E	8	NE NW	600	110 feet south and 280 feet west from the N ¼ of Section 8
Well 8	<input checked="" type="checkbox"/> Authorized** <input type="checkbox"/> Proposed	LAKE 52487	30 S	17 E	5	NW SE	600	2070 feet north and 100 feet east from the N ¼ of Section 8
Well 9	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	30 S	17 E	5	SE SW	600	1040 feet north and 130 feet west from the N ¼ of Section 8

well 5 auth. 30S 17E 8 NE NW 1500 S + 300' W from N ¼ corner of sec 8
* Well #5 is an authorized point of appropriation, however, the original well drilled for Well #5 did not produce water of an acceptable quality. Therefore, the location for Well #5 should be changed to the new location provided above to reflect a new well that will be drilled to replace the original well.

** Wells #6-8 were drilled in different locations than requested to take advantage of the best locations for those wells as determined at the time of drilling. The coordinates for these points of appropriation should be updated with the "as drilled" locations provided above.

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

☐ Place of Use (POU)

☒ Point of Appropriation/Well (POA)

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well 6 auth. 160' S + 80' W from N ¼ cor. sec 8 30S 17E 8 NE NW
well 7 auth. 150' N + 30' W from S ¼ cor. sec 5 30S 17E 5 SE SW
well 8 auth. 340' N + 280' W from S ¼ cor. sec 5 30S 17E 5 SE SW

Copy

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

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

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

For a change in place of use:

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

☐ Yes ☐ No

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

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

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

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

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

Table 2. Description of Changes to Water Use Permit # G-11024

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.									Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																			
2	S	9	E 15	NE NW	100	15.0	POD #1 POD #2		POU/POD	2	S	9	E 15	NW NW	100	1	10.0	POD #5	
2	S	9	E 15	SW NW	200	5.0	POD #6			2	S	9	E 15	SW NW	200				
TOTAL ACRES										TOTAL ACRES									

Additional remarks: This chart is not applicable to the proposed amendment. No changes are proposed for the irrigation acreage in each quarter-quarter, and the other use is fish culture.

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: _____

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➡ 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://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

* The well logs list incorrect quarter-quarter sections. We will have the well driller(s) submit amended well logs as appropriate.

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

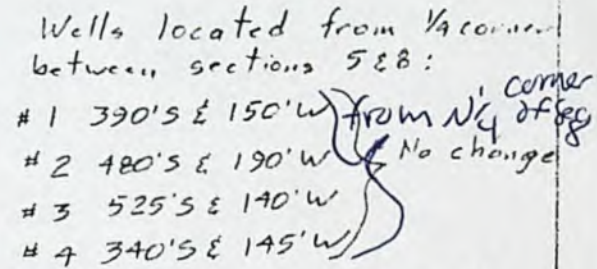
Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 5	No		Estimated 300-375 feet	14"		Estimated 50-100 feet		Artesian/flowing	Mixed (same as other wells)	
Well 9	No		Estimated 300-375 feet	14"		Estimated 50-100 feet		Artesian/flowing	Mixed (same as other wells)	

Additional Remarks: The figures provided in Table 3 are estimated based upon the other wells, and will be determined by consensus between the well driller and OWRD requirements.

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6 155' N E 230' E
7 110' S E 280' W
8 2070' N E 100' E
5 3200' N E 300' W
9 1040' N E 130' W

from N 1/4 of sec 8

#5 150'S & 300'W
#6 160'S & 80'W
#7 150'S & 30'W
#8 340'S & 280'W

4-2-1

App G-11640
Per G-11024

MAR 05 2014

Certified Writers Right Examined
 #1
Norm J. E.C.
 Bruce A. Eches
 Nov. 19, 1987
 STATE OF OREGON
 Renewal Dec 31, 2015

~~PO Box 17618~~ 80382 Arnold Rd
Salem, OR ~~97305-7519~~ Bend, OR 97702
~~(503) 595-7598~~ (541) 382-7391

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

*Associated
Certificate*

THIS CERTIFICATE ISSUED TO

THOMAS A MACDONALD
PO BOX 87
SUMMER LAKE OR 97640

NORTHWEST FARM CREDIT SERVICES FLCA/PCA
PO BOX 148
KLAMATH FALLS OR 97601

confirms the right to use the waters of UNNAMED STREAM, a tributary of ANA RIVER, for IRRIGATION of 570.5 ACRES.

Primary to G-11024

This right was perfected under Permit S-43260. The date of priority is MAY 24, 1978. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 14.3 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
30 S	17 E	WM	8	NE NW	780 FEET SOUTH AND 170 FEET WEST FROM N1/4 CORNER, SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	NW SW	2.60
30 S	17 E	WM	4	SW SW	21.20
30 S	17 E	WM	4	SE SW	0.50
30 S	17 E	WM	5	SW NE	8.50
30 S	17 E	WM	5	SE NE	22.80
30 S	17 E	WM	5	SE NW	9.60
30 S	17 E	WM	5	NE SW	0.50

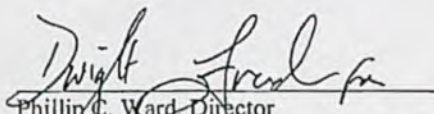
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a 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, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

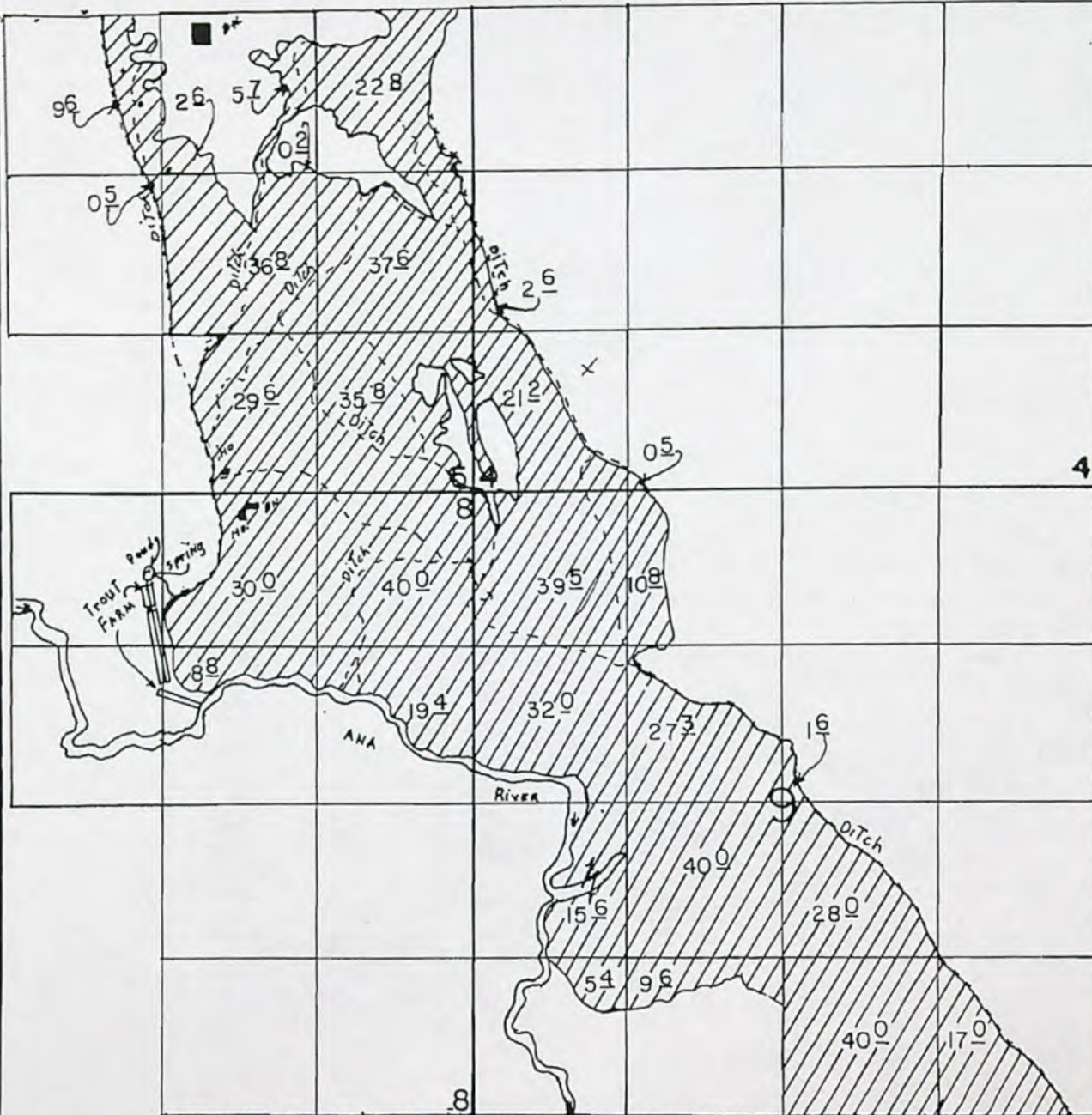
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	NE SE	37.60
30 S	17 E	WM	5	NW SE	36.80
30 S	17 E	WM	5	SW SE	29.60
30 S	17 E	WM	5	SE SE	35.80
30 S	17 E	WM	8	NE NE	40.00
30 S	17 E	WM	8	NW NE	30.00
30 S	17 E	WM	8	SW NE	8.80
30 S	17 E	WM	8	SE NE	19.40
30 S	17 E	WM	9	SW NE	1.60
30 S	17 E	WM	9	NE NW	10.80
30 S	17 E	WM	9	NW NW	39.50
30 S	17 E	WM	9	SW NW	32.00
30 S	17 E	WM	9	SE NW	27.30
30 S	17 E	WM	9	NE SW	40.00
30 S	17 E	WM	9	NW SW	15.60
30 S	17 E	WM	9	SW SW	5.40
30 S	17 E	WM	9	SE SW	9.60
30 S	17 E	WM	9	NW SE	28.00
30 S	17 E	WM	9	SW SE	40.00
30 S	17 E	WM	9	SE SE	17.00

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JAN 26 2007


Phillip C. Ward, Director
Water Resources Department

T.30S.,R.17 E.,W.M.



DIV. PT. LOC: 780' S & 170' W FROM THE N1/4, COR. OF SEC 8.

SCALE 1" = 1320'

FINAL PROOF SURVEY **UNDER**

61505 46063 - TROUT FARM
Application No. 57451. Permit No. 43260... - IRRIGATION
IN NAME OF
FIRST INTERSTATE BANK OF OREGON &
EUAN CARLON DBA CARLON CATTLE CO.

Surveyed MAY 29 1997, by R.M. SUTTERFIELD

Water Right Information Query Results

Contact Information

▼ Current contact information

OWNER:
 ▶ THOMAS MACDONALD
 PO BOX 87
 SUMMER LAKE, OR 97640

▼ Prior contact information

OWNER:
 ▶ NORTHWEST FARM CREDIT SERVICES FLCA/PCA
 1900 W NICKERSON ST SUITE 215
 SEATTLE, WA 98119

Documents

[View all scanned documents](#)

▶ Application: G 11640

▼ Permit: G 11024 [document](#), [paper map](#)

▶ Signature: 4/30/1990

Permit Workflow

Action	Date	Result	Completed By
Permit Issued	4/30/1990		
Completion Date [C Date]	10/1/1993	1994-Assign	1995 Assign
Extension Received	9/5/2007	2003-Assign	KIM FRENCH-GORSKI
Extension Comment Period Ends	9/11/2007		KIM FRENCH-GORSKI
Extension PFO 315 Issued	11/13/2007	Propose to Extend	KIM FRENCH-GORSKI
Extension FO Issued	1/10/2008	Extended	KIM FRENCH-GORSKI
Extension Checkpoint 320 Received	9/30/2008		SCOTT KUDLEMYER
Extension Checkpoint 315 Public Notice	12/2/2008		SCOTT KUDLEMYER
Extended Completion Date	10/1/2010		KIM FRENCH-GORSKI
Extension Received	10/1/2010		SCOTT KUDLEMYER
▶ Extension Comment Period Ends	10/12/2010	2010 Assign	SCOTT KUDLEMYER
Extension PFO 315 Issued	9/13/2011	Propose to Extend	JERRY GAINNEY
Extension PFO Protest Period Ends	10/28/2011		JERRY GAINNEY
Extension FO Issued	1/20/2012	Approved	JERRY GAINNEY
Extended Completion Date	10/1/2012		JERRY GAINNEY
Extension Received	10/1/2012		JOAN SMITH
Extension Comment Period Ends	11/15/2012		JOAN SMITH
Extension PFO 315 Issued	8/13/2013	Propose to Extend	MICHELE MCALEER
Extension PFO 315 Issued	8/27/2013		MICHELE MCALEER
Extension PFO Protest Period Ends	9/27/2013		MICHELE MCALEER
Extension PFO Protest Period Ends	10/11/2013		MICHELE MCALEER
Extension FO Issued	10/18/2013	Extended	MICHELE MCALEER
Extended Completion Date	10/1/2014		MICHELE MCALEER

▼ Order(s)

Order Origin	Volume-Page	Signature	Description
Special	76-833	12/10/2008	APPROVING APOA'S T-10716

Water Right Information

▶ Transfer(s)

▶ [View right with Web Mapping](#)▶ [View Places of Use from Water Rights in the Same Area](#)

Status: Non-Cancelled
 County: Lake
 File Folder Location: Salem
[Watermaster District: 12](#)

Point(s) of Diversion

- ▶ POD 1 - A WELL > ANA RIVER
- ▶ POD 2 - A WELL > ANA RIVER
- ▶ POD 3 - A WELL > ANA RIVER
- ▶ POD 4 - A WELL > ANA RIVER
- ▶ POD 5 - A WELL > ANA RIVER
- ▶ POD 6 - A WELL > ANA RIVER
- ▶ POD 7 - A WELL > ANA RIVER
- ▶ POD 8 - A WELL > ANA RIVER

Place(s) of Use

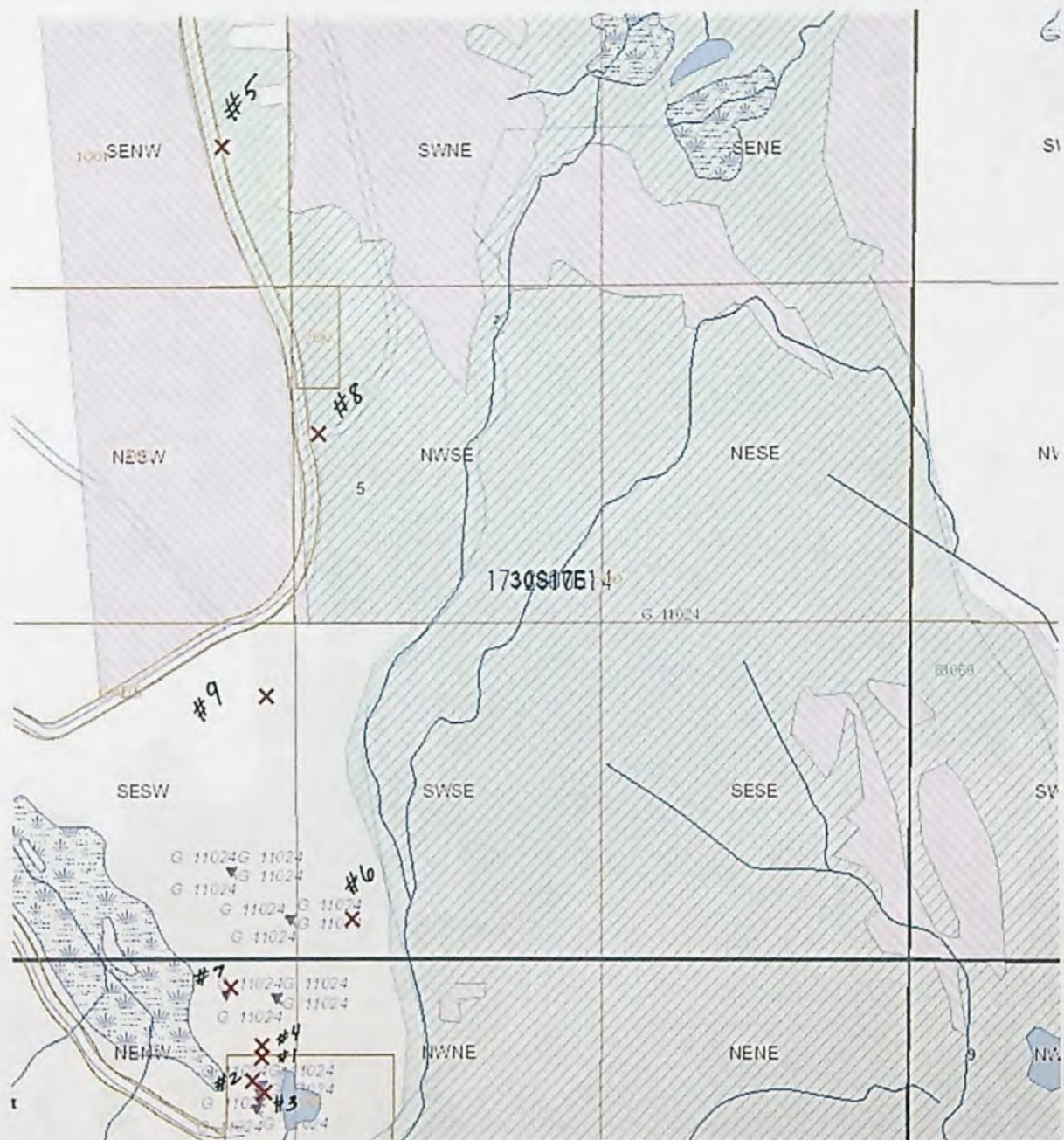
[Add TRS grouping](#)

- ▶ Use - FISH CULTURE (Primary); Priority Date: 4/7/1987
- ▶ Use - IRRIGATION (Primary) - 50.1 acres; Priority Date: 4/7/1987
- ▶ Use - SUPPLEMENTAL IRRIGATION (Supplemental) - 569.6 acres; Priority Date: 4/7/1987

Water Right Genealogy

[-] Permit: G 11024

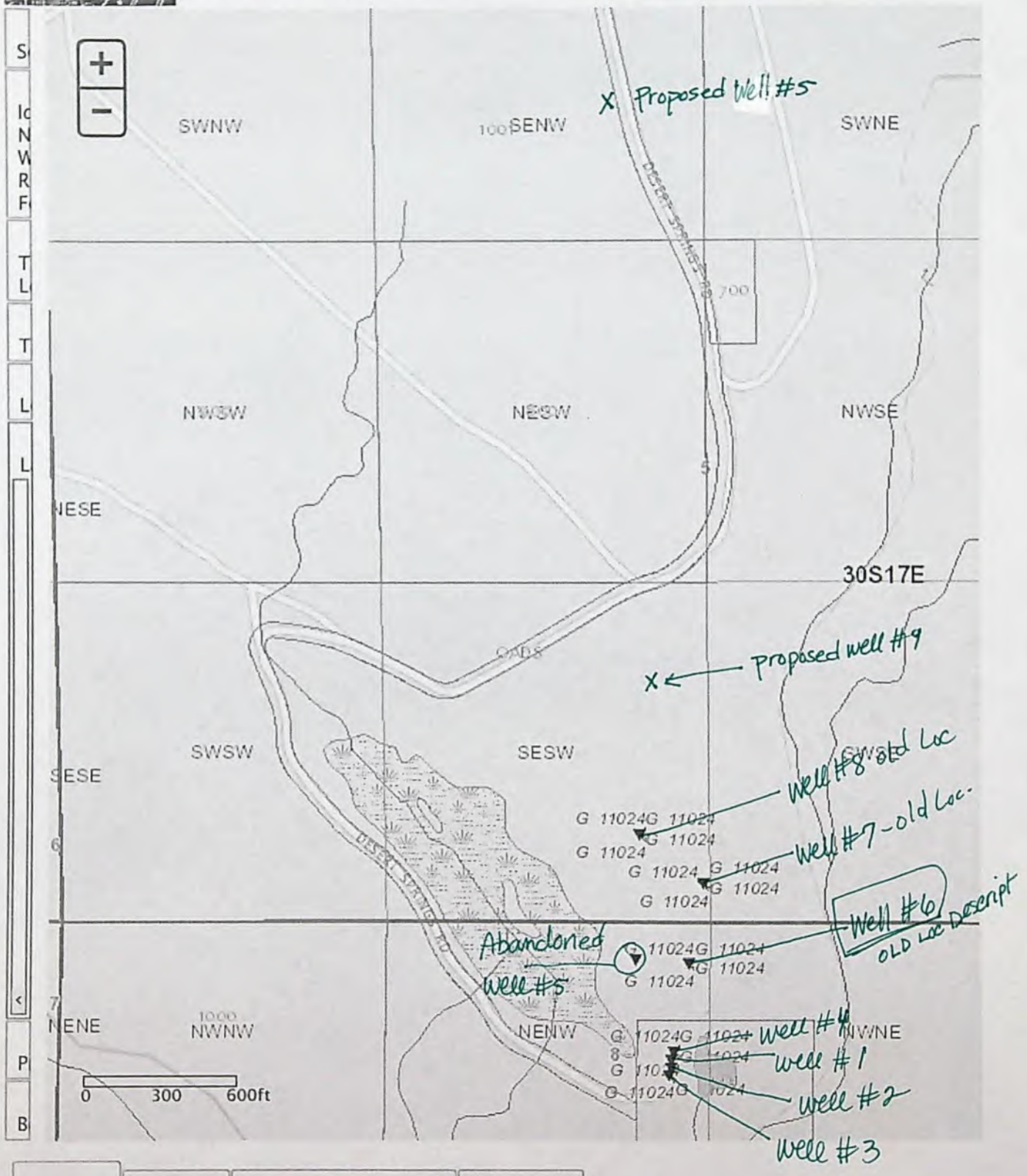
[-] Inchoate: T 10716 CF (AMN)





Oregon Water Resources Department
User Guide - OWRD Only
Water Rights Mapping Tool

725 Summer St NE, Sal

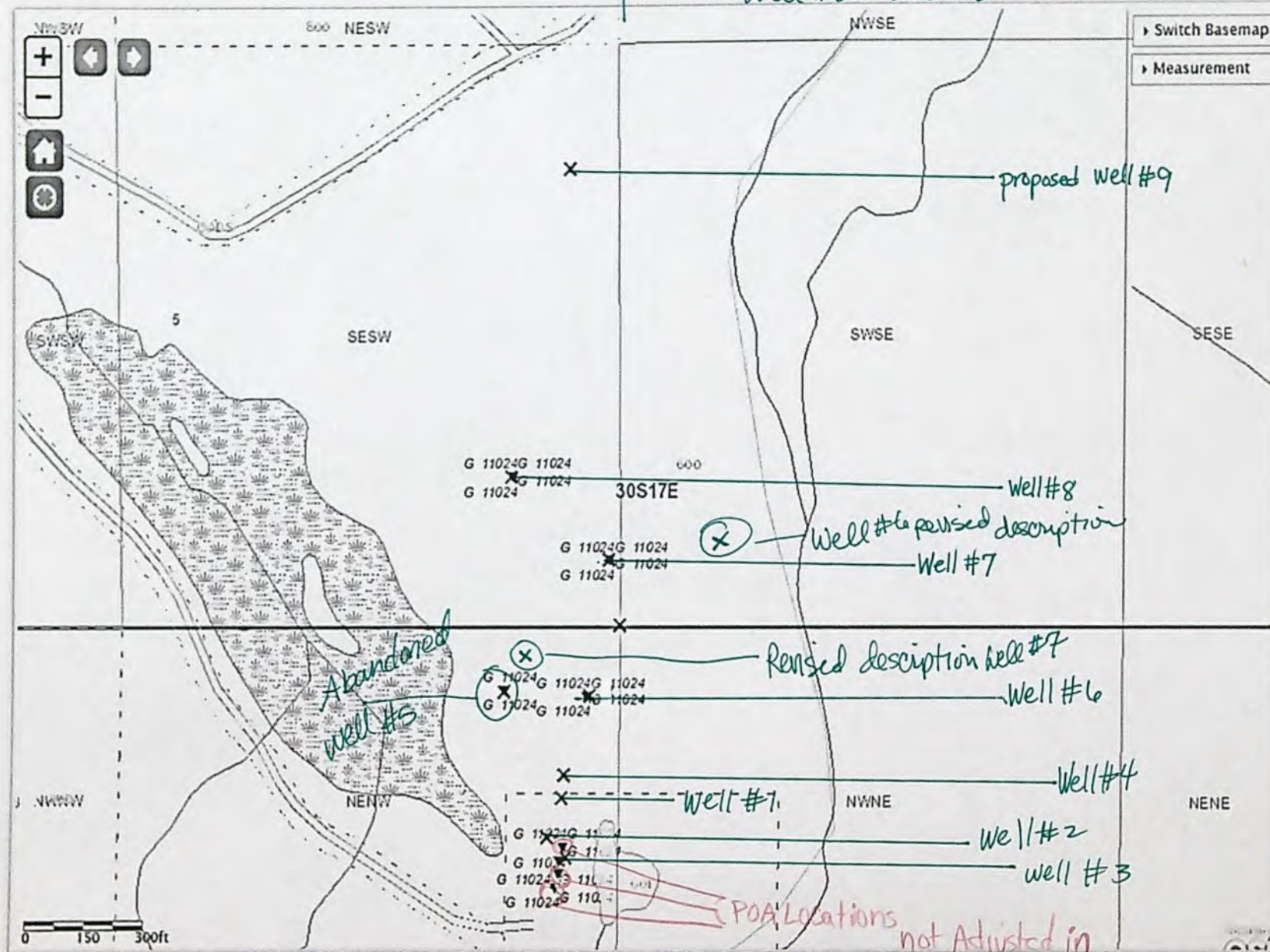


WRIS - Loc's with
Proposed POA Loc's

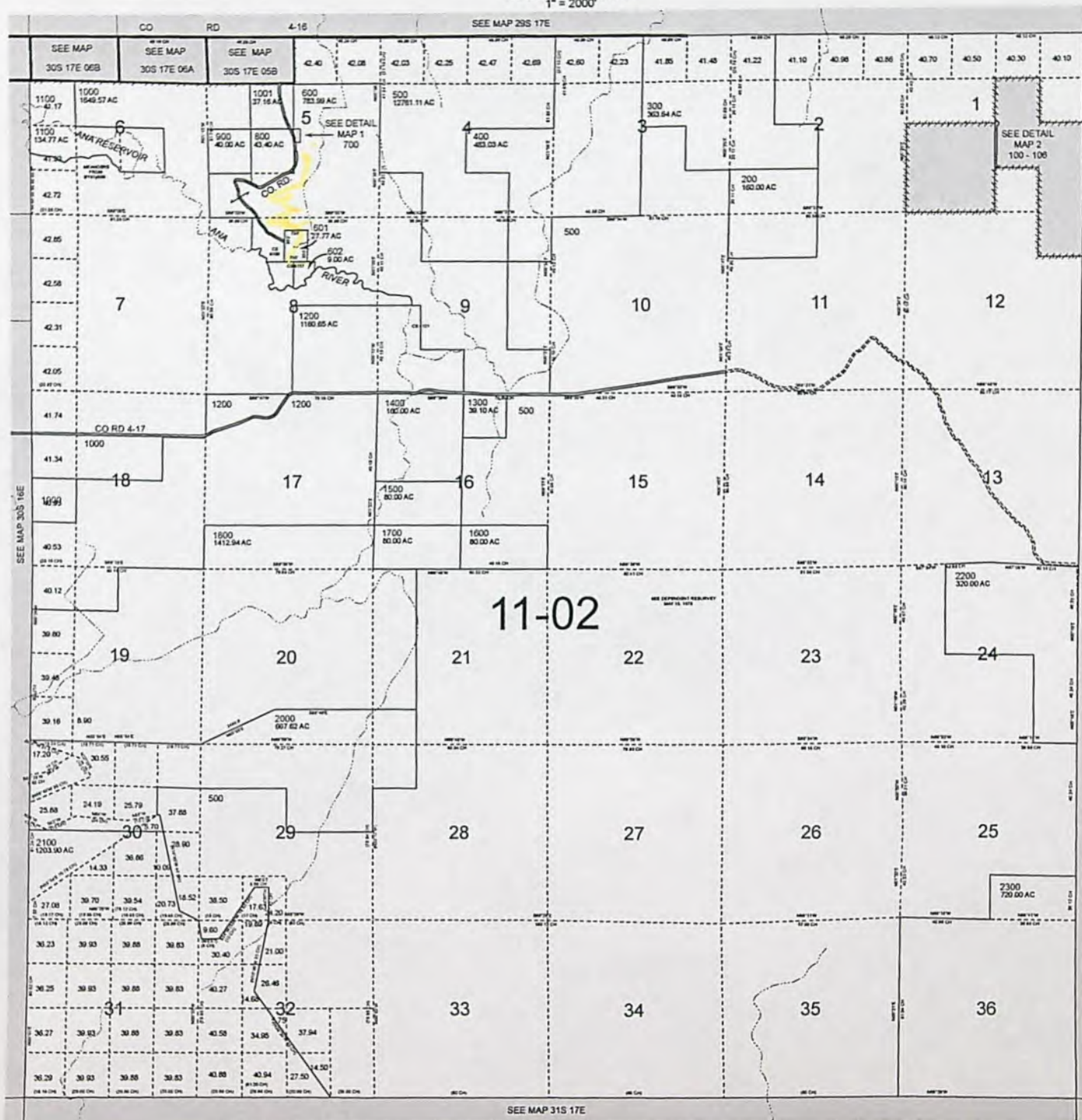
SE NW proposed Well #5 - (Replacement well)

X ← new Location

Well #8 - NWSE section 5



LCATDWC - 2014-03-05 13:37



CANCELLED

Water Right Information Query Results

Contact Information

▼ Current contact information

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 ▶ THOMAS MACDONALD
 PO BOX 87
 SUMMER LAKE, OR 97640

▼ Prior contact information

OWNER:
 ▶ NORTHWEST FARM CREDIT SERVICES FLCA/PCA
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▶ Application: G 11640

▼ Permit: G 11024 [document](#), [paper map](#)

▶ Signature: 4/30/1990

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Extended Completion Date	10/1/2014		MICHELE MCALEER

Water Right Information

Status: Non-Cancelled
 County: Lake
 File Folder Location: Salem
 Watermaster District: 12

Point(s) of Diversion

▼ POD 1 - A WELL > ANA RIVER

▼ Description

▶ Name: WELL 1
 ▶ T-R-S-QQ: 30.00S-17.00E-8-NE NW
 ▶ Location Description: 390 FEET SOUTH AND 150 FEET WEST FROM N1/4 CORNER, SECTION 8

▼ POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
17.8	2.225(est)		

▼ FISH CULTURE (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	10.0	0.625(est)					1/1	10/1/2011	
6/14/1989	7.8	0.625(est)					1/1	12/31	

▼ IRRIGATION (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	7.73	0.48313(est)			1/80	3.00000	3/1	10/31	

▼ SUPPLEMENTAL IRRIGATION (Supplemental)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	7.73	0.48313(est)			1/80	3.00000	3/1	10/31	

▼ POD 2 - A WELL > ANA RIVER

▼ Description

▶ Name: WELL 2
 ▶ T-R-S-QQ: 30.00S-17.00E-8-NE NW
 ▶ Location Description: 480 FEET SOUTH AND 190 FEET WEST FROM N1/4 CORNER, SECTION 8

▶ POD Rate

▶ FISH CULTURE (Primary)

▶ IRRIGATION (Primary)

▶ SUPPLEMENTAL IRRIGATION (Supplemental)

▼ POD 3 - A WELL > ANA RIVER

▼ Description

▶ Name: WELL 3
 ▶ T-R-S-QQ: 30.00S-17.00E-8-NE NW
 ▶ Location Description: 525 FEET SOUTH AND 140 FEET WEST FROM N1/4 CORNER, SECTION 8

▼ POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
17.8	2.225(est)		

▼ FISH CULTURE (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	10.0	0.625(est)					1/1	12/31	
6/14/1989	7.8	0.625(est)					1/1	12/31	

▼ IRRIGATION (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	7.73	0.48313(est)			1/80	3.00000	3/1	10/31	

▼ SUPPLEMENTAL IRRIGATION (Supplemental)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	7.73	0.48313(est)			1/80	3.00000	3/1	10/31	

▼ POD 4 - A WELL > ANA RIVER

▼ Description

- ▷ Name: WELL 4
- ▷ T-R-S-QQ: 30.00S-17.00E-8-NE NW
- ▷ Location Description: 340 FEET SOUTH AND 145 FEET WEST FROM N1/4 CORNER, SECTION 8

▶ POD Rate

▼ FISH CULTURE (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	10.0	0.625(est)					1/1	12/31	
6/14/1989	7.8	0.625(est)					1/1	12/31	

▼ IRRIGATION (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	7.73	0.48313(est)			1/80	3.00000	3/1	10/31	

▼ SUPPLEMENTAL IRRIGATION (Supplemental)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/7/1987	7.73	0.48313(est)			1/80	3.00000	3/1	10/31	

▼ POD 5 - A WELL > ANA RIVER

▼ Description

- ▷ Name: WELL 5
- ▷ T-R-S-QQ: 30.00S-17.00E-8-NE NW
- ▷ Location Description: 150 FEET SOUTH AND 300 FEET WEST FROM N1/4 CORNER, SECTION 8

▶ POD Rate

▶ FISH CULTURE (Primary)

▶ IRRIGATION (Primary)

▶ SUPPLEMENTAL IRRIGATION (Supplemental)

▼ POD 6 - A WELL > ANA RIVER

▼ Description

- ▷ Name: WELL 6
- ▷ T-R-S-QQ: 30.00S-17.00E-8-NE NW
- ▷ Location Description: 160 FEET SOUTH AND 80 FEET WEST FROM N1/4 CORNER, SECTION 8

▶ POD Rate

▶ FISH CULTURE (Primary)

▶ IRRIGATION (Primary)

▶ SUPPLEMENTAL IRRIGATION (Supplemental)

▼ POD 7 - A WELL > ANA RIVER

▼ Description

- ▷ Name: WELL 7
- ▷ T-R-S-QQ: 30.00S-17.00E-5-SE SW
- ▷ Location Description: 150 FEET NORTH AND 30 FEET WEST FROM S1/4 CORNER, SECTION 5

▶ POD Rate

▶ FISH CULTURE (Primary)

▶ IRRIGATION (Primary)

▶ SUPPLEMENTAL IRRIGATION (Supplemental)

▼ POD 8 - A WELL > ANA RIVER

▼ Description

- ▷ Name: WELL 8
- ▷ T-R-S-QQ: 30.00S-17.00E-5-SE SW
- ▷ Location Description: 340 FEET NORTH AND 280 FEET WEST FROM S1/4 CORNER, SECTION 5

▶ POD Rate

▶ FISH CULTURE (Primary)

▶ IRRIGATION (Primary)

▶ SUPPLEMENTAL IRRIGATION (Supplemental)

Place(s) of Use

[Remove TRS grouping](#)

▼ Use - FISH CULTURE (Primary); Priority Date: 4/7/1987

▼ Township: 30.00S-17.00E

▼ Section: 8

QQ	DLC	Gov't Lot	Taxlot	Acres	T-R-S	Status	Linked PODs	Inchoate Info	Remarks
SW NE					30.00S-17.00E-8	NC			
NE NW					30.00S-17.00E-8	NC			
SE NW					30.00S-17.00E-8	NC			

Sum of Acres: 0.0

▼ Use - IRRIGATION (Primary) - 50.1 acres; Priority Date: 4/7/1987

▼ Township: 30.00S-17.00E

▼ Section: 5

QQ	DLC	Gov't Lot	Taxlot	Acres	T-R-S	Status	Linked PODs	Inchoate Info	Remarks
SE NW				20.3	30.00S-17.00E-5	NC			
NE SW				28.4	30.00S-17.00E-5	NC			
SE SW				1.4	30.00S-17.00E-5	NC			

Sum of Acres: 50.1

▼ Use - SUPPLEMENTAL IRRIGATION (Supplemental) - 569.6 acres; Priority Date: 4/7/1987

▼ Township: 30.00S-17.00E

▼ Section: 4

QQ	DLC	Gov't Lot	Taxlot	Acres	T-R-S	Status	Linked PODs	Inchoate Info	Remarks
SW SW				30.0	30.00S-17.00E-4	NC			
Sum of Acres: 30.0									

▼ Section: 5

QQ	DLC	Gov't Lot	Taxlot	Acres	T-R-S	Status	Linked PODs	Inchoate Info	Remarks
SW NE				40.0	30.00S-17.00E-5	NC			
SE NE				40.0	30.00S-17.00E-5	NC			
NE SE				40.0	30.00S-17.00E-5	NC			
NW SE				39.1	30.00S-17.00E-5	NC			
SW SE				30.0	30.00S-17.00E-5	NC			
SE SE				40.0	30.00S-17.00E-5	NC			
Sum of Acres: 229.1									

▼ Section: 8

QQ	DLC	Gov't Lot	Taxlot	Acres	T-R-S	Status	Linked PODs	Inchoate Info	Remarks
NE NE				40.0	30.00S-17.00E-8	NC			
NW NE				33.0	30.00S-17.00E-8	NC			
SW NE				11.0	30.00S-17.00E-8	NC			
SE NE				31.0	30.00S-17.00E-8	NC			
Sum of Acres: 115.0									

▼ Section: 9

QQ	DLC	Gov't Lot	Taxlot	Acres	T-R-S	Status	Linked PODs	Inchoate Info	Remarks
SW NE				2.0	30.00S-17.00E-9	NC			
NW NW				36.0	30.00S-17.00E-9	NC			
SW NW				32.0	30.00S-17.00E-9	NC			
SE NW				30.0	30.00S-17.00E-9	NC			
NE SW				31.0	30.00S-17.00E-9	NC			
NE SE				0.5	30.00S-17.00E-9	NC			
NW SE				28.0	30.00S-17.00E-9	NC			
SW SE				20.0	30.00S-17.00E-9	NC			
SE SE				16.0	30.00S-17.00E-9	NC			
Sum of Acres: 195.5									

Water Right Genealogy

[-] Permit: G 11024

[-] Inchoate: T 10716 CF (AMN)

[-] Permit: G 11024 *

[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

Water Rights Platcard Report

Meridian: Willamette Township: 30 South Range: 17 East Section: 8 Records per Page: 10 Search

Platcards Maps!
Learn about • View Map

Water Right	Change Xref	Priority	Use	Use Status	DLC	Gov't Lot	Q(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
<u>Select</u> Cert: 83065 OR *		4/6/1981	FISH CULTURE				Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
Additional Info: THOMAS MACDONALD App: S61505 Permit: S46063 Cert: 83065																							
<u>Select</u> Permit: G 11024 *	T11749	4/7/1987	FISH CULTURE																				
Additional Info: THOMAS MACDONALD App: G11640 Permit: G11024																							
<u>Select</u> Cert: 83069 OR *		5/24/1978	IRRIGATION					40	30	8.8	19.4												
Additional Info: NORTHWEST FARM CREDIT SERVICES FLCA/PCA App: S57451 Permit: S43260 Cert: 83069																							
<u>Select</u> Claim: SW 170 *		12/31/1901	IRRIGATION																				
Additional Info: ROBERT OLSON Claim: SW170																							
<u>Select</u> Permit: G 11024 *	T11749	4/7/1987	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					40	33	11	31												
Additional Info: THOMAS MACDONALD App: G11640 Permit: G11024																							
<u>Select</u> Cert: 82765 OR *		11/8/1982	WILDLIFE																				
Additional Info: OREGON DEPARTMENT OF FISH AND WILDLIFE App: G10414 Permit: G10433 Cert: 82765																							
Acreage Legend: 12.25 Regular acreage 42.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) (12.25) Acreage has been suspended * Acreage is not specified																							

STATE OF OREGON
COUNTY OF LAKE
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

This superseding permit is issued to describe amendments for additional points of appropriation proposed under Permit Amendment Applications T-10716 approved by Special Order Volume 76, Page 833 entered December 10, 2008, and T-11749 approved by Special Order Vol. 93, Page XXX, entered August XX, 2014, and to describe an extension of time for complete application of water approved October 18, 2012. This permit supersedes Permit G-11024.

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

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

The wells are located as follows:

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

description
Δ }
Δ }
Δ }
-APOA

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

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

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

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

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

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

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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.00
30 S	17 E	WM	5	SW NE	40.00
30 S	17 E	WM	5	SE NE	40.00
30 S	17 E	WM	5	NE SE	40.00
30 S	17 E	WM	5	NW SE	39.10
30 S	17 E	WM	5	SW SE	30.00
30 S	17 E	WM	5	SE SE	40.00
30 S	17 E	WM	8	NE NE	40.00
30 S	17 E	WM	8	NW NE	33.00
30 S	17 E	WM	8	SW NE	11.00
30 S	17 E	WM	8	SE NE	31.00
30 S	17 E	WM	9	SW NE	2.00
30 S	17 E	WM	9	NW NW	36.00
30 S	17 E	WM	9	SW NW	32.00
30 S	17 E	WM	9	SE NW	30.00

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

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

Permit Conditions

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

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

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

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

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

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

Extension of Time

Complete Application of the water shall be made on or before October 1, 2014.

Permit Amendment Conditions

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

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee

shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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

Standard Conditions

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

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

Complete application of the water to the use shall be made on or before October 1, 2015. 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 Right Examiner (CWRE).

Issued August __, 2014

Dwight French, Water Right Services Administrator,
For Director
Water Resources Department

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS A MACDONALD
PO BOX 87
SUMMER LAKE OR 97640

NORTHWEST FARM CREDIT SERVICES FLCA/PCA
PO BOX 148
KLAMATH FALLS OR 97601

confirms the right to use the waters of UNNAMED STREAM, a tributary of ANA RIVER, for IRRIGATION of 570.5 ACRES.

This right was perfected under Permit S-43260. The date of priority is MAY 24, 1978. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 14.3 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
30 S	17 E	WM	8	NE NW	780 FEET SOUTH AND 170 FEET WEST FROM N1/4 CORNER, SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	NW SW	2.60
30 S	17 E	WM	4	SW SW	21.20
30 S	17 E	WM	4	SE SW	0.50
30 S	17 E	WM	5	SW NE	8.50
30 S	17 E	WM	5	SE NE	22.80
30 S	17 E	WM	5	SE NW	9.60
30 S	17 E	WM	5	NE SW	0.50

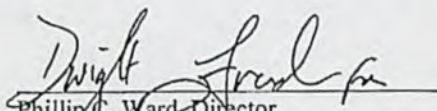
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a 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, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

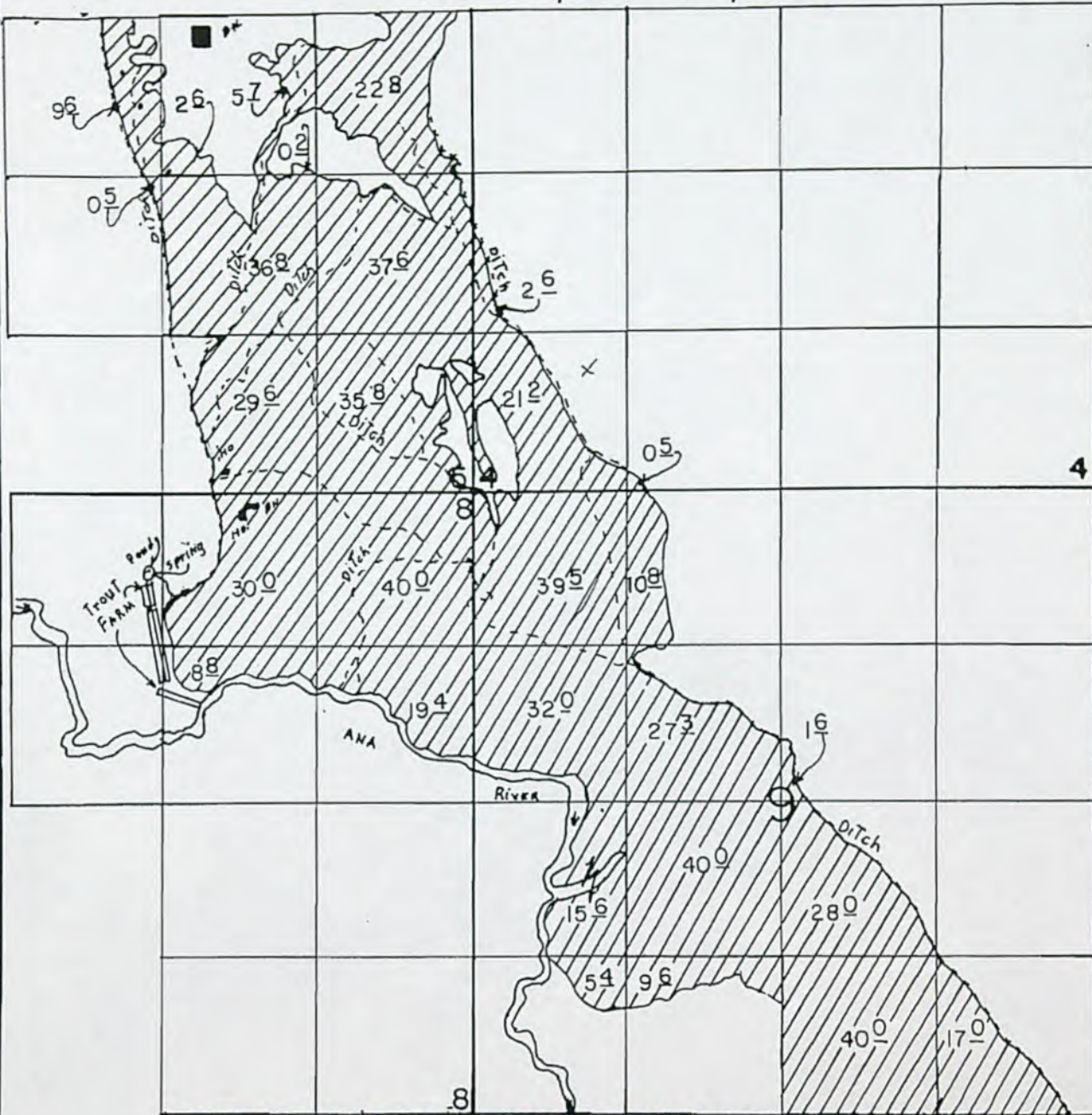
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	NE SE	37.60
30 S	17 E	WM	5	NW SE	36.80
30 S	17 E	WM	5	SW SE	29.60
30 S	17 E	WM	5	SE SE	35.80
30 S	17 E	WM	8	NE NE	40.00
30 S	17 E	WM	8	NW NE	30.00
30 S	17 E	WM	8	SW NE	8.80
30 S	17 E	WM	8	SE NE	19.40
30 S	17 E	WM	9	SW NE	1.60
30 S	17 E	WM	9	NE NW	10.80
30 S	17 E	WM	9	NW NW	39.50
30 S	17 E	WM	9	SW NW	32.00
30 S	17 E	WM	9	SE NW	27.30
30 S	17 E	WM	9	NE SW	40.00
30 S	17 E	WM	9	NW SW	15.60
30 S	17 E	WM	9	SW SW	5.40
30 S	17 E	WM	9	SE SW	9.60
30 S	17 E	WM	9	NW SE	28.00
30 S	17 E	WM	9	SW SE	40.00
30 S	17 E	WM	9	SE SE	17.00

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JAN 26 2007


 Phillip C. Ward, Director
 Water Resources Department

T.30S., R.17 E., W.M.



DIV. PT. LOC: 780' S & 170' W FROM THE N1/4, COR. OF SEC 8.

SCALE: 1"=1320'

FINAL PROOF SURVEY **UNDER**

61505 46063 - TROUT FARM
Application No. 57451. Permit No. 43260... - IRRIGATION

IN NAME OF
FIRST INTERSTATE BANK OF OREGON &
EUAN CARLON, DBA CARLON CATTLE CO.

Surveyed MAY 29 1997, by R.M. SUTTERFIELD

RECEIVED

DEC 22 1992

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON
WATER RESOURCES DEPARTMENT

SURFACE WATER REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM

1. Name of Registrant: Robert Olson
Mailing Address: P.O. Box 40
Summer Lake, Oregon 97640 Telephone No: (503) 943-3277
2. Source of water: Springs / Artesian Wells
Tributary to: Anna River
3. Purpose(s) for which water is used: Irrigation
(Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)
If irrigation, total number of acres irrigated: 534.30
4. Priority Date
a) Date of first use: By 1901
b) Date water use development first initiated: July 16 1891
c) Name of party who initiated development: Arthur S. Phillips
5. Amount of water claimed: 13.36, in CFS or GPM
(Water put to beneficial use)
6. Location of place of use:
4, 5, 8, 9 Sections, Township 30 N/S, Range 17 E/W.
____ Sections, Township ____ N/S, Range ____ E/W.
(Attach additional pages if necessary)
7. Usual period of use: 4 / 1 to 9 / 30
month day month day

8. Remarks: See ATTACHED Information

9. Total fees submitted with claim: \$ 35.00

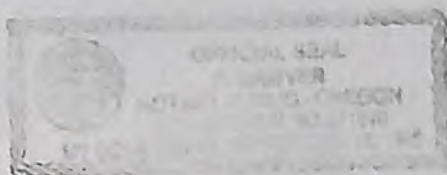
Notarized Statement Signed by Claimant.

STATE OF OREGON)
County of Lake) : ss

I, Robert F. Olson, having been duly sworn,
depose and say that I, and being the claimant of the existing surface
water right described herein, have read the contents of this claim and
to the best of my knowledge all of the matters stated herein
are true and correct.

Robert F. Olson
Signature of Claimant

Signed and attested before me this 21st day of December, 19 92



[Signature]
NOTARY PUBLIC for the State of Oregon
My commission expires: 12-18-95

**THIS FORM MUST BE ACCOMPANIED BY A MAP PREPARED BY A
CERTIFIED WATER RIGHT EXAMINER (CWRE).**

Certified Water Right Examiner

Name: Darryl Anderson CWRE#: 005

Address: 618 South 1st St
P.O. Box 28 Lakeview Or 97630

Telephone: 503 947 4407
Fax 947 2321

MAP TO ACCOMPANY SURFACE WATER REGISTRATION STATEMENT PRE- 1909 VESTED WATER RIGHT CLAIM

LOCATED IN SECTIONS 4,5,8 AND 9
TOWNSHIP 30 SOUTH RANGE 17 EAST

RECEIVED

208 11 07
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

AUG 24 1993
WATER RESOURCES DEPT.
SALEM, OREGON

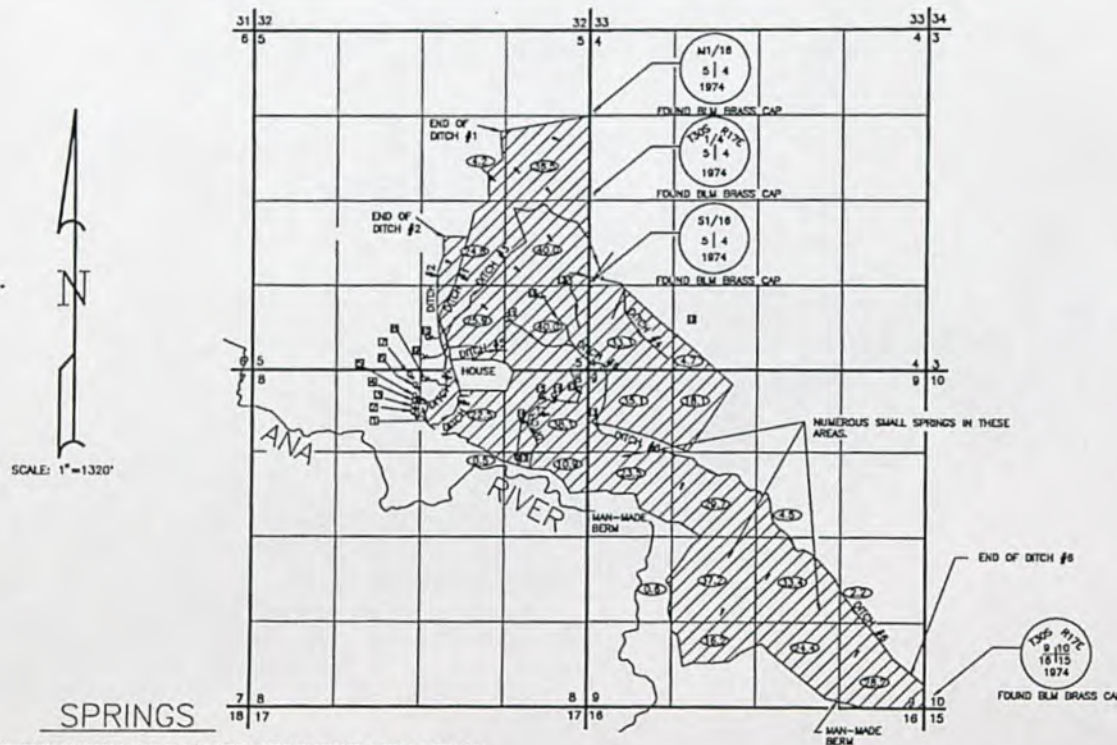
NOTES:

AREA SHOWN IS FLOOD IRRIGATED FROM THE EXISTING SPRINGS AND DITCHES AS INDICATED ON THE MAP. BUCKHORN SPRING AND THE FOUR ARTESIAN WELLS ARE DIVERTED THROUGH THE TROUT FARM THEN PUMPED BACK INTO DITCHES ONE AND TWO. THE OWNER INDICATED THAT PRIOR TO CONSTRUCTION OF THE TROUT FARM THESE SOURCES WERE DIVERTED DIRECTLY INTO DITCHES ONE AND TWO. SOURCE VOLUMES FOR SOURCES 1-4 WERE SUPPLIED BY THE OWNER. VOLUMES FOR THE OTHER SOURCES WERE ESTIMATED AT THE TIME OF OUR SURVEY, DEC. 15, 1992. MANY OTHER SMALLER SPRINGS HELP IRRIGATE THE PROPERTY AS INDICATED ON THE MAP. IRRIGATED AREAS WERE SURVEYED TO EXISTING CROP LINES (GRASS) AND VERIFIED USING AN AGCS PHOTOGRAPH 41037-379.

LEGEND

- SECTION LINE
1/4 SECTION LINE
1/16 SECTION LINE
IRRIGATED AREA

NOTE: PREPARATION OF THIS MAP IS FOR IDENTIFYING PROPOSED WATER RIGHTS ONLY. IT HAS NO INTENT TO PROVIDE LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDARIES.

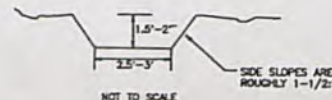


SPRINGS

DISTANCES ARE FROM THE SOUTH 1/16 CORNER BETWEEN SECTIONS 4 AND 5, T30S R17E

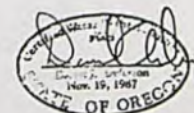
- 1 - BUCKHORN SPRING, APPROXIMATE FLOW, 4200 G.P.M. 1802' SOUTH AND 2815' WEST.
- 2 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1872' SOUTH AND 2753' WEST.
- 3 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1880' SOUTH AND 2748' WEST.
- 4 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1802' SOUTH AND 2728' WEST.
- 5 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1802' SOUTH AND 2724' WEST.
- 6 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1508' SOUTH AND 2718' WEST.
- 7 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1386' SOUTH AND 2803' WEST.
- 8 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1473' SOUTH AND 2583' WEST.
- 9 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1128' SOUTH AND 2810' WEST.
- 10 - SPRING, APPROXIMATE FLOW, 50 G.P.M. 822' SOUTH AND 2524' WEST.
- 11 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 334' SOUTH AND 1286' WEST.
- 12 - SPRING, APPROXIMATE FLOW, 50 G.P.M. 2129' SOUTH AND 1114' EAST.
- 13 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 1814' SOUTH AND 133' WEST.
- 14 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 1718' SOUTH AND 531' WEST.
- 15 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 1734' SOUTH AND 740' WEST.
- 16 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 2117' SOUTH AND 1033' WEST.
- 17 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 2878' SOUTH AND 1113' WEST.
- 18 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 2878' SOUTH AND 1113' WEST.

THE DITCHES THAT ARE NUMBERED ARE ALL OF THE SAME APPROXIMATE SIZE:



DITCH SLOPES
#1 0.001 FT PER FT
#2 0.001 FT PER FT
#3 0.003 FT PER FT
#4 0.010 FT PER FT
#5 0.005 FT PER FT
#6 0.001 FT PER FT
#7 0.005 FT PER FT

DITCH SLOPES VARY ALONG COURSE OF DITCH
SLOPES SHOWN ARE AN APPROXIMATE AVERAGE



MAP REVISED 8/16/93

PREPARED FOR:

ROBERT OLSON
P.O. BOX 40
SUMMER LAKE, OREGON 97640

PREPARED BY:

ANDERSON ENGINEERING AND SURVEYING
818 SOUTH FIRST STREET
P.O. BOX 28
LAKEVIEW, OREGON 97630
(503) 947-4407 FAX 947-2321
DECEMBER 1992 SHEET 1 OF 1
REVISED ON AUGUST 8, 1993

SWE 170

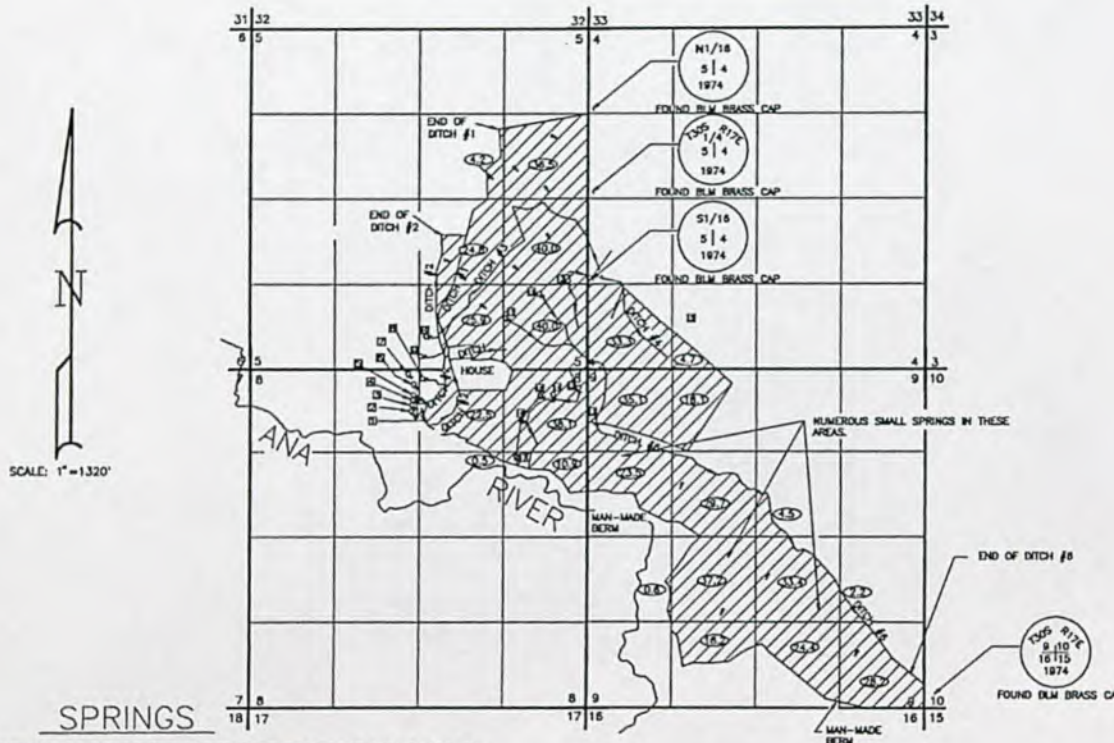
Superstition

MAP TO ACCOMPANY SURFACE WATER REGISTRATION STATEMENT PRE- 1909 VESTED WATER RIGHT CLAIM

LOCATED IN SECTIONS 4,5,8 AND 9
TOWNSHIP 30 SOUTH RANGE 17 EAST

NOTES:

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LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- 1/16 SECTION LINE
- IRRIGATED AREA

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SPRINGS

DISTANCES ARE FROM THE SOUTH 1/16 CORNER BETWEEN SECTIONS 4 AND 5, T305 RITE

- 01 - BUCKHORN SPRING, APPROXIMATE FLOW, 4200 G.P.M. 1802' SOUTH AND 2815' WEST.
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- 03 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1880' SOUTH AND 2748' WEST.
- 04 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1802' SOUTH AND 2729' WEST.
- 05 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1802' SOUTH AND 2724' WEST.
- 06 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1558' SOUTH AND 2718' WEST.
- 07 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1399' SOUTH AND 2803' WEST.
- 08 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1473' SOUTH AND 2583' WEST.
- 09 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1126' SOUTH AND 2818' WEST.
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- 15 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 1736' SOUTH AND 740' WEST.
- 16 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 2117' SOUTH AND 1033' WEST.
- 17 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 2678' SOUTH AND 1113' WEST.



PREPARED FOR:

ROBERT OLSON
P.O. BOX 40
SUMMER LAKE, OREGON 97640

PREPARED BY:

ANDERSON ENGINEERING AND SURVEYING
618 SOUTH FIRST STREET
P.O. BOX 28
LAKEVIEW, OREGON 97630
(503) 947-4407 FAX 947-2321

DECEMBER 1992

SHEET 1 OF 1

A hand-drawn map on a grid background. The map shows a winding river labeled "Anna River" at the bottom. A cluster of points is labeled "#1", "#2", "#3", "#4", and "#7". A point is labeled "Buchhorn Spring". A dashed line is labeled "TL 600". Another dashed line is labeled "TL 601". A point is labeled "#5" with a line extending upwards. A point is labeled "#6". A point is labeled "#9". A point is labeled "#8". A point is labeled "#10". A point is labeled "#11". A point is labeled "#12". A point is labeled "#13". A point is labeled "#14". A point is labeled "#15". A point is labeled "#16". A point is labeled "#17". A point is labeled "#18". A point is labeled "#19". A point is labeled "#20". A point is labeled "#21". A point is labeled "#22". A point is labeled "#23". A point is labeled "#24". A point is labeled "#25". A point is labeled "#26". A point is labeled "#27". A point is labeled "#28". A point is labeled "#29". A point is labeled "#30". A point is labeled "#31". A point is labeled "#32". A point is labeled "#33". A point is labeled "#34". A point is labeled "#35". A point is labeled "#36". A point is labeled "#37". A point is labeled "#38". A point is labeled "#39". A point is labeled "#40". A point is labeled "#41". A point is labeled "#42". A point is labeled "#43". A point is labeled "#44". A point is labeled "#45". A point is labeled "#46". A point is labeled "#47". A point is labeled "#48". A point is labeled "#49". A point is labeled "#50". A point is labeled "#51". A point is labeled "#52". A point is labeled "#53". A point is labeled "#54". A point is labeled "#55". A point is labeled "#56". A point is labeled "#57". A point is labeled "#58". A point is labeled "#59". A point is labeled "#60". A point is labeled "#61". A point is labeled "#62". A point is labeled "#63". A point is labeled "#64". A point is labeled "#65". A point is labeled "#66". A point is labeled "#67". A point is labeled "#68". A point is labeled "#69". A point is labeled "#70". A point is labeled "#71". A point is labeled "#72". A point is labeled "#73". A point is labeled "#74". A point is labeled "#75". A point is labeled "#76". A point is labeled "#77". A point is labeled "#78". A point is labeled "#79". A point is labeled "#80". A point is labeled "#81". A point is labeled "#82". A point is labeled "#83". A point is labeled "#84". A point is labeled "#85". A point is labeled "#86". A point is labeled "#87". A point is labeled "#88". A point is labeled "#89". A point is labeled "#90". A point is labeled "#91". A point is labeled "#92". A point is labeled "#93". A point is labeled "#94". A point is labeled "#95". A point is labeled "#96". A point is labeled "#97". A point is labeled "#98". A point is labeled "#99". A point is labeled "#100".

#1 390'S E 150'W
#2 480'S E 190'W
#3 525'S E 140'W
#4 340'S E 145'W

} No change

#6 155'N & 230'E
#7 110'S & 280'W
#8 2070'N & 100'E
#5 3200'N & 300'W
#9 1040'N & 130'W

#5 150'S & 300'W
#6 160'S & 80'W
#7 150'S & 30'W
#8 340'S & 280'W

Scale $1'' = 1320'$
($4'' = 1 \text{ mile}$)

Certified Writer Right Examiner
 #1
M. J. E. E.
 Brenda A. Bates
 Nov. 19, 1987
 STATE OF OREGON
 Renewal Dec 31, 2015

T-10716
RECEIVED BY BOARD

MAR 05 2014

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

~~PO Box 17510~~ 80382 Arnold Rd
Salem, OR ~~97305-7510~~ Bend, OR 97702
~~(503) 595-7598~~ (541) 382-7391

[illegible]

1 390'S & 150'W
2 480'S & 190'W
3 525'S & 140'W
4 340'S & 145'W

} No change

- #6 155°N & 230°E
- #7 110°S & 280°W
- #8 2070°N & 100°E
- #5 3200°N & 300°W
- #9 1040°N & 130°W

#5 150'S & 300'W
#6 160'S & 80'W
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#8 340'S & 280'W

Scale $1'' = 1320'$
($4'' = 1 \text{ mile}$)

MAR 05 2014

ESTES SURVEYS, LLC

~~PO Box 17510~~
~~Salem, OR 97305 7510~~
~~(503) 585 7598~~

80382 Arnold Rd
Bend, OR 97702
(541) 382-7391



Oregon

Theodore R. Kulongoski, Governor

Assignment 9/10/10

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

September 13, 2010

Northwest Farm Credit Services FLCA/PCA
1900 West Nickerson St., Suite 215
Seattle, Washington 98119-1650

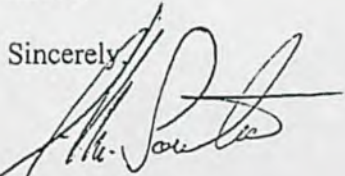
Reference: Application G-11640, Permit G-11024

The assignment from Northwest Farm Credit Services FLCA/PCA to Thomas A. MacDonald has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 101069 covering the recording fee of \$75 is also enclosed.

Please review the permit to be familiar with the conditions and timelines contained in the permit. These conditions and timelines will have to be met before a Certificate of Water Right can be issued.

Sincerely,


Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 101069

cc: Watermaster 12
Thomas A. MacDonald
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
File



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Northwest Farm Credit Services FLCA/PCA

(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

1900 W. Nickerson St., Suite 215 Seattle WA 98119 206-691-2000
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☒ hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- ☐ hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)
- ☐ hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # G11640; Permit # G11024; Transfer # _____
-OR-

License # _____; GR Statement # _____; GR Certificate of Registration # _____

As filed in the office of the Water Resources Director, to:

Thomas A. MacDonald
(Name of New Owner)

PO Box 87 Summer Lake OR 97640 541-943-3104
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 8th day of September, 2010.

Applicant/Permit Holder [Signature], Authorize Signer, Northwest Farm Credit

Applicant/Permit Holder _____

Assign
9/10/2010
[Signature]

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 101069
- For Director by Jerry Saxton, Program Analyst in Water Rights Division. [Signature]

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$75.

RECEIVED

SEP 10 2010

WATER RESOURCES DEPT
SALEM, OREGON

Ext

Oregon Water Resources Department
Water Right Services Division

10-1-10
10-1-12

Water Rights Application
Number G-11640

Final Order
Extension of Time for Permit Number G-11024
Permit Holder: Thomas A. MacDonald

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request 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 you may either file 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.

Application History

Permit G-11024 was issued by the Department on April 30, 1990, and modified by Permit Amendment T-10716 on December 10, 2008. The permit called for completion of construction by October 1, 1992 and complete application of water to beneficial use by October 1, 1993. On January 10, 2008, the permit was extended for completion of construction by October 1, 2010 and complete application of water to beneficial use by October 1, 2010. On October 1, 2010, Schroeder Law Offices, P.C., agent for Thomas A. MacDonald submitted to the Department an Application for Extension of Time for Permit G-11024. In accordance with OAR 690-315-0050(2), on September 13, 2011, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2012 and the time to fully apply water to beneficial use to October 1, 2012. The protest period closed October 28, 2011, in accordance with OAR 690-315-0060(1). No protest was filed.

The Department adopts and incorporates by reference the Proposed Final Order dated September 13, 2011.

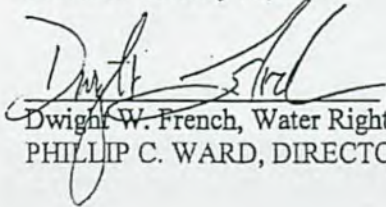
At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-11640, Permit G-11024, therefore, is approved. The deadline for completing construction is extended to from October 1, 2010 to October 1, 2012. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2010 to October 1, 2012.

DATED: January 20, 2012



Dwight W. French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

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- If you have any questions about statements contained in this document, please contact Jerry Gainey at (503) 986-0812.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
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Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-11640

10-1-93
10-1-10

Final Order
Extension of Time for Permit Number G-11024

Appeal Rights

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 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.

Application History

The Department issued Permit G-11024 on April 30, 1990. The permit called for completion of construction by October 1, 1992 and complete application of water to beneficial use by October 1, 1993. On September 5, 2007, Thomas MacDonald submitted to the Department an Application for Extension of Time for Permit G-11024. In accordance with OAR 690-315-0050(2), on November 13, 2007, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2010 and the time to fully apply water to beneficial use to October 1, 2010. The protest period closed December 28, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Diligence Progress Report to the Department by **October 1, 2008. A form is enclosed for your use.**

- (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;

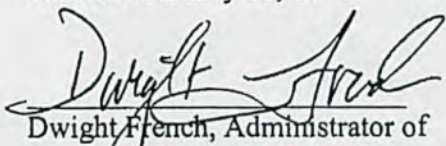
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-11640, Permit G-11024, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to October 1, 2010. The deadline for applying water to full beneficial use is extended to October 1, 2010.

DATED: January 10, 2008


Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

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- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Extent

10-1-12

10-1-14

**Oregon Water Resources Department
Water Right Services Division**

Water Rights Application
Number G-11640

**Final Order
Extension of Time for Permit Number G-11024
Permit Holder: Thomas A. MacDonald**

Permit Information

Application File G-11640 Permit G-11024

Basin: 13 – Goose & Summer Lakes / Watermaster District 12

Date of Priority: April 7, 1987 and June 14, 1989

Authorized Use of Water

Source of Water: Four Wells in the Ana River Basin within the Ana River Basin

Purpose of Use: Irrigation of 619.7 Acres

Maximum Rate: 17.8 Cubic Feet per Second (CFS), being 7.73 cfs for irrigation and 17.8 cfs for fish culture Cubic Feet per Second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Application History

Permit G-11024 was issued by the Department on April 30, 1990 and modified by Permit Amendment T-10716 on December 10, 2008. The permit called for completion of construction by October 1, 1992 and complete application of water to beneficial use by October 1, 1993. Two prior permit extensions have been granted for Permit G-11024. The most recent extension

Final Order: Permit G-11024

Page 1 of 2

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request 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 you may either file 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.

request resulted in the completion dates for construction and full application of water being extended from October 1, 2010 to October 1, 2012. On October 1, 2012, Thomas A. MacDonald submitted to the Department an Application for Extension of Time for Permit G-11024. In accordance with OAR 690-315-0050(2), on August 27, 2013, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2014 and the time to fully apply water to beneficial use to October 1, 2014. The protest period closed October 11, 2013, in accordance with OAR 690-315-0060(1). No protest was filed.

Findings of Fact

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated August 27, 2013.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to no additional conditions.

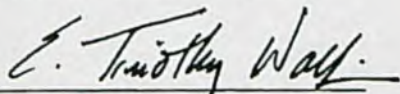
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-11640, Permit G-11024, therefore, is approved. The deadline for completing construction is extended to from October 1, 2012 to October 1, 2014. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2012 to October 1, 2014.

DATED: October 18, 2013



Dwight W. French, Administrator, Water Right Services Division,
for PHILLIP C. WARD, DIRECTOR

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- If you have any questions about statements contained in this document, please contact Jerry Sauter at (503) 986-0817.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)	SUPERSEDING
for Permit G-11024, Water Right Application G-11640)	PROPOSED FINAL ORDER
in the name of Thomas A. MacDonald)	

Permit Information

Application File G-11640 Permit G-11024

Basin: 13 – Goose & Summer Lakes / Watermaster District 12

Date of Priority: April 7, 1987 and June 14, 1989

Authorized Use of Water

Source of Water: Four Wells in the Ana River Basin

Purpose of Use: Fish Culture, Irrigation of 50.1 Acres, and Supplemental
Irrigation of 569.6 Acres

Maximum Rate: 17.8 Cubic Feet per Second (cfs), being 7.73 cfs for
irrigation and 17.8 cfs for Fish Culture

**This Extension of Time request is being processed in accordance with
Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative
Rule Chapter 690, Division 315**

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit G-11024, water right Application G-11640.
A copy of Permit G-11024 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time for complete construction of the water system and time to apply water to full beneficial use from October 1, 2012 to October 1, 2014.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(1) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

FINDINGS OF FACT

Background

1. Permit G-11024 was granted by the Department on April 30, 1990. The permit authorizes the use of up to 17.8 cfs, being 7.73 cfs for irrigation and 17.8 cfs for fish culture from Four Wells in the Ana River Basin for Fish Culture, Irrigation, and Supplemental Irrigation. The permit specified construction of the water system was to be completed by October 1, October 1, 1992, and complete application of water was to be made on or before October 1, 1993.

2. Permit G-11024 contains two priority dates for the authorized uses. The earliest priority date, being April 7, 1987, authorizes 10.0 cfs of water for Fish Culture and 7.73 cfs of water for Irrigation. The later priority date, being June 14, 1989, authorizes 7.78 cfs of water for Fish Culture.
3. The use is limited to not more than 17.80 cfs, being 7.73 cfs for irrigation and 17.8 cfs for Fish Culture, or its equivalent in case of rotation, measured at the wells.
4. On December 10, 2008, the Department approved Permit Amendment T-10716 (Special Order Volume 76, Page 833) authorizing additional points of appropriation under Permit G-11024.
5. Two prior permit extensions have been granted for Permit G-11024. The most recent extension request resulted in the completion dates for construction and full application of water being extended from October 1, 2010 to October 1, 2012.
6. The permit holder submitted an "Application for Extension of Time" to the Department on October 1, 2012 requesting the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit G-11024 be extended from October 1, 2012 to October 1, 2014. This is the third permit extension requested for Permit G-11024.
7. On August 13, 2013, the Department issued a Proposed Final Order for the Application for Extension of Time for Permit G-11024. Subsequently, the Department discovered the following scrivener's error (additions are shown in "underline" text, deletions are shown in "~~strikethrough~~" text):
 - a. Finding of fact 7 is corrected as follows:

Notification of the Application for Extension of Time for Permit G-11024 was published in the Department's Public Notice dated October 16, ~~2010~~ 2012. No public comments were received regarding the extension application.
8. Notification of the Proposed Final Order for Application for Extension of Time for Permit G-11024 was published in the Department's Public Notice dated August 13, 2013. Subsequently, the Department discovered that the Recommendation, shown on page 7 of the August 13, 2013 Public Notice contained the following scrivener's error:
 - a. The Recommendation for the Application for Extension of Time for Permit G-11024 is corrected as follows:

Recommendation: The department proposes to grant an extension of time for complete construction for the water system from October 1, 2012, to October 1, ~~2012~~ 2014; and grant an extension of time to apply water to full beneficial use from October 1, 2012, to October 1, ~~2012~~ 2014.
9. This document supersedes the August 13, 2013 Proposed Final Order, which is no longer in effect.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

10. On October 1, 2012, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

11. Actual construction of the well began prior to the April 30, 1991 deadline specified in the permit.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

12. As of October 1, 2012, the remaining work to be completed consists of completing construction of the water system and applying water to full beneficial use.
13. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2014, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-11024 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 539.010(5) applies to surface water and ground water permits.

Amount of Construction /OAR 690-315-0040(3)(a)/

14. Work was accomplished within the time allowed in the permit or previous extension as follows:

- a. Construction of the well and water system began prior to the April 30, 1991 deadline specified in the permit.
- b. Work was completed (specified in the Application for an Extension of Time) during the original development time frame under Permit G-11024.

Beneficial Use of Water /OAR 690-315-0040(3)(b)/

15. The following beneficial use of water was made during the permit or previous extension time limits:

- a. Since the issuance of Permit G-11024 on April 30, 1990, a maximum rate of 7.0 cfs of water has been appropriated from the well for Fish Culture and Irrigation of 619.7 acres. The authorized amount of water for Fish Culture and Irrigation use is 17.8 cfs, being 7.73 cfs for irrigation and 17.8 cfs for fish culture.

Compliance with Conditions /OAR 690-315-0040(3)(c)/

16. The water right permit holder's conformance with the permit or previous extension conditions.

- a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments /OAR 690-315-0040(3)(d)/

17. Financial investments made toward developing the beneficial water use.

As of October 1, 2012, the permit holder has invested approximately \$162,272, which is approximately 85 percent of the total projected cost for complete development of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose /OAR 690-315-0040(2)(b)/

18. The permit holder anticipates an additional \$28,500 investment is needed for the completion of this project.

Good Faith of the Appropriator /OAR 690-315-0040(2)(c)/

19. The Department has found good faith of the appropriator under Permit G-11024.

The Market and Present Demands for Water /OAR 690-315-0040(2)(d-e)/

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

20. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-11024; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-11024, are located within the Ana River Basin, are not located within a limited or critical ground water area. Ana River is not located within or above any state or federal scenic waterway, and it is not located within an area ranked "" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Ana River is not listed by the Department of Environmental Quality as a water quality limited stream.

21. Economic investment in the project to date [OAR 690-315-0040(4)(d)].

As of October 1, 2012, the permit holder has invested approximately \$162,272.

22. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

None have been identified.

23. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

a. None have been identified.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

24. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

25. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

26. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2014⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

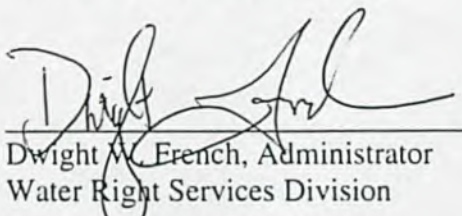
⁵Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system and the time to apply water to beneficial use under Permit G-11024 from October 1, 2012 to October 1, 2014.

DATED: August 27, 2013


Dwight M. French, Administrator
Water Right Services Division

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 11, 2013**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
- a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have any questions about statements contained in this document, please contact Michele McAleer at (503) 986-0825.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0819.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to : Water Right Services Division
725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266
-



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

Ground Water Review Form:

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

Application: T- 11749

Applicant Name: Thomas A. MacDonald

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

Reviewer(s): Gerald H. Grondin

Date of Review: 24 April 2014

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

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

1. Basic description of the changes proposed in this transfer: _____

Application T-11749 seeks to amend permit G-11024 (file G-11640). The current permit allows groundwater pumping from 8 authorized POA wells at specified locations (see attached map). The permit amendment application T-11749 seeks the following changes to the permit:

1. It proposes an additional point of appropriation (APOA) for a POA well # 9 to be added to the 8 authorized wells.

2. It notes POA well #5 was drilled at the location specified in the permit, but the well did not produce water of acceptable quality. No well log for this well was submitted or identified. No well log was found by this review. Thus, the permit amendment proposes a change in POA for well #5. It proposes that POA well # 5 be a different well yet to be drilled located 3,350 feet north of the original POA well # 5 location noted in the permit. The POA well # 5 location in the permit is: 150 feet south and 300 feet west from N1/4 corner, section 8 (T30S/R17E). The proposed new POA well # 5 location is: 3200 feet north and 300 feet west from N1/4 corner, section 8 (T30S/R17E).

3. It notes that POA well # 6 (LAKE 52368) was drilled at a location different than specified in the permit. The POA well # 6 location in the permit is: 160 feet south and 80 feet west from N1/4 corner, section 8 (T30S/R17E). The actual POA well # 6 location is: 155 feet north and 230 feet west from N1/4 corner, section 8 (T30S/R17E).

4. It notes that POA well # 7 (LAKE 52369) was drilled at a location different than specified in the permit. The POA well # 7 location in the permit is: 150 feet north and 30 feet west from N1/4 corner, section 8 (T30S/R17E). The actual POA well # 7 location is: 110 feet south and 280 feet west from N1/4 corner, section 8 (T30S/R17E).

5. It notes that POA well # 8 (LAKE 52487) was drilled at a location different than specified in the permit. The POA well # 8 location in the permit is: 340 feet north and 280 feet west from N1/4 corner, section 8 (T30S/R17E). The actual POA well # 7 location is: 2070 feet north and 100 feet west from N1/4 corner, section 8 (T30S/R17E).

6. It notes that POA well #1 (LAKE 3030), POA well #2 (LAKE 1507), POA well #3 (LAKE 4444), and POA well # 4 (LAKE 3029) are at the locations specified in the permit and no change is needed related to them.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?

☒ Yes ☐ No Comments: _____

The application does not identify the geologic unit providing groundwater. A review of the existing POAs indicate the groundwater entering each well is from the predominantly volcanic/basalt unit below the predominantly basin-fill unit. The wells obtain groundwater from a zone of "red boulders and cinders" or from "lava," "broken lava."

The Final order should include a condition that the APOA well (POA well #9) and the new POA well #5 shall obtain groundwater from the predominantly volcanic/basalt unit below the predominantly basin-fill unit and both wells shall have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic/basalt unit.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____

See item 2 above for comment.

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.): _____

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?

☐ Yes ☒ No Comments: _____

The APOA (POA well # 9) and changes related to POA 5, POA 6 (LAKE 52368), POA 7 (LAKE 52369), and POA 8 (LAKE 52487) places the wells the same or greater distance from other water right wells to the south and west. The APOA and the POA changes noted places the wells closer to water right wells to the north and east, but the distance remains sufficient that the increased interference should be negligible.

- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: _____

See part a above for comment.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another surface water source?

☐ Yes ☒ No Comments: _____

The APOA (POA well # 9) and changes related to POA 5, POA 6 (LAKE 52368), POA 7 (LAKE 52369), and POA 8 (LAKE 52487) places the wells the same or greater distance from Ana River and Ana Reservoir where Ana Spring is located.

It should be noted that Groundwater Section reviewer Donn Miller in a February 1990 memo noted likely interference with Ana Reservoir - Ana Springs - Ana River system. Consequently permit G-11024 (file G-11640) includes a condition that "At any time when flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into the Ana River to the extent necessary to restore Ana River to its historic flow."

In addition to this condition, Mr. Miller recommended in his memo, "In the event of shortage at Ana reservoir, the permittee's use of wells would be regulated and/or stopped. This condition would allow swift regulation and avoid the impractical diversion works for replacement water. If the permittee wished to construct the works at the time of need that would appear to be a reasonable option too." Mr. Miller made this recommendation given the increased distance between newly proposed POA wells and surface water (Ana Springs at Ana Reservoir and the Ana River).

This review concurs with maintaining the existing permit condition quoted above and including what Mr. Miller recommended as quoted above.

GW
condition

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any surface water sources resulting from the proposed change?

Stream: Ana Springs at Ana Reservoir



Minimal



Significant

Stream: Ana River



Minimal



Significant

Provide context for minimal/significant impact: _____

See preceding Part 5a for comment and recommendation

What conditions or other changes in the application are necessary to address any potential issues identified above: _____

The following conditions are recommended:

Condition 7F (proposed well location condition)

Condition 7 P (well tag condition) applied to all the POA wells given the number of POA wells and their close proximity to each other. This will significantly reduce well ID confusion.

"Large" condition (flow meter) applied to all the POA wells

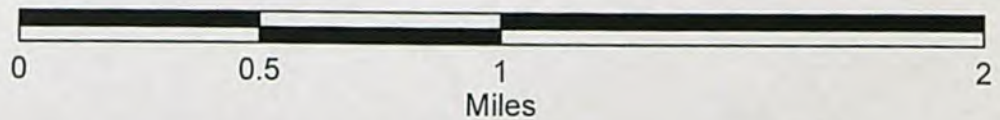
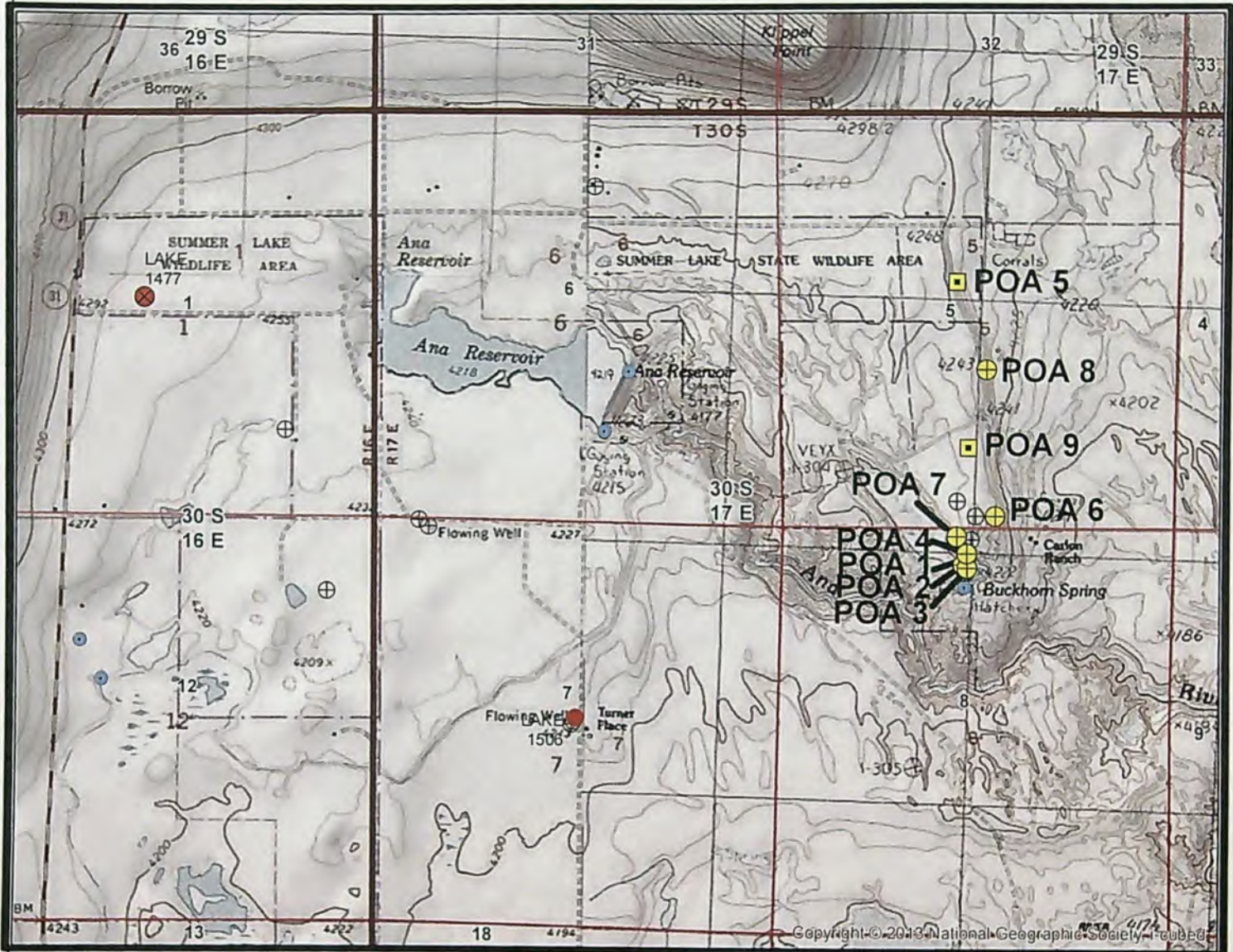
Continue the existing permit condition: "At any time when flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into the Ana River to the extent necessary to restore Ana River to its historic flow." Add, "Otherwise, all ground water derived under this permit shall be shut off when all the ground water derived under this permit cannot be delivered into the Ana River."

Well construction condition: "The APOA well (POA well #9) and the new POA well #5 shall obtain groundwater from the predominantly volcanic/basalt unit below the predominantly basin-fill unit and both wells shall have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic/basalt unit."

6. Any additional comments: None

Permit Amendment Application T-11749

Thomas A. MacDonald

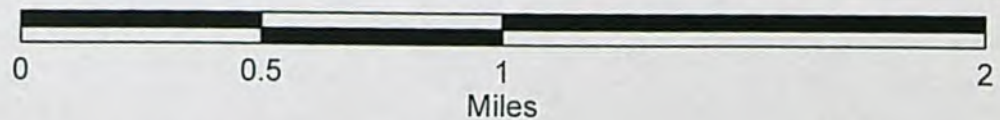
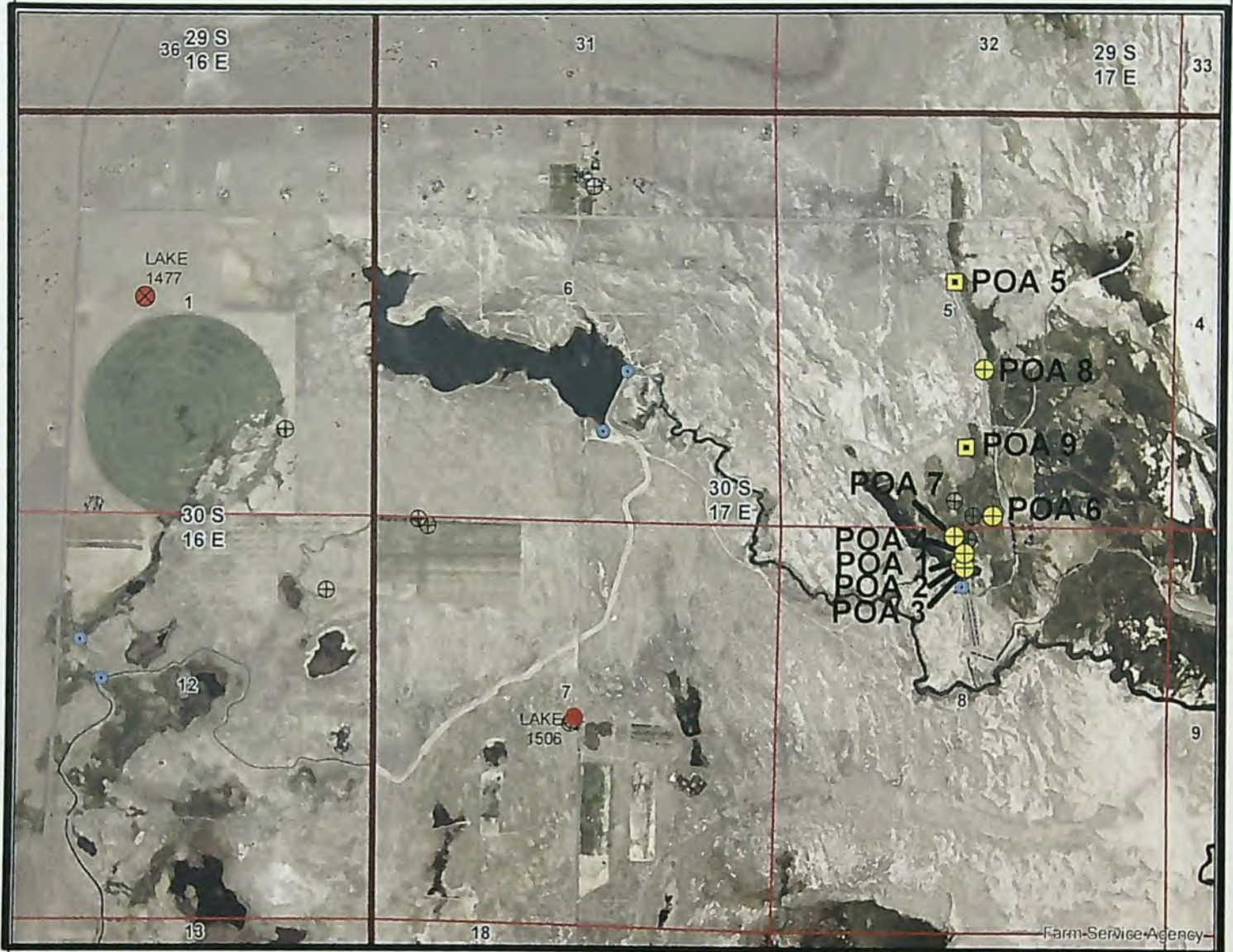


Yellow = Application Noted Well(s)
 Red = Other Existing or Proposed Wells
 Blue and Other = surface water rights



Permit Amendment Application T-11749

Thomas A. MacDonald



Yellow = Application Noted Well(s)
Red = Other Existing or Proposed Wells
Blue and Other = surface water rights



30s/18E-8aa

9802C 10/86

SP*46866-690

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

LAKE 52308 Well #12
LAKE 52368 AM TULE

WELL LABEL # L 10 3897
START CARD # 206439
ORIGINAL LOG #

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

(1) LANDOWNER Owner Well I.D.
First Name Thomas Last Name McDaniel
Company _____
Address PO Box 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.

Seal Material _____

Casing Type: ☐ Steel ☐ Plastic ☐ Other _____

Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
24"	0	39	Cement	0	39	60	SCK
18"	39	210	Cement	40	210	150	SCK
12"	210	260					

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

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs

Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	18"	+	1	39	.250	X		X	
X	12"	-	3	220	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

Perf	Scm	Casing Liner	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

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

☐ Pump ☐ Bailer ☒ Air ☒ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Lake Twp 30 N or S Range 17 E or W W.M.

Sec 5 NW 1/4 of the _____ 1/4 Tax Lot 600

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL

Date _____ SWL (psi) _____ + _____ SWL (ft) _____

Existing Well/Pre-Alteration 10-24-10 2.35

Completed Well _____

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 25'

SWL Date _____ From _____ To _____ Est Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

(11) WELL LOG Ground Elevation _____

Material	From	To
TOP SOIL	0	2
Black clay	2	60
Gray clay	60	120
Blue clay	120	180
Gray Basalt	180	225
Red chert	225	260

RECEIVED

RECEIVED BY OWRD

MAR 13 2012

JUL 12 2012

WATER RESOURCES DEPT

SALEM, OREGON

SALEM, OR

Date Started 9-28-10 Completed 10-28-10

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 10-12-11

Signed [Signature]

Contact Info. (optional)

Search Drilling INC
70M Search 501-576-2189

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

LAKE 52368

WELL LABEL # L 103897
START CARD # 206439
ORIGINAL LOG #

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

(1) LANDOWNER
First Name Thomas Last Name Search
Company _____
Address PO Box 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well _____ ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
2 1/4"	0	39	Cement	0	39	80	SCK
1 1/2"	39	210	Cement	210	210	150	SCK
1 1/2"	210	260					

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

Backfill placed from _____ ft. to _____ ft. Material _____
filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER		Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
Casing	Liner									
X		1 1/2"	+	210	39	.250	X		X	
X		1 1/2"	-	3	210	.750	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations		Screens		Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tc/c pipe size
Method	Type	Material								

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

<input type="checkbox"/> Pump	<input type="checkbox"/> Boiler	<input type="checkbox"/> Air	<input checked="" type="checkbox"/> Flowing Artesian
Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1000			
Temperature	°F Lab analysis	<input type="checkbox"/> Yes By _____	
Water quality concerns?	<input type="checkbox"/> Yes (describe below) TDS		ppm
From	To	Description	Amount Units

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the _____ 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 DESSERT
SPRING RD SUMMER LAKE OR 97640

(10) STATIC WATER LEVEL		Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration		10-24-10	2 PSI		
Completed Well					

WATER BEARING ZONES		Depth water was first found	
SWL Date	From	To	Est Flow
	20	23	25 gal

(11) WELL LOG		Ground Elevation	
Material	From	To	
TOP SOIL	0	2	
Black clay	2	60	
Gray clay	60	120	
Blue clay	120	180	
Gray Basalt	180	225	
Red clodch	225	260	
RECEIVED			
MAR 1 2 2012			
WATER RESOURCES DEPT			
SALEM, OREGON			

Date Started 9-28-10 Completed 10-28-10

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

License Number _____ Date _____
Signed _____

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

License Number 1654 Date 10-12-11
Signed Tom Search
Contact Info. (optional)
Search drilling INC
70M Search 501-576-2189

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

01/02/2010

STATE OF OREGON WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

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

WELL # 13 LAKE
LAKE 52369
52369

WELL LABEL # L 10 35 48
START CARD # 206440
ORIGINAL LOG #

(1) LANDOWNER Owner Well I.D.
First Name Thomas Last Name MacDonald
Address PO Box 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 340 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL		
Dia	From	To	Material	From	To
20"	0	220	Cement	0	220
12"	220	340			

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

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	14"	1	220	250	X	X			

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf	Scrn	Casing Liner	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele pipe size

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

☐ Pump ☐ Bailer ☒ Air ☒ Flowing Artesian
Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____
Temperature 60 °F Lab analysis ☐ Yes By _____

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the _____ 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>2-5-11</u>	<u>4 PSI</u>		
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	<u>190</u>	<u>200</u>	<u>500 gal</u>			<u>1"</u>

(11) WELL LOG

Material	From	To
TOP SOIL	0	2
Gravel	2	10
Black clay with	10	35
limonite	35	65
Green clay	65	105
Gray clay	105	220
Lake Rock	220	240
Red Basalt	240	260
Black Lake Rock	260	300
Red Cider	300	340

Date Started 10-30-10 Completed 3-5-11

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed SALEM, OR MAR 13 2012

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 10-12-11

Signed Tom Search

Contact Info. (optional) Search Drilling INC

70M Search
541 576-2189

LAKE 52369

Well #15

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

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

WELL LABEL # L 103998
START CARD # 206440
ORIGINAL LOC #

(1) LANDOWNER Owner Well I.D.
First Name Thomas Last Name MacDonald
Company _____
Address PO BOX 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 340 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Seals/lbs
20"	0	220	Cement	0	220	360	56K
12"	220	340					

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

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing/Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	14"	+	1	220	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perf	Screen	Casing/Liner	Screen Dia	From	To	Screen/Slot width	Slot length	# of slots	Tele/pipe size

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

☐ Pump ☐ Bailor ☐ Air ☒ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the _____ 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ or _____ DMS or DD
Long _____ or _____ DMS or DD

Street Address of Well (or nearest address) 48413 DesserT
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL

Existing Well/Pre-Alteration	Date	SWL (psi)	+	SWL (ft)
Completed Well	2-5-11	4 PSI		

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	190	200	500 gal			1"

(11) WELL LOG

Ground Elevation _____

Material	From	To
TOP SOIL	0	2
CLAY	2	10
BLACK CLAY WITH	10	35
Humic acid	35	65
Green clay	65	165
CLAY	165	220
Lava Rock	220	240
Red Basalt	240	260
Black Lava Rock	260	340
Red clod	340	340

Date Started 10-30-10 Completed 3-5-11

(unbanded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed _____

(banded) Water Well Constructor Certification

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

License Number 1654 Date 10-12-11

Signed Thomas MacDonald

Contact Info. (optional)

Search drilling INC

Tom Search
541 576 2189

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

RECEIVED
MAR 1 2 2012
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

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

LAKE 52487

LAKE 52487

WELL LABEL # L 104458

START CARD # 206041

ORIGINAL LOG #

(1) LANDOWNER

Owner Well I.D.

First Name Thomas Last Name MacDonald
Company _____
Address P.O. Box 5-1
City Sumner Lake State OR Zip 97140

(2) TYPE OF WORK

☒ New ☐ Conversion ☐ Deepening

☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION:

Well Depth _____ ft.

Seal Material _____

Casing Type: ☐ Steel ☐ Plastic ☐ Other _____

Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Auger

☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community

☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection

☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE

SEAL

Dia	From	To	Material	From	To	Amount	Scks/lbs
24"	0	90	Concrete	0	90	100	50
18"	90	155	Concrete	90	155	100	50
14"	155	200					
10"	200	260					

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

☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs

Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		18"	+	1	90	.250	X		X	
X		14"	+	1	155	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

Perf	Screen	Casing	Linr	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele pipe size

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

☐ Pump ☐ Bailer ☐ Air ☒ Flowing Artesian

Yield gal/min 1500 Drawdown _____ Drill stem/Pump depth _____ Duration (hr) hr

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Lake Twp 30 N or S Range 17 E or W W.M.

Sec 5 SE 1/4 of the 12 1/4 Tax Lot 600

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 D-550
Sitting on Summer Lake

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>9-1-13</u>	<u>4 psi</u>		
Completed Well				

Flowing Artesian? ☒ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES

Depth water was first found 260

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
<u>9-1-13</u>	<u>220</u>	<u>260</u>	<u>1500</u>	<u>4 psi</u>		

(11) WELL LOG

Ground Elevation _____

Material	From	To
<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>Brown clay</u>	<u>2</u>	<u>150</u>
<u>Black lava rock</u>	<u>150</u>	<u>165</u>
<u>Red lava rock</u>	<u>165</u>	<u>220</u>
<u>Brown lava rock</u>	<u>220</u>	<u>260</u>

RECEIVED BY OWRD

RECEIVED BY OWRD

NOV 18 2013

OCT 10 2013

SALEM, OR

SALEM, OR

Date Started 8-15-13 Completed 9-1-13

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 16541 Date 10-6-13

Signed [Signature]

Contact Info. (optional) _____



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 4, 2021

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

REFERENCE: Permit Amendment Application T-13337

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

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

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Arla Davis, by telephone at (503) 986-0806 or by e-mail at Arla.L.Davis@oregon.gov.

Sincerely,

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

cc: Brian M. Mayer, Watermaster Dist. # 12 (via email)
Scott D. Montgomery, Agent
Summer Lake Trout Farm
Lake County

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment	)	FINAL ORDER
T-13337, Lake County	)	APPROVING CHANGES IN POINTS
	)	OF APPROPRIATION AND A
	)	CHANGE IN PLACE OF USE

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

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

Findings of Fact

1. On December 26, 2019, THOMAS A. MACDONALD, filed an application to change the points of appropriation and to change in place of use under Permit G-17749. The Department assigned the application number T-13337.
2. On March 14, 1994, the Department approved an assignment of the permit from Robert F. Olson to Summer Lake Trout Farm.
3. On June 12, 1995, the Department approved an assignment of the permit from Summer Lake Trout Farm to Key Bank of Oregon, Agricultural Banking Center.
4. On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
5. On September 10, 2010, the Department approved an assignment of the permit from Northwest Farm Credit Services FLCA/PCA to Thomas A. MacDonald.
6. On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
7. On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
8. On January 16, 2015, the Department approved an extension of time for complete application of water to October 1, 2016.

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.

9. On July 28, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
10. On December 18, 2020, the Department approved an extension of time for complete application of water to October 1, 2025.
11. Notice of the application for the permit amendment was published in the Department's weekly notice on January 7, 2020, and in the Lake County Examiner newspaper on October 7 and 14, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
12. On February 20, 2020, the agent for the applicant contacted the Department regarding updated application materials and to address fees not submitted at the time the application was received.
13. On February 28, 2020, the Department received amended application pages and maps by mail. The amended application requested Western Development Group LP be added as an applicant.
14. On March 5, 2020, the Department received additional fees from the applicant.
15. On April 1, 2020, the Department provided amended application pages and maps satisfying all deficiencies.
16. Permit Amendment Application T-13337 proposes to move four of the authorized points of appropriation and to add two points of appropriation, with approximate distances between 103 feet and 3720 feet from the existing points of appropriation, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Proposed Change
30 S	17 E	WM	8	NE NW	WELL 1 – 390 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 2 – 480 FEET SOUTH AND 190 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 3 – 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 4 – 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	5	SE NW	WELL 5 – 3155 FEET NORTH AND 220 FEET WEST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SW SE	WELL 6 – 105 FEET NORTH AND 250 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	8	NE NW	WELL 7 – 180 FEET SOUTH AND 250 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	POA
30 S	17 E	WM	5	NW SE	WELL 8 – 2010 FEET NORTH AND 135 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SE SW	WELL 9 – 1040 FEET NORTH AND 130 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 10 – 330 FEET SOUTH AND 180 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Additional POA
30 S	17 E	WM	8	NE NW	WELL 11 – 550 FEET SOUTH AND 155 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Additional POA

17. Permit Amendment Application T-13337 also proposes to change the place of use of the fish culture portion of the permit to:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW

18. On August 11, 2020, the applicants' agents and attorneys met via conference call with Department staff to discuss: construction of the existing wells under Permit G-17749 to ensure each well is accessing the correct groundwater source; the potential for injury and enlargement if Permit Amendment Application T-13337 is not conditioned to limit the total number of wells under Permit G-17749 to no more than nine (9); and that all wells constructed under Permit G-17749 (and any superseding permits) must be properly constructed in accordance with current well construction standards. Additionally, it was clarified that WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029) will be replaced on a one for one basis by WELL 10 and WELL 11.
19. The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.
20. WELL 1 (LAKE 3030): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
21. WELL 2 (LAKE 1507): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
22. WELL 3 (LAKE 4444): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.

23. WELL 4 (LAKE 3029): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.
24. WELL 5 (LAKE 52764) is open to receive groundwater from the basin-fill only. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
25. WELL 6 (LAKE 52368) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
26. WELL 7 (LAKE 52369) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill. However, the casing and seal stops at the base of the basin fill rather than extend into the volcanic rocks and sediments below the basin fill.
27. WELL 8 (LAKE 52487) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
28. WELL 9, WELL 10 and WELL 11, are not yet drilled and are required to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
29. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.
30. Based on information received from the Watermaster, in order to prevent injury, the Permit Amendment must be conditioned to limit the total number of wells authorized under the permit to no more than 9 wells. Further:
 - a) If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
 - b) If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
 - c) If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

31. All wells constructed under Permit G-17749 (or any superseding permit) must meet current well construction standards. Any well(s) constructed under Permit G-17749 (or any superseding permit) that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

32. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

33. Condition for construction of existing WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), and WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Permit Amendment Review Criteria

34. The changes, as conditioned, would not result in injury to other water rights.

35. The proposed place of use is owned and/or controlled by the permit holder.

36. The changes, as conditioned, do not enlarge the permit.

37. The changes do not alter any other terms of the permit.

38. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337, as conditioned, are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

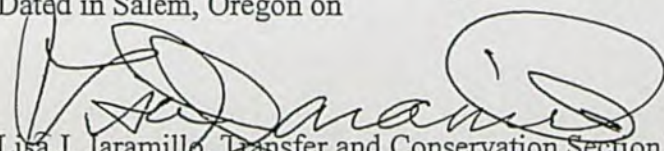
1. The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337 are approved.
2. Permit G-18433, in the name of THOMAS A. MACDONALD, is issued to replace Permit G-17749, and incorporates the amendments approved by this order, the extensions of time, and the assignments. Permit G-17749, in the name of THOMAS A. MACDONALD, is no longer of any force or effect.

3. The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.
4. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private
5. The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.
6. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.
7. No more than a total of nine (9) wells may be authorized under Permit G-18433. Therefore:
 - a. If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
 - b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or

- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.
8. All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.
9. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):
- When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.
10. Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:
- All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.
11. Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.
12. All other terms and conditions of Permit G-18433 remain the same.

FEB n 4 2021

Dated in Salem, Oregon on


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

Mailing Date:

FEB n 5 2021

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

This superseding permit is issued to describe amendments for a change in place of use and a change in the points of appropriation proposed under Permit Amendment Application T-13337 and approved by Special Order Volume 118, Page 49 entered FEB 04 2021, and to describe extensions of time for complete application of water approved January 10, 2008, January 20, 2012, October 18, 2013, January 16, 2015, July 28, 2017, and December 18, 2020 and to describe assignments to new permittees approved March 14, 1994, June 12, 1995, and September 10, 2010. This permit supersedes Permit G-17749.

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

The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE and 7.73 CFS FOR IRRIGATION and JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

*THE WELLS ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	WELL 1 - 390 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 2 - 480 FEET SOUTH AND 190 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 3 - 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 4 - 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	SE NW	WELL 5 - 3155 FEET NORTH AND 220 FEET WEST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SE SW	WELL 9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL 8 - 2010 FEET NORTH AND 135 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SW SE	WELL 6 - 105 FEET NORTH AND 250 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	8	NE NW	WELL 7 - 180 FEET SOUTH AND 250 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 10 - 330 FEET SOUTH AND 180 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 11 - 550 FEET SOUTH AND 155 FEET WEST FROM THE N1/4 CORNER OF SECTION 8

*This permit is limited to a total of no more than nine wells. See condition on page 4 of permit G-18433.

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

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

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

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4
Total					50.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0
Total					569.60

Permit Amendment T-13337 Conditions:

The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029 WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029 WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

Water use measurement conditions:

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

The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.

The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

* No more than a total of nine (9) wells may be authorized under Permit G-18433. Therefore:

- a. If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
- b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

Permit Amendment T-11749 Conditions

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

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

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

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

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

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

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

Water use measurement conditions:

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

Extension of Time Conditions:

Last Extension Condition

This is to be the last extension of time granted for Permit G-17749. Any future extensions of time requests shall be denied.

Original Permit Conditions:

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

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

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

Actual construction work was to begin on or before April 30, 1991, however, complete application of the water to the use was extended and shall be made on or before October 1, 2020. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

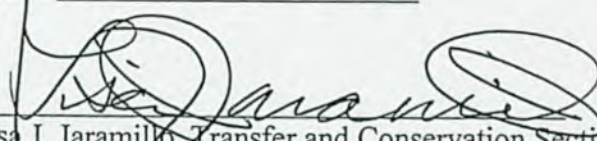
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued **FEB 04 2021**


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

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER APPROVING
T-11749, LAKE County	)	A CHANGE IN POINT OF
	)	APPROPRIATION AND AN
	)	ADDITIONAL POINT OF
	)	APPROPRIATION

Authority

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

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

Findings of Fact

1. On March 5, 2014, Thomas MacDonald filed an application to change a point of appropriation and add an additional point of appropriation under Permit G-11024. The Department assigned the application number T-11749.
2. On April 30, 1990, the Department issued permit G-11024 in the name of Robert F. Olson.
3. On March 14, 1994, the Department approved an assignment of the permit to Summer Lake Trout Farm.
4. On June 12, 1995, the Department approved an assignment of the permit to Key Bank of Oregon.
5. On March 26, 2003, the Department approved an assignment of the permit to Thomas A. MacDonald and Northwest Farm Credit Services.
6. On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
7. On December 10, 2008, the Department approved permit amendment T-10716 as described in Special Order Volume 76, Pages 833-836. Permit Amendment T-10716 added 4 additional points of appropriation and provided a more accurate description of the four authorized (original) points of appropriation.

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 137-004-080 and OAR 690-01-005 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.

8. On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
9. On September 13, 2010, the Department approved an assignment of the permit to Thomas A. MacDonald.
10. On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
11. On January 16, 2015, the Department issued a Final Order approving an extension of time for complete application of water to October 30, 2016.
12. Notice of the application for the permit amendment was published in the Department's weekly notice on March 11, 2014, and in the Lake County Examiner newspaper on September 14 and 21st, 2016, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
13. The applicant has provided information that more accurately describes the authorized points of appropriation for Well #6 (LAKE 52368), Well #7 (LAKE 52369) and Well #8 (LAKE 52387) as indicated in the table below:

Well ID/Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Well #6 LAKE 52368	30 S	17 E	WM	5	SW SE	155 FEET NORTH AND 230 FEET EAST FROM THE N ¼ CORNER OF SECTION 8
Well #7 LAKE 52369	30 S	17 E	WM	8	NE NW	110 FEET SOUTH AND 280 FEET WEST FROM THE N ¼ CORNER OF SECTION 8
Well #8 LAKE 52487	30 S	17 E	WM	5	NW SE	2070 FEET NORTH AND 100 FEET EAST FROM THE N ¼ CORNER OF SECTION 8

14. Permit Amendment Application T-11749 proposes to move an authorized point of appropriation (Well #5) and add an additional point of appropriation (Well #9) as described in the table below with approximate distances from the existing points of appropriation:

Proposed Well#	Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells
Well #5	30 S	17 E	WM	5	SE NW	3200 FEET NORTH AND 300 FEET WEST FROM THE N1/4 CORNER OF SECTION 8	WELL# 1 – 0.68 mile WELL# 2 – 0.69 mile WELL# 3 – 0.70 mile WELL# 4 – 0.67 mile WELL# 6 – 0.58 mile WELL# 7 – 0.62 mile WELL# 8 – 0.23 mile
Well #9	30 S	17 E	WM	5	SE SW	1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8	WELL# 1 – 0.27 mile WELL# 2 – 0.28 mile WELL# 3 – 0.29 mile WELL# 4 – 0.26 mile WELL# 6 – 0.18 mile WELL# 7 – 0.22 mile WELL# 8 – 0.20 mile

Permit Amendment Review Criteria

15. The changes as conditioned would not result in injury to other water rights.
16. The changes as conditioned do not enlarge the permit.
17. The changes do not alter any other terms of the permit.

Conclusions of Law

The change in point of appropriation and additional point of appropriation proposed by Permit Amendment Application T-11749 are consistent with the requirements of ORS 537.211.

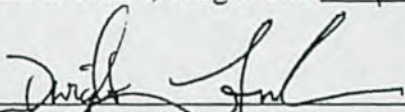
Now, therefore, it is ORDERED:

1. The change in point of appropriation and additional point of appropriation proposed by Permit Amendment Application T-11749 are approved.
2. Permit G-17282, in the name of Thomas A. MacDonald, supersedes Permit G-11024, and incorporates the amendments approved by this order, the amendments approved by Special Order Volume 76, Pages 833-836, and the extensions of time and assignments. Permit G-11024 in the name of Robert F. Olson, is no longer of any force or effect.
3. The permittee shall construct and maintain the necessary pipelines or ditches and install and maintain the necessary measuring devices so the provisions of the permit may be enforced by the proper state officer.
4. Water shall be acquired from the same aquifer as the original points of appropriation.
5. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
6. The Additional Point of Appropriation Well #9 and the new Point of Appropriation Well #5 shall obtain groundwater from the predominately volcanic/basalt unit below the predominately basin-fill unit and both wells shall have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic/basalt unit.
7. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID). The tag showing the Well ID shall be permanently attached to the well. If a well does not have a Well ID tag, the permittee shall apply for one from the Department and attach it to the well within 60 days of the date the permit is issued. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
8. Before water use may begin, the water user shall install a totalizing flow meter at each point of appropriation. The totalizing flow meter must be installed and maintained in good working order. In addition, the water user shall maintain a record of all water used each month, including the total number of hours of pumping, the total quantity pumped, and the categories

of beneficial use to which the water is applied. During the period of the limited license, the record of use shall be submitted to the Department annually, or more frequently as may be required by the Director, and shall be submitted to the Watermaster upon request.

9. At any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into the Ana River to the extent necessary to restore Ana River to its historic flow otherwise, all ground water derived under this permit cannot be delivered into the Ana River.
10. The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
11. All other terms and conditions of Permit G-17282 remain the same.

Dated at Salem, Oregon this 24 day of October 2016.


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

Mailing Date: OCT 31 2016

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

This superseding permit is issued to describe amendments for changes in the points of appropriation and an additional point of appropriation proposed under Permit Amendment Application T-11749 approved by Special Order Volume 103, Page ~~268~~ 271, entered October ~~24~~, 2016, amendments for additional points of appropriation as described in T-10716 approved by Special Order Vol. 76, Page 833, entered December 10, 2008, and to describe all assignments and the extension of time for complete application of water approved October 30, 2016. This permit supersedes Permit G-11024.

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

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

The wells are located as follows:

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

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

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

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

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

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

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

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

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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	9	SW NE	2.00
30 S	17 E	WM	9	NW NW	36.00
30 S	17 E	WM	9	SW NW	32.00
30 S	17 E	WM	9	SE NW	30.00
30 S	17 E	WM	9	NE SW	31.00
30 S	17 E	WM	9	NE SE	0.50
30 S	17 E	WM	9	NW SE	28.00
30 S	17 E	WM	9	SW SE	20.00
30 S	17 E	WM	9	SE SE	16.00
Total					569.60

Permit Amendment T-11749

At any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into the Ana River to extent necessary to restore Ana River to its historic flow otherwise, all ground water derived under this permit cannot be delivered into the Ana River.

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

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

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

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

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

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

Before water use may begin, the water user shall install a totalizing flow meter at each point of appropriation. The totalizing flow meter must be installed and maintained in good working order. In addition, the water user shall maintain a record of all water used each month, including the total number of hours of pumping, the total quantity pumped, and the categories of beneficial use to which the water is applied. During the period of the limited license, the record of use shall be submitted to the Department annually, or more frequently as may be required by the Director, and shall be submitted to the Watermaster upon request.

Original Permit Conditions

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

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

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

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

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

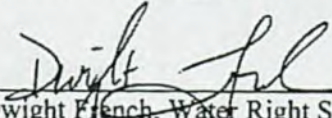
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued October ²⁴, 2016


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

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	SUPERCEDING FINAL ORDER
T-11749, LAKE County	)	APPROVING A CHANGE IN POINT
	)	OF APPROPRIATION AND AN
	)	ADDITIONAL POINT OF
	)	APPROPRIATION AND CORRECTING
	)	A SCRIVENER'S ERROR IN A
	)	PREVIOUS ORDER AND PERMIT

Authority

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

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

Findings of Fact

1. On March 5, 2014, Thomas MacDonald filed an application to change a point of appropriation and add an additional point of appropriation under Permit G-11024. The Department assigned the application number T-11749.
2. On October 24, 2016, the Department issued a Final Order approving permit amendment application number T-11749, recorded at Special Order Volume 103, Pages 268-271 and issued a superseding Permit G-17282. There were scrivener's errors in the final order and the superseding permit, this order and the new superseding permit will resolve those issues.
3. On April 30, 1990, the Department issued permit G-11024 in the name of Robert F. Olson.
4. On March 14, 1994, the Department approved an assignment of the permit to Summer Lake Trout Farm.
5. On June 12, 1995, the Department approved an assignment of the permit to Key Bank of Oregon.
6. On March 26, 2003, the Department approved an assignment of the permit to Thomas A. MacDonald and Northwest Farm Credit Services.

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 137-004-080 and OAR 690-01-005 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.

7. On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
8. On December 10, 2008, the Department approved permit amendment T-10716 as described in Special Order Volume 76, Pages 833-836. Permit Amendment T-10716 added 4 additional points of appropriation and provided a more accurate description of the four authorized (original) points of appropriation.
9. On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
10. On September 13, 2010, the Department approved an assignment of the permit to Thomas A. MacDonald.
11. On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
12. On January 16, 2015, the Department issued a Final Order approving an extension of time for complete application of water to October 30, 2016.
13. Notice of the application for the permit amendment was published in the Department's weekly notice on March 11, 2014, and in the Lake County Examiner newspaper on September 14 and 21st, 2016, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
14. The applicant has provided information that more accurately describes the authorized points of appropriation for Well #6 (LAKE 52368), Well #7 (LAKE 52369) and Well #8 (LAKE 52387) as indicated in the table below:

Well ID/Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Well #6 LAKE 52368	30 S	17 E	WM	5	SW SE	155 FEET NORTH AND 230 FEET EAST FROM THE N ¼ CORNER OF SECTION 8
Well #7 LAKE 52369	30 S	17 E	WM	8	NE NW	110 FEET SOUTH AND 280 FEET WEST FROM THE N ¼ CORNER OF SECTION 8
Well #8 LAKE 52487	30 S	17 E	WM	5	NW SE	2070 FEET NORTH AND 100 FEET EAST FROM THE N ¼ CORNER OF SECTION 8

15. Permit Amendment Application T-11749 proposes to move an authorized point of appropriation (Well #5) and add an additional point of appropriation (Well #9) as described in the table below with approximate distances from the existing points of appropriation:

Proposed Well#	Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells
Well #5	30 S	17 E	WM	5	SE NW	3200 FEET NORTH AND 300 FEET WEST FROM THE N1/4 CORNER OF SECTION 8	WELL# 1 – 0.68 mile WELL# 2 – 0.69 mile WELL# 3 – 0.70 mile WELL# 4 – 0.67 mile WELL# 6 – 0.58 mile WELL# 7 – 0.62 mile WELL# 8 – 0.23 mile

Proposed Well#	Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells
Well #9	30 S	17 E	WM	5	SE SW	1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8	WELL# 1 - 0.27 mile WELL# 2 - 0.28 mile WELL# 3 - 0.29 mile WELL# 4 - 0.26 mile WELL# 6 - 0.18 mile WELL# 7 - 0.22 mile WELL# 8 - 0.20 mile

Permit Amendment Review Criteria

16. The changes as conditioned would not result in injury to other water rights.
17. The changes as conditioned do not enlarge the permit.
18. The changes do not alter any other terms of the permit.

Conclusions of Law


The change in point of appropriation and additional point of appropriation proposed by Permit Amendment Application T-11749 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The order entered at Special Order Volume 103, Pages 268-271 is withdrawn and of no further force and effect and is superseded by this order.
2. The change in point of appropriation and additional point of appropriation proposed by Permit Amendment Application T-11749 are approved.
3. Permit G-17749, in the name of Thomas A. MacDonald, supersedes Permit G-17282, and incorporates the amendments approved by this order, the amendments approved by Special Order Volume 76, Pages 833-836, and the extensions of time and assignments. Permit G-17282 in the name of Thomas A. MacDonald, is no longer of any force or effect.
4. The permittee shall construct and maintain the necessary pipelines or ditches and install and maintain the necessary measuring devices so the provisions of the permit may be enforced by the proper state officer.
5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
7. The Additional Point of Appropriation Well #9 and the new Point of Appropriation Well #5 shall obtain groundwater from the predominately volcanic/basalt unit below the predominately basin-fill unit and both wells shall have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic/basalt unit.

8. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID). The tag showing the Well ID shall be permanently attached to the well. If a well does not have a Well ID tag, the permittee shall apply for one from the Department and attach it to the well within 60 days of the date the permit is issued. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
9. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
10. At any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into the Ana River to the extent necessary to restore Ana River to its historic flow. If the flow of Ana Springs is insufficient to furnish the amount of water required for existing rights with earlier priority dates and not all the ground water derived under this permit can be delivered into the Ana River, then all of the ground water derived under this permit shall be shut off.
11. The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
12. All other terms and conditions of Permit G-17749 remain the same.

Dated at Salem, Oregon this 17 day of March 2017.


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

Mailing Date: MAR 22 2017

DAVIS Arla L * WRD

From: JARAMILLO Lisa J * WRD
Sent: Wednesday, September 1, 2021 11:08 AM
To: DAVIS Arla L * WRD; STARNES Patrick K * WRD
Subject: FW: Permit G-17749 (PA T-13337)

Hi Arla and Kelly,

We'll need to make sure to incorporate the language below into the Reconsideration Order for T-13337. Please note that they were looking at the Final Order for T-13337 issued on 2/4/2021, so please pay attention to the #s they're addressing below as they might have changed.

I'll follow-up with Scott Montgomery to let him know we're going to be issuing the Reconsideration Order soon and that if they'd like to make any future changes to the permit, they'll need to file a new permit amendment application.

Please let me know if you have any questions,
-Lisa

Lisa J. Jaramillo

Transfer and Conservation Section Manager
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)



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From: BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>
Sent: Wednesday, September 1, 2021 10:37 AM
To: KELLY Travis N * WRD <Travis.N.Kelly@oregon.gov>; NASHEM William D * WRD <William.D.Nashem@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: RE: Permit G-17749 (PA T-13337)

In #9 on page 7, I recommend the following changes:

....shall be properly abandoned consistent with well construction statutes and rules, as detailed in ORS 537 and OAR 690-220. Abandonment methods shall be consistent with artesian well abandonment requirements and shall take place within one year from the date of completion of the replacement well.

I modified the language to be a little more clear. In addition, there is no timing in statute/rule for the abandonment of an existing well after replacement unless there are setback issues, so I added language to give them a year. I don't know if that is too much time in this case, or too little, so feel free to edit.

-Kris

Kristopher Byrd

Well Construction and Compliance Section Manager
725 Summer St NE Suite A | Salem OR 97301 | Phone 503-991-2470



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From: KELLY Travis N * WRD <Travis.N.Kelly@oregon.gov>
Sent: Wednesday, September 1, 2021 9:09 AM
To: NASHEM William D * WRD <William.D.Nashem@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: RE: Permit G-17749 (PA T-13337)

All,

I have reviewed the FO language for PA T-13337 and do not see any needed changes. Please review Now, therefore, it is ORDERED: 7-12 on pages 6 & 7 of the attached FO to see if there are any comments?
Nutshell is that #10 on page 7 states all wells shall be cased and sealed into volcanic rock below basin-fill.

Thanks,

Travis Kelly

Well Construction Program Coordinator
725 Summer St NE Suite A | Salem OR 97301
Cell:503-302-8618
travis.n.kelly@oregon.gov
Pronouns: he/him/his



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From: KELLY Travis N * WRD
Sent: Monday, August 30, 2021 10:34 AM
To: NASHEM William D * WRD <William.D.Nashem@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: RE: Permit G-17749 (PA T-13337)

Just sent out the meeting invite for 4 PM today.

Thanks,

Travis Kelly

Well Construction Program Coordinator
725 Summer St NE Suite A | Salem OR 97301
Cell:503-302-8618
travis.n.kelly@oregon.gov
Pronouns: he/him/his



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From: NASHEM William D * WRD <William.D.Nashem@oregon.gov>
Sent: Monday, August 30, 2021 9:55 AM
To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; KELLY Travis N * WRD <Travis.N.Kelly@oregon.gov>; BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: RE: Permit G-17749 (PA T-13337)

My week is flexible as we're pretty much finished with regulations.

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Sent: Monday, August 30, 2021 9:53 AM
To: KELLY Travis N * WRD <Travis.N.Kelly@oregon.gov>; BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>; NASHEM William D * WRD <William.D.Nashem@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: FW: Permit G-17749 (PA T-13337)

Fyi, we'll need to prep a response. Bill, can you please work with Travis on this? Please set up a 30 min meeting for us all to discuss.

Lisa, I don't know that you need to be included in the well construction issue unless you see it as critical to the transfer. thanks

Ivan Gall

FIELD SERVICES DIVISION ADMINISTRATOR

725 Summer Street NE, Suite A Salem, OR 97301 | Mobile 971-283-6010



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From: Scott <Scott@apeands.com>
Sent: Monday, August 30, 2021 9:50 AM
To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>; NASHEM William D * WRD <William.D.Nashem@oregon.gov>; Neecee <Neecee@apeands.com>; Thomas MacDonald <coues12@gmail.com>
Subject: Permit G-17749 (PA T-13337)

Good Morning Ivan,

I've been asked by my client, Tom MacDonald, to reach out to you regarding the progress of repairing a leaking well near Ana Reservoir in Lake County.

I was retained almost two years ago by Mr. MacDonald to help with the PA and construction of Well 9. Over the last year, I've been 'sidelined' by Mr. MacDonald's former partner, as he retained other consultants to perform my tasks. After all this time has passed and at considerable cost (\$700,000), the well remains in disrepair. I was told the former consultants instructed the well driller to close the well by pouring concrete down the bore hole. After what I was told was 3 weeks of trying this, the water pressure coming out of the ground was too high to allow the concrete to set up and seal off the well. Other methods, such as installed a smaller casing down inside or larger casing outside of the existing one driven down to bedrock, have been mentioned by myself and the well driller. I've asked Mr. MacDonald to

retain a hydrogeologist with specific knowledge of artesian well construction. We are currently searching for such a consultant to help us resolve this.

We ask that the department patiently wait for us to provide a plan to fix the well. We look forward to working with you and Mr. Nashem toward a resolution.

Best Regards,

Scott

Scott Montgomery, Owner/Principal

All Points Engineering and Surveying, Inc.

(541) 548-5833

DAVIS Arla L * WRD

From: JARAMILLO Lisa J * WRD
Sent: Tuesday, August 10, 2021 1:13 PM
To: DAVIS Arla L * WRD
Subject: FW: 13337 request for reconsideration - Order

Here you go Arla! Let Kyle know if you need anything else.

Lisa J. Jaramillo
Transfer and Conservation Section Manager
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)

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-----Original Message-----

From: GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>
Sent: Tuesday, August 10, 2021 12:13 PM
To: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: FW: 13337 request for reconsideration - Order

I even had this flagged to send to you guys. I am so sorry. I cannot keep up with my e-mails and tasks. Sorry,
Let me know if you need anything else.
Kyle

-----Original Message-----

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Sent: Wednesday, June 23, 2021 1:44 PM
To: NASHEM William D * WRD <William.D.Nashem@oregon.gov>
Cc: GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>
Subject: RE: 13337 request for reconsideration - Order

Thanks Bill. Kyle, can you please relay that to the extension/transfer folks if you agree?
ikg

Ivan Gall
FIELD SERVICES DIVISION ADMINISTRATOR
725 Summer Street NE, Suite A Salem, OR 97301 | Mobile 971-283-6010

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-----Original Message-----

From: NASHEM William D * WRD <William.D.Nashem@oregon.gov>
Sent: Wednesday, June 23, 2021 1:35 PM
To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Cc: GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>
Subject: Re: 13337 request for reconsideration - Order

Should be able to place totalizing meters on all wells. The flume from the spring will need further consideration on best way to measure.

Sent from my iPhone

> On Jun 23, 2021, at 9:24 AM, GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov> wrote:

>

> I don't know the setup on the ground, but we should require totalizing flow meters if they can be installed. Weirs are ok for rate but not duty/volume.

> thanks

>

> Ivan Gall

> field services division administrator

> 725 Summer Street NE, Suite A Salem, OR 97301 | Mobile 971-283-6010

> [6025_OWRD_OREGON Logo_2017-COLOR][cid:image002.jpg@01D76811.891FE2E0]
[cid:image006.jpg@01D76811.891FE2E0]

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>

> From: DAVIS Arla L * WRD <Arla.L.Davis@oregon.gov>

> Sent: Tuesday, June 22, 2021 10:55 AM

> To: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>; STARNES

> Patrick K * WRD <Patrick.K.Starnes@oregon.gov>

> Cc: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>

> Subject: 13337 request for reconsideration - Order

>

> Hi Lisa and Kelly,

>

> Attached are the Final Order and another document which is also the final order with my revisions, and the request for reconsideration sent to the Department. I sent an email to the watermaster for clarification of the comments regarding the totalizing flow meter language and the inconsistency between the 2 reviews. Also they are requesting to take the following language out of the Superseding permit. It applied to the previous permit G-17749, before PA T-13337 and the new extension of time was approved:

>

> Extension of Time Conditions:

>

> Last Extension Condition

> This is to be the last extension of time granted for Permit G-17749. Any future extensions of time requests shall be denied.

>

> Below are the newest Extension Conditions:

>

> LIMITATIONS AND CONDITIONS

>

>

> 1. Last Extension Condition

> This may be the last extension of time granted for Permit G 17749. Any future extensions of time request may be denied, unless the permit holder can provide the Department with evidence that diligence is shown during this extension period. Diligence will be determined based on the permit holder's adherence to the benchmark achievements detailed below, and reported on annually. The annual reports will be in the form of Progress Reports submitted in accordance with Item 2 in this Conditions and Limitations section. In addition, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

>

> BENCHMARKS:

>

> * By October 1, 2021, installation of totalizing flow meters or other suitable measuring devices on all existing permitted wells; completion of first proposed well replacement in accordance with the conditions of the permit resulting from Permit Amendment T-13337; and submitting the first annual progress report.

> * By October 1, 2022, completion of second proposed well replacement in accordance with the conditions of the permit resulting from Permit Amendment T-13337; and submit the second annual progress report.

> * By October 1, 2023, complete reconstruction or decommissioning of the wells replaced by the wells proposed by Permit Amendment T-13337; and submit third annual progress report.

> * By October 1, 2024, submit fourth annual progress report describing how compliance with all permit conditions has been achieved.

>

> 2. Checkpoint Condition

> The permit holder must submit a completed Progress Report Form to the Department by October 1, 2021, 2022, 2023, and 2024. A complete Claim of Beneficial Use submitted prior to the due date of any of these progress reports may substitute for any subsequent progress report. Forms will be enclosed with your Final Order.

>

> 1. 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; 2. 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.

>

> Arla L. Davis<mailto:arla.l.davis@oregon.gov>

> Water Rights Transfer Specialist

> Transfer and Conservation Section

> 725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129

>

> [cid:image005.jpg@01D76754.F33639D0][cid:image003.jpg@01D76753.5C46335

> 0][cid:image004.jpg@01D76753.5C463350]

>

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>

> <Petition for Reconsideration 4829-1791-0756 v (004).pdf>

>

> <T-13337 Final Order.pdf>

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT F. OLSON
PO BOX 40
SUMMER LAKE, OREGON 97640

503-943-3277

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

This Permit is issued approving Application G-11640. The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE AND 7.73 CFS FOR IRRIGATION AND JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.80 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

NE 1/4 NW 1/4, SECTION 8, T 30 S, R 17 E, W.M.; WELL 1 - 530 FEET SOUTH AND 160 FEET WEST; WELL 2 - 560 FEET SOUTH AND 160 FEET WEST; WELL 3 - 590 FEET SOUTH AND 170 FEET WEST; WELL 4 - 500 FEET SOUTH AND 150 FEET WEST, ALL FROM N 1/4 CORNER, SECTION 8.

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

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

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

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

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

<u>PRIMARY</u>		<u>SUPPLEMENTAL</u>
SW 1/4 SW 1/4		30.0 ACRES
SECTION 4		
SW 1/4 NE 1/4		40.0 ACRES
SE 1/4 NE 1/4		40.0 ACRES
SE 1/4 NW 1/4	20.3 ACRES	
NE 1/4 SW 1/4	28.4 ACRES	
SE 1/4 SW 1/4	1.4 ACRES	
NE 1/4 SE 1/4		40.0 ACRES
NW 1/4 SE 1/4		39.1 ACRES
SW 1/4 SE 1/4		30.0 ACRES
SE 1/4 SE 1/4		40.0 ACRES
SECTION 5		

NE 1/4 NE 1/4	40.0 ACRES	
NW 1/4 NE 1/4	33.0 ACRES	
SW 1/4 NE 1/4	11.0 ACRES & FISH	
SE 1/4 NE 1/4	31.0 ACRES	
NE 1/4 NW 1/4		FISH
SE 1/4 NW 1/4		FISH

SECTION 8

SW 1/4 NE 1/4	2.0 ACRES
NW 1/4 NW 1/4	36.0 ACRES
SW 1/4 NW 1/4	32.0 ACRES
SE 1/4 NW 1/4	30.0 ACRES
NE 1/4 SW 1/4	31.0 ACRES
NE 1/4 SE 1/4	0.5 ACRE
NW 1/4 SE 1/4	28.0 ACRES
SW 1/4 SE 1/4	20.0 ACRES
SE 1/4 SE 1/4	16.0 ACRES

SECTION 9

TOWNSHIP 30 SOUTH, RANGE 17 EAST, W.M.

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

The well 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 elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. Artesian wells must have control valves installed to regulate the flow of water.

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

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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

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

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

Issued this date, APRIL 30, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

Application G-11640 Water Resources Department
Basin 13 Volume 2 Ana River & Misc. Wells
G-11640.SB

PERMIT G-11024
District 12

BEFORE THE STATE ENGINEER OF OREGON

LAKE COUNTY

In The Matter of the Ap-
plications in the name
of F. R. Williams and
Vancil A. Withers for the
Construction of Wells and
The Appropriation of
Ground Water for Irrigation

FINDINGS OF FACT

CONCLUSIONS AND ORDER

FINDINGS OF FACT

1. On May 4, 1955, F. R. Williams of Summer Lake, Oregon filed an application in the office of the State Engineer for the construction of a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, T. 30 S., R. 17 E., W. M. Lake County Oregon and the appropriation of 4 cubic feet per second of water to irrigate 173 acres. This application was given file Number U-821, which was changed to G-68 subsequent to Oregon's Ground Water Act of 1955. This application will be referred to as G-68 in these findings.

2. On May 24, 1955, Vancil A. Withers of Paisley, Oregon filed an application for the construction of two wells in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, T. 30 S., R. 16 E., W. M. Lake County Oregon and the appropriation of 4 cubic feet per second of water to irrigate 150 acres. This application was given file Number U-835, which was changed to G-72 subsequent to Oregon's Ground Water Act of 1955. This application will be referred to as G-72 in these findings.

3. On June 28, 1955, the Summer Lake Irrigation District of Summer Lake, Oregon filed protests to the granting of permits under applications numbered G-68 and G-72. The protest states that the Summer Lake Irrigation District contains 2,530 acres of irrigable and irrigated land; that the sole source of its water supply is Ana Springs and that it is its belief that the operation of the wells as set forth in these applications would diminish the flow of Ana Springs to such an extent that it would be of great injury to the land owners within the District.

4. On August 1, 1955, the Oregon State Game Commission filed protests to the granting of permits under applications numbered G-68 and G-72. The protest states that all the waters of Ana River are being applied to beneficial use by the Summer Lake Irrigation District, William Kittredge, and the Oregon State Game Commission; that the source of Ana River is Ana Springs, and that it is its belief that the appropriation of ground water through the wells described in applications numbered G-68 and G-72 will diminish the flow of Ana Springs and result in injury and damage to the fishery resources in Summer Lake and Ana River.

5. On August 19, 1955, William Kittredge of Summer Lake, Oregon filed protests to the granting of permits under applications numbered G-68 and G-72. Mr. Kittredge claims ownership of a vested right to the irrigation of 1,100 acres from water obtained from Ana River. His protest alleges that the appropriation of ground water through the wells described in applications numbered G-68 and G-72 will diminish the flow of Ana River and thereby cause him injury.

6. A hearing on the matter of applications numbered G-68 and G-72 was held at the Ana River Public School, Summer Lake, Oregon on August 30, 1955. At this hearing, Messrs. F. R. Williams and Vancil A. Withers, applicants, were represented by Mr. Robert L. Welch, Attorney, Lakeview, Oregon. The Summer Lake Irrigation District, protestant, was represented by Mr. H. H. DeArmond, Attorney, Bend, Oregon. The Oregon State Game Commission, protestant, was represented by Mr. Arthur G. Higgs, Assistant Attorney General and Mr. William Kittredge was represented by Mr. Theodore R. Conn, Attorney, Lakeview, Oregon. Testimony was given by H. C. Harris, a director of the Summer Lake Irrigation District, Phil Smith, Watermaster of Lake County; A. V. Meyers, Federal Aid Coordinator, Oregon State Game Commission; Hugo Leyve, Manager Summer Lake Waterfowl Area; R. C. Newcomb, District Geologist, Ground Water Branch, U. S. Geological Survey; Carl Williams, Well Driller and Geologist; Frank R. Williams, applicant; and Vancil A. Withers, applicant.

7. Ana Springs, which are the chief source of Ana River (Buckhorn Spring also contributes to the flow of Ana River), are located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T. 30 S., R. 16 E., W. M. and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T. 30 S., R. 17 E., W. M. Since 1951, the discharge of Ana Springs has ranged from about 80 to 100 cubic feet per second. The spring orifices are now submerged in a small reservoir formed by impounding Ana River behind an earth dam. Water is diverted from this reservoir to supply the needs of the Summer Lake Irrigation District. Ana River flows a few miles from the reservoir area and discharges into Summer Lake.

8. The records of the State Engineer show the following water rights and applications for permits to appropriate water from Ana River:

Applic- ation No.	Permit No.	Certifi- cate No.	Priority Date	Permittee	Point of Diversion	Extent of Right
14427	10447	-----	1915	Summer Lake Irrigation District	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6 T 30 S R 17 E	Appropriation of 90 c.f.s. for the irrigation of 6941.2 acres.
4660	3479	3496	1915	William Kittredge	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation not to exceed 4.3 c.f.s. for the irrigation of 345 acres.
9704	6437	8865	1924	L. H. Williams	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 T 30 S R 16 E	Appropriation not to exceed 2.14 c.f.s. for the irrigation of 170.26 acres.
12723	9015	9783	1929	Carl Williams	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16 or NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation not to exceed 4 c.f.s. for the irrigation of 320 acres.
13689	10981	11241	1930	J. C. Williams	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation not to exceed 3.82 c.f.s. for the irrigation of 307.05 acres.
13918	10982	11242	1931	F. R. Williams	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation not to exceed 4 c.f.s. for the irrigation of 320 acres.

Applica- tion No.	Permit No.	Certifi- cate No.	Priority date	Permittee	Point of Diversion	Extent of Right
15510	11407	11974	1934	Imogene Turner	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 or NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16 T 30 S R 17 E and Williams Ditch NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28 T 30 S R 17 E	Appropriation not to exceed 3.85 c.f.s. for the irrigation of 317.42 acres.
19057	14657	-----	1940	James Drury	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16 T 30 S R 17 E	Appropriation of not to exceed 4.0 c.f.s. for the irrigation of 320 acres.
22463	-----	-----	1947	Oregon State Game Commission	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6 T 30 S R 17 E	Application for 45.0 c.f.s. for trout hatchery.
24326	19131	22005	1949	Oregon State Game Commission	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 T 30 S R 16 E and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation of 60.0 c.f.s. for restoration of marshland for wildlife propagation.
32692	-----	-----	1958	Oregon State Game Commission	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6 T 30 S R 17 E	Application for 60.0 c.f.s. for fish propagation.

9. Vested rights to the use of water from Ana River established by the appropriation and beneficial use of water prior to 1909 have not yet been determined. Mr. William Kittredge has stated in his protest that he claims a vested right for the irrigation of 1,100 acres from Ana River.

10. The Ground Water Branch of the U. S. Geological Survey was requested at the close of the hearing on August 30, 1955 to make an investigation of the effect of the Williams and Withers wells on the flow of Ana Springs. Their investigation was made during the fall of 1955 and their report "Occurrence of Ground Water near Ana Springs, Summer Lake Basin, Lake County, Oregon" by S. G. Brown, was released in

September 1957. Plate 1B of this report "Map showing location of Ana Springs Reservoir, nearby wells, and contours on the piezometric surface" is made a part of these findings.

11. The well shown as R1 on Plate 1B is the Vancil A. Withers Well No. 1 and the well shown as R2 is the Vancil A. Withers Well No. 2. Application No. G-72 is for the appropriation of 1.5 cubic feet per second from well R1 and 2.5 cubic feet per second from well R2 for irrigation of 150 acres. Well D1 on the map is the F. R. Williams well. Application No. G-68 is for the appropriation of 4 cubic feet per second of water from this well to irrigate 173 acres. Wells 7F1 and A1 are also irrigation wells. Well 7F1 has been authorized by Permit No. U-174. No application has been filed for well A1, which is unfinished.

12. The Vancil A. Withers well No. 1 (R1) was drilled about 1953. It is a 209 foot well, cased with 8-inch casing to a depth of 182 feet. The drillers log of this well is as follows:

Materials	Thickness	Depth
Clay, gray.....	40	40
Not reported.....	90	130
Clay, black.....	40	170
Sand, black.....	10	180
Cinders, red and black.....	29	209

It is an artesian well with a static water surface 22 feet above land surface (October 1955). This well has a natural flow of about 800 g.p.m.

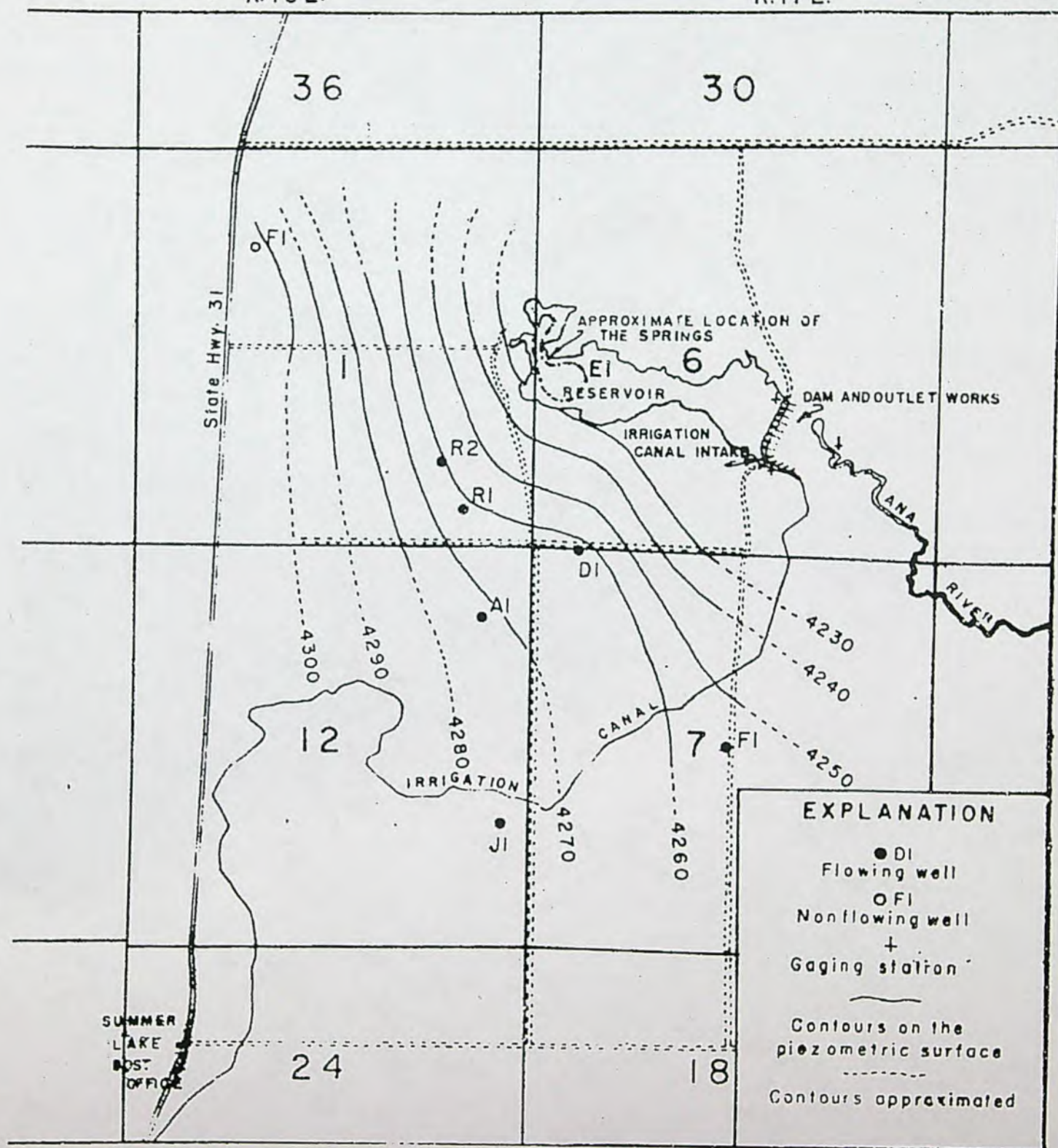
13. The Vancil A. Withers well No. 2 (R2) was also drilled about 1953. It is a 222 foot well, cased with 8-inch casing to a depth of 140 feet. The drillers log of this well is as follows:

Materials	Thickness	Depth
Clay, Gray.....	30	30
Clay, black.....	52	82
Unreported.....	30	112
Rock, broken and sand.....	26	138
Rock, red.....	47	185
Rock, hard, black.....	37	222

R.16E.

R.17E.

PLATE 1B



0 1000 2000 3000 4000 5000 ft.

Scale 1 mi.

AP SHOWING LOCATION OF ANA SPRINGS RESERVOIR, NEARBY WELLS, AND CONTOURS ON THE PIEZOMETRIC SURFACE.

It is an artesian well with a static water surface 16 feet above land surface (October 1955). This well has a natural flow of about 1,200 g.p.m.

14. The F. R. Williams well (D1) was drilled about 1954. It is a 253 foot well, cased with 8-inch casing to a depth of 210 feet. A log of this well is not available. Water was reported to have been encountered in "lava rock" from 205 to 253 feet. This well is artesian with a static water surface 24 feet above land surface. It has a natural flow of about 1,300 g.p.m.

15. The procedure followed by the U. S. Geological Survey in their investigation is as follows:

- A. Level traverses were run to each of the wells to determine the elevation of the well with respect to the water surface in Ana Reservoir.
- B. Each well was equipped with a pressure gage and a standpipe was erected at the Withers No. 2 well (R2). An automatic water level recorder was installed in this well so that a continuous record of the water level in this well could be obtained.
- C. Each well was then allowed to flow individually at a constant rate of discharge and its effect on each of the other wells was obtained by readings on the pressure gages and the water stage recorder. The surface of Ana Reservoir was maintained at a constant elevation during these tests.
- D. After the above tests were completed, the outlet control works on Ana Reservoir were opened and the reservoir surface was lowered seven feet. The effect of this lowering on the artesian wells was determined by pressure readings and was also recorded on the water stage recorder.

16. Data obtained in the flow test of the artesian wells showed that wells R1, R2 (Withers Nos. 1 and 2), D1 (F. R. Williams well), and well 7F1 are all hydraulically connected and obtain water from the same ground water reservoir. Well A1 was found to be hydraulically separated from the other artesian wells. The flow test also furnished data that permitted a calculation of the hydraulic properties of the ground water reservoir. The lowering of the reservoir surface caused a lowering of water levels in the wells which indicates a hydraulic connection between the ground water reservoir being developed by wells R1, R2, D1, F and F1, and Ana Springs. The lowering of the reservoir surface also resulted in an increase in the flow of Ana Springs which was on the order of 1 c.f.s. for every foot of head removed. The construction and filling of Ana Reservoir has placed some 30 to 35 feet of head on the spring orifices. This added head is believed to have caused a reduction of the flow of Ana Springs by some 30 c.f.s.

17. The quantity of water required for irrigation of lands in the Summer Lake basin is not to exceed one-eightieth ($1/80$) cubic foot per second, or its equivalent, for each acre actually irrigated, and the total volume required does not exceed three acre-feet per acre during the irrigation season.

18. From the hydraulic properties of the ground water reservoir obtained from the tests, the effect of the operations of the wells has been calculated. The following table shows the calculated reduction of head at Ana Springs produced by the operation of the three wells described in applications numbered G-68 and G-72.

Well No.	Distance from Ana Springs (feet)	*Withdrawal rate (g.p.m.)	**Days of Operation	Calculated reduction of head at Ana Springs (feet)
R.1 (Withers No. 1)	2300	300	120	0.2
R.2 (Withers No. 2)	1800	550	120	0.3
D.1 (F.R.Williams)	2700	970	120	<u>0.6</u>

Total 1.1 feet.

* For a duty of water of 1/80 c.f.s. per acre

** To obtain 3 acre-feet per acre.

19. A reduction of one foot of head at Ana Springs would have the same effect on the flow of the springs as raising the water surface in the reservoir by 1 foot. This reduction of head would result in a reduction in discharge of Ana Springs by about 1 c.f.s. Such a reduction would not be discernible in the discharge records of Ana River as these records are only considered accurate to plus or minus 10 per cent.

CONCLUSIONS

There is unappropriated ground water available in the ground water reservoir from which the wells described in Applications Nos. G-68 and G-72 will draw their supply. Although a withdrawal from these wells of 4.00 cubic feet per second (1796 gallons per minute) will reduce the flow of Ana Springs by 1 cubic foot per second (449 gallons per minute) and thus reduce the amount of water available to supply existing and prior surface water rights by that quantity, these wells may still be operated without injury to existing rights. This can be accomplished by a provision in the permits issued for the wells that at any time when the well operations result in a depletion of flow of Ana Springs to the injury of existing rights, a part of the well yield, equivalent to the reduction in flow of Ana Springs, shall be delivered into the Summer Lake Irrigation District Canal or into Ana Reservoir. Any such deliveries should be made when and in the amounts directed by the Watermaster and the deliveries from each well should be proportionate to the depletion of flow of Ana Springs assignable to that well. For the purpose of carrying out such deliveries it is logical and reasonably accurate to require that one-

fourth of the withdrawal from each well shall be returned to the reservoir or to the Summer Lake Irrigation District Canal when necessary to deliver to the holders of prior rights the quantities to which they are entitled. The quantity of water so delivered should not be charged against appropriations from the wells of the quantities herein allowed for irrigation.

There can be no finding, on the basis of evidence presented at the hearing on August 30, 1955 or the subsequent investigation and tests made by the United States Geological Survey, that the withdrawal of water from the wells described in Applications Nos. G-68 and G-72 will result in depletion of the flow of Ana River downstream from the reservoir except for that caused by the reduction of the flow of Ana Springs. Therefore, if one-fourth the withdrawal from these wells is returned to the Summer Lake Irrigation District Canal or to Ana Reservoir, the operation of these wells cannot interfere with the rights of Protestant William Kittredge or Protestant Oregon State Game Commission.

ORDER

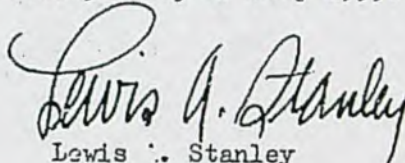
It is ORDERED that Application No. G-68 in the name of F. R. Williams be approved to authorize appropriation of not to exceed 2.16 cubic feet per second of ground water for irrigation of 173 acres, the rate of flow not to exceed $1/80$ of one cubic foot per second for each acre irrigated and the total withdrawal during any irrigation season not to exceed 3 acre-feet per acre for each acre irrigated during that season, and subject to all conditions of this order.

It is FURTHER ORDERED that Application No. G-72 in the name of Vancil A. Withers be approved to authorize appropriation of not to exceed 1.87 cubic feet per second of ground water for irrigation of 150 acres the rate of flow not to exceed $1/80$ of one cubic foot per second for each acre irrigated and the total withdrawal from both wells during any irrigation season not to exceed 3 acre-feet for each acre irrigated during that season, and subject to all conditions of this order.

It is FURTHER ORDERED that at any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than the priority of the permits herein authorized, each of the wells shall be so operated that one-fourth of the total water withdrawn shall be delivered by the permittee or permittees into Ana Springs Reservoir or into the main canal of the Summer Lake Irrigation District. The quantity of water so delivered shall not be charged against the water allowed for the lands to be irrigated from these wells.

It is FURTHER ORDERED that before any water is withdrawn from the wells of F. R. Williams and Vancil A. Withers under authority of the permits herein ordered, the permittees shall each construct the necessary pipe lines or ditches and install the necessary measuring devices so that the provisions of this order may be enforced by the watermaster.

Dated at Salem, Oregon this 3rd day of July 1959.


Lewis A. Stanley
State Engineer

From: NASHEM William D * WRD <William.D.Nashem@oregon.gov>

Sent: Monday, August 30, 2021 9:55 AM

To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; KELLY Travis N * WRD <Travis.N.Kelly@oregon.gov>; BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>

Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>

Subject: RE: Permit G-17749 (PA T-13337)

My week is flexible as we're pretty much finished with regulations.

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>

Sent: Monday, August 30, 2021 9:53 AM

To: KELLY Travis N * WRD <Travis.N.Kelly@oregon.gov>; BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>; NASHEM William D * WRD <William.D.Nashem@oregon.gov>

Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>

Subject: FW: Permit G-17749 (PA T-13337)

Fyi, we'll need to prep a response. Bill, can you please work with Travis on this? Please set up a 30 min meeting for us all to discuss.

Lisa, I don't know that you need to be included in the well construction issue unless you see it as critical to the transfer. thanks

Ivan Gall

FIELD SERVICES DIVISION ADMINISTRATOR

725 Summer Street NE, Suite A Salem, OR 97301 | Mobile 971-283-6010



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

From: Scott <Scott@apeands.com>

Sent: Monday, August 30, 2021 9:50 AM

To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>

Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>; NASHEM William D * WRD

<William.D.Nashem@oregon.gov>; Neecee <Neecee@apeands.com>; Thomas MacDonald <coues12@gmail.com>

Subject: Permit G-17749 (PA T-13337)

Good Morning Ivan,

I've been asked by my client, Tom MacDonald, to reach out to you regarding the progress of repairing a leaking well near Ana Reservoir in Lake County.

I was retained almost two years ago by Mr. MacDonald to help with the PA and construction of Well 9. Over the last year, I've been 'sidelined' by Mr. MacDonald's former partner, as he retained other consultants to perform my tasks. After all this time has passed and at considerable cost (\$700,000), the well remains in disrepair. I was told the former consultants instructed the well driller to close the well by pouring concrete down the bore hole. After what I was told was 3 weeks of trying this, the water pressure coming out of the ground was too high to allow the concrete to set up and seal off the well. Other methods, such as installed a smaller casing down inside or larger casing outside of the existing one driven down to bedrock, have been mentioned by myself and the well driller. I've asked Mr. MacDonald to

retain a hydrogeologist with specific knowledge of artesian well construction. We are currently searching for such a consultant to help us resolve this.

We ask that the department patiently wait for us to provide a plan to fix the well. We look forward to working with you and Mr. Nashem toward a resolution.

Best Regards,

Scott

Scott Montgomery, Owner/Principal
All Points Engineering and Surveying, Inc.
(541) 548-5833

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment
T-13337, Lake County

) RECONSIDERATION OF A FINAL
) ORDER RECORDED IN SPECIAL
) ORDER VOLUME 118, PAGES 496-502,
) WITHDRAWING A FINAL ORDER

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

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

Findings of Fact

1. On December 26, 2019, THOMAS A. MACDONALD, filed an application to change the points of appropriation and to change in place of use under Permit G-17749. The Department assigned the application number T-13337.
2. On March 14, 1994, the Department approved an assignment of the permit from Robert F. Olson to Summer Lake Trout Farm.
3. On June 12, 1995, the Department approved an assignment of the permit from Summer Lake Trout Farm to Key Bank of Oregon, Agricultural Banking Center.
4. On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
5. On September 10, 2010, the Department approved an assignment of the permit from Northwest Farm Credit Services FLCA/PCA to Thomas A. MacDonald.
6. On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
7. On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
8. On January 16, 2015, the Department approved an extension of time for complete application of water to October 1, 2016.

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.

9. On July 28, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
10. On December 18, 2020, the Department approved an extension of time for complete application of water to October 1, 2025.
11. Notice of the application for the permit amendment was published in the Department's weekly notice on January 7, 2020, and in the Lake County Examiner newspaper on October 7 and 14, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
12. On February 20, 2020, the agent for the applicant contacted the Department regarding updated application materials and to address fees not submitted at the time the application was received.
13. On February 28, 2020, the Department received amended application pages and maps by mail. The amended application requested Western Development Group LP be added as an applicant.
14. On March 5, 2020, the Department received additional fees from the applicant.
15. On April 1, 2020, the Department provided amended application pages and maps satisfying all deficiencies.
16. On February 4, 2021, the Department issued a Final Order to approve Transfer Application T-13337, recorded at Special Order Volume 118, Page 496, issued February 4, 2021, and also issued superseding permit, G-18433.
17. On April 7, 2021, the Department received a request for reconsideration from the attorney for the applicant requesting that the Final Order and Superseding Permit be reconsidered, withdrawn and reissued to correct certain deficiencies and inconsistencies set forth in marked up documents attached to the request for reconsideration.
18. This order is issued to supersede the previous order recorded at Special Order Volume 118, Page 496, issued February 4, 2021, and superseding permit, G-18433. The table described in Finding of Fact #16, now Finding of Fact #19, has been revised, the table described in Finding of Fact #17, now Finding of Fact #20, has been revised, Finding of Fact #19 was removed and some of that language was incorporated into the current Finding of Fact #22, Finding of Fact #20-#28 were removed and incorporated into Finding of Fact #22, Condition #5 was removed in its entirety, Condition #4, now Condition #5, had a scrivener's error with has been fixed, and some of the language in Condition #7, now condition #9, has been redescribed. Superseding Permit G-XXXX is issued to replace Permit G-18433.

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER
T-13337, Lake County	)	APPROVING CHANGES IN POINTS
	)	OF APPROPRIATION AND A
	)	CHANGE IN PLACE OF USE

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

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

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EXHIBIT 1
FINAL ORDER

9. On July 28, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
10. On December 18, 2020, the Department approved an extension of time for complete application of water to October 1, 2025.
11. Notice of the application for the permit amendment was published in the Department's weekly notice on January 7, 2020, and in the Lake County Examiner newspaper on October 7 and 14, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
12. On February 20, 2020, the agent for the applicant contacted the Department regarding updated application materials and to address fees not submitted at the time the application was received.
13. On February 28, 2020, the Department received amended application pages and maps by mail. The amended application requested Western Development Group LP be added as an applicant.
14. On March 5, 2020, the Department received additional fees from the applicant.
15. On April 1, 2020, the Department provided amended application pages and maps satisfying all definitions. These are all the old (or original) well location descriptions, however the permit amendment application specifically re-describes the locations to more accurately reflect the locations of the wells as they have always been - Should be updated as requested.
16. Permit appropriate. If the authorized points of approximate distances between 103 feet and 3720 feet from the existing points of appropriation, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Proposed Change
30 S	17 E	WM	8	NE NW	WELL 1 - 390 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 2 - 480 FEET SOUTH AND 190 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 3 - 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 4 - 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	5	SE NW	WELL 5 - 3155 FEET NORTH AND 220 FEET WEST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SW SE	WELL 6 - 105 FEET NORTH AND 250 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	8	NE NW	WELL 7 - 180 FEET SOUTH AND 250 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	POA
30 S	17 E	WM	5	NW SE	WELL 8 - 2010 FEET NORTH AND 135 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SE SW	WELL 9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 10 - 330 FEET SOUTH AND 180 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Additional POA
30 S	17 E	WM	8	NE NW	WELL 11 - 550 FEET SOUTH AND 155 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Additional POA

17. Permit Amendment Application T-13337 also proposes to change the place of use of the fish culture portion of the permit to:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW

In the July 28th letter (item#5) we requested that the fish culture POU include another 1/4 1/4 - Section 5 SW NE

DONE

18. On August 11, 2020, the applicants' agents and attorneys met via conference call with Department staff to discuss: construction of the existing wells under Permit G-17749 to ensure each well is accessing the correct groundwater source; the potential for injury and enlargement if Permit Amendment Application T-13337 is not conditioned to limit the total number of wells under Permit G-17749 to no more than nine (9); and that all wells constructed under Permit G-17749 (and any superseding permits) must be properly constructed in accordance with current well construction standards. Additionally, it was clarified that WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029) will be replaced on a one for one basis by WELL 10 and WELL 11.

19. The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. ~~Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments.~~ All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.

DONE

This statement is misleading/inaccurate. Since the topic of well construction is covered on a well-by-well basis in Findings paragraphs 20-27, it should be removed

LAKE 3030
volcanic rocks
is failing
receive

Add "under this permit shall be constructed consistent with Oregon statutes and rules, to obtain" (consistent with language in Order paragraph #10)

ve ground
urrent per
mit cond

Replace only with "solely" (consistent with language in Order paragraph #10)

and the
13337

om the volcanic rocks and sediments below the

21. WELL 2 (LAKE 1507): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
22. WELL 3 (LAKE 4444): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.

23. WELL 4 (LAKE 3029): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.
24. WELL 5 (LAKE 52764) is open to receive groundwater from the basin-fill only. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
25. WELL 6 (LAKE 52368) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
26. WELL 7 (LAKE 52369) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill. However, the casing and seal stops at the base of the basin fill rather than extend into the volcanic rocks and sediments below the basin fill.
27. WELL 8 (LAKE 52487) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
28. WELL 9, WELL 10 and WELL 11, are not yet drilled and are required to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
29. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

*stays
see
email*

This is inconsistent with the Watermaster's determination that due to the artesian nature of the wells, alternate measuring approaches could be used.

information received from the Watermaster, in order to prevent injury, the Permit must be conditioned to limit the total number of wells authorized under the to more than 9 wells. Further:

- additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
- b) If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
 - c) If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

31. All wells constructed under Permit G-17749 (or any superseding permit) must meet current well construction standards. Any well(s) constructed under Permit G-17749 (or any superseding permit) that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

32. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

33. Condition for construction of existing WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), and WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Permit Amendment Review Criteria

34. The changes, as conditioned, would not result in injury to other water rights.
35. The proposed place of use is owned and/or controlled by the permit holder.
36. The changes, as conditioned, do not enlarge the permit.
37. The changes do not alter any other terms of the permit.
38. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337, as conditioned, are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337 are approved.
2. Permit G-18433, in the name of THOMAS A. MACDONALD, is issued to replace Permit G-17749, and incorporates the amendments approved by this order, the extensions of time, and the assignments. Permit G-17749, in the name of THOMAS A. MACDONALD, is no longer of any force or effect.

3. The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

This is repeat of condition # 17 found

4. ~~Water use measurement conditions:~~

missing the next line of
text - See condition
#17

~~b. The water user shall maintain the meters or measuring devices in good working order.~~

~~user shall allow the Watermaster access to the meters or measuring devices; however, where the meters or measuring devices are located within a private~~

deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit application authorized and proposed wells generally consists of lower

basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill

and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeable volcanic rocks and sediments below the lower

permeability, lower y shall be constructed casing and seal extending co
least land surface, co consistent with Oregon asin fill and extending into th
volcanic rocks and se statutes and rules, to n fill.

Replace only with "solely" (consistent with language in Order para

Add "under this permit shall be constructed consistent with Oregon statutes and rules, to obtain" (consistent with language in Order paragraph #10)

Replace only with "solely" (consistent with language in Order paragraph #10)

6. The flow meter for each well shall be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

This is inconsistent with the Watermaster's determination that due to the artesian nature of the wells, alternate measuring approaches could be used.

an a total of nine (9) wells may be authorized under Permit G-18433. Therefore:

Both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a net of one replacement of WELL 3 and WELL 4:

b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or

- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

8. All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

9. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

This paragraph and paragraph 6 seem to cover the same thing. They need to contain identical language or one of them should be deleted.

on is completed, a sustainable well discharge rate exceeding 500 gpm plumbing is installed at replacement WELL 10 and at replacement WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly

abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

Add "I")

10. Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

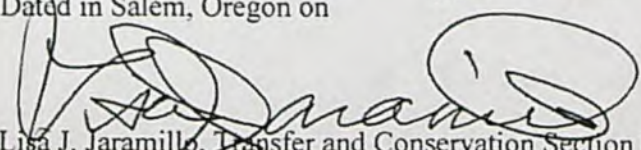
All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

11. Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

12. All other terms and conditions of Permit G-18433 remain the same.

FEB 4 2021

Dated in Salem, Oregon on


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

Mailing Date:

FEB 5 2021



CAROLLO LAW GROUP LLC
LAND • WATER • WILDLIFE | NATURAL RESOURCE LAW

MAIL: P.O. BOX 2456, ROSEBURG, OR 97470 | PHYSICAL: 2315 OLD HWY 99 S, ROSEBURG, OR 97471
PHONE: 541-957-5900 | FAX: 541-957-5923 | WWW.CAROLLOLEGAL.COM

DOMINIC CAROLLO, MANAGING ATTORNEY
EMAIL: dcarollo@carollolegal.com

April 13, 2022

VIA: Certified Mail, Return Receipt Requested No. 7020 1290 0002 3299 7940

Thomas M. Byler
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97302

Re: Supplement to Petition for Reconsideration

This office represents Western Development Group LP and Thomas and Karen MacDonald (collectively, "Western"), owners of real property in Lake County, Oregon and water rights Certificate 83069, Certificate 83065, Permit G-18433, and SWR 170 used for fish culture and irrigation. Please accept this letter as Western's supplement to the Petition for Reconsideration in the matter of permit amendment T-13337, filed by Western's prior attorney, Steven Shropshire, on April 6, 2021.

Background

On December 23, 2019 Thomas MacDonald filed permit amendment T-13337 to change points of appropriation and the place of use for water right Permit G-18433. On February 4, 2021 the Oregon Water Resources Department ("OWRD") issued a Final Order approving T-13337 with conditions that if additional points of diversion (maximum of two) were drilled, a corresponding number of the current points of diversion must be abandoned in accordance with current well construction standards.

On April 6, 2021 attorneys for Western Development Group LP and limited partners Bernard and Blake Burkholder filed a petition for reconsideration of the February 4, 2021 Final Order approving application T-13337. Since that time, the structure of Western Development Group LP has changed. Bernard and Blake Burkholder conveyed all of their respective interests in Western Development Group LP to Mr. MacDonald. Western now hereby supplements the April 6, 2021 petition for reconsideration.¹

¹ I am informed that OWRD has expressed an intent to issue an amended final order based on at least some aspects of Mr. Shropshire's petition. My firm was retained in the wake of Mr. Burkholder's exit from the partnership to evaluate the status of the permit amendment. Western requests that this supplement be considered by the Department as part of its consideration of issuing an amended final order.

RECEIVED

APR 15 2022

OWRD

Supplement to Petition for Reconsideration

OWRD's Final Order approving T-13337 approved two additional points of appropriation from the nine points of appropriation which were previously authorized under Permit G-18433. This approval was conditional on the one-for-one abandonment of two existing wells, Well 3 and Well 4. Therefore, if one additional well was drilled pursuant to the Final Order, either Well 3 or Well 4 would have to be abandoned under the conditions imposed by the Final Order. Likewise, if both additional points of appropriation were drilled pursuant to the Final Order, both Well 3 and Well 4 would have to be abandoned. Western hereby supplements the Petition for Reconsideration to request OWRD to reconsider the imposed condition of a one-to-one abandonment of Wells 3 and 4 for any additional points of appropriation drilled pursuant to T-13337. The grounds for this request are explained below.

Well 3 (LAKE 4444) and Well 4 (LAKE 3029) are artesian wells which were originally drilled to control and assist spring flow previously used for irrigation purposes. On December 21, 1992 Mr. Robert Olson, Mr. MacDonald's predecessor in interest, filed a surface water registration statement (SWR 170) claiming pre-1909 surface water rights in springs and flowing artesian wells. The flowing artesian wells claimed pursuant to SWR 170 include Well 1, Well 2, Well 3, and Well 4 that were the original four wells authorized under Permit G-11024.²

SWR 170 is a cumulative right for irrigation which permits the appropriation of water in addition to the water rights permitted under G-18433. Therefore, the appropriation of water from Wells 1-4 pursuant to SWR 170 is separate and apart from the appropriation of water from these wells pursuant to G-18433. Ordering any of Wells 1-4 to be abandoned as a condition of granting T-13337 arbitrarily and unlawfully infringes upon SWR 170 by ordering the abandonment of one of SWR 170's points of diversion without affording the water right holder due process and following required statutory procedure. *See, e.g., ORS 537.775.*

OWRD may not condition the drilling of new points of appropriation pursuant to T-13337 and Permit G-18433 on Mr. MacDonald's abandonment of a point of diversion for his prior-in-time surface water right claim, SWR 170. Therefore, the Final Order should be amended to reflect that Well 3 and Well 4 need not be abandoned because they are properly within Mr. MacDonald's surface water right SWR 170 and provide water pursuant to this right.

///

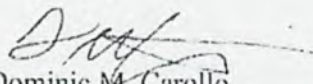
² Drilling wells to control spring flow was an authorized improvement to SWR 170. Beneficial use pursuant to SWR 170 originally arose from flowing springs which provided irrigation to the place of use through various diversion ditches. In time, it is believed and understood that the wells were later drilled to better control this spring flow. When Wells 1-4 were drilled to assist in the control of these springs, the springs continued to flow under artesian pressure but this flow was better controlled and directed with the wells. Drilling a well to assist and control spring flow is akin to development of a spring box or digging down to bedrock to expose and clear a spring. *See Hayes v. Adams*, 109 Or. 51, 55, 218 P. 933, 934 (1923); *Skinner v. Silver*, 158 Or. 81, 90, 75 P.2d 21, 25 (1938). Use of a well, water control devices, or other infrastructure to make use of or control a vested surface water right is supported in western water law. *See Eureka Cty. v. Sadler Ranch, LLC*, 480 P.3d 837 (Nev. 2021).



Conclusion

Each of Western's water rights play a vital role in their ranching and fish-rearing operation. The artesian flow emanating from Wells 1-4 and providing irrigation under SWR 170 are critically important. The abandonment of any of these wells would infringe on SWR 170. Furthermore, new points of appropriation drilled in accordance with T-13337 would not provide a replacement for any appropriation lost under SWR 170. Because SWR 170 and Permit G-18433 are distinct water rights it is improper for OWRD to order abandonment of a portion of SWR 170 as a condition of approval for a new point of appropriation under Permit G-18433, application T-13337. Therefore, Western respectfully requests that the Final Order approving T-13337 be reconsidered and the condition that any one of Wells 1-4 be abandoned be struck from the Final Order.

Sincerely,


Dominic M. Carollo
DMC/kh

Cc: client



DAVIS Arla L * WRD

From: JARAMILLO Lisa J * WRD
Sent: Wednesday, September 1, 2021 11:08 AM
To: DAVIS Arla L * WRD; STARNES Patrick K * WRD
Subject: FW: Permit G-17749 (PA T-13337)

Hi Arla and Kelly,

We'll need to make sure to incorporate the language below into the Reconsideration Order for T-13337. Please note that they were looking at the Final Order for T-13337 issued on 2/4/2021, so please pay attention to the #s they're addressing below as they might have changed.

I'll follow-up with Scott Montgomery to let him know we're going to be issuing the Reconsideration Order soon and that if they'd like to make any future changes to the permit, they'll need to file a new permit amendment application.

Please let me know if you have any questions,
-Lisa

Lisa J. Jaramillo

Transfer and Conservation Section Manager
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)



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

From: BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>
Sent: Wednesday, September 1, 2021 10:37 AM
To: KELLY Travis N * WRD <Travis.N.Kelly@oregon.gov>; NASHEM William D * WRD <William.D.Nashem@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: RE: Permit G-17749 (PA T-13337)

In #9 on page 7, I recommend the following changes:

....shall be properly abandoned consistent with well construction statutes and rules, as detailed in ORS 537 and OAR 690-220. Abandonment methods shall be consistent with artesian well abandonment requirements and shall take place within one year from the date of completion of the replacement well.

I modified the language to be a little more clear. In addition, there is no timing in statute/rule for the abandonment of an existing well after replacement unless there are setback issues, so I added language to give them a year. I don't know if that is too much time in this case, or too little, so feel free to edit.

-Kris

Kristopher Byrd

Well Construction and Compliance Section Manager
725 Summer St NE Suite A | Salem OR 97301 | Phone 503-991-2470



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From: KELLY Travis N * WRD <Travis.N.Kelly@oregon.gov>

Sent: Wednesday, September 1, 2021 9:09 AM

To: NASHEM William D * WRD <William.D.Nashem@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>

Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>

Subject: RE: Permit G-17749 (PA T-13337)

All,

I have reviewed the FO language for [PA T-13337](#) and do not see any needed changes. Please review Now, therefore, it is ORDERED: 7-12 on pages 6 & 7 of the attached FO to see if there are any comments?

Nutshell is that #10 on page 7 states all wells shall be cased and sealed into volcanic rock below basin-fill.

Thanks,

Travis Kelly

Well Construction Program Coordinator

725 Summer St NE Suite A | Salem OR 97301

Cell:503-302-8618

travis.n.kelly@oregon.gov

Pronouns: he/him/his



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From: KELLY Travis N * WRD

Sent: Monday, August 30, 2021 10:34 AM

To: NASHEM William D * WRD <William.D.Nashem@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; BYRD Kristopher R * WRD <Kristopher.R.Byrd@oregon.gov>; GORMAN Kyle G * WRD <Kyle.G.Gorman@oregon.gov>

Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>

Subject: RE: Permit G-17749 (PA T-13337)

Just sent out the meeting invite for 4 PM today.

Thanks,

Travis Kelly

Well Construction Program Coordinator

725 Summer St NE Suite A | Salem OR 97301

Cell:503-302-8618

travis.n.kelly@oregon.gov

Pronouns: he/him/his



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Permit Amendment Checklist

Transfer: T- 13337

Transfer Specialist:

Aula

Transfer Type: Permit Amendment

Applicant Name/Address/email: THOMAS MACDONALD PO BOX 87 SUMMER LAKE, OR 97640	Agent Name/Address/email: SCOTT D. MONTGOMERY PO BOX 767 TERREBONNE, OR 97760	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Lake County
Commentor(s): Name/Address:	Current Landowner Name/Address (if different than applicant):	

Permit(s) Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Superseding Permit No.
<input type="checkbox"/>	<input type="checkbox"/>	G-11640	G-17749	

Key Dates & Initial Actions

Rec'd: December 26, 2019	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE
Fees Pd: 5300.00	WM District: 12
Initial Notice: January 7, 2020	WM Review sent: Done:
Acknowledgement Letter Sent: <input checked="" type="checkbox"/> Date:	

Processing Dates & Actions

Deficiency Contact(s): _____

Draft Mailed: _____

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

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

☐ WM measurement sheet sent; need?

Yes ☐ or No ☐

Final Order

Draft Order & Superseding Permit Review (Optional) Reviewer: _____ Date: _____ Coordinator: <u>PKS</u> Date: <u>7/15/20</u> Signature Bin Date: _____	Final Order & Superseding Permit Review (Salem) Reviewer: _____ Date: _____ Coordinator: <u>PKS</u> Date: <u>7/16/20</u> Signature Bin Date: _____
Comments/Special Issues: _____	

Special Order Volume: Vol: 118, Pages 4910-302 Final Order Signature Date: 2/4/2021

Notice of FO e-mailed to processors: _____

see edits at tags, fixem, then good to go

Kelly

*reconsideration
cc
10/18/21
PKS
11/23/21*

Permit Amendment Checklist

Transfer: T- 13337

Transfer Specialist:

Aula

Transfer Type: Permit Amendment

Applicant Name/Address/email: THOMAS MACDONALD PO BOX 87 SUMMER LAKE, OR 97640	Agent Name/Address/email: SCOTT D. MONTGOMERY PO BOX 767 TERREBONNE, OR 97760	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Lake County
Commentor(s): Name/Address:	Current Landowner Name/Address (if different than applicant):	

Permit(s) Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Superseding Permit No.
<input type="checkbox"/>	<input type="checkbox"/>	G-11640	G-17749	

Key Dates & Initial Actions

Rec'd: December 26, 2019	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 5300.00	WM District: 12	ODFW District:
Initial Notice: January 7, 2020	WM Review sent: Done:	ODFW Review sent: Done:
Acknowledgement Letter Sent: <input checked="" type="checkbox"/> Date:		GW Review sent: Done:

Processing Dates & Actions

Deficiency Contact(s): _____

Newspaper: _____

☐ not required

Date quote requested: _____

Request for news \$ sent: _____

News \$ received: _____

Request to publish sent to newspaper: _____

Affidavit of publication received: _____

Dates of publication: _____

Draft Mailed: _____

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

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

☐ WM measurement sheet sent; need?

Yes ☐ or No ☐

Final Order

Draft Order & Superseding Permit Review (Optional) Reviewer: _____ Date: _____ Coordinator: <i>PKS</i> Date: <i>7/15/20</i> Signature Bin Date: _____	Final Order & Superseding Permit Review (Salem) Reviewer: _____ Date: _____ Coordinator: <i>PKS</i> Date: <i>9/16/20</i> Signature Bin Date: _____
Comments/Special Issues: _____	

reconsideration
cc
10/18/21
PKS
11/23/21

Special Order Volume: Vol: *118*, Pages *4910-302* Final Order Signature Date: *2/4/2021*

Notice of FO e-mailed to processors: _____

Application**PR** **CW**

- ☐ ☐ The type of change is clearly indicated.
- ☐ ☐ The application is appropriately signed.
- ☐ ☐ Appropriate fees were paid. N/A ☐ If overpayment, Refund Request submitted _____
- ☐ ☐ Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's) _____
- ☐ ☐ N/A Ditch company, district, and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ ☐ All required attachments received.
- ☐ ☐ Check application file and WRIS for assignment(s) and/or extension(s). _____

Application Map**PR** **CW**

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

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

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

Permit Ownership

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

Evaluation Materials

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

Reviews/comments/conditions received? ☐ ☐ Watermaster ☐ ☐ N/A ODFW ☐ ☐ N/A GWN/A Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintainN/A Measuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

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

Injury: ☐ Yes ☐ NoEnlargement: ☐ Yes ☐ No

Conditions to avoid enlargement/injury –

ODFW conditions: _____

GW Conditions: _____

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THOMAS A. MACDONALD
PO BOX 87
SUMMER

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

This super
118, Page
place of us
Amendment Application
correct deficiencies in approved Special Order Volume
, 2021 and to describe amendments for a change in
of appropriation proposed under Permit
approved by Special Order Volume 122, Page _____,
entered _____, and to describe extensions of time for complete application of
water approved January 10, 2008, January 20, 2012, October 18, 2013, January 16, 2015,
July 28, 2017, and December 18, 2020 and to describe assignments to new permittees
approved March 14, 1994, June 12, 1995, and September 10, 2010. This permit supersedes
Permit G-17749.

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

The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE and
7.73 CFS FOR IRRIGATION and JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use
is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR
IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation,
measured at the wells.

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

This superseding permit is issued to correct deficiencies in approved Special Order Volume 118, Page 496-502, entered February 4, 2021 and to describe amendments for a change in place of use and a change in the points of appropriation proposed under Permit Amendment Application T-13337 and approved by Special Order Volume 122, Page _____, entered _____, and to describe extensions of time for complete application of water approved January 10, 2008, January 20, 2012, October 18, 2013, January 16, 2015, July 28, 2017, and December 18, 2020 and to describe assignments to new permittees approved March 14, 1994, June 12, 1995, and September 10, 2010. This permit supersedes Permit G-17749.

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

The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE and 7.73 CFS FOR IRRIGATION and JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

*THE WELLS ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	WELL 1 – 425 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8 ✓
30 S	17 E	WM	8	NE NW	WELL 2 – 530 FEET SOUTH AND 170 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8 ✓
30 S	17 E	WM	8	NE NW	WELL 3 – 575 FEET SOUTH AND 135 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8 ✓
30 S	17 E	WM	8	NE NW	WELL 4 – 405 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8 ✓
30 S	17 E	WM	5	SE NW	WELL 5 – 3155 FEET NORTH AND 220 FEET WEST FROM THE SOUTH ¼ CORNER OF SECTION 5
30 S	17 E	WM	5	SW SE	WELL 6 – 105 FEET NORTH AND 250 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5
30 S	17 E	WM	8	NE NW	WELL 7 – 180 FEET SOUTH AND 250 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL 8 – 2010 FEET NORTH AND 135 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5
30 S	17 E	WM	5	SE SW	WELL 9 – 1040 FEET NORTH AND 130 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 10 – 330 FEET SOUTH AND 180 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 11 – 550 FEET SOUTH AND 155 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8

*This permit is limited to a total of no more than nine wells. See condition on page 4 of permit G-18433.

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

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

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

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

officer.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE
30 S	17 E	WM	5	SW NE
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4
Total					50.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0
Total					569.60

rearrange
Sec 5 before
Sec 8

Permit Amendment T-13337 Conditions:

The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9. ✓

Water use measurement conditions:

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

The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head. ✓

* No more than a total of nine (9) wells may be authorized under Permit G-18433. Therefore:

- a. If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
- b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well

construction standards, it must be abandoned in accordance with current well construction standards.

All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with well construction statutes and rules, as detailed in ORS 537 and OAR 690-220. Abandonment methods shall be consistent with artesian well abandonment requirements and shall take place within one year from the date of completion of the replacement well.

Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

Permit Amendment T-11749 Conditions

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

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

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

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

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

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

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

Water use measurement conditions:

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

Extension of Time Conditions:

Last Extension Condition

This is to be the last extension of time granted for Permit G-17749. Any future extensions of time requests shall be denied.

Original Permit Conditions:

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

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

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

Actual construction work was to begin on or before April 30, 1991, however, complete application of the water to the use was extended and shall be made on or before October 1, 2025. ✓
If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

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

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

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

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

Issued _____

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

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON

IN THE MATTER OF PERMIT
AMENDMENT T-13337, LAKE COUNTY

PETITION FOR RECONSIDERATION
OF FEBRUARY 4 FINAL ORDER
APPROVING CHANGES IN POINTS
OF APPROPRIATION AND A
CHANGE IN PLACE OF USE

On February 4, 2021 the Oregon Water Resources Department (“OWRD”) issued a *Final Order* (“Final Order”) approving T-13337 to change points of appropriation and place of use. The Final Order notified the permit holder of the right to petition for reconsideration of the Final Order. Simultaneously with the issuance of the Final Order, OWRD issued a superseding permit (G-18433) (“Superseding Permit”).

Pursuant to ORS 183.484, OAR 690-001-0005, and OAR 137-004-0080, Petitioner Western Development Group LP (“Petitioner”) hereby petitions the Director of OWRD to reconsider, withdraw, and reissue OWRD’s Final Order and Superseding Permit to correct certain deficiencies and inconsistencies in those documents. The requested changes are set forth in the marked up documents attached as exhibits to this Petition for Reconsideration.

I. NATURE OF PETITIONER’S INTEREST

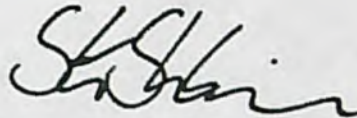
As one of the named holders of the permit, Petitioner is the proper party in interest to file this Petition for Reconsideration.

II. ADVERSE EFFECT OF THE FINAL ORDER

The Final Order and Superseding Permit contain a number of deficiencies and inconsistencies noted in the exhibits to this petition. If OWRD does not grant reconsideration and withdraw the Final Order and Superseding Permit, it will create an inconsistent record and will result in an Final Order and Superseding permit that is inconsistent with the information provided in transfer application T-13337. It is in both Petitioner's and OWRD's interest to make the necessary corrections to these documents.

Dated this 6th day of April, 2021.

JORDAN RAMIS PC



By: _____

Steven L. Shropshire, OSB # 944375
steve.shropshire@jordanramis.com
Attorneys for Petitioner Western
Development Group LP

EXHIBIT 2
SUPERSEDING PERMIT

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

This superseding permit is issued to describe amendments for a change in place of use and a change in the points of appropriation proposed under Permit Amendment Application T-13337 and approved by Special Order Volume 118, Page 492 entered FEB 04 2021, and to describe extensions of time for complete application of water approved January 10, 2008, January 20, 2012, October 18, 2013, January 16, 2015, July 28, 2017, and December 18, 2020 and to describe assignments to new permittees approved March 14, 1994, June 12, 1995, and September 10, 2010. This permit supersedes Permit G-17749.

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

The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE and 7.73 CFS FOR IRRIGATION and JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

These are all the old (or original) well location descriptions, however the PA application specifically re-describes the locations to more accurately reflect the locations of the wells as they have always been - Should be updated as requested

*THE WELLS ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	8	NE NW	WELL 1 - 390 FEET SOUTH AND 150 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 2 - 480 FEET SOUTH AND 190 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 3 - 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 4 - 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	SE NW	WELL 5 - 3155 FEET NORTH AND 220 FEET WEST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SE SW	WELL 9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL 8 - 2010 FEET NORTH AND 135 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SW SE	WELL 6 - 105 FEET NORTH AND 250 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	8	NE NW	WELL 7 - 180 FEET SOUTH AND 250 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 10 - 330 FEET SOUTH AND 180 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 11 - 550 FEET SOUTH AND 155 FEET WEST FROM THE N1/4 CORNER OF SECTION 8

*This permit is limited to a total of no more than nine wells. See condition on page 4 of permit G-18433.

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

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

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

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE

In the July 28th letter (item#5) we requested that the fish culture POU include another 1/4 1/4 - Section 5 SW NE

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4
Total					50.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0
Total					569.60

Permit Amendment T-13337 Conditions:

- 1 The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

Add "1"

-stays

This is repeat of condition # 17 found on the previous permit amendment. Recommend deletion.

PAGE 4

2 ~~Water use measurement conditions:~~

- a. ~~Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).~~

This statement is misleading/inaccurate. Since the topic of well construction is covered elsewhere it should be removed

~~user shall maintain the meters or measuring devices in good working order. user shall allow the Watermaster access to the meters or measuring devices; however, where the meters or measuring devices are located within a private~~

done

Missing the next line of text - See condition #17

- 3 The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments.

~~Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.~~

- 4 The flow meter for each well is to be properly installed within 50 feet of the well head with a clearly surveyed location shall be provided and a clearly installed for each meter more than 50 feet from the well head.

Add "under this permit shall be constructed consistent with Oregon statutes and rules, to obtain" (consistent with language in condition #8

replace only with "solely" (consistent with language in condition #8)

- 5 * No more than one well may be authorized under Permit G-18433. Therefore:

- a. If that due to the artesian nature of the wells, alternate measuring approaches could be used. Also inconsistent with 17a, which addresses the same topic.
- b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
- c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

- 6 All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

7 Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

8 ~~Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:~~

All wells authorized under the permit shall be constructed consistent with Oregon statutes and obtain groundwater solely from the predominately volcanic rock and sediment unit and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Repeat of Conditions #3 and #6 - Recommend deletion

9 ~~Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.~~

Permit Amendment T-11749 Conditions

10 ~~At any~~ ^{Repetitive of condition #13 - Recommend deletion} ~~to satisfy~~ Ana Springs is insufficient to furnish the amount of water required priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into the Ana River to the extent necessary to restore Ana River to its historic flow. If the flow of Ana Springs is insufficient to furnish the amount of water required for existing rights with earlier priority dates and not all the ground water derived under this permit can be delivered into the Ana River, then all of the ground water derived under this permit shall be shut off.

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

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

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

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

- [15] The Additional Point of Appropriation Well #9 and the new Point of Appropriation Well #5 shall obtain groundwater from the predominately volcanic/basalt unit below the predominately basin-fill unit and both wells shall have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic/basalt unit.
- [16] Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID). The tag showing the Well ID shall be permanently attached to the well. If a well does not have a Well ID tag, the permittee shall apply for one from the Department and attach it to the well within 60 days of the date the permit is issued. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
- [17] Water use measurement conditions:
- Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - The water user shall maintain the meters or measuring devices in good working order.
 - The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Extension of Time Conditions:

Last Extension Condition

This is to be the last extension of time granted for Permit G-17749. Any future extensions of time requests shall be denied.

Original Permit Conditions:

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

The wells shall be constructed in accordance with the General Standards for the Construction and Water Wells in Oregon. The works shall be equipped with a usable access port, valve and airline and pressure gauge adequate to determine water level elevations. When required by the department, the permittee shall install and maintain another suitable measuring device, and shall keep a complete record of the amount withdrawn. Artesian wells must have control valves installed to regulate the flow of water.

stays

In light of the decision to grant another permit extension, it seems inconsistent/confusing to include the prior last extension condition

Prior to receiving a certificate of water right, the permit holder must meet the Department's standards, to the Water Resources Commission. The permit holder must require water level or pump test results every ten years thereafter.

This language is inconsistent with the Dec. 18, 2020 extension final order, which extended the BU date to Oct. 1, 2025

stays & updated

pump
may

Actual construction work was to begin on or before April 30, 1991, however, complete application of the water to the use was extended and shall be made on or before October 1, 2020. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

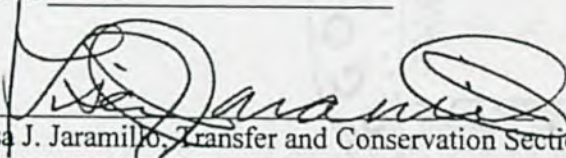
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued **FEB 04 2021**



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

19. Permit Amendment Application T-13337 proposes to re-describe four of the authorized points of appropriation, move four of the authorized points of appropriation and to add two *additional* points of appropriation, with approximate distances between 103 feet and 3720 feet from the existing points of appropriation, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Proposed Change
30 S	17 E	WM	8	NE NW	WELL 1 – 425 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Location Re-description
30 S	17 E	WM	8	NE NW	WELL 2 – 530 FEET SOUTH AND 170 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Location Re-description
30 S	17 E	WM	8	NE NW	WELL 3 – 575 FEET SOUTH AND 135 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Location Re-description
30 S	17 E	WM	8	NE NW	WELL 4 – 405 FEET SOUTH AND 150 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Location Re-description
30 S	17 E	WM	5	SE NW	WELL 5 – 3155 FEET NORTH AND 220 FEET WEST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SW SE	WELL 6 – 105 FEET NORTH AND 250 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	8	NE NW	WELL 7 – 180 FEET SOUTH AND 250 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	POA
30 S	17 E	WM	5	NW SE	WELL 8 – 2010 FEET NORTH AND 135 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 5	POA
30 S	17 E	WM	5	SE SW	WELL 9 – 1040 FEET NORTH AND 130 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	No change
30 S	17 E	WM	8	NE NW	WELL 10 – 330 FEET SOUTH AND 180 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Additional POA
30 S	17 E	WM	8	NE NW	WELL 11 – 550 FEET SOUTH AND 155 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8	Additional POA

20. Permit Amendment Application T-13337 also proposes to change the place of use of the fish culture portion of the permit to:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE
30 S	17 E	WM	5	SW NE
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW

21. On August 11, 2020, the applicants' agents and attorneys met via conference call with Department staff to discuss: construction of the existing wells under Permit G-17749 to ensure each well is accessing the correct groundwater source; the potential for injury and enlargement if Permit Amendment Application T-13337 is not conditioned to limit the total number of wells under Permit G-17749 to no more than nine (9); and that all wells constructed under Permit G-17749 (and any superseding permits) must be properly constructed in accordance with current well construction standards. Additionally, it was clarified that WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029) will be replaced on a one for one basis by WELL 10 and WELL 11.

22. On April 21, 2020 a groundwater review of Permit Amendment Application T-13337 was completed by the Department's groundwater staff and submitted to the file. The groundwater review clarifies that geologic deposits in the vicinity of Ana Reservoir which includes the wells authorized and proposed by Permit Amendment Application T-13337, should receive groundwater solely from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill as follows:

- a) WELL 1 (LAKE 3030): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
- b) WELL 2 (LAKE 1507): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
- c) WELL 3 (LAKE 4444): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.
- d) WELL 4 (LAKE 3029): well is open to receive groundwater from both the basinfill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.
- e) WELL 5 (LAKE 52764) is open to receive groundwater from the basin-fill only. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
- f) WELL 6 (LAKE 52368) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
- g) WELL 7 (LAKE 52369) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill. However, the casing and seal stops at the base of the basin fill rather than extend into the volcanic rocks and sediments below the basin fill.
- h) WELL 8 (LAKE 52487) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
- i) WELL 9, WELL 10 and WELL 11, are not yet drilled and are required to receive groundwater solely from the volcanic rocks and sediments below the basin fill.

23. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head. ✓

24. Based on information received from the Watermaster, in order to prevent injury, the Permit Amendment must be conditioned to limit the total number of wells authorized under the permit to no more than 9 wells. Further:

- a) If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;
- b) If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or
- c) If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

25. All wells constructed under Permit G-17749 (or any superseding permit) must meet current well construction standards. Any well(s) constructed under Permit G-17749 (or any superseding permit) that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

26. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

27. Condition for construction of existing WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), and WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells:

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Permit Amendment Review Criteria

28. The changes, as conditioned, would not result in injury to other water rights.
29. The proposed place of use is owned and/or controlled by the permit holder.
30. The changes, as conditioned, do not enlarge the permit.
31. The changes do not alter any other terms of the permit.
32. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337, as conditioned, are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The order recorded at Special Order Volume 118, Pages 496-502 is withdrawn and is of no further force or effect and is superseded by this order.
2. The change in points of appropriation, additional points of appropriation, and change in place of use proposed by Permit Amendment Application T-13337 are approved.
3. Permit G-XXXXXX, in the name of THOMAS A. MACDONALD, is issued to replace Permit G-18433 (originally Permit G-17749), and incorporates the amendments approved by this order, the extensions of time, and the assignments. Permit G-18433 (originally Permit G-17749), in the name of THOMAS A. MACDONALD, is no longer of any force or effect.
4. The quantity of water diverted at the existing, new, and additional points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9, and replacement WELL 10 and WELL 11, shall not exceed the quantity of water lawfully available at the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9. ✓
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order. ✓
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

6. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head. ✓

7. No more than a total of nine (9) wells may be authorized under Permit G-18433. Therefore:

a. If both additional points of appropriation WELL 10 and WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and will result in a one for one replacement of WELL 3 and WELL 4;

b. If only one of the additional points of appropriation WELL 10 or WELL 11 is drilled, then only one of the existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be abandoned in accordance with current well construction standards, and the remaining well must be constructed (repaired) in accordance with current well construction standards. If repair of the remaining well does not meet current well construction standards, it must be abandoned in accordance with current well construction standards; or

c. If neither of the additional points of appropriation WELL 10 or WELL 11 are drilled, then existing authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be constructed (repaired) in accordance with current well construction standards. If repair of either WELL 3 (LAKE 4444) or WELL 4 (LAKE 3029) does not meet current well construction standards, it must be abandoned in accordance with current well construction standards.

8. All wells constructed under Permit G-18433 must meet current well construction standards. Any well(s) constructed under Permit G-18433 that does not meet current well construction standards must be abandoned in accordance with current well construction standards.

9. Condition for the abandonment of WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029), shall be properly abandoned consistent with well construction statutes and rules, as detailed in ORS 537 and OAR 690-220. Abandonment methods shall be consistent with artesian well abandonment requirements and shall take place within one year from the date of completion of the replacement well.

10. Condition for construction of existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029), WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9 and proposed replacement WELL 10 and WELL 11 and all future wells: ✓

All wells authorized under the permit shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous

casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

11. Water shall be acquired from the same aquifer as the original points of appropriation WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), WELL 4 (LAKE 3029) ✓
WELL 5 (LAKE 52764), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), WELL 9.

12. All other terms and conditions of Permit G-18433 remain the same.

Dated in Salem, Oregon on

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

Mailing Date:

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Friday, December 10, 2021 7:55 AM
To: GALL Ivan K * WRD; GORMAN Kyle G * WRD; BYRD Kristopher R * WRD; NASHEM William D * WRD; KELLY Travis N * WRD
Subject: Reconsideration for T-13337, Permit G-17749 for Thomas McDonald
Attachments: 13337 pa ord approve - reconsideration final - Copy.docm; G-17749 superseded G-18433 - reconsideration final - Copy.docx; Petition for Reconsideration 4829-1791-0756

Good Morning,

Attached is the reconsideration order for Permit G-17749 for Thomas McDonald. Please review and let me know if there are any further questions or if you have questions or suggestions. Feel free to add to the document. I would love to be able to have this finalized and issued before the end of the year. Thank you all so much for your time and assistance with this order! 😊

Arla L. Davis

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

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Good Morning,

Attached is the reconsideration order for Permit Amendment T-13337 for Permit G-17749 for Thomas McDonald. Please review and let me know if there are any further changes that need to be made or if you have questions or suggestions. Feel free to add to the document if you wish. Track changes are on. I would love to be able to have this finalized and issued before the end of the year. Thank you all so much for your time and assistance with this order! 😊

Arla L. Davis

Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

Chub habitat is affected by numerous human caused alterations of their environment including reductions in available backwater habitat provided by flows from the McKenzie River. Assuming that the Oregon Chub population in the McKenzie River was more robust and fared better under natural flow conditions and river flows at that time provided adequate backwater and side channel habitat in the 1940's and 50's then the minimum flow needs would be those that occurred consistently during the low flow period of September or 2,028 cfs (median 1,983 cfs). For this analysis ODFW will round the flow requirement to 2,000 cfs.

This flow is the same as those needed for salmon during most of the year except August and part of September when flow needs for Chinook Salmon are less. To maintain backwater and side channel habitats for chub during August and September ODFW recommends maintaining the 2,000 cfs minimum flow year around. Maintaining a flow of at least 2,000 cfs year around should maintain the persistence of listed Chinook Salmon and the Oregon Chub.

Flow Need Conclusion

In the final analysis the Oregon Method derived numbers were used as a basis for streamflows needed for persistence of key species (Spring Chinook) during most of the year. Oregon Method studies both downstream and upstream determined that 2,000 cfs was the minimum flow needed for all months except August and the first half of September. For that time period the downstream study identified 1025 cfs as the minimum flows while the upstream study found 1,400 cfs to be the needed minimum flow. However, after an analysis of hydrologic low flows in order to maintain Oregon Chub backwater and side channel habitat ODFW is recommending a minimum flow of 2,000 cfs (on a 7 day running average basis) is needed year around.

EWEB Municipal Extension Fish Persistence Evaluation Application # S - 35037
June 5, 2008

Table 1 – Minimum Fish Flow needs on the lower McKenzie River to maintain listed fish persistence for EWEB municipal point of diversion near Hayden Bridge (river mile 14).

Month	Basin Information Report Oregon Method River Mile 7.1 area (cfs)	Instream Water Right (minimum flow #528) (cfs) (RM 7.1) (cfs) ²	Instream Flow point (from storage RM 7.1) (cfs)	USACE releases at Blue River + Cougar Dams (cfs)	Oregon Chub Flow needs	Oregon Department of Fish and Wildlife Recommended Flow (cfs)
Jan	2000	1025	700	350	2000	2000
Feb	2000	1025	700	350	2000	2000
Mar	2000	1025	700	350	2000	2000
Apr	2000	1025	700	350	2000	2000
May	2000	1025	700	350	2000	2000
Jun	2000	1025	700	450	2000	2000
Jul	2000	1025	700	350	2000	2000
Aug	1025	1025	700	350	2000	2000
Sep	1025/2000 ¹	1025	700	350	2000	2000
Oct	2000	1025	700	350	2000	2000
Nov	2000	1025	700	350	2000	2000
Dec	2000	1025	700	350	2000	2000

1 - The Oregon Basin Information Report report values for river mile 48 are 2000 cfs year-round except for August and September and they drop to 1400 cfs instead of 1025 cfs.

2 - See text regarding live flow vs. storage component and the differences between river mile 7.1 and river mile 48. There is an additional 700 cfs year-round storage release component in addition to this live flow component at river mile 7.1. The storage release component has not been converted to an instream water right.

Table 2. Monthly life history activity chart for the McKenzie River for non anadromous species only (from ODFW Natural information management program:
<http://nrimp.dfw.state.or.us/nrimp/default.aspx?p=331>)

McKenzie R above Blue R - Non-Anadromous Species													
Timing Unit ID: 10343													
Life Stage/Activity/Species	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Comments
Adult Fluvial or Adfluvial Migration													
Rainbow Trout													C17
Cutthroat Trout - Resident													C11
Bull Trout													C5
Adult Spawning													
Rainbow Trout													C13
Cutthroat Trout - Resident													C7
Bull Trout													C1
Adult/Sub-Adult Rearing													
Rainbow Trout													C16
Cutthroat Trout - Resident													C10
Bull Trout													C4
Egg Incubation through Fry Emergence													
Rainbow Trout													C14
Cutthroat Trout - Resident													C8
Bull Trout													C2
Juvenile Rearing													
Rainbow Trout													C15
Cutthroat Trout - Resident													C9
Bull Trout													C3
Juvenile/Sub-Adult Migration													
Rainbow Trout													C18
Cutthroat Trout - Resident													C12
Bull Trout													C6

Represents periods of peak use based on professional opinion.

Represents lesser level of use based on professional opinion.

Represents periods of presence, either with no level of use OR uniformly distributed level of use indicated

Represents periods of peak use based on professional opinion.

Represents lesser level of use based on professional opinion.

Represents periods of presence, either with no level of use OR uniformly distributed level of use indicated

Based on professional opinion, 90% of the life-stage activity occurs during the time frame shown as the peak use period.

Based on professional opinion, 10% of the life-stage activity occurs during the time frame shown as the lesser use period.

This document was created on 12/19/2003.

Input to this data was contributed by

Jeff Ziller, ODFW

Comments

C1 - No adults believed to be present in the Middle Fork above Hills Creek in 2002, but progeny from supplementation project are near adulthood and may be present in 2003 or 2004.

C2 - Based on observation and trapping data

C3 - Based on data

C4 - Based on data from local watersheds and understanding that most bull trout remain in Hills Creek Reservoir or in the river upstream.

C5 - Based on data from local watersheds

C6 - Based on data

C7 - Based on data from local watersheds

C8 - Based on observation and trapping data

C9 - Based on data

C10 - Based on data from local watersheds

C11 - Based on data from local watersheds

C12 - Based on data

C13 - Based on data from local watersheds

C14 - Based on observation and trapping data

C15 - Based on data

Table 3. Monthly life history activity chart for the McKenzie River for anadromous species only
(from ODFW Natural information management program:
<http://nrimp.dfw.state.or.us/nrimp/default.aspx?p=331>)

McKenzie R above Blue R - Anadromous Species

Timing Unit ID: 10343

Life Stage/Activity/Species	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Comments
Upstream Adult Migration													
Summer Steelhead													C6
Spring Chinook salmon													C1
Adult Spawning													
Summer Steelhead													C8
Spring Chinook salmon													C3
Adult Holding													
Summer Steelhead													C7
Spring Chinook salmon													C2
Egg Incubation through Fry Emergence													
Summer Steelhead													C9
Spring Chinook salmon													C4
Juvenile Rearing													
Summer Steelhead													C10
Spring Chinook salmon													
Downstream Juvenile Migration													
Summer Steelhead													C11
Spring Chinook salmon													C5

Represents periods of peak use based on professional opinion.

Represents lesser level of use based on professional opinion.

Represents periods of presence, either with no level of use OR uniformly distributed level of use indicated

Based on professional opinion, 90% of the life-stage activity occurs during the time frame shown as the peak use period.

Based on professional opinion, 10% of the life-stage activity occurs during the time frame shown as the lesser use period.

Comments

- C1 - Mostly comprised of hatchery fish but natural production from areas upstream is significant.
- C2 - Based on data
- C3 - Based on data
- C4 - Based on data
- C5 - Based on studies in the McKenzie
- C6 - Most summer steelhead are of hatchery origin
- C7 - Based on data
- C8 - Based on hatchery spawning timing and adult maturation schedules
- C9 - Based on observation and understanding of spawning timing
- C10 - Rearing fish mostly be comprised of residual hatchery fish but some natural production occurs.
- C11 - For hatchery fish only - Released from hatchery

This document was created on 12/19/2003.

Input to this data was contributed by

Jeff Ziller, ODFW

Fish Use in the Lower McKenzie River

The McKenzie River is used by several anadromous and resident salmonids including resident Rainbow and Cutthroat trout and Bull trout (char) and anadromous species such as Spring Chinook Salmon and Pacific and Brook Lamprey. Oregon Chub occupy backwater and off channel areas in the lower river. Additionally, there are a number of introduced species such as summer steelhead using the river.

Summer Use

For the summer months (July and August) the most critical use is Oregon Chub spawning which occurs in June and July with incubation continuing on through August. Backwater areas need to be maintained especially during this period to allow successful reproduction of chub. Other fish uses during the summer include adult spring Chinook migration and rearing. All salmonid species identified in Tables 2 and 3 may utilize the lower river for rearing through the summer months, with the most prevalent use being spring Chinook as well as Rainbow and Cutthroat Trout. There is also use by Bull Trout but it is not as prevalent as upstream. The lower 14 miles of the McKenzie represent a large area of some of the most desirable rearing habitat available in the basin. Based on recent surveys conducted by ODFW this lower section of the river does not have much spawning activity.

Fall Use

In the fall there is still rearing use for all species (Tables 2 and 3) with chub relying heavy on backwater areas. Spawning in the basin occurs for Spring Chinook salmon during this time, however, according to spawning surveys use of the lower 14 river miles for spawning is low.

Winter and Spring Use

During the winter and spring months (January through June) spawning and incubation continues for spring Chinook through April. Steelhead egg incubation and fry emergence continue through June with lower river fry emergence expected to occur earlier while tributary emergence continues further into June. Oregon Chub in the backwaters begin spawning in June continuing on through July. For all species rearing is an important use in the lower river.

ODFW's Advice to WRD on Maintaining the Persistence of Listed Fish Species as the Eugene Water and Electric Board Develops the Undeveloped Portions of its Water Right Permits for the Lower McKenzie River:

General Considerations

As directed by ORS 537.230 (2)(c) and ORS 537.630 (2)(c) ODFW provides the following advice to WRD to maintain, in the portions of waterways affected by water use under the permit, the persistence of fish species listed as sensitive, threatened or endangered under state or federal law. ODFW's advice is based on existing data. ODFW recommends the following flows and advises WRD to develop conditions which allow the Eugene Water and Electric Board to meet its water needs while maintaining the persistence of listed fish species.

- The main influence on river flow levels is the federal management of the dams.

- ODFW recognizes that long term climatic variations will affect the amount of water the USACE will be able to release in any given year. In favorable water years fish populations tend to increase and in unfavorable water years fish populations contract. The long term objective for a listed species is to have the population increase to a sustainable level over time and be able to maintain itself through natural fluctuations in the environment.
- ODFW also recognizes that municipalities return a certain amount of flow to a river or stream through their effluent discharge. If the withdrawal point(s) and effluent discharge(s) are within reasonable proximity to each other, such that fish habitat between the two points is not impacted significantly then ODFW recommends that curtailment of the water right extension be based on the monthly estimated ratio of the difference between the total water withdrawals and their return flows.

In the case of the Eugene Water and Electric Board their return flows do not return to the McKenzie River but instead return to the Willamette River above the confluence with the McKenzie River. Because the return flows do not contribute to flows in the lower McKenzie River ODFW recommends not applying a credit for return flows.

- Flows should be measured at the Point of Diversion

Specific Advice by Season of Use

This advice only pertains to the lower 14 miles of the McKenzie River and is contingent on EWEB locating its points of diversion in this reach and withdrawing water only from this reach of the river.

January through June

The primary concerns during these months are downstream migration of salmonids, summer steelhead spawning, egg and fry incubation, and rearing needs. Oregon Chub begin spawning at the end of this period making the need to maintain backwaters and side channels important. The Basin report recommends a flow of 2,000 cfs throughout this period. Flows in the river during this time of the year are typically well over 2,000 cfs. Flows rarely drop below the target flows during this period with the majority lower flows occurring late in the period (June).

Advice: Use of water under the portion of this permit that was undeveloped as of the date of the extension final order should be conditioned to maintain persistence of listed fish species consistent with the recommended flows in Table 1. If flows do not meet targets, EWEB should plan to reduce its water use. Low flows during this time period appear to be mostly related to operation of the reservoir system. The severity of the measures taken should be reflective of how much the recommended flows are being missed by and the percentage of water that is withdrawn by the municipality as compared to the overall streamflow level. In order to monitor streamflows the recently installed gage near the intake near river mile 14 should be maintained for compliance during all seasons including the late spring and early summer.

July, August

The primary concern during these months is providing sufficient flows to maintain backwater and side channel habitat for the Oregon Chub that continue to spawn through July and rearing for the remainder of the period. Flows are also necessary to maintain moderate water temperatures for juvenile and adult salmonids and provide summer rearing habitat. The stream flow for fish persistence are identified as 2000 cfs for both salmonids and Oregon Chub in July, 1,400 cfs for salmonids and 2000 cfs for Oregon Chub. This time of year the stream flow does drop below those flows needed to maintain minimum fish persistence target flows and is also when municipal water demands peaks.

Advice: Use of water under the portion of this permit that was undeveloped as of the date of the extension final order should be conditioned to maintain persistence of listed fish species consistent with the recommended flows in Table 1. If flows do not meet targets, EWEB should plan to reduce its water use during times when the fish persistence flow levels are not being met. The severity of the measures taken should be reflective of how much the recommended flows are being missed by and the percentage of water that is withdrawn by the municipality as compared to the overall streamflow level.

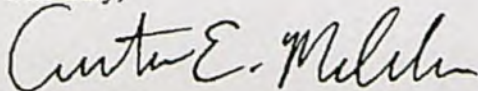
September, Through December

During the fall and winter the lower 14 miles of the McKenzie River provides minimal spawning habitat for salmonids, but provides significant rearing habitat for salmonids and backwater and side channel habitat for the Oregon Chub. The recommended flows continue to be 2000 cfs throughout this period. This time of year has the most events where streamflow drops below stream persistence flow levels, is the time period when natural flows were lowest before the reservoirs were in place, but is also the time period when municipal water demands are declining.

Advice: Use of water under the portion of this permit that was undeveloped as of the date of the extension final order should be conditioned to maintain persistence of listed fish species consistent with the recommended flows in Table 1. If flows do not meet targets, EWEB should plan to reduce its water use. The severity of the measures taken should be reflective of how much the recommended flows are being missed by and the percentage of water that is withdrawn by the municipality vs. the overall streamflow level.

This concludes ODFW's advice to WRD on Application #S-35037. If you have questions about our advice or need further clarification please contact me at 503-947-6044 or the manager of our Water Quality/Quantity Section, Rick Kepler at 503-947-6084.

Sincerely;



Curt Melcher
Deputy Director

EWEB Municipal Extension Fish Persistence Evaluation Application # S - 35037
June 5, 2008

Bc: Eugene Water and Electric Board
Jeffrey Ziller, ODFW Springfield Office
Steve Marx, ODFW Adair Village Office
Chris Wheaton, ODFW Clackamas Office
Rick Kepler, Fish Division
Bruce McIntosh, Fish Division

	April 11 1892	48 (9)	Irrigation	Upper Ditch	Granite Creek	14 acres in NE 1/4 SW 1/4 27 acres in SE 1/4 SW 1/4 Section 9, 8 acres in NE 1/4 NW 1/4 Section 16, T. 24 S. R. 38 E. W. M.
	April 1 1892	22	Irrigation	Rye Grass	Hickory Creek	8 acres in NE 1/4 SW 1/4 14 acres in SE 1/4 SW 1/4 Section 6, T. 24 S. R. 38 E. W. M.
70-14 Woodruff, Ella Vale, Oregon.	1884	65	Irrigation	Harris	Bully Creek	21 acres in NE 1/4 NW 1/4 40 acres in NW 1/4 NW 1/4 4 acres in SW 1/4 NW 1/4 Section 4, T. 19 S. R. 44 E. W. M.
The following lands are also irrigated by the Farmers' Ditch:						
					already listed Suppl	8 acres in NE 1/4 NW 1/4 36 acres in SW 1/4 NW 1/4 Section 4, T. 19 S. R. 44 E. W. M. - ?
70-50 Woodward, Tom L. Juntura, Oregon.	June 1888	120.5	Irrigation	Scott	North Fork Malheur	25 acres in Lot 3 (NW 1/4 NW 1/4) 16 acres in Lot 4 (NW 1/4 NW 1/4) 40 acres in SE 1/4 SW 1/4 36 acres in SW 1/4 SW 1/4 3.5 acres in Lot 2 (NW 1/4 NW 1/4) Section 1, T. 21 S. R. 37 E. W. M.
	1884	129	Irrigation	Williams	Middle Fork Malheur	35 acres in NW 1/4 NW 1/4 20 acres in SW 1/4 NW 1/4 38 acres in NE 1/4 NW 1/4 36 acres in SW 1/4 NW 1/4 Section 19, T. 19 S. R. 34 E. W. M.

40 acres in NW NW

- 39.3

0.7 acres

0.7 RR

4.0 acres in SW NW

- 4

0 RR

21 acres in NE NW

- 9.9

11.1 RR

11.8 acres RR above

+ 44 below ditch

55.8 RR

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-14031

FINAL ORDER

Extension of Time for Permit Number G-12506, modified by Permit Amendment T-8352
Permit Holder: Brian and Susan Thompson, and Bernard Damon

Permit Information

Application File:	G-14031
Permit:	G-12506, modified by Permit Amendment T-8352
Basin:	7 – Umatilla / Watermaster District 21
Date of Priority:	April 10, 1995
Source of Water:	Four wells in Willow Creek Basin
Purpose of Use:	Irrigation of 182.8 Acres
Maximum Rate:	2.28 Cubic Feet per Second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request 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 you may either file 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.

Application History

Permit G-12506 was issued by the Department on June 19, 1996, and modified by Permit Amendment T-8352 on February 11, 2010. The original permit called for completion of construction by October 1, 1998, and complete application of water to beneficial use by October 1, 1999. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2012. On July 24, 2013, Brian and Susan Thompson and Bernard Damon submitted to the Department an Application for Extension of Time for the amended Permit G-12506. In accordance with OAR 690-315-0050(2), on July 22, 2014, the Department issued a Proposed Final Order proposing to extend the time

COPY
Permit G-12506
(Appl G-14031)

to fully apply water to beneficial use to October 1, 2017, with the proposed condition that this be the last extension. The protest period closed September 5, 2014, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated July 22, 2014.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

CONDITIONS

1. Last Extension Condition

This is to be the last extension of time granted for Permit G-12506. Any future extensions of time requests will be denied.

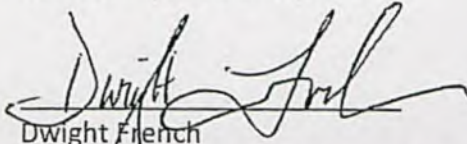
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-14031, Permit G-12506, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2012 to October 1, 2017.

DATED: September 12, 2014



Dwight French
Water Right Services Division Administrator, for
Director, Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact the permit extension specialist at (503) 986-0825.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

① Talk to Dwight to see if we can allow another extension on permit associated T-11869?

T-8352
② Allow them to prove up on the 40.0⁰ Ac where it originally was

— proposing to prove up on 40.0⁰ that were moved.

— Different tax lots
— original tax lot 1500

& went to:

+ 1. 1203

\$ 300

\$ 1202

Unless:

there's something in T-8352

that consents to moving 40.0⁰ Ac off Damon's property.

1-17-19
Mike Ladd

• T-11869 - Brian Thomas
(filed 7-31-14) Bernard Damon

No - Bernard Damon
was not permit
holder of record

2009 Transfer
(T-8352)

- accidentally
pulled off
40% AC of
Bernie
Damon's
right

Permit Extension

- expired 10-1-2017
- said no new Ext.

→ Ken Thieman held
up PA process because
he wanted them to change
proposed P.A.

2-12-19

- Permit G-12506

- Ext FO issued 9-12-2014

- w/ a Condition stating:

- "... This is to be the last extension of time granted for Permit G-12506. Any future ext. of time will be denied."

- Extended from Oct. 1, 2012 to Oct 1, 2017.

If allow another Permit Extension:

- This could stave off litigation

→ sue the Dept.



Check w/
Dwight

⊗ Hate to have a permit ~~amended~~ ^{date} expire while we have ~~pending~~ permit amended pending

→ We will accept another Ext.

— The have to pay fee

— We will get the P.A. all ready to go, so can issue as soon as Ext. approved.

- Permit G-12506 extension issued 9-12-14 to extend to:

— 10-1-2017
— Conditioned to state "last condition."

T-11869 filed 7-13-14.

— Sarah sent email to Shonee Langford on 10-31-14 indicating waiting on Wm Review.

— 9-29-17 --- Still waiting on Wm Review & Wm was waiting on amended Maps to Comp ^{lete} Review

Permit G-12506
Permit Holders of Record

Date	Action	Permit Holder(s) of Record
6-19-1996	Permit Issued	Albert L. Osmin and Donna M. Osmin
6-18-1999	Permit Assigned: <ul style="list-style-type: none">• from Albert L & Donna M Osmin• to TKO LLC and Northwest Farm Credit Services, ACA	TKO LLC and Northwest Farm Credit Services, ACA
4-8-2002	Permit Assigned: <ul style="list-style-type: none">• from TKO LLC and Northwest Farm Credit Services, ACA• to Northwest Farm Credit Services, FLCA and Thompson Land, a partnership; Brian S. and Susan J. Thompson	Northwest Farm Credit Services, FLCA and Thompson Land, a partnership; Brian S. and Susan J. Thompson
5-25-2004	Permit Partially Assigned: <ul style="list-style-type: none">• from Thompson Land, a partnership; Brian S. and Susan J. Thompson• to Brian S. Thompson, Susan J. Thompson, and Northwest Farm Credit Services, PCA	Northwest Farm Credit Services, FLCA and Brian S. Thompson & Susan J. Thompson and Northwest Farm Credit Services, PCA
8-8-2013	A Portion of the Permit Assigned: <ul style="list-style-type: none">• from Brian S. Thompson, Susan J. Thompson• to Benard Damon	Northwest Farm Credit Services, FLCA and Brian S. Thompson & Susan J. Thompson and Northwest Farm Credit Services, PCA and Benard Damon

Copy for
Lisa J.

JARAMILLO Lisa J * WRD

From: FRENCH Dwight W * WRD
Sent: Tuesday, February 26, 2019 4:16 PM
To: PIERCEALL Jeffrey D * WRD
Cc: JARAMILLO Lisa J * WRD; DAVIS Arla L * WRD
Subject: another permit extension/PA timing issue

Jeffrey,

Lisa J will give you more details if needed. We issued an extension on 9/12/14 approved to 10/1/2017. There was a PA filed in July of 2014. The PA is still pending – mostly the applicants fault. However, I want us to allow for another short extension even though the previous extension said “this is your last extension.”

Permit G-12506. (by Thompson and Damon) Fees will need to be paid.

Let Lisa or I know if you have questions.

Thank you,
Dwight

Dwight French

Water Right Services Division Administrator
Oregon Water Resources Department
dwight.w.french@oregon.gov
503-986-0819

Re: T-11869
\$
Permit
G-12506



OREGON
WATER
RESOURCES
DEPARTMENT

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

Injury from 25323
25813
25810 > moving water / return flow
25809

Sub irrigation - cant move
~~24983~~
~~24983~~
~~24983~~
24983
Cant dry it up = from lands

Rules ~~and~~ ~~to~~
~~Data~~ PN & cover
letter are in the
DPFO file
Thank you
☺

Permit B: VERNON BRUCK

Permit: G-17968 in the name of VERNON BRUCK
Use: NURSERY USE ON 69.7 ACRES
Priority Date: JUNE 3, 2009
Quantity: MAXIMUM RATE: 0.87 CUBIC FEET PER SECOND (CFS)
Limit/Duty: The amount of water used for nursery use under this right, together with the amount secured under any other right existing for the same lands, 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 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.

Period of Use: YEAR-ROUND

Source: WELLS 2, 3, 4, 5, AND 6 IN NEWLAND CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	1 E	WM	17	NW SW	WELL 2 – 280 FEET SOUTH AND 120 FEET EAST FROM THE W¼ CORNER OF SECTION 17
3 S	1 E	WM	18	NE SE	WELL 3 – 590 FEET SOUTH AND 1290 FEET WEST FROM THE E¼ CORNER OF SECTION 18
3 S	1 E	WM	18	SE SE	WELL 4 – 1640 FEET SOUTH AND 515 FEET WEST FROM THE E¼ CORNER OF SECTION 18
3 S	1 E	WM	17	NW SW	WELL 5 – 45 FEET SOUTH AND 920 FEET EAST FROM THE W¼ CORNER OF SECTION 17
3 S	1 E	WM	18	SE SE	WELL 6 – 1640 FEET SOUTH AND 210 FEET WEST FROM THE E¼ CORNER OF SECTION 18

Authorized Place of Use:

NURSERY					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	1 E	WM	17	NW SW	22.8
3 S	1 E	WM	17	SW SW	10.3
3 S	1 E	WM	18	NE SE	20.1
3 S	1 E	WM	18	SE SE	16.5
Total					69.7

Appendix A

Development of a synthetic hydrograph for the McKenzie River near the Hayden Bridge area

Why a synthetic hydrograph:

The Eugene Water and Electric Board has applied for an extension for the undeveloped portion of a municipal water right. The point of diversion is located near the Hayden bridge site near river mile 14. Recently a gage was installed at the site but there is no long term gaging record at this site. There is a gage downstream at river mile 7.1 that was discontinued in September 1972 and there is a gage with a long-term record near river mile 48. In addition between river mile 7 and 14 the Mohawk River joins the McKenzie River. In order to understand what types of streamflows this site experiences to understand them in relation to proposed fish persistence flows a synthetic hydrograph was created from gage information from the other three sites.

Approach:

The average daily streamflow records of Vida stream gage (river mile 48), the Coburg gage (river mile 7) and the Mohawk River gage were downloaded from the USGS surface water website database that stores this information. The flow values at the intake at river mile 14 can be represented by subtracting the Mohawk gage from the Coburg gage. However, the record at Coburg was discontinued in the fall of 1972. Therefore it could not be used as a long-term record since the dams were only completed up basin in 1968. The approach was to take the long-term record at Vida and add the accretion that occurs between Vida river mile 48 and river mile 14. The level of accretion was characterized as:

$$\text{Accretion} = \text{Coburg Gage value} - (\text{Mohawk Gage value} - \text{Vida Gage value})$$

There were only three years where these values were stable until the Coburg gage was discontinued so the level of accretion was calculated for each day. After making this calculation it was discovered that there was poor correlation due to downstream transit effects during different times of the year. To smooth out this effect the 14 day running average was used to minimize this transit effect instead of the raw daily values.

There were three good years of data where this accretion relationship could be determined. The first couple of years had strange values possibly because of reservoir filling during this time period and the Coburg gage was discontinued in 1972. The calculated accretion was strongly correlated with streamflows of the Mohawk River (Figure A-1) during the storage season. This makes intuitive sense because it should be expected that runoff from the relatively low elevation Mohawk basin would mirror that from low elevation tributaries between Vida and river mile 14. The correlation breaks

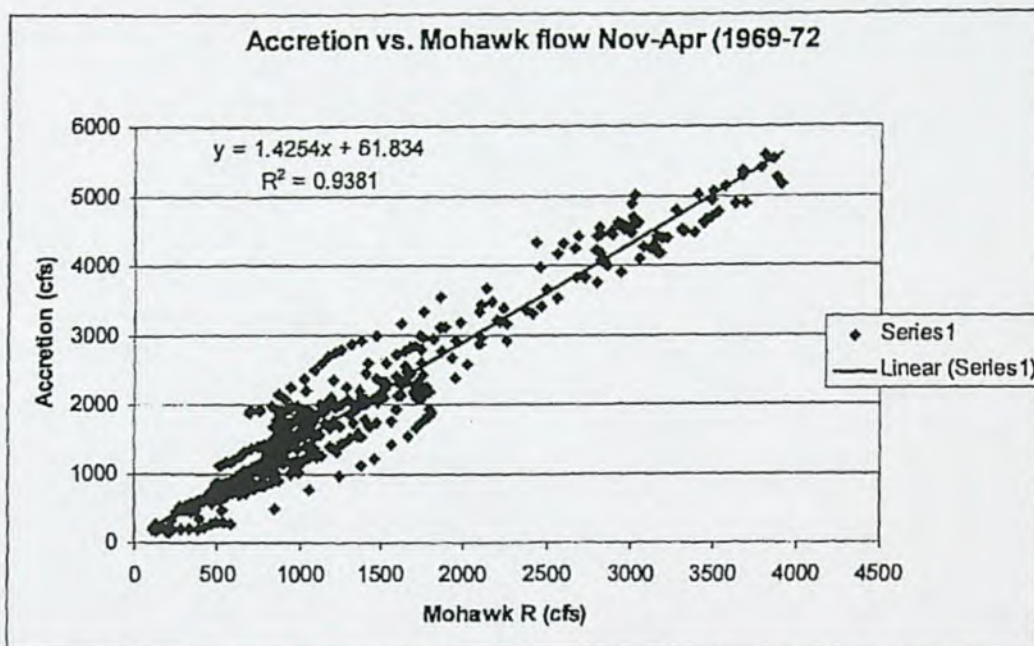


Figure A-1. Accretion vs. Mohawk flow

down during the irrigation season probably because of the nature of diversions and how unpredictable water use can be. This relationship was used to extend the flow record from November – April at river mile 14.1 by using the following equation:

$$\text{Flow RM 14 (cfs)} = \text{Vida flow (cfs)} + 1.4254 (\text{Mohawk flow (cfs)}) + 61.8 \text{ cfs}$$

During the irrigation season the conservative assumption of simply adding the minimum accretion values for each month (April – October) to the Vida river flow values was made. These values were for a 3 year period 1970-72.

$$\text{Flow RM 14 (cfs)} = \text{Vida flow (cfs)} + \text{Minimum accretion flow for month (cfs)}$$

The following values for accretion were determined based on 14 day moving averages over a three year period (Table A-1). For the year 1998, the storage season values were not estimated using the equation based on Figure A-1 because there were no Mohawk River flow data available. For this year they were estimated by adding the minimum accretion for the storage season between river mile 48 and 14 for the three year period. This gives a relatively conservative value for accretion but the flows at Vida remained well above the persistence flow level throughout the storage season of 1998.

Table A-1. Streamflow accretion between river mile 48 and river mile 14 over a 3 year period (1970-72).

Streamflow accretion in cfs

Month	Minimum	Median
May	84.7	569.5
June	15.8	111.5
July	-85.4	69.1
August	-88.9	-20.6
September	15.6	147.8
October	56.9	169.5

The synthetic hydrograph spans from October 1968- September 2007. Since there is high correlation and low standard error there is good confidence that the accretion values during the storage season are relatively accurate. During the irrigation season, conservative assumptions are made (minimum monthly accretion for a three year period) so the resulting hydrograph is not as accurate but the flow values are relatively conservative (i.e. probably somewhat lower than actual values that would have been measured at the gage). Considering the bulk of streamflow is determined at Vida and the accretion values in the summer and fall are relatively low the values are fairly accurate. However, no diagnostics for the relationship were determined. The synthetic hydrograph results were used in the analysis of how often the persistence flow levels may be breached in the historical record in the advice. A spreadsheet with all calculations can be provided by request.

WATERMASTER DIVISION 33 APPLICATION WORK SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Application #: S 87990

Applicant's Name: Rick Manion

1) Does the affected surface water source flow above ground in a defined channel into another water body?

☒ YES ☐ NO ☐ SOMETIMES; between year round and

2) Does the affected surface water source ever go dry in the area of the proposed diversion? ☐ YES ☒ NO

3) To your knowledge, has the affected surface water source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights? ☐ YES ☒ NO

If YES, please explain: Source is the McKenzie R March through May for temp control and stored water for irrigation

4) Do you agree with the specified water availability, and the recommended period of use? ☒ YES ☐ NO ☐ I DON'T KNOW

If NO, please explain:

5) Did you discuss this application with staff from another agency? ☐ YES ☒ NO

Who: Agency: Date:

6) If the Initial Review is unfavorable, is mitigation an option? ☐ YES ☐ NO

If YES, please explain: N/A

7) What conditions do you recommend? Metering and the usual.

8) Your recommendation under OAR 690-033-0330 (2): ☒ Approval with conditions
☐ Approval without conditions
☐ Denial

Watermaster Signature: Michael J. Mattick Date: 10/15/2014

WRD Contact: Caseworker: Kim French Gorski Water Rights Division, 503-986-0900 / Fax 503-986-0901

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG

The following condition will be included in any permit issued unless ODFW explicitly requests that it be omitted:

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver or exemption through the Oregon Department of Fish and Wildlife. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator before beginning construction of any in-channel obstruction.

- fishself** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
- fishapprove** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- fishdiv33** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- fishmay** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- b51a** The period of use has been limited to _____ through _____.
- b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgment the installation of the weir(s) will provide no public benefit.
- futile call** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- riparian** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- wq** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- fence** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- blv** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

storage release component at Armitage Park (river mile 7.1) and 580 cfs year-round storage release component near river mile 48 upstream from Vida.

Additionally, several other streamflow levels have been evaluated to determine the needed streamflows to maintain the persistence of listed fish species including:

- Upper Willamette Basin flow study completed in the early 1960's (Hutchison et al., 1966) recommended streamflows from 1025-2000 cfs (Table 1) downstream at river mile 7.1 and from 1400 to 2000 cfs upstream at river mile 48 near Vida (Table 1). Both were based on the Oregon Method for determining streamflows needed to support fish life.
- Instream Flow Incremental Methodology (IFIM) studies available upstream in both the Leaburg and Walterville bypass reaches of the McKenzie River as part of the re-licensing activities for the hydroelectric projects upstream (EA Engineering, Science and Technology, 1991). There was considerable correspondence regarding the flow study and subsequent setting of bypass streamflows for the Leaburg/Walterville hydroelectric project, ODFW's perspective can be found in our memo to FERC "Oregon Department of Fish and Wildlife Input to Federal Energy Regulatory Commission for project No. 2496 Leaburg/Walterville Hydroelectric Re-licensing (April 25, 1996)".
- Finally, a biological opinion has been developed for the "Willamette River Basin Flood Control Project" by NOAA Fisheries (2008) to address the recovery of Threatened Winter Steelhead and Spring Chinook which include minimum flow release targets for recovering the species in the basin (Table 2-10, pg 2-46 and 47). The biological opinion does not set McKenzie River flows but calls for the development of minimum releases from Cougar and Blue River dams combined at 350 cfs year-round except in June when it is 450 cfs (Table 1). The Willamette BiOp also recommends that the action agencies conduct instream flow studies to better define appropriate fish flow needs in the mainstem Willamette and its major tributaries and then modify flow requirements in the BiOp if the studies indicate different flows are needed (pg 2-52, section 2.8.7).

Flow Restoration Priorities:

Based on the Oregon Plan Flow Restoration priorities (ODFW and OWRD, 2001), the lower McKenzie River and Willamette River downstream show a low need for flow restoration (if USACE target flows are maintained).

Listed Species:

Fish Species	State Listing	Federal Listing
Cutthroat	Not listed	None
Bull Trout	Critical	Threatened
Spring Chinook	Critical*	Threatened
Oregon Chub	Critical*	Threatened
Pacific Lamprey	Vulnerable*	None

Based on information from 2005 Native Fish Status Report by ODFW (2005)

* - At risk interim assessment in 2005 status report

Fish Persistence Risk Analysis: (Stock Status and Flow Restoration)

Coastal Cutthroat –	Species occurs throughout the basin and meets all the stock status criteria.
Bull Trout –	The McKenzie from a relative perspective is a stronghold for Bull Trout and meets most of the stock status criteria.
Spring Chinook –	Some of the stock status criteria for this species are not being met. Information for Oregon method studies on the river focus on this species. This species is one the Willamette BiOp was developed to recover.
Oregon Chub –	Many criteria are met for this species but distribution and abundance do not meet criteria. Oregon Chub exist in the lower McKenzie River and utilize back waters and side channels. McKenzie River flow levels need to be maintained to keep chub habitat available.
Pacific Lamprey –	Species occurs throughout the basin, the stock status criteria for this species are not being met, populations are declining and there is little information about flow requirement needs.

Other information: (Special Considerations)

- None

Findings and Justification

The findings and justifications for these analyses are based on the municipal withdrawal point at river mile 14.1 on the McKenzie River and do not reflect fish flow needs upstream from the intake.

Fish Flow Needs

The minimum perennial stream flow values at river mile 7.1 were based on an instream flow study performed by Hutchison et al. 1966. Flow needs were based on Spring Chinook needs which are now federally listed as threatened under the Federal Endangered Species Act. When the minimum perennial stream flows were adopted by the Water Resources Board they were reduced from what was recommended as the minimum flow values needed to sustain fish life. Therefore the values from the Hutchison et al. study are greater than those used for the minimum perennial streamflow (Table 1). These flows range between 1,025 and 2,000 cfs. In addition Hutchison et al. determined needed minimum flows near river mile 48 that varied from 1,400 to 2,000 cfs. Since one study is downstream and one is upstream and these are minimum values the larger values (1,400 cfs) should be considered the absolute minimum at the intake at river mile 14 based on these two determinations. Based on a synthetic hydrograph developed from data from the Coburg and Vida gages on the McKenzie River and another stream gage on the Mohawk River, the lowest seven day average stream flow recorded over a 40 year period from

1968 to 2007 was 1,410 cfs. Details on how the synthetic hydrograph was developed are given in Appendix (A) following this advice (the model can be provided upon request).

An instream flow study was also completed upstream in the bypass reaches for the Leaburg and Walterville Canal projects (EA Engineering, Science, and Technology, 1991). The results of this study were disputed by ODFW citing several problems with the study that include:

- Use of the middle of the stream as viable habitat for juveniles at lower flows
- Creating lower habitat suitability values for higher depths without a basis
- No use of substrate codes
- Non standard cover criteria
- Difficulty dealing with adjacent velocity effects (i.e. fish prefer slow water habitat immediately adjacent to faster water for feeding lanes)

As an alternative ODFW staff reworked the original data set and found with the rework that flows between 1,400 and 1,750 cfs would be the recommended flow for adult trout and juvenile salmon in the two bypass reaches (Memo available upon request). In discussions with staff even this analysis is suspect due to techniques used in the original data collection: there were problems with substrate classification, and the spacing of intervals used in the PHABSIM analysis are so large that adjacent velocity cannot be adequately evaluated. Because these are bypass reaches vs. total mainstem reaches and because of the problems with the PHABSIM study these flows are not being used in this advice.

Another set of streamflow data is the perennial minimum streamflows for both live flow and storage releases. For the area near Coburg at river mile 7.1 downstream this is 1,025 cfs live flow + 700 cfs for storage releases year-round. Upstream from Vida near river mile 48, there is a perennial minimum streamflow of 1,400 cfs for live flow + 580 cfs for storage releases year-round. The combined value at river mile 7.1 (1725 cfs) and upstream from Vida (1980 cfs) are close to the Oregon method derived fish flows of 2000 cfs at both locations except for the month of August and the first half of September.

Oregon Chub

Oregon Chub were federally listed as an endangered species in 1993. Oregon Chub are endemic to the Willamette Valley and were formerly distributed throughout the valley in off-channel habitats such as beaver ponds, oxbows, stable backwater sloughs and flooded marches. Over the last 100 years these habitats have been drastically reduced and fragmented through numerous human actions such as flood control, canalization, diking and drainage of wetlands. Oregon Chub are currently only found in isolated populations within the valley including the lower McKenzie River. Much of the chub's habitat relies on the continued inundation of backwaters and side channels within the McKenzie River which in turn requires that minimum river flow levels be maintained to continually inundate these areas.

At this juncture ODFW does not have specific in-stream flow values identified to protect chub habitat. Additionally, ODFW must rely on available data in providing its advice to WRD rather than attempt to gather the necessary information to better define the flows necessary to maintain the persistence of federally listed Oregon Chub. Therefore, ODFW will assume that the current

or historic low flows were adequate to maintain Oregon Chub off channel habitat and at least those minimum flows are needed to maintain the persistence of the Oregon Chub in the McKenzie River.

ODFW will evaluate two sets of flows to determine what flows are adequate to maintain McKenzie River Chub populations. The Coburg gage at river mile 7.1 will be evaluated to determine flow levels before the upriver dams were constructed and a synthesized hydrograph developed for the Hayden Bridge area at river mile 14.1 will be used to evaluate the past 30 years of flow data after the dams were completed in 1963 and 1969.

Before the dams were completed in the McKenzie basin low flow in the system typically was September through October with some low flows occurring some what earlier or later depending on the yearly climate variation. Using a 7 day running average the lowest daily flow averaged 1,828 cfs (median 1,827 cfs) at the Coburg gage for the period 1944 to 1962 (lowest 7 day running average flow was 1,325 on October 22, 1944 and the highest 7 day running average lowest flow was 2,269 on October 8, 1956; Lowest daily flow ranged from 1,310 cfs to 2,260 cfs). These low flows always occurred in September or October, and were the lowest daily flow for the year. It is not likely that maintaining flows at the absolute minimum low flow would maintain sufficient backwater habitat to maintain the persistence of the Oregon Chub.

ODFW assumes that to maintain the persistence of Oregon Chub in the McKenzie sufficient backwater habitat must be maintained to allow the Chub to persist through the low flow part of the year. ODFW proposes to use the average monthly 7 day running average flows for the lowest flow month (September) during the 1944 to 1962 time frame. This lowest 7 day running average monthly flow occurred in September and was 2,028 cfs (median 1,983 cfs). The assumption here is that the lowest flows before the dams were constructed were sufficient to maintain Chub habitat which in turn maintained the persistence of the Oregon Chub in the McKenzie. This flow should provide the Chub with sufficient backwater habitat to survive through the low flow period.

ODFW also considered using the average of the low flow periods after the dams were completed. To analyze flows after the dams were complete ODFW developed a synthetic hydrograph based at Hayden bridge (See appendix A). Review of the synthetic hydrograph shows that after the dams were completed the low flow period was expanded, where low flows now cover a greater time period encompassing summer (June), fall and into the late winter (February) with low flows occurring several times throughout the period instead of being concentrated in the fall. However, low flows are now typically higher than under natural conditions (before dams). The 7 day running average lowest yearly flow over the last 30 years is 2,234 cfs (median 2,239 cfs). The 7 day running average lowest monthly average now occurs in July with 2,541 cfs (median 2,458), continues through August and into September at 2,575 cfs (median 2,566 cfs). However, currently because of dam operations the river is "on average" running about 300 cfs lower in July, 400 cfs higher in August and 500 cfs higher in September than it did before the dams were completed. Low flows after the dams were completed appear to be on average higher, but with more variation in flows than under natural flow conditions.



Oregon

Theodore R. Kulongoski, Governor

Department of Fish and Wildlife

Office of the Director
3406 Cherry Avenue, NE
Salem, OR 97303
503.947.6044
FAX 503.947.6042
TTY 503.947.6339
www.dfw.state.or.us

June 5, 2009

Phil Ward, Director
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301



Re: ODFW's Division 315 Fish Persistence Evaluation of Municipal Extension Eugene
Water and Electric Board Application # S-35037

Director Ward:

The Eugene Water and Electric Board has requested an extension of time to develop their municipal water right; the undeveloped portion of their permit is 178.18 cfs out of the McKenzie River at river mile 14.1. ORS 537.230(2)(c) and 537.630(2)(c) directs the Water Resource Department (WRD) to find that the undeveloped portion of the permit is conditioned to maintain, in the portions of waterways affected by water use under the permit, the persistence of fish species listed as sensitive, threatened or endangered under state or federal law. WRD is to base their findings on existing data and advice from the Oregon Department of Fish and Wildlife (ODFW). This letter is the advice provided to WRD by ODFW.

Information Considered

Streamflow requirements for fish:

The Water Resource Commission has recognized the need for maintaining flows in the McKenzie Basin for aquatic life and to minimize pollution through the adoption of Minimum Perennial Streamflows in the Willamette Basin Program (OAR 690-502-0050 (2) and Table 1). The Willamette Basin Program (OAR 590-502-0050) established a minimum perennial stream flow from natural flow for fish year around of 1025 cfs for the lower McKenzie River at river mile 7.1. Another minimum perennial streamflow was established near river mile 48 at 1400 cfs year-round. Each of the minimum streamflows is for "live flow." Since the dams were constructed there is also a storage component that has not been converted to an instream water right. According to the upper Willamette Basin plan there is an additional 700 cfs year-round

studies both downstream and upstream determined that 2,000 cfs was the minimum flow needed for all months except August and the first half of September. For that time period the downstream study identified 1025 cfs as the minimum flows while the upstream study found 1,400 cfs to be the needed minimum flow. However, to maintain Oregon Chub backwater and side channel habitat ODFW is recommending through an analysis of hydrologic low flows that to maintain Oregon Chub backwater and side channel habitat a minimum flow of 2,000 cfs (on a 7 day running average basis) is needed year around.

Attachment to ODFW Division 33 Application Review Sheet

Application S-87990

Applicant: Manion, Richard and Ailene

Application S-87990 requests a water right to withdraw 330 gallons per min (gpm) (equal to 0.735 cubic foot per second (cfs) based on conversion of 448.87 gpm = 1 cfs) from the McKenzie River using a point of diversion from Eugene Water and Electric Board's Walterville Canal. The McKenzie River is used by several state sensitive or federally Endangered Species Act (ESA) listed fish species: Bull trout, spring Chinook salmon and Oregon chub are state sensitive and federally listed (Oregon chub is proposed for delisting), and Pacific lamprey and western brook lamprey are state sensitive. All these species use the lower McKenzie River to rear, migrate or spawn.

OAR 690-033-0220 directs the Department to evaluate water right applications as to whether a proposed use is detrimental to the protection or recovery of a threatened or endangered species. The Oregon Department of Fish and Wildlife has recently completed an analysis of the Lower McKenzie River under (ORS 537.230(2)(c) and 537.630(2)(c)) to determine what flows are needed to maintain the persistence of fish species listed as sensitive, threatened or endangered under state or federal law. Additionally, a biological opinion has been developed for the "Willamette River Basin Flood Control Project" by NOAA Fisheries (2008) to address the recovery of Threatened Winter Steelhead and Spring Chinook. The Department's recommendations are based on the Lower McKenzie River analysis and the Willamette Basin Biological Opinion.

4) Conditions recommended:

4a) fishdiv33

4b) ODFW recommends that this water right be conditioned to allow diversion of water only when flows in the McKenzie River are met or exceed based on ODFW minimums flows. ODFW recommends a minimum flow of 2000 cfs be met year around before withdrawal of water is allowed in the Lower McKenzie River. Flows should be met at the McKenzie River immediately below the Walterville Canal intake.

See "ODFW's Division 315 Fish Persistence Evaluation of Municipal Extension Eugene Water and Electric Board Application # S-35037 (June 4, 2009)" for justification of the Department's recommended minimum flows.

In addition, although Walterville Canal is screened at its diversion point from the McKenzie River, it does contain non-ESA listed native fish species from tributaries entering the Canal and as such water withdrawals from the Canal must be screened.

Flow Need Conclusion (from the above reference document)

In the final analysis the Oregon Method derived numbers were used as a basis for streamflows needed for persistence of key species (Spring Chinook) during most of the year. Oregon Method

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Application #: S 87990 Applicant's Name: Manion, Richard and Ailene

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened, or endangered fish species?
[690-33-330(1)]

☐ NO ☒ YES Species: UWR Spring Chinook (T), Willamette Bull Trout (T) and Oregon chub (currently T, but proposed for delisting); Pacific lamprey (S) & Western brook lamprey (S) Status: ☒ Sensitive ☒ Threatened ☐ Endangered

If YES, continue to question (2). If NO, you may comment by completing the public interest review sheet on the back of this page.

2) Stage or value at risk (check all that apply): ☒ Spawning, ☒ Incubation ☒ Rearing ☐ Passage ☒ Habitat Value

3) Will the proposed use result in a LOSS in the essential habitat of THREATENED OR ENDANGERED SPECIES or a NET LOSS in the essential habitat of a SENSITIVE SPECIES? ☐ NO ☒ YES

A) Standard of NET LOSS applies to sensitive species statewide. [690-33-330(2)(b)]

B) Standard of LOSS applies to T or E species outside the Columbia Basin. [690-33-330(2)(a)]

4) Can conditions be applied to mitigate the impact to the essential habitat of a S, T or E species?
☐ NO ☒ YES; recommend from Menu of Conditions and skip to question 7.

See attachment.

5) If conditions cannot be identified to offset impacts to the essential habitat of S, T or E species, would the proposed use harm the species? ☐ NO ☒ YES [690-33-330(4)]

If YES, please explain: Loss of spawning, incubation and rearing habitats for S, T and E species identified above.

6) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions) See attachment, as for Item 4.

7) Your recommendation under OAR 690-033-0330 (2): ☒ Approval with conditions
☐ Approval without conditions
☐ Denial

ODFW Representative signature: *Kelly Reis* Kelly Reis, Assistant District Fish Biologist

Date: 09.11.2014

WRD Contact: Caseworker: Kim French, Water Rights Division, 503-986-0900 / Fax 503-986-0901

DEQ DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Application #: S 87990

Applicant's Name: Robert Manion, Ailene Manion

- 1) Is there a connection to a 303(d) listed water quality limited water body? ☐ NO ☒ YES

Explain: Yes, Courtney Creek is

- 2) What is the potential for this use to impact a water quality limited water body: ☐ HIGH ☒ MEDIUM ☐ LOW

Explain: Water right will be partly from reservoirs and canal. River withdrawal is spring when temperature usually not an issue.

- 3) If the answer to question (2) is HIGH or MEDIUM, will the proposed use still result in diminution of water quality for the habitat of sensitive, threatened, or endangered fish species? ☐ NO ☐ YES

If YES, how?

- 4) Can conditions be applied to mitigate the impact of the use?

☒ NO ☐ YES; recommend from Menu of Conditions and skip to question 7.

- 5) If conditions cannot be identified to offset impacts, would the proposed use affect the Habitat of Sensitive, Threatened, or Endangered Fish Species? ☐ NO ☐ YES

If YES, please explain:

- 6) If a permit is issued, are there any conditions you would like to see included in the permit?
Check with ODFW

- 7) Your recommendation under OAR 690-033-0330 (2): ☐ Approval with conditions—
☒ Approval without conditions. To meet TMDL requirements, applicant must maintain or restore riparian vegetation on McKenzie River for length of property for which water right is being applied.
☐ Denial

DEQ Representative signature: Pamela Wright Date: January 9, 2015

WRD Contact: Caseworker: Kim French Water Rights Division, 503-986-0900 / Fax 503-986-0901

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG

The following condition will be included in any permit issued unless ODFW explicitly requests that it be omitted:

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver or exemption through the Oregon Department of Fish and Wildlife. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator before beginning construction of any in-channel obstruction.

- fishself** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
- fishapprove** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
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- futile call** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
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RECEIVED

JAN 16 2020



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

Request for Assignment

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Joseph Halbert

(Name of Current Holder of Record)

PO Box 194

(Mailing Address)

Springfield OR 97477

(City)

(State)

(Zip)

(Phone #)

541-521-1321



hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)



hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)



hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, adding an additional person)

Application # S-87990; Permit # S-54944; Transfer # _____;

Limited License # _____; Groundwater Statement # _____;

as filed in the office of the Water Resources Director, to:

Amber Jackson & Brian Jackson

(Name of New Owner)

42510 McKenzie Hwy. Springfield OR 97478

(Mailing Address)

(City)

(State)

(Zip)

(Phone #)

541-513-3716

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below _____.

RJH I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 1-10-2020 day of January, 20 20.

(Day)

(Month)

(Year)

Signature of Current Holder of Record Robert Joseph Halbert, Personal Rep.

Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 131742

For Director by Mary F. Bjork, Program Analyst in Water Rights Division. [Signature]

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$100.

Assign - Approve
RJH 1-22-2020



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

Request for Assignment

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Richard Manion

(Name of Current Holder of Record)

31439 Coburg Bottom Loop
(Mailing Address)

Eugene OR 97408

(City) (State) (Zip) (Phone #)

- ☒ hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)
- ☐ hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)
- ☐ hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, adding an additional person)

Application # S-87990; Permit # S54944; Transfer # _____;

Limited License # _____; Groundwater Statement # _____;

as filed in the office of the Water Resources Director, to:

Joseph Halbert

(Name of New Owner)

PO Box 194
(Mailing Address)

Springfield OR 97477 541-741-1513

(City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below RN

X I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 25 day of January, 20 18.
(Day) (Month) (Year)

Signature of Current Holder of Record

Richard Manion

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 12577
For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$100.

request for Assignment

RECEIVED

JAN 29 2018

OWRD

A 25062 1/22/18

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment	)	FINAL ORDER
T-13337, Lake County	)	APPROVING CHANGES IN POINTS
	)	OF APPROPRIATION AND A
	)	CHANGE IN PLACE OF USE

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

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

Findings of Fact

1. On December 26, 2019, THOMAS A. MACDONALD, filed an application to change the points of appropriation and place of use of Permit G-17749. The Department assigned the application to the Summer Lake District.
2. On March 14, 1994, the Department issued a permit from Robert F. Olson to Summer Lake.
3. On June 12, 1995, the Department issued a permit from Summer Lake Trout Farm to Key Bay.
4. On January 10, 2008, the Department issued a permit from Summer Lake Trout Farm to Key Bay. The permit was issued for complete application of water to October 1, 2012.
5. On September 10, 2011, the Department issued a permit from Summer Lake Trout Farm to Key Bay. The permit was issued for complete application of water to October 1, 2012.
6. On January 20, 2012, the Department issued a permit from Summer Lake Trout Farm to Key Bay. The permit was issued for complete application of water to October 1, 2012.
7. On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.

✓ ok
see edits
at tags
fix 'em then
good to go.
kelly

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.

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER
T-13337, Lake County	)	APPROVING CHANGES IN POINTS
	)	OF APPROPRIATION AND A
	)	CHANGE IN PLACE OF USE

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

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

Findings of Fact

1. On December 26, 2019, THOMAS A. MACDONALD, filed an application to change the points of appropriation and to change in place of use under Permit G-17749. The Department assigned the application number T-13337.
2. On March 14, 1994, the Department approved an assignment of the permit from Robert F. Olson to Summer Lake Trout Farm.
3. On June 12, 1995, the Department approved an assignment of the permit from Summer Lake Trout Farm to Key Bank of Oregon, Agricultural Banking Center.
4. On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
5. On September 10, 2010, the Department approved an assignment of the permit from Northwest Farm Credit Services FLCA/PCA to Thomas A. MacDonald.
6. On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
7. On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.

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.

8. On January 16, 2015, the Department approved an extension of time for complete application of water to October 1, 2016.
9. On July 28, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
10. Notice of the application for the permit amendment was published in the Department's weekly notice on January 7, 2020, and in the _____ newspaper on _____, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notice(s).
11. On February 20, 2020, the agent for the applicant contacted the Department regarding updated application materials and to address fees not submitted at the time the application was received.
12. On February 28, 2020, the Department received amended application pages and maps by mail. The amended application requested Western Development Group LP be added as an applicant.
13. On March 5, 2020, the Department received additional fees from the applicant.
14. Permit Amendment Application T-13337 proposes to move the authorized points of appropriation with approximate distances between 103 feet and 3720 feet from the existing points of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances <i>center</i>
30 S	17 E	WM	5	SE NW	WELL 5 - 3155 FEET NORTH AND 220 FEET WEST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SW SE	WELL 6 - 105 FEET NORTH AND 250 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	NW SE	WELL 8 - 2010 FEET NORTH AND 135 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	8	NE NW	WELL 7 - 180 FEET SOUTH AND 250 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 10 - 330 FEET SOUTH AND 180 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 11 - 550 FEET SOUTH AND 155 FEET WEST FROM THE N1/4 CORNER OF SECTION 8

15. Permit Amendment Application T-13337 also proposes to change the place of use of the fish culture portion of the permit to:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW

16. On April 2, 2020, the agents and attorneys for the applicants met via conference call with Department staff to discuss reconstruction of WELL 5, WELL 7 and WELL 9 to ensure each well is accessing the correct source, potential injury and enlargement of Permit G-17749 if Permit Amendment Application T-13337 is approved, and that the appropriation of water from WELL 5 (LAKE 52367), WELL 7 (LAKE 52369), WELL 9 (LAKE 53062 original well & LAKE 53078 well conversion), WELL 10, and WELL 11 will not be allowed unless they are constructed properly. Additionally, WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029) will be replaced by WELL 10 and WELL 11.
17. The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.
18. WELL 5 (LAKE 52367) is open to receive groundwater from the basin-fill only. Current existing permit condition requires the well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
19. WELL 6 (LAKE 52368) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
20. WELL 7 (LAKE 52369) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill. However, the casing and seal stops at the base of the basin fill rather than extend into the volcanic rocks and sediments below the basin fill.
21. WELL 8 (LAKE 52487) is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
22. WELL 9 (LAKE 53062 original well & LAKE 53078 well conversion) as described by the water well report LAKE 53062 indicates the well is open to receive groundwater from the basin-fill only. The 10-foot thick volcanic deposit noted on the water well report appears to be an interbed "stringer" within the basin fill. Current existing permit condition requires this well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
23. WELL 10 and WELL 11, are not yet drilled and are required to receive groundwater solely from the volcanic rocks and sediments below the basin fill.
24. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

25. Condition for the abandonment of WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.”

26. Condition for reconstruction of existing WELL 5 (LAKE 52367), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), and WELL 9 (LAKE 53062 original well & LAKE 53078 well conversion) and proposed WELL 10 and WELL 11, and all future wells shall be constructed consistent with Oregon statutes and rules, such as OAR 690-210, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Permit Amendment Review Criteria

27. The changes as conditioned would not result in injury to other water rights.
28. The proposed place of use is owned and/or controlled by the permit holder.
29. The changes as conditioned do not enlarge the permit.
30. The changes do not alter any other terms of the permit.
31. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in points of appropriation and change in place of use proposed by Permit Amendment Application T-13337 as conditioned are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and change in place of use proposed by Permit Amendment Application T-13337 are approved.
2. Permit G-18433, in the name of THOMAS A. MACDONALD, is issued to replace Permit G-17749, and incorporates the amendments approved by this order, the extensions of time, and the assignments. Permit G-17749, in the name of THOMAS A. MACDONALD, is no longer of any force or effect.

3. The quantity of water diverted at the new points of appropriation (WELL 5, WELL 6, WELL 7, WELL 8, WELL 9, WELL 10, and WELL 11), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1, WELL 2, WELL 3, WELL 4, WELL 5, WELL 6, WELL 7, WELL 8, and WELL 9).
4. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private
5. The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.
6. The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.
7. Condition for the abandonment of WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029):

When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement."
8. Condition for reconstruction of existing WELL 5 (LAKE 52367), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), and WELL 9 (LAKE 53062 original well & LAKE 53078 well conversion) and proposed WELL 10 and WELL 11, and all future wells shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

9. Water shall be acquired from the same aquifer as the original points of appropriation (WELL 1, WELL 2, WELL 3, WELL 4, WELL 5, WELL 6, WELL 7, WELL 8, and WELL 9).
10. All other terms and conditions of Permit G-18433 remain the same.

Dated in Salem, Oregon on

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

Mailing Date:

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
SUMMER LAKE, OR 97640

This superseding permit is issued to describe amendments for a change in place of use and a change in the points of appropriation proposed under Permit Amendment Application T-13337 and approved by Special Order Volume 117, Page ___ entered ___, and to describe extensions of time for complete application of water approved January 10, 2008, January 20, 2012, October 18, 2013, January 16, 2015, and July 28, 2017 to describe assignments to new permittees approved March 14, 1994, June 12, 1995, and September 10, 2010. This permit supersedes Permit G-17749.

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

The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE and 7.73 CFS FOR IRRIGATION and JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

THE WELLS ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	17 E	WM	5	SE NW	WELL 5 - 3155 FEET NORTH AND 220 FEET WEST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	SW SE	WELL 6 - 105 FEET NORTH AND 250 FEET EAST FROM THE S1/4 CORNER OF SECTION 5
30 S	17 E	WM	5	NW SE	WELL 8 - 2010 FEET NORTH AND 135 FEET EAST FROM THE S1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 7 - 180 FEET SOUTH AND 250 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	SE SW NW SE	WELL 9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 10 - 330 FEET SOUTH AND 180 FEET WEST FROM THE N1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NE NW	WELL 11 - 550 FEET SOUTH AND 155 FEET WEST FROM THE N1/4 CORNER OF SECTION 8

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

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

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

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	5	SW SE
30 S	17 E	WM	5	SE NW
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NE NW
30 S	17 E	WM	8	SE NW
30 S	17 E	WM	8	NW NE

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.3
30 S	17 E	WM	5	NE SW	28.4
30 S	17 E	WM	5	SE SW	1.4
Total					50.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SW SW	30.0
30 S	17 E	WM	5	SW NE	40.0
30 S	17 E	WM	5	SE NE	40.0
30 S	17 E	WM	5	NE SE	40.0
30 S	17 E	WM	5	NW SE	39.1
30 S	17 E	WM	5	SW SE	30.0
30 S	17 E	WM	5	SE SE	40.0
30 S	17 E	WM	8	NE NE	40.0
30 S	17 E	WM	8	NW NE	33.0
30 S	17 E	WM	8	SW NE	11.0
30 S	17 E	WM	8	SE NE	31.0
30 S	17 E	WM	9	SW NE	2.0
30 S	17 E	WM	9	NW NW	36.0
30 S	17 E	WM	9	SW NW	32.0
30 S	17 E	WM	9	SE NW	30.0
30 S	17 E	WM	9	NE SW	31.0
30 S	17 E	WM	9	NE SE	0.5
30 S	17 E	WM	9	NW SE	28.0
30 S	17 E	WM	9	SW SE	20.0
30 S	17 E	WM	9	SE SE	16.0
Total					569.60

Permit Amendment T-13337 Conditions:

The quantity of water diverted at the new points of appropriation (WELL 5, WELL 6, WELL 7, WELL 8, WELL 9, WELL 10, and WELL 11), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1, WELL 2, WELL 3, WELL 4, WELL 5, WELL 6, WELL 7, WELL 8, and WELL 9).

Water use measurement conditions:

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

The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.

The flow meter for each well is to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

Condition for the abandonment of WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029). When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement WELL 10 and at replacement WELL 11, existing WELL 1 (LAKE 3030), WELL 2 (LAKE 1507), WELL 3 (LAKE 4444), and WELL 4 (LAKE 3029), shall be properly abandoned consistent with Oregon statutes and rules. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement.

Condition for reconstruction of existing WELL 5 (LAKE 52367), WELL 6 (LAKE 52368), WELL 7 (LAKE 52369), WELL 8 (LAKE 52487), and WELL 9 (LAKE 53062 original well & LAKE 53078 well conversion) and proposed WELL 10 and WELL 11, and all future wells shall be constructed consistent with Oregon statutes and rules, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill.

Water shall be acquired from the same aquifer as the original points of appropriation (WELL 1, WELL 2, WELL 3, WELL 4, WELL 5, WELL 6, WELL 7, WELL 8, and WELL 9).

Permit Amendment T-11749 Conditions

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

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

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

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

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

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

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

Water use measurement conditions:

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

Extension of Time Conditions:

Last Extension Condition

This is to be the last extension of time granted for Permit G-17749. Any future extensions of time requests shall be denied.

Original Permit Conditions:

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

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

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

Actual construction work was to begin on or before April 30, 1991, however, complete application of the water to the use was extended and shall be made on or before October 1, 2020. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

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

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

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

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

Issued _____

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

Notice of Permit Amendment T-13337

T-13337 filed by Western Development Group LP, PO Box 40, Summer Lake, OR 97640 and Thomas A. MacDonald, PO Box 87, Summer Lake, OR 97640, propose a change in point of appropriation and a place of use change under Permit G-17749. The permit allows the use of 17.79 cubic feet per second from nine wells in Sects. 5 and 8, T30S, R17E, WM for irrigation, supplemental irrigation and fish culture in Sects. 4, 5, 8 and 9, T30S, 17E, WM. The applicant proposes to move the points of appropriation in Sec. 5 and 8, T30S, R17E, WM and to change the place of use for the fish culture to Sects 5 and 8, T30S, 17E, WM. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is MM/DD/YEAR.

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-13337

Review Due Date: 07/02/2020

Applicant Name: Thomas Macdonald

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

Reviewer(s): Brian Mayer

Date of Review: 07/02/2020

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

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

during the irrigation season water that is not taken up by plant growth returns to the river at various places in sections 8 and 9 of T. 30S R. 17E. In off season water is returned to the Ana R. in the SWNE of Section 8 T.30S R.17E

☒ N/A

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

☒ N/A

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

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

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

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

- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:

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

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

- i. "Injury" will occur to other water rights that share the same source? ☐ Yes ☒ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur? ☐ Yes ☒ No If "Yes", explain:

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

☒ Yes ☐ No If "Yes", explain:

See Pg.9 paragraph 6, Condition for the construction or reconstruction of existing POA; of the Groundwater review.

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

See Pg. 9 paragraph 5 , Condition for the abandonment; of the Groundwater review

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

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

☐ A Headgate should be required prior to diverting water.

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

a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, ☒ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 13337

- ☒ In order to avoid enlargement of the right or injury to other rights, a instantaneous and totalizing flowmeter will be required to be installed prior to diversion of water, as a condition of this transfer:
- ☒ at each point of diversion/appropriation (new and existing) **OR**
- ☐ at each new point of diversion/appropriation.

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

Watermaster name: Brian Mayer

District: 12

Address: 513 Center St.

City/State/Zip: Lakeview OR 97630

Phone: 541.947.6038

Email: brian.m.mayer@oregon.gov

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

Approval of an Alternate Measurement Device T- 13337
(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature_____
District_____
Date

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

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13337

GW Reviewer Gerald H. Grondin

Date Review Completed: 21 April 2020

Summary of Enlargement (Same Source) Review:

☐ The proposed transfer fails to keep the original place of use from receiving water from the same source.

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.

Summary of Similarity Review:

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

☒ None of the Above

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



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

Ground Water Review Form:

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

Application: **T-13337**

Applicant Name: **Thomas A. MacDonald**

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

Reviewer(s): **Gerald H. Grondin**

Date of Review: **21 April 2020**

Date Reviewed by GW Mgr. and Returned to WRSD: **JTI 4/30/2020**

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

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

1. Basic description of the changes proposed in this transfer: _____

1987 & 1990: Original Application (G-11640) in 1987 and subsequent Permit (G-11024) signed in 1990: authorized 4 wells (Wells #1, #2, #3, #4) not yet drilled (see Map 1a, 1b, & 1c and Table 1) allowing a maximum instantaneous total discharge of 17.8 cfs for fish culture and irrigation (50.10 primary POU acres and 569.60 supplemental POU acres).

The permit included the following condition to protect senior water rights related to Ana Springs / Ana River:

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

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

This language was / is a modification of what was proposed by the reviewing hydrogeologist who in February 1990 recommended a special permit condition similar to Order volume 10, pages 125 to 135 dated July 1959 related to nearby permit G-1388 (file G-72, Withers) (see attached Documents #1, #2, and #3):

"If at any time in the Director's judgement, the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than the priority of the permit herein authorized, use and/or flow from the wells shall cease. Alternatively, the permittee shall operate the wells and construct works to deliver one-fourth of the total water withdrawn into the Ana Springs Reservoir or into the main canal of the Summer Lake Irrigation District. The quantity of water so delivered shall not be charged against the water allowed for the uses authorized from these wells."

In my view, some interference with the current supply at Ana Reservoir appears certain from the proposed use."

2008: Permit Amendment Application (T-10716) in 2008 and subsequent Amended Permit (amended G-11024) signed in 2008: identified the original authorized 4 POA wells (Wells #1, #2, #3, #4) that had been drilled, amended their locations, and authorized 4 more POA wells (Wells #5, #6, #7, #8) not yet drilled (see Map 2a, 2b, & 2c and Table 1). It continues allowing a maximum instantaneous total discharge of 17.8 cfs for fish culture and irrigation (50.10 primary POU acres and 569.60 supplemental POU acres).

2014, 2016, 2017: Permit Amendment Application (T-11749) in 2014 and subsequent Permit (G-17282) signed in 2016 superseded by a subsequent Permit (G-17749) signed in 2017 that makes corrections to Permit G-17282: amended the locations of POA Wells #5, #6, #7, and #8 previously authorized in 2008, identifies POA Wells #6, #7, #8, changed ("replace") POA Well #5 due to original POA Well #5 not producing sufficient quantity (new POA Well #5 reportedly not yet drilled...however, subsequent 2019 & 2020 application T-13337 identifies POA Well #5 as a well reportedly drilled in 2010), and authorized an Additional POA Well (Well #9) not yet drilled (see Map 3a, 3b, & 3c and Table 1). It continues allowing a maximum instantaneous total discharge of 17.8 cfs for fish culture and irrigation (50.10 primary POU acres and 569.60 supplemental POU acres).

Both permits (G-17282 and superseding G-17749) repeated the 1990 permit condition of permit G-11024 to protect senior water rights related to Ana Springs / Ana River (see quote above).

Additionally, both permits (G-17282 and superseding G-17749) included the following well construction condition:

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

2019 & 2020: Permit Amendment Application (T-13337) received in December 2019 and subsequently updated and received in February 2020: proposes adding an additional fish raceway to the permitted place of use (POU), identifies POA Well #5, amends the locations of POA Wells #1, #2, #3, #4, #5, #6, #7, and #8 to more accurately document their actual location, proposes two Additional POA Wells (Wells #10 & #11) not yet drilled to replace failing POA Wells #1, #2, #3, and #4, and claims POA Well #9 is not yet drilled (water well reports LAKE 53062 & LAKE 53078 received 13 February 2020 and 6 April 2020 respectively are likely Well #9 according to OWRD well inspector) (see Map 4a, 4b, & 4c and Table 1). Application T-13337 proposes continuing allowing a maximum instantaneous total discharge of 17.8 cfs for fish culture and irrigation (50.10 primary POU acres and 569.60 supplemental POU acres).

Possible discrepancies and/or well construction issues identified:

POA Well #5: 2014 permit amendment application (T11749) says the well was not drilled. The 2019 & 2020 application (T-13337) identifies the well as LAKE 52367 which was apparently completed in 2010. Additionally, the geologic material description on water well report suggests the well was completed in the basin fill rather than obtaining groundwater from the predominately volcanic/basalt unit below the predominately basinfill unit and suggests further that the well does not have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic/basalt unit as required by permit G-17282 signed in 2016 and superseding permit G-17749 signed in 2017.

POA Well #9: If POA Well #9 is LAKE 53062 and LAKE 53078, the geologic material description on water well report suggests the well was completed in the basin fill rather than obtaining groundwater from the predominately volcanic/basalt unit below the predominately basinfill unit as required by permit G-17282 and superseding permit G-17749. Construction of well #9 was problematic (see well inspector notes in Document #4).

Brown (1957) Report: The following were derived directly or indirectly from the report and used for this review:

The dam creating Ana Reservoir was constructed 1922-1923
 The original outlet pipe was at river grade, but became damaged
 The replacement outlet pipe was installed 7.4 feet below the dam spillway level
 The reservoir is filled to spillway level from May to September (irrigation season)
 The reservoir is lowered to outlet pipe level from October to April to ease dam stress & seepage

Historic Ana Reservoir discharge rate (Q_{RES}) to Ana River & to diversion flow is 80 to 100 cfs
 Based on 1931 to 1935 and 1951 to 1955 daily average of gaged flow
 This historic flow rate also noted in OWRD Order volume 10, page 125 to 135 (see page 127)

Hydraulic properties of the volcanic deposits below the basinfill are:
 Transmissivity (T_v) = 1.95×10^6 gpd/ft = 260,677 ft²/day
 Storage coefficient (S_v) = 0.00029

Ana Spring discharge rate (Q_{AS}) to Ana Reservoir relationship to the height of the groundwater level above the reservoir pool level (H_{GW}):

$$\text{As found in Brown (1957): } Q_{AS1} / Q_{AS2} = H_{GW1} / H_{GW2}$$

Rewriting the Brown (1957) relationship equation into a Darcy's Law equation:

$$Q_{AS} = C (H_{GW} - H_{RES}) \text{ or Change in } Q_{AS} = C [(H_{GW1} - H_{RES1}) - (H_{GW2} - H_{RES2})]$$

where: Q_{AS} = Ana Spring discharge rate in cfs (ft^3/s) to Ana Reservoir

H_{GW} = groundwater elevation (ft amsl)

H_{RES} = reservoir pool elevation (ft amsl)

C = proportionality constant = $1.63 \text{ ft}^2/\text{s} = 140,832 \text{ ft}^2/\text{d}$

The value for C was derived from the Brown (1957) observation that a 2.7-foot change in ($H_{GW} - H_{RES}$) resulted in a $4.4 \text{ ft}^3/\text{s}$ change in Q_{AS}

LAKE 1477 (state observation well SOW 372): Groundwater levels measured at well LAKE 1477 indicate groundwater levels in the vicinity of Ana Reservoir (see Map 5a & 5 b and Figure 1) have experienced a total annual decline of about 10 feet from 1980 to 2020. Consequently, the Ana Spring discharge rate (Q_{AS}) to Ana Reservoir has likely decreased from historic rates 15 cfs (ft^3/s) or more over that 40 year period using the Darcy's Law equation above. Attached Table 2 shows the groundwater rights in the vicinity of Ana Reservoir found by this review.

Calculated T-13337 groundwater use interference with Ana Springs / Ana River: Attached Table 3 compares the calculated groundwater use interference with Ana Springs / Ana River for the original groundwater permit (G-11024) well configuration scenario to the current permit amendment application T-13337 well configuration scenario using the maximum authorized rate of 17.80 cfs (ft^3/s) total. For both scenarios, the interference with Ana Springs / Ana River is similar. Additionally, Figure 2 graphically shows the calculated groundwater use interference with Ana Springs / Ana River as a percent of the groundwater use rate versus time under the current permit amendment application T-13337 well configuration scenario (Note: the groundwater use interference with Ana Springs / Ana River as a percent of the groundwater use rate versus time is independent of the groundwater use rate...different groundwater use rates will yield the same graph). The calculation results indicate the following groundwater use interference with Ana Springs / Ana River:

Elapsed Time (days)	T-13337 GW interference with Ana Springs / Ana River
1	19.6% of T-13337 GW use rate
4	25.6% of T-13337 GW use rate
12	30.3% of T-13337 GW use rate
36	35.0% of T-13337 GW use rate
115	40.0% of T-13337 GW use rate
365	45.0% of T-13337 GW use rate

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☒ No Comments: _____

Both yes and no. The geologic deposits in the vicinity of Ana Reservoir and the vicinity of the T-13337 permit amendment application authorized and proposed wells generally consists of lower permeability basin-fill of varying thickness overlying higher permeability volcanic rocks and sediments. Existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. Groundwater in the volcanic rocks and sediments is generally under high pressure with historic static groundwater levels well above land surface. Ideally, all the POA wells should receive groundwater only from the higher permeability, higher yielding volcanic rocks and sediments below the lower permeability, lower yield basin fill with the casing and seal extending continuously from at least land surface, completely through the basin fill and extending into the predominantly volcanic rocks and sediment below the basin fill.

Owner/POA Well #1 (LAKE 3030): well is open to receive groundwater from both the basin-fill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.

Owner/POA Well #2 (LAKE 1507): well is open to receive groundwater from both the basin-fill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.

Owner/POA Well #3 (LAKE 4444): well is open to receive groundwater from both the basin-fill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.

Owner/POA Well #4 (LAKE 3029): well is open to receive groundwater from both the basin-fill and the underlying volcanic rocks and sediments. Current permit amendment application T-13337 notes this well is failing and proposes to replace it with proposed APOA well #10 (not yet drilled) and/or proposed APOA well #11 (not yet drilled) to be constructed to receive groundwater from the volcanic rocks and sediments below the basin fill.

Owner/POA Well #5 (LAKE 52367): well is open to receive groundwater from the basin-fill only. Current existing permit condition requires this well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.

Owner/POA Well #6 (LAKE 52368): well is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.

Owner/POA Well #7 (LAKE 52369): well is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill. However, the casing and seal stops at the base of the basin fill rather than extend into the volcanic rocks and sediments below the basin fill.

Owner/POA Well #8 (LAKE 52487): well is open to receive groundwater solely from the volcanic rocks and sediments below the basin fill.

Owner/POA Well #9 (likely LAKE 53062 & LAKE 53078): the geologic materials described in the water well report LAKE 53062 indicates the well is open to receive groundwater from the basin-fill only. The 10-foot thick volcanic deposit noted on the water well report appears to be an interbed "stringer" within the basin fill. **Current existing permit condition requires this well to be constructed to receive groundwater solely from the volcanic rocks and sediments below the basin fill.**

Owner/POA Well #10 (not yet drilled): permit amendment should require this well to receive groundwater solely from the volcanic rocks and sediments below the basin fill.

Owner/POA Well #11 (not yet drilled): permit amendment should require this well to receive groundwater solely from the volcanic rocks and sediments below the basin fill.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?

☒ Yes ☒ No

Both yes and no. The 9 existing authorized wells are open to receive groundwater from the basin-fill and/or the volcanic rocks and sediments. See section 2 above.

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.):

Not estimated. Likely more than 90 percent of the groundwater discharge is from the volcanic rocks and sediments below the basin fill based on review of the water well reports for the 9 authorized wells.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?

☒ Yes ☐ No Comments:

Assuming all the groundwater discharge is from the volcanic rocks and sediments below the basin fill, the increased seasonal drawdown at the nearest water right POA well for the T-13337 well configuration is calculated to be less than 0.40 feet (see Table 4). The change will be the same or less at other water right POA wells that are at the same or greater distance. These nearby water right POA wells should be able to easily accommodate the increased seasonal drawdown.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain:

See part 4a above.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: _____

The T-13337 well configuration creates the potential for pumping groundwater closer to Ana Springs / Ana Reservoir resulting in a potential increase interference with the Ana Springs / Ana Reservoir. The maximum potential increase interference with the Ana Springs / Ana Reservoir was calculated to be about 0.17 cfs (76 gpm), which is potentially a 2.17 percent increase in interference.

- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Ana Springs / Ana Reservoir ☒ Minimal ☐ Significant

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

See part 5a above.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: _____

Not Applicable. T-13337 is not a SW-GW transfer.

7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____

The following are technical groundwater review recommendations. It is recognized that one or more technically recommended conditions may or may not be allowed under the permit amendment process rules and statutes. This technical groundwater review relies on other appropriate and authorized Department staff to make that determination.

"Large" flow meter condition for all POA wells. Require the flow meter for each well to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

Condition 7P (well tag condition) for all the POA wells.

Condition 7T (modified) for all POA wells: "All POA wells shall be configured to allow a strictly clean water (no oil) static water level measurements with an electric-tape. That can include measurement access via an unobstructed vertical discharge pipe that allows the groundwater level to fluctuate freely within the discharge pipe (no valves, etc.). Otherwise, a dedicated measuring tube must be installed prior to use. The tube must be unobstructed, have a diameter of 3/4 inch (0.75 inch) or greater, and pursuant to figure 200-5 in OAR 690-200."

Condition to protect senior water rights related to Ana Springs / Ana River (modification of the existing condition to make it enforceable...this reviewer was told the current condition can not be practicably enforced): "At any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all groundwater derived under this permit shall be shut-off to the extent necessary to restore the total Ana Reservoir outflow to its total minimum historic flow of 80 cfs as measured within the vicinity of the two historic gaging sites near the Ana Reservoir dam. The permittee shall install, construct, and maintain the necessary measuring devices so the provisions of the permit may be enforced by the proper state officer."

Condition for the abandonment of POA well #1 (LAKE 3030), POA well #2 (LAKE 1507), POA well #3 (LAKE 4444), and POA well #4 (LAKE 3029): "When well construction is completed, a sustainable well discharge rate exceeding 500 gpm is demonstrated, and plumbing is installed at replacement POA well #10 and at replacement POA well #11, existing POA well #1 (LAKE 3030), POA well #2 (LAKE 1507), POA well #3 (LAKE 4444), and POA well #4 (LAKE 3029) shall be properly abandoned consistent with Oregon statutes and rules, such as OAR 690-220. It shall be particularly consistent with the abandonment of artesian wells and the timing for abandonment of an existing water well after replacement."

Condition for the construction or reconstruction of existing POA well #5 (LAKE 52367), POA well #6 (LAKE 52368), POA well #7 (LAKE 52369), POA well #8 (LAKE 52487), and POA well #9 (LAKE 53062 original well & LAKE 53078 well conversion) and proposed POA well #10, POA well #11, and all future POA wells: "Existing POA well #5 (LAKE 52367), existing POA well #6 (LAKE 52368), existing POA well #7 (LAKE 52369), existing POA well #8 (LAKE 52487), and existing POA well #9 (LAKE 53062 original well & LAKE 53078 well conversion), proposed POA well #10, proposed POA well #11, and all future POA wells shall be constructed consistent with Oregon statutes and rules, such as OAR 690-210, to obtain groundwater solely from the predominately volcanic rock and sediment unit below the predominately basin-fill unit. The wells shall at minimum have continuous casing and continuous seal from land surface through the basin-fill unit into the predominantly volcanic rock and sediment unit below the basin-fill."

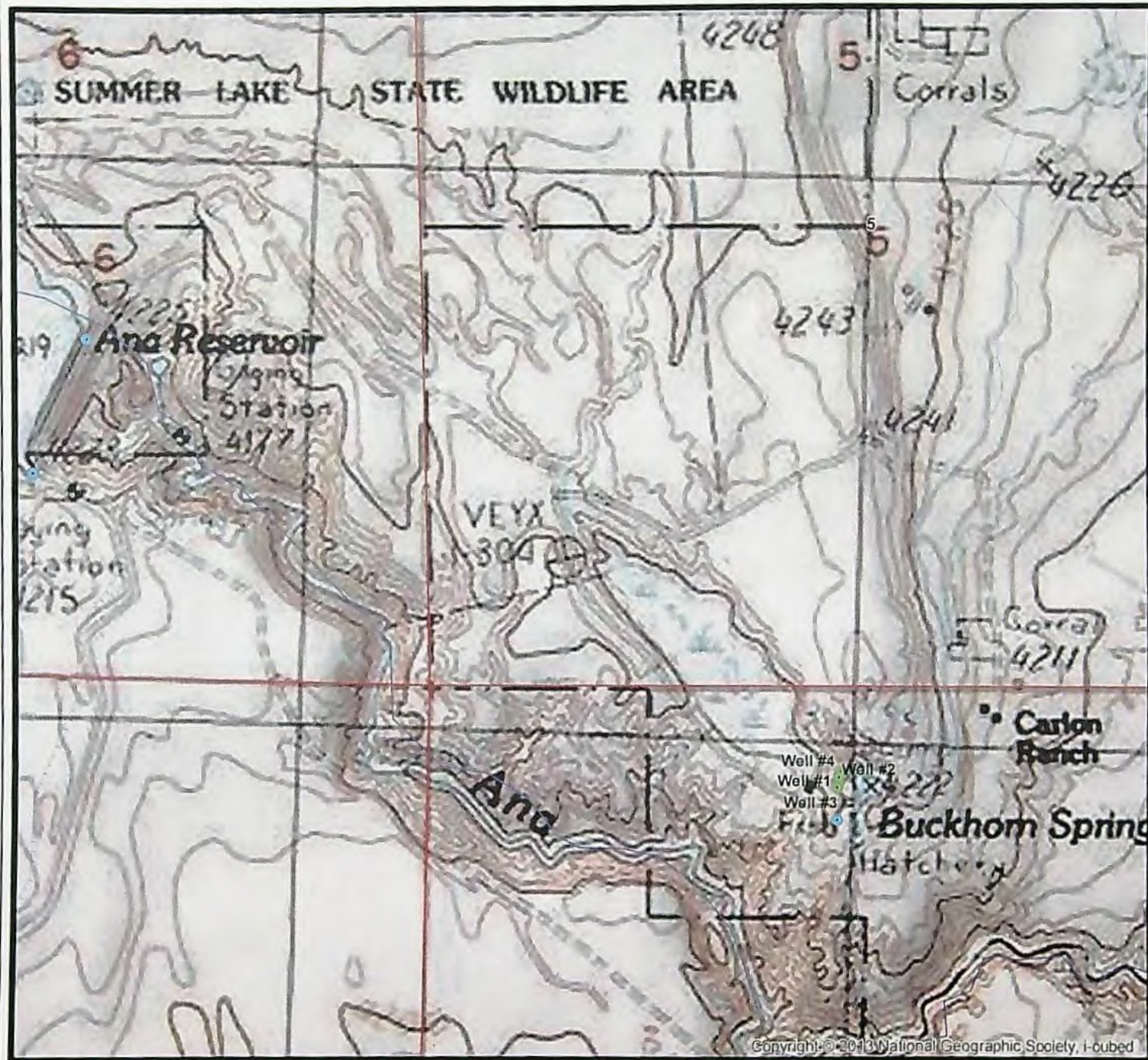
8. Any additional comments: _____

No additional comments.

Reference:

Brown, S.G. 1957. Occurrence of ground water near Ana Springs, Summer Lake Basin, Lake County, Oregon. U.S. Geological Survey Open-File Report 57-17. 26 p., 11 plates, 3 tables.

Map 1a
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald

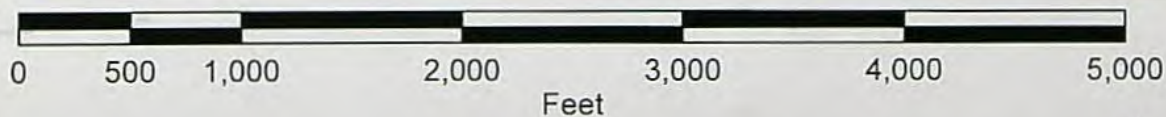


0 500 1,000 2,000 3,000 4,000 5,000
Feet

Green = Application Wells (1990 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



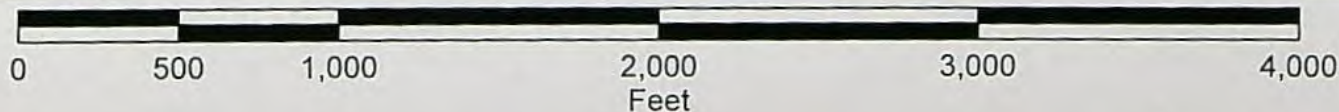
Map 1b
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



Green = Application Wells (1990 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



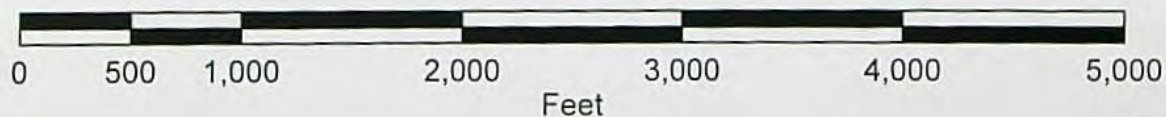
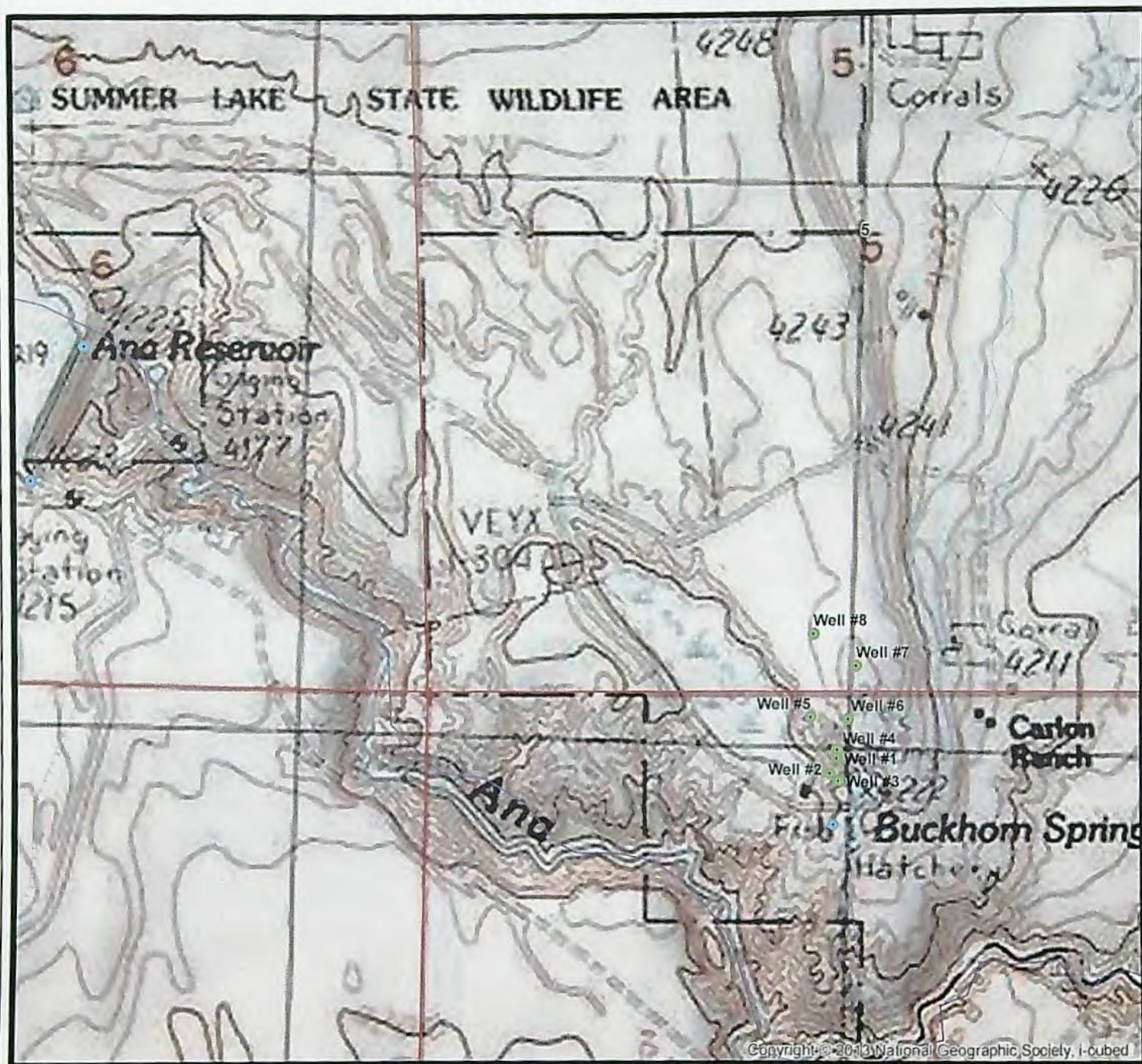
Map 1c
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



Green = Application Wells (1990 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Map 2a
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



Green = Application Wells (2008 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Map 2b
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



0 500 1,000 2,000 3,000 4,000 5,000
Feet

Green = Application Wells (2008 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Map 2c
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald

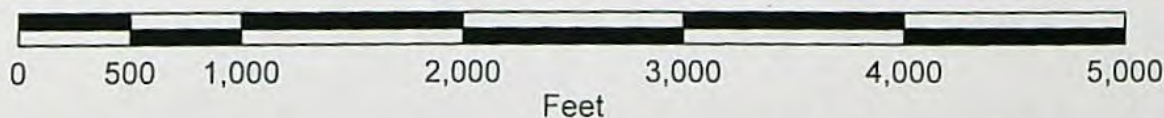
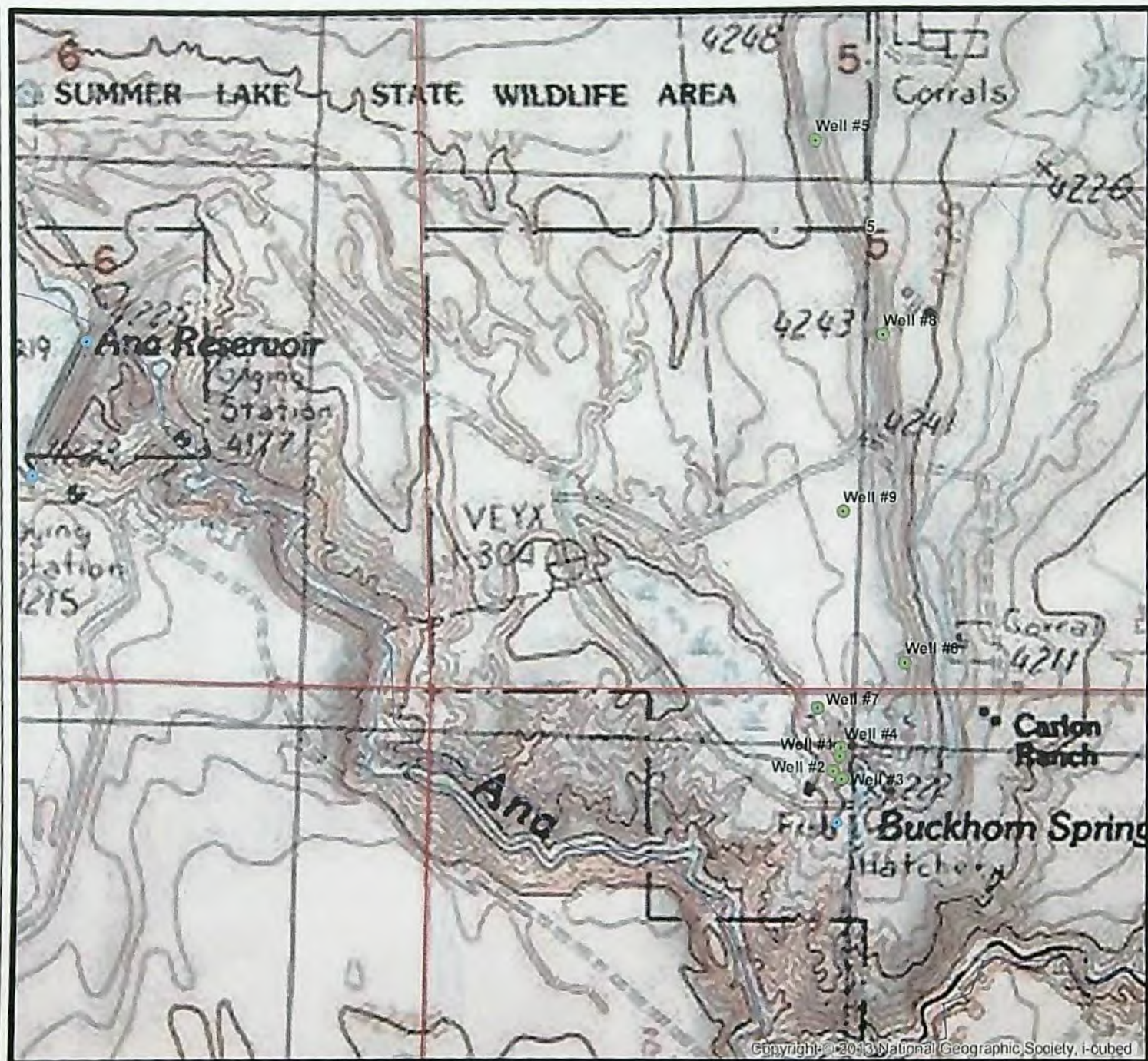


0 500 1,000 2,000 3,000 4,000
Feet

Green = Application Wells (2008 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



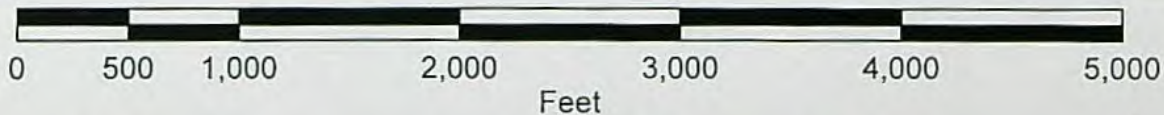
Map 3a
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



Green = Application Wells (2017 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Map 3b
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



Green = Application Wells (2017 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Map 3c
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald

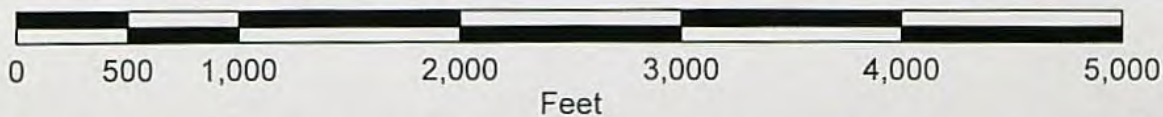
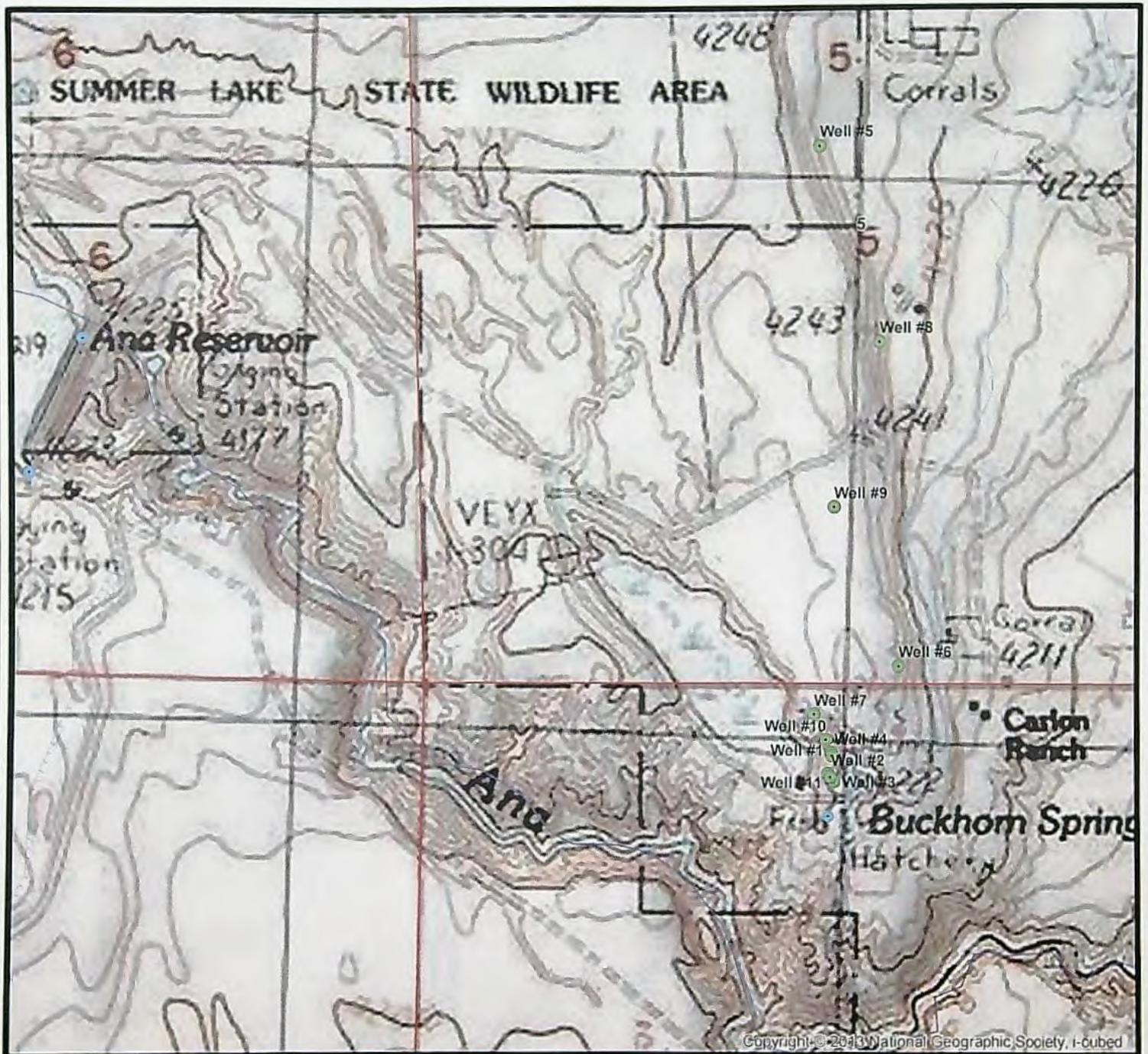


0 500 1,000 2,000 3,000 4,000
Feet

Green = Application Wells (2017 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



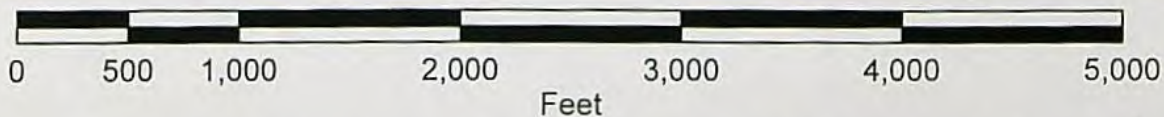
Map 4a
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



Green = Application Wells (2020 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



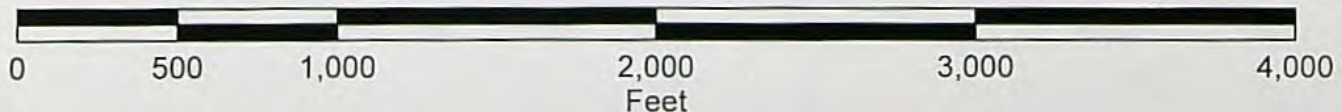
Map 4b
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



Green = Application Wells (2020 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Map 4c
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



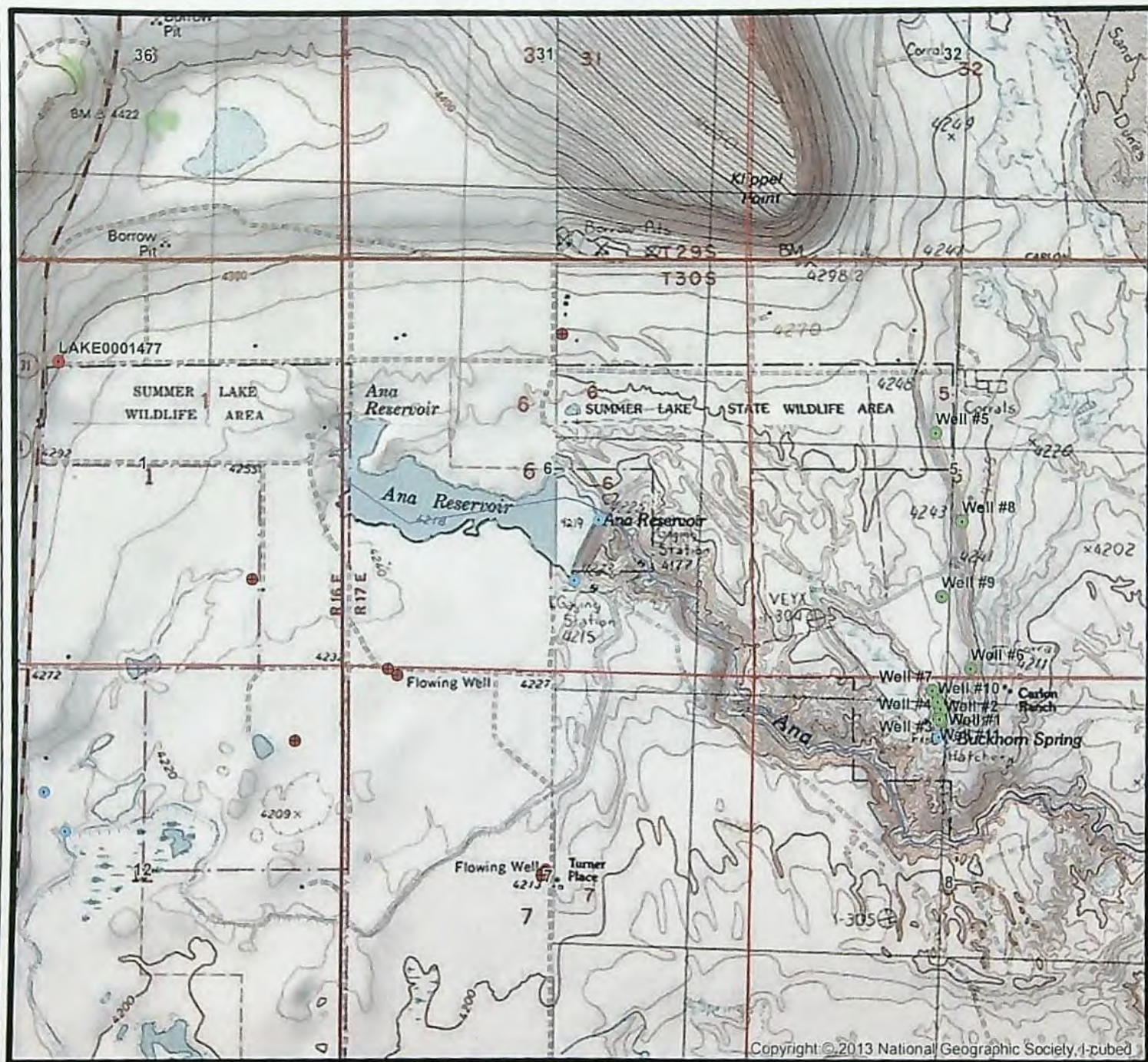
Green = Application Wells (2020 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Map 5a

Groundwater Permit Amendment Application T-13337

Thomas A. MacDonald

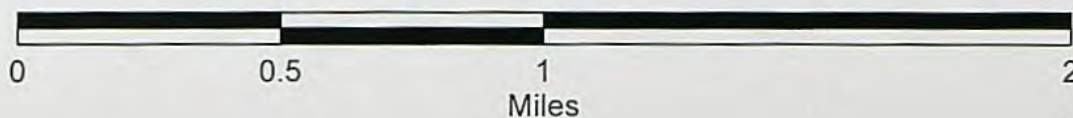


0 0.5 1 2
Miles

Green = Application Wells (2020)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Map 5b
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



Green = Application Wells (2020)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



Observation Well Data

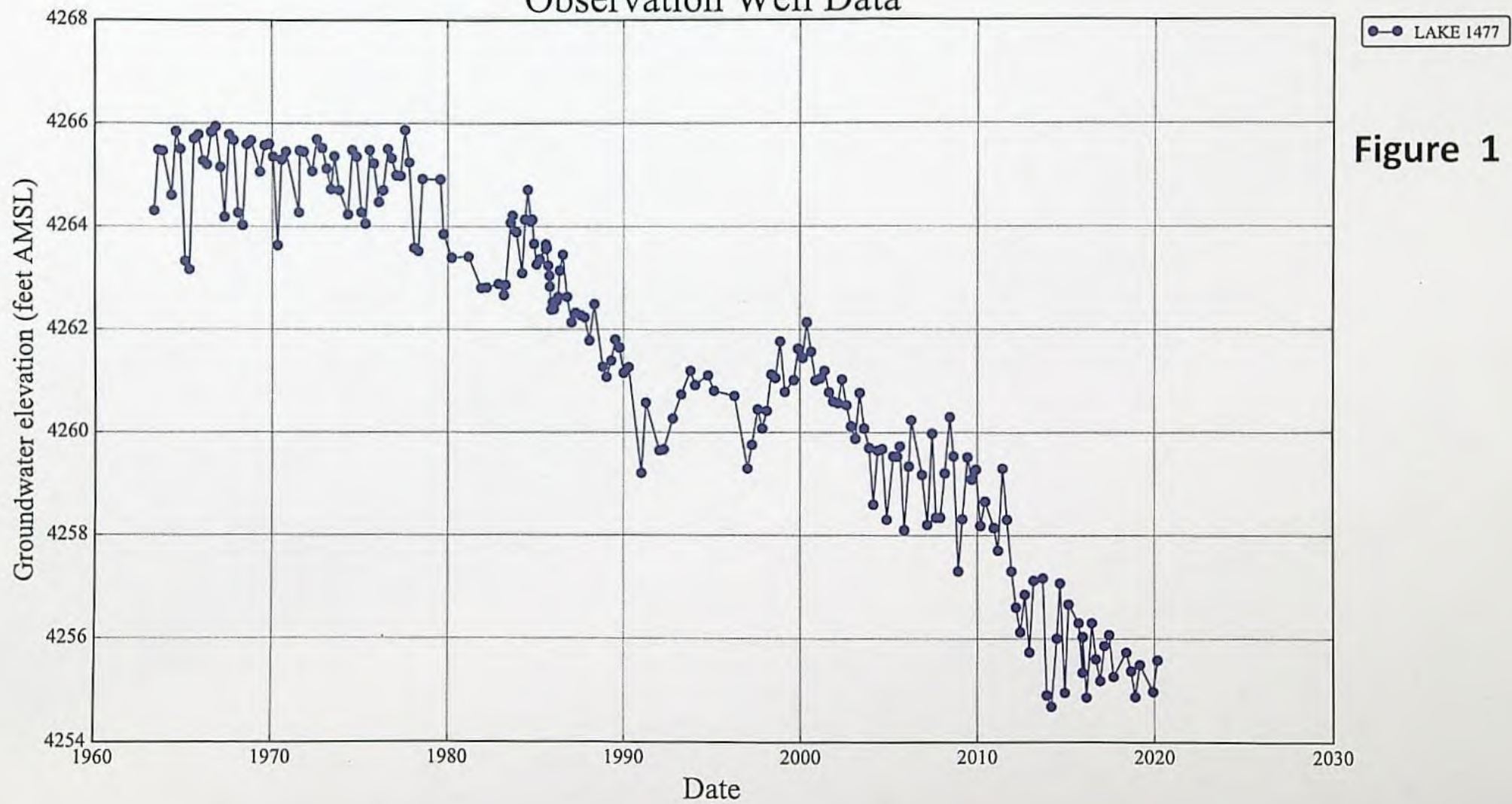


Figure 1

Figure 2

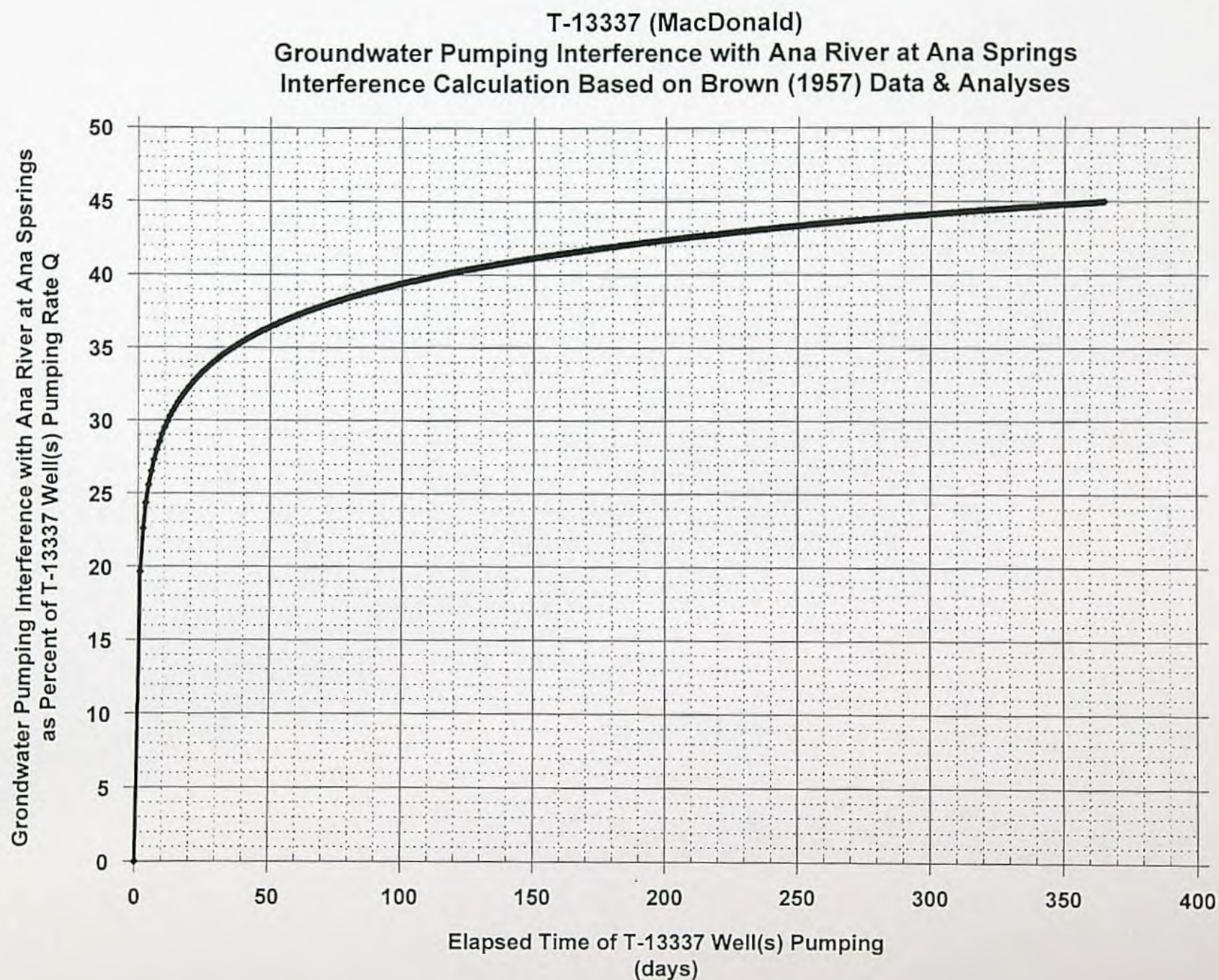


Table 1

Permit Amendment Application T-13337

Owner = Thomas MacDonald

Chronology of Well POAs & APOAs ID and Location from Original Permit (1990), Subsequent Permit Amendments (2008, 2016, 2017), and Current Permit Amendment Application (2019, 2020)

Well Log ID and Water Right File Well Location from the North Quarter Corner of T30S/R17E-see GR													Well Information from Water Well Reports							
Owner Well-ID	OWRD Log-ID	Application G-11640 04/07/1987	Permit G-11024 04/30/1990	OWRD Log-ID	Application T-10716 09/30/2008	Amended Permit G-11024 12/10/2008	OWRD Log-ID	Application T-11749 03/05/2014	Permit G-17282 10/24/2016	Superseding Permit G-17749 03/17/2017	OWRD Log-ID	Original Application T-13337 12/26/2019	Updated Application T-13337 02/28/2020	Well Completion Date	Total Depth (ft. bld)	Casing Interval (ft. bld)	Seal Interval (ft. bld)	Basin Fill (ft. bld)	Volcanic Deposits (ft. bld)	Comment
#1	Not Drilled	530 ft. S, 160 ft. W		LAKE 3030	390 ft. S, 150 ft. W		LAKE 3030	390 ft. S, 150 ft. W			LAKE 3030	390 ft. S, 150 ft. W	425 ft. S, 145 ft. W	06/30/1985	296	+1.5 - 60	0 - 60	0 - 241	241 - 296	open to basin fill & volcanic deposits
#2	Not Drilled	560 ft. S, 160 ft. W		LAKE 1507	480 ft. S, 150 ft. W		LAKE 1507	480 ft. S, 150 ft. W			LAKE 1507	480 ft. S, 150 ft. W	530 ft. S, 170 ft. W	06/30/1985	296	+1 - 60	0 - 55	0 - 241	241 - 296	open to basin fill & volcanic deposits
#3	Not Drilled	590 ft. S, 170 ft. W		LAKE 4444	525 ft. S, 140 ft. W		LAKE 4444	525 ft. S, 140 ft. W			LAKE 4444	525 ft. S, 140 ft. W	575 ft. S, 135 ft. W	10/20/1987	262	0 - 160	0 - 120	0 - 245	245 - 262	open to basin fill & volcanic deposits
#4	Not Drilled	500 ft. S, 150 ft. W		LAKE 3029	340 ft. S, 145 ft. W		LAKE 3029	340 ft. S, 145 ft. W			LAKE 3029	340 ft. S, 145 ft. W	405 ft. S, 150 ft. W	04/15/1988	310	0 - 160	0 - 120	0 - 245	245 - 310	open to basin fill & volcanic deposits
#5	N.A.	N.A.		Not Drilled	150 ft. S, 300 ft. W		Not Drilled says 2014 application	3200 ft. N, 300 ft. W			LAKE 52367	3155 ft. N, 220 ft. W	3155 ft. N, 220 ft. W	09/25/2010 says well log	420	+1 - 219	0 - 219	0 - 420	none	open to basin fill only Permit condition requires open to volcanic deposits only with continuous casing and seal through the basin fill
#6	N.A.	N.A.		Not Drilled	160 ft. S, 80 ft. W		LAKE 52368	155 ft. N, 230 ft. E			LAKE 52368	105 ft. N, 250 ft. E	105 ft. N, 250 ft. E	10/28/2010	260	+1 - 220	0 - 210	0 - 180	180 - 260	open to volcanic deposits only open to volcanic deposits only
#7	N.A.	N.A.		Not Drilled	150 ft. N, 30 ft. W		LAKE 52369	110 ft. S, 280 ft. W			LAKE 52369	180 ft. S, 250 ft. W	180 ft. S, 250 ft. W	03/05/2011	370	+1 - 220	0 - 220	0 - 220	220 - 370	Casing & seal to base of basin fill only, not into volcanic deposits
#8	N.A.	N.A.		Not Drilled	840 ft. N, 280 ft. W		LAKE 52487	2070 ft. N, 100 ft. E			LAKE 52487	2010 ft. N, 135 ft. E	2010 ft. N, 135 ft. E	09/01/2013	260	+1 - 155	0 - 155	0 - 150	150 - 260	open to volcanic deposits only
#9	N.A.	N.A.		N.A.	N.A.		Not Drilled says 2014 application	1040 ft. N, 130 ft. W			Not Drilled says 2020 application update	835 ft. N, 125 ft. W	1040 ft. N, 130 ft. W	?	80'??	+1 - 75	0 - 18 55 - 75	0 - 80	none	Possibly LAKE 53062 & LAKE 53078 open to basin fill only with volcanic "stringer" interbed. Permit condition requires open to volcanic deposits only with continuous casing and seal through the basin fill
#10	N.A.	N.A.		N.A.	N.A.		N.A.	N.A.			Not Drilled	N.A.	330 ft. S, 180 ft. W	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	Needed to replace Wells #1, #2, #3, #4
#11	N.A.	N.A.		N.A.	N.A.		N.A.	N.A.			Not Drilled	N.A.	550 ft. S, 155 ft. W	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	Needed to replace Wells #1, #2, #3, #4

Notes:
Yellow = discrepancies or issues

Notes:

Yellow = discrepancies or issues

Table 2

Permit G-11024 (1990)

Owner = Thomas MacDonald

Summary Chronology of Groundwater Rights in Vicinity of T-13337 & Ana Springs / Reservoir

File	Permit	Certificate	Transfer/PA	Owner	Priority	Permitted Rate	Cumulative Rate
U188	U174	31170		ODFW	12/20/1945	1.59	1.59
G68	G1441	31169		ODFW	05/04/1955	0.39	1.98
G72	G1388	51863	T5412	VANCIL A WITHERS	05/24/1955	0.70	2.68
G72	G1388	56503	T5412	WITHERS RANCH INC.	05/24/1955	0.09	2.77
G1987	G1851	33369		WITHERS RANCH INC.	04/14/1961	0.88	3.65
G9267	G8707	90178	T11911	RUNNIN' W RANCH	06/06/1979	0.41	4.06
G10831	G10092	82689		ODFW	11/01/1982	2.00	6.06
G10830	G10091	82282		ODFW	11/01/1982	0.05	6.11
G10414	G10433	82765		ODFW	11/08/1982	1.20	7.31
G11199	G10293	56553		WITHERS RANCH INC.	11/02/1983	0.18	7.49
G11558	G10687	82286		ODFW	07/15/1986	2.23	9.72
G11640	G17749		T13337	THOMAS MACDONALD	04/07/1987	17.80	27.52

Table 3

Drawdown Calculations Using Theis Equation														Groundwater Interference with Ana Spring		Groundwater Interference with Ana Spring as Percent of Well Pumping Rate			
<p>This Equation: $s = \frac{Q}{4 \cdot T \cdot pi} W(u)$ $u = \frac{(r^2 S)}{4 \cdot T \cdot t}$ $W(u) = (-ln u) - 0.5772157 + (u^{1/4})^{1/4} - (u^{3/4})^{3/4} + (u^{5/4})^{5/4} - (u^{7/4})^{7/4} + \dots$</p> <p>$s$ = drawdown (L) T = transmissivity (L²/T) S = storage coefficient (dimensionless) pi = 3.141592654</p> <p>r = radial distance (L) t = time (T) u = dimensionless $W(u)$ = well function</p>														Delta Q = C x Delta h		Delta Q = spring discharge change Delta h = s = drawdown at spring C = constant relating Delta Q & Delta h C = 1.63 ft ² /day derived from Brown (1957)			
Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Well	Comments	Ana Spring		Delta Q (spring) / Q (well)			
														Delta Q (spring) (cfs)	Delta Q (spring) (gpm)	percent of cfs	percent of gpm		
Note: W(u) calculation valid when u < 7.1																			
Note: yellow grid areas are where values are calculated														7.0000	1.1545E-04	W(u) calculation test			
1990 Permit POA well locations to Ana Reservoir (Transmissivity and Storage Coefficient from Brown (1957))																			
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	1.00	5,130.00	3.14	0.0073	4.3473	2.0410		Closest	Continuous Pumping at Full Rate	3.3258	1,493.19	18.69%	18.69%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	1.00	5,160.00	3.14	0.0074	4.3358	2.0356		Furthest	Continuous Pumping at Full Rate	3.3180	1,489.21	18.64%	18.64%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	30.00	5,130.00	3.14	0.0002	7.7415	3.6345		Closest	Continuous Pumping at Full Rate	5.9242	2,658.98	33.28%	33.28%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	30.00	5,160.00	3.14	0.0002	7.7298	3.6290		Furthest	Continuous Pumping at Full Rate	5.9153	2,654.98	33.23%	33.23%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	245.00	5,130.00	3.14	0.0000	9.8413	4.6203		Closest	Continuous Pumping at Full Rate	7.5312	3,380.22	42.31%	42.31%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	245.00	5,160.00	3.14	0.0000	9.8297	4.6149		Furthest	Continuous Pumping at Full Rate	7.5222	3,376.21	42.26%	42.26%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	365.00	5,130.00	3.14	0.0000	10.2399	4.8075		Closest	Continuous Pumping at Full Rate	7.8362	3,517.14	44.02%	44.02%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	365.00	5,160.00	3.14	0.0000	10.2283	4.8020		Furthest	Continuous Pumping at Full Rate	7.8273	3,513.13	43.97%	43.97%		
2020 Permit Amendment Application POA well locations to Ana Reservoir (Transmissivity and Storage Coefficient from Brown (1957))																			
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	1.00	4,590.00	3.14	0.0059	4.5683	2.1448	0.1038	Closest	Continuous Pumping at Full Rate	3.4568	1,569.09	19.64%	19.64%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	1.00	5,230.00	3.14	0.0076	4.3090	2.0230	-0.0126	Furthest	Continuous Pumping at Full Rate	3.2975	1,480.02	18.53%	18.53%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	30.00	4,590.00	3.14	0.0002	7.9639	3.7359	0.1044	Closest	Continuous Pumping at Full Rate	6.0944	2,735.37	34.24%	34.24%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	30.00	5,230.00	3.14	0.0003	7.7029	3.6164	-0.0126	Furthest	Continuous Pumping at Full Rate	5.8947	2,645.72	33.12%	33.12%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	245.00	4,590.00	3.14	0.0000	10.0638	4.7248	0.1044	Closest	Continuous Pumping at Full Rate	7.7014	3,456.62	43.27%	43.27%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	245.00	5,230.00	3.14	0.0000	9.8027	4.6022	-0.0127	Furthest	Continuous Pumping at Full Rate	7.5016	3,306.96	42.14%	42.14%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	365.00	4,590.00	3.14	0.0000	10.4624	4.9119	0.1044	Closest	Continuous Pumping at Full Rate	8.0064	3,593.54	44.98%	44.98%		
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	365.00	5,230.00	3.14	0.0000	10.2013	4.7894	-0.0127	Furthest	Continuous Pumping at Full Rate	7.8067	3,503.88	43.86%	43.86%		

Table 4

Drawdown Calculations Using Theis Equation

Theis Equation: $s = \frac{Q}{4\pi T} W(u)$

$u = \frac{r^2 S}{4 T t}$

$W(u) = (-\ln u) - (0.5772157) + (u/1 \cdot 1) - (u^2/2 \cdot 2) + (u^3/3 \cdot 3) - (u^4/4 \cdot 4) + \dots$

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Comments
								Note : W(u) calculation valid when u < 7.1				
								7.0000	1.1545E-04			W(u) calculation test
Note: yellow grid areas are where values are calculated												
1990 Permit proposed POA well #4 location to certificate 90178 well (LAKE 1503) (Transmissivity and Storage Coefficient from Brown (1957))												
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	1.00	7,000.00	3.14	0.0136	3.7320	1.7521		Continuous Pumping at Full Rate
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	30.00	7,000.00	3.14	0.0005	7.1201	3.3428		Continuous Pumping at Full Rate
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	245.00	7,000.00	3.14	0.0001	9.2197	4.3285		Continuous Pumping at Full Rate
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	365.00	7,000.00	3.14	0.0000	9.6183	4.5157		Continuous Pumping at Full Rate
2020 Permit Amendment Application POA well #5 (LAKE 52367) location to certificate 90178 well (LAKE 1503) (Transmissivity and Storage Coefficient from Brown (1957))												
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	1.00	5,030.00	3.14	0.0070	4.3864	2.0594	0.3072	Continuous Pumping at Full Rate
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	30.00	5,030.00	3.14	0.0002	7.7808	3.6530	0.3102	Continuous Pumping at Full Rate
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	245.00	5,030.00	3.14	0.0000	9.8807	4.6386	0.3103	Continuous Pumping at Full Rate
1,950,000.00	260,677.07	0.00029	7,989.20	17.80	365.00	5,030.00	3.14	0.0000	10.2793	4.8260	0.3103	Continuous Pumping at Full Rate



STATE OF OREGON

Document #1

INTEROFFICE MEMO

TO: File G-11640

DATE: 4/10/89

FROM: Donn Miller

SUBJECT: Comments for Application Processing

I spoke to Donn's Glendon, WM Dist 12, about this application. We recommend:

- 1) Alerting Sumner Lake I.D. of application
- 2) using special permit conditions as found in a similar permit in the area (see Permit G-1388 & order V10, p.125 special conditions)
- 3) Alerting/requiring the applicant to install shut off valves.

These wells are strongly flowing

LAKE COUNTY

In The Matter of the Ap-
plications in the name
of F. R. Williams and
Vancil A. Withers for the
Construction of Wells and
The Appropriation of
Ground Water for Irrigation

FINDINGS OF FACTCONCLUSIONS AND ORDER

FINDINGS OF FACT

1. On May 4, 1955, F. R. Williams of Summer Lake, Oregon filed an application in the office of the State Engineer for the construction of a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, T. 30 S., R. 17 E., W. M. Lake County Oregon and the appropriation of 4 cubic feet per second of water to irrigate 173 acres. This application was given file Number U-821, which was changed to G-68 subsequent to Oregon's Ground Water Act of 1955. This application will be referred to as G-68 in these findings.

2. On May 24, 1955, Vancil A. Withers of Paisley, Oregon filed an application for the construction of two wells in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, T. 30 S., R. 16 E., W. M. Lake County Oregon and the appropriation of 4 cubic feet per second of water to irrigate 150 acres. This application was given file Number U-835, which was changed to G-72 subsequent to Oregon's Ground Water Act of 1955. This application will be referred to as G-72 in these findings.

3. On June 28, 1955, the Summer Lake Irrigation District of Summer Lake, Oregon filed protests to the granting of permits under applications numbered G-68 and G-72. The protest states that the Summer Lake Irrigation District contains 2,530 acres of irrigable and irrigated land; that the sole source of its water supply is Ana Springs and that it is its belief that the operation of the wells as set forth in these applications would diminish the flow of Ana Springs to such an extent that it would be of great injury to the land owners within the District.

4. On August 1, 1955, the Oregon State Game Commission filed protests to the granting of permits under applications numbered G-68 and G-72. The protest states that all the waters of Ana River are being applied to beneficial use by the Summer Lake Irrigation District, William Kittredge, and the Oregon State Game Commission; that the source of Ana River is Ana Springs, and that it is its belief that the appropriation of ground water through the wells described in applications numbered G-68 and G-72 will diminish the flow of Ana Springs and result in injury and damage to the fishery resources in Summer Lake and Ana River.

5. On August 19, 1955, William Kittredge of Summer Lake, Oregon filed protests to the granting of permits under applications numbered G-68 and G-72. Mr. Kittredge claims ownership of a vested right to the irrigation of 1,100 acres from water obtained from Ana River. His protest alleges that the appropriation of ground water through the wells described in applications numbered G-68 and G-72 will diminish the flow of Ana River and thereby cause him injury.

6. A hearing on the matter of applications numbered G-68 and G-72 was held at the Ana River Public School, Summer Lake, Oregon on August 30, 1955. At this hearing, Messrs. F. R. Williams and Vancil A. Withers, applicants, were represented by Mr. Robert L. Welch, Attorney, Lakeview, Oregon. The Summer Lake Irrigation District, protestant, was represented by Mr. H. H. DeArmond, Attorney, Bend, Oregon. The Oregon State Game Commission, protestant, was represented by Mr. Arthur G. Higgs, Assistant Attorney General and Mr. William Kittredge was represented by Mr. Theodore R. Conn, Attorney, Lakeview, Oregon. Testimony was given by H. C. Harris, a director of the Summer Lake Irrigation District, Phil Smith, Watermaster of Lake County; A. V. Meyers, Federal Aid Coordinator, Oregon State Game Commission; Hugo Leyve, Manager Summer Lake Waterfowl Area; R. C. Newcomb, District Geologist, Ground Water Branch, U. S. Geological Survey; Carl Williams, Well Driller and Geologist; Frank R. Williams, applicant; and Vancil A. Withers, applicant.

7. Ana Springs, which are the chief source of Ana River (Buckhorn Spring also contributes to the flow of Ana River), are located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T. 30 S., R. 16 E., W. M. and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T. 30 S., R. 17 E., W. M. Since 1951, the discharge of Ana Springs has ranged from about 80 to 100 cubic feet per second. The spring orifices are now submerged in a small reservoir formed by impounding Ana River behind an earth dam. Water is diverted from this reservoir to supply the needs of the Summer Lake Irrigation District. Ana River flows a few miles from the reservoir area and discharges into Summer Lake.

8. The records of the State Engineer show the following water rights and applications for permits to appropriate water from Ana River:

Applic- ation No.	Permit No.	Certifi- cate No.	Priority Date	Permittee	Point of Diversion	Extent of Right
14427	10447	-----	1915	Summer Lake Irrigation District	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6 T 30 S R 17 E	Appropriation of 90 c.f.s. for the irrigation of 6941.2 acres.
4660	3479	3496	1915	William Kittredge	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation not to exceed 4.3 c.f.s. for the irrigation of 345 acres.
9704	6437	8865	1924	L. H. Williams	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 T 30 S R 16 E	Appropriation not to exceed 2.14 c.f.s. for the irrigation of 170.26 acres.
12723	9015	9783	1929	Carl Williams	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16 or NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation not to exceed 4 c.f.s. for the irrigation of 320 acres.
13689	10981	11241	1930	J. C. Williams	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation not to exceed 3.82 c.f.s. for the irrigation of 305.05 acres.
13918	10982	11242	1931	F. R. Williams	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation not to exceed 4 c.f.s. for the irrigation of 320 acres.

Applica- tion No.	Permit No.	Certifi- cate No.	Priority date	Permittee	Point of Diversion	Extent of Right
15510	11407	11974	1934	Imogene Turner	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 or NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16 T 30 S R 17 E and Williams Ditch NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28 T 30 S R 17 E	Appropriation not to exceed 3.85 c.f.s. for the irrigation of 317.42 acres.
19057	14657	-----	1940	James Drury	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16 T 30 S R 17 E	Appropriation of not to exceed 4.0 c.f.s. for the irrigation of 320 acres.
22463	-----	-----	1947	Oregon State Game Commission	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6 T 30 S R 17 E	Application for 45.0 c.f.s. for trout hatchery.
24326	19131	22005	1949	Oregon State Game Commission	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 T 30 S R 16 E and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 30 S R 17 E	Appropriation of 60.0 c.f.s. for restoration of marshland for wildlife propagation.
32692	-----	-----	1958	Oregon State Game Commission	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6 T 30 S R 17 E	Application for 60.0 c.f.s. for fish propagation.

9. Vested rights to the use of water from Ana River established by the appropriation and beneficial use of water prior to 1909 have not yet been determined. Mr. William Kittredge has stated in his protest that he claims a vested right for the irrigation of 1,100 acres from Ana River.

10. The Ground Water Branch of the U. S. Geological Survey was requested at the close of the hearing on August 30, 1955 to make an investigation of the effect of the Williams and Withers wells on the flow of Ana Springs. Their investigation was made during the fall of 1955 and their report "Occurrence of Ground Water near Ana Springs, Summer Lake Basin, Lake County, Oregon" by S. G. Brown, was released in

September 1957. Plate 1B of this report "Map showing location of Ana Springs Reservoir, nearby wells, and contours on the piezometric surface" is made a part of these findings.

11. The well shown as R1 on Plate 1B is the Vancil A. Withers Well No. 1 and the well shown as R2 is the Vancil A. Withers Well No. 2. Application No. G-72 is for the appropriation of 1.5 cubic feet per second from well R1 and 2.5 cubic feet per second from well R2 for irrigation of 150 acres. Well D1 on the map is the F. R. Williams well. Application No. G-68 is for the appropriation of 4 cubic feet per second of water from this well to irrigate 173 acres. Wells 7F1 and A1 are also irrigation wells. Well 7F1 has been authorized by Permit No. U-174. No application has been filed for well A1, which is unfinished.

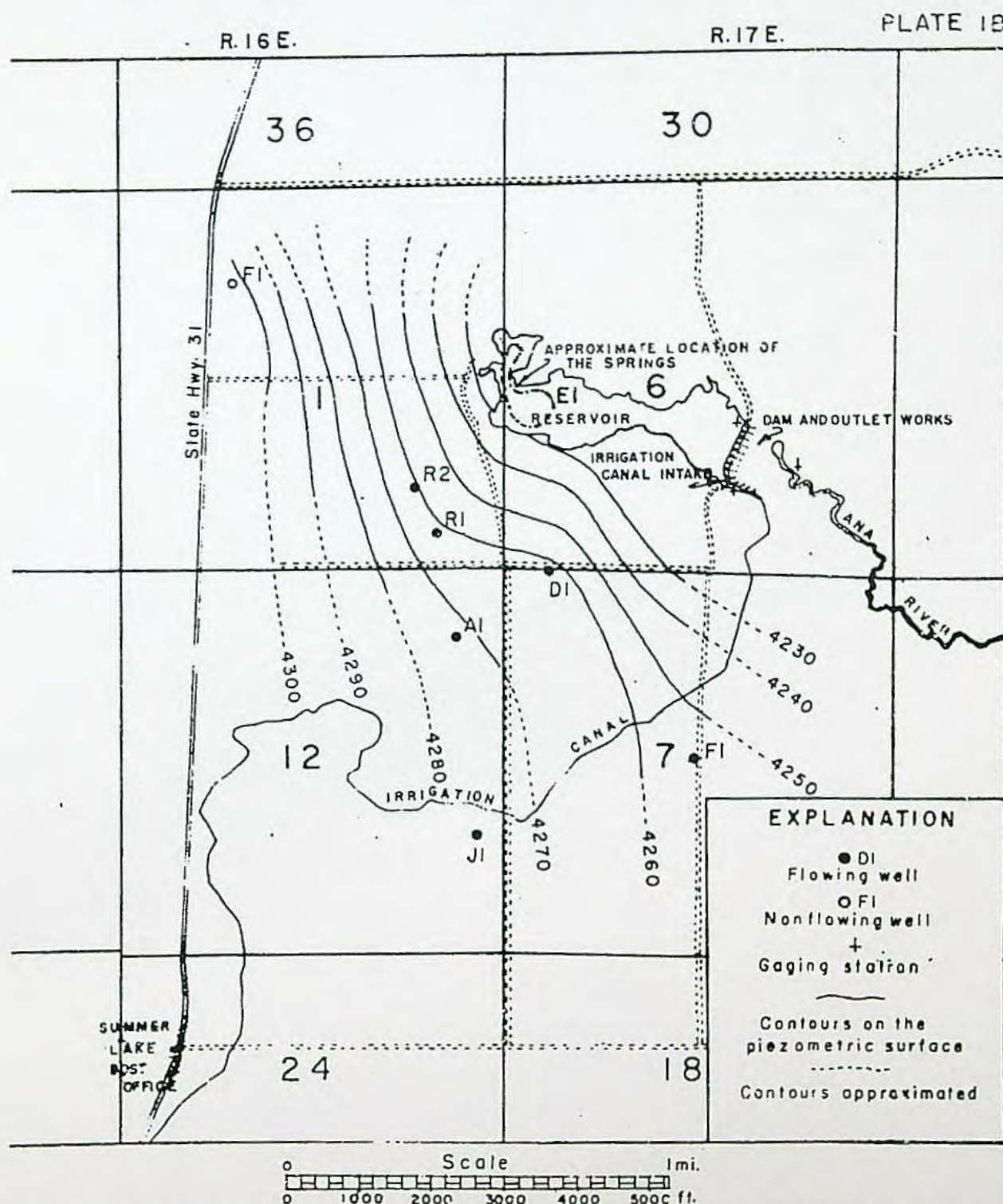
12. The Vancil A. Withers well No. 1 (R1) was drilled about 1953. It is a 209 foot well, cased with 8-inch casing to a depth of 182 feet. The drillers log of this well is as follows:

Materials	Thickness	Depth
Clay, gray.....	40	40
Not reported.....	90	130
Clay, black.....	40	170
Sand, black.....	10	180
Cinders, red and black.....	29	209

It is an artesian well with a static water surface 22 feet above land surface (October 1955). This well has a natural flow of about 800 g.p.m.

13. The Vancil A. Withers well No. 2 (R2) was also drilled about 1953. It is a 222 foot well, cased with 8-inch casing to a depth of 140 feet. The drillers log of this well is as follows:

Materials	Thickness	Depth
Clay, Gray.....	30	30
Clay, black.....	52	82
Unreported.....	30	112
Rock, broken and sand.....	26	138
Rock, red.....	47	185
Rock, hard, black.....	37	222



AP SHOWING LOCATION OF ANA SPRINGS RESERVOIR, NEARBY WELLS, AND CONTOURS ON THE PIEZOMETRIC SURFACE.

It is an artesian well with a static water surface 16 feet above land surface (October 1955). This well has a natural flow of about 1,200 g.p.m.

14. The F. R. Williams well (D1) was drilled about 1954. It is a 253 foot well, cased with 8-inch casing to a depth of 210 feet. A log of this well is not available. Water was reported to have been encountered in "lava rock" from 205 to 253 feet. This well is artesian with a static water surface 24 feet above land surface. It has a natural flow of about 1,300 g.p.m.

15. The procedure followed by the U. S. Geological Survey in their investigation is as follows:

- A. Level traverses were run to each of the wells to determine the elevation of the well with respect to the water surface in Ana Reservoir.
- B. Each well was equipped with a pressure gage and a standpipe was erected at the Withers No. 2 well (R2). An automatic water level recorder was installed in this well so that a continuous record of the water level in this well could be obtained.
- C. Each well was then allowed to flow individually at a constant rate of discharge and its effect on each of the other wells was obtained by readings on the pressure gages and the water stage recorder. The surface of Ana Reservoir was maintained at a constant elevation during these tests.
- D. After the above tests were completed, the outlet control works on Ana Reservoir were opened and the reservoir surface was lowered seven feet. The effect of this lowering on the artesian wells was determined by pressure readings and was also recorded on the water stage recorder.

16. Data obtained in the flow test of the artesian wells showed that wells R1, R2 (Withers Nos. 1 and 2), D1 (F. R. Williams well), and well 7F1 are all hydraulically connected and obtain water from the same ground water reservoir. Well A1 was found to be hydraulically separated from the other artesian wells. The flow test also furnished data that permitted a calculation of the hydraulic properties of the ground water reservoir. The lowering of the reservoir surface caused a lowering of water levels in the wells which indicates a hydraulic connection between the ground water reservoir being developed by wells R1, R2, D1, F and F1, and Ana Springs. The lowering of the reservoir surface also resulted in an increase in the flow of Ana Springs which was on the order of 1 c.f.s. for every foot of head removed. The construction and filling of Ana Reservoir has placed some 30 to 35 feet of head on the spring orifices. This added head is believed to have caused a reduction of the flow of Ana Springs by some 30 c.f.s.

17. The quantity of water required for irrigation of lands in the Summer Lake basin is not to exceed one-eightieth ($1/80$) cubic foot per second, or its equivalent, for each acre actually irrigated, and the total volume required does not exceed three acre-feet per acre during the irrigation season.

18. From the hydraulic properties of the ground water reservoir obtained from the tests, the effect of the operations of the wells has been calculated. The following table shows the calculated reduction of head at Ana Springs produced by the operation of the three wells described in applications numbered G-68 and G-72.

Well No.	Distance from Ana Springs (feet)	*Withdrawal rate (g.p.m.)	**Days of Operation	Calculated reduction of head at Ana Springs (feet)
R.1 (Withers No. 1)	2300	300	120	0.2
R.2 (Withers No. 2)	1800	550	120	0.3
D.1 (F.R. Williams)	2700	970	120	<u>0.6</u>

Total 1.1 feet.

* For a duty of water of 1/80 c.f.s. per acre

** To obtain 3 acre-feet per acre.

19. A reduction of one foot of head at Ana Springs would have the same effect on the flow of the springs as raising the water surface in the reservoir by 1 foot. This reduction of head would result in a reduction in discharge of Ana Springs by about 1 c.f.s. Such a reduction would not be discernible in the discharge records of Ana River as these records are only considered accurate to plus or minus 10 per cent.

CONCLUSIONS

There is unappropriated ground water available in the ground water reservoir from which the wells described in Applications Nos. G-68 and G-72 will draw their supply. Although a withdrawal from these wells of 4.00 cubic feet per second (1796 gallons per minute) will reduce the flow of Ana Springs by 1 cubic foot per second (449 gallons per minute) and thus reduce the amount of water available to supply existing and prior surface water rights by that quantity, these wells may still be operated without injury to existing rights. This can be accomplished by a provision in the permits issued for the wells that at any time when the well operations result in a depletion of flow of Ana Springs to the injury of existing rights, a part of the well yield, equivalent to the reduction in flow of Ana Springs, shall be delivered into the Summer Lake Irrigation District Canal or into Ana Reservoir. Any such deliveries should be made when and in the amounts directed by the Watermaster and the deliveries from each well should be proportionate to the depletion of flow of Ana Springs assignable to that well. For the purpose of carrying out such deliveries it is logical and reasonably accurate to require that one-

fourth of the withdrawal from each well shall be returned to the reservoir or to the Summer Lake Irrigation District Canal when necessary to deliver to the holders of prior rights the quantities to which they are entitled. The quantity of water so delivered should not be charged against appropriations from the wells of the quantities herein allowed for irrigation.

There can be no finding, on the basis of evidence presented at the hearing on August 30, 1955 or the subsequent investigation and tests made by the United States Geological Survey, that the withdrawal of water from the wells described in Applications Nos. G-68 and G-72 will result in depletion of the flow of Ana River downstream from the reservoir except for that caused by the reduction of the flow of Ana Springs. Therefore, if one-fourth the withdrawal from these wells is returned to the Summer Lake Irrigation District Canal or to Ana Reservoir, the operation of these wells cannot interfere with the rights of Protestant William Kittredge or Protestant Oregon State Game Commission.

ORDER

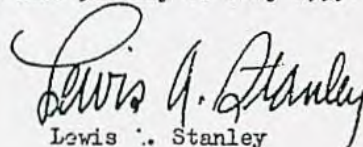
It is ORDERED that Application No. G-68 in the name of F. R. Williams be approved to authorize appropriation of not to exceed 2.16 cubic feet per second of ground water for irrigation of 173 acres; the rate of flow not to exceed 1/80 of one cubic foot per second for each acre irrigated and the total withdrawal during any irrigation season not to exceed 3 acre-feet per acre for each acre irrigated during that season, and subject to all conditions of this order.

It is FURTHER ORDERED that Application No. G-72 in the name of Vancil A. Withers be approved to authorize appropriation of not to exceed 1.87 cubic feet per second of ground water for irrigation of 150 acres the rate of flow not to exceed 1/80 of one cubic foot per second for each acre irrigated and the total withdrawal from both wells during any irrigation season not to exceed 3 acre-feet for each acre irrigated during that season, and subject to all conditions of this order.

It is FURTHER ORDERED that at any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than the priority of the permits herein authorized, each of the wells shall be so operated that one-fourth of the total water withdrawn shall be delivered by the permittee or permittees into Ana Springs Reservoir or into the main canal of the Summer Lake Irrigation District. The quantity of water so delivered shall not be charged against the water allowed for the lands to be irrigated from these wells.

It is FURTHER ORDERED that before any water is withdrawn from the wells of F. R. Williams and Vancil A. Withers under authority of the permits herein ordered, the permittees shall each construct the necessary pipe lines or ditches and install the necessary measuring devices so that the provisions of this order may be enforced by the watermaster.

Dated at Salem, Oregon this 3rd day of July 1959.


Lewis G. Stanley
State Engineer



Document #3

STATE OF OREGON

INTEROFFICE MEMO

TO

File G-11640

DATE

2/16/90

Donn Miller *DM*

FROM

Possible Permit Conditions

SUBJECT

My memo of 4/10/89 to the file suggests the use of conditions similar to those elsewhere in the area (Permit G-1388 & Order v. 10, p.125 of special order book). Those conditions speak to a 1/4 Q delivery by the permittee to the Summer Lake Irrigation District in the event of deficiency at Ana Reservoir. That serves as a replacement to mitigate interference effects. In addition, the permittee is required to construct diversion works to supply that replacement water prior to withdrawal of any water.

In the earlier permits, the special diversion works were more practical than for this application. They were closer to the Reservoir and slightly uphill. This application seeks water from wells which are approximately one mile from the Reservoir. The costs associated with such a pipeline might be prohibitive. Perhaps, this application may call for a different condition.

I propose that water be distributed as if it were from Ana Reservoir itself. In the event of shortage at Ana Reservoir, the permittee's use of the wells would be regulated and/or stopped. This condition would allow swift regulation and avoid the impractical diversion works for replacement water. If the permittee wished to construct the works at the time of need that would appear to be a reasonable option too.

Here is some possible condition language:

If at any time in the Director's judgement, the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than the priority of the permit herein authorized, use and/or flow from the wells shall cease. Alternatively, the permittee shall operate the wells and construct works to deliver one-fourth of the total water withdrawn into the Ana Springs Reservoir or into the main canal of the Summer Lake Irrigation District. The quantity of water so delivered shall not be charged against the water allowed for the uses authorized from these wells.

In my view, some interference with the current supply at Ana Reservoir appears certain from the proposed use.

Document #4

SC# 212531

Note to File – Search Drill Rig Accident

9/30/2016 – WDN received a call from Brian Mayer regarding an accident out on a drill site in Summer Lake.

10/3/2016 – WDN called Brian Mayer to get info regarding the Drilling accident. Brian didn't know much, but gave WDN Tom McDonald's contact info and asked WDN to visit the site and take photos.

10/4/2016 – WDN visited the accident site in Summer Lake. While on site, Tom McDonald's son stopped by and let me into the fence to take video of the drill rig. The rig was upright and the tower was removed and lying on the ground, approximately where it fell.

The rig was the same green rig that was observed on the hole associated with SC#212521 in July 2016. There were still no identifying markings on the rig (Lic#, Drillers name, etc. – see violations noted for SC#212521 inspection). The rig appeared to have fallen over on the driver's side, based on the cab damage.

Several pieces of casing were observed lying on the ground in the vicinity of the damaged rig.

Disturbed ground was observed at the back of the rig, where the borehole was attempted. Rounded rocks, varying in size between 14 and 24 inches, were observed at the ground surface. A long trench, with desiccated fine-grained sediments extended from the back of the rig, downslope approximately 50 feet. There was no evidence of water or uncontrolled springs in the vicinity of the borehole site at the time of WDN's visit.

Evidence of hydrocarbon liquids were observed on the ground surface in at least three locations at the drill site – possibly from spills related to the accident.

During the visit, Mr. Tom McDonald, owner of Desert Springs Fish Hatchery, visited the site. Mr. McDonald did not see the accident, however he indicated that he arrived shortly afterwards. Mr. McDonald indicated that Tom Search was NOT onsite during the accident and that his sons(s?) were drilling at the time of the accident.

WDN asked Mr. McDonald how the accident happened. Mr. McDonald stated that while advancing the hole, artesian water rose out of the borehole between the temporary casing and the formation. Water flow at the ground surface was directed into a trench dug with a backhoe. Continued flow of water from the well began to erode the margins of the borehole and the hole expanded in area. Enlargement of the hole continued due to the inability to shut off the artesian flow. Eventually, the expansion of the hole encompassed the right rear outrigger causing the rig to tip over onto the support truck and support trailer.

Once the rig was on it's side, Mr. McDonald was able to gain access to the eroding borehole with a 10 yard dump truck and dump approximately 12 cubic yards of 14- to 24-inch-diameter rounded rock into the hole. That seemed to stop the flow of water according to Mr. McDonald.

Mr. McDonald provided photos of the accident on hard copy. The date of the email in which these photos were transmitted is 9/27/2016. WDN is unsure how long the drill was drilling on that hole prior to the accident. The Startcard for that hole was submitted to OWRD on 9/30/2016 (See Attachment) and Mr. Search indicated that drilling was to commence on 9/8/2016.

WDN asked Mr. McDonald how long it had been since Mr. Search finished the hole drilled under SC# 212521 and Mr. McDonald indicated that it had been approximately 6 weeks. There is no Well Log on file in the OWRD database as of 10/6/2016.

LAKE 3030

May 15th, 2014

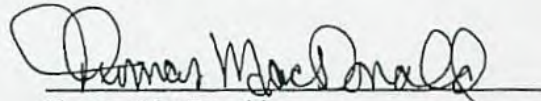
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

LAKE 3030



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

Application for Well ID Number

RECEIVED

NOV 26 2019

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

I. OWNER INFORMATION

Current Owner Name (please print): Summer Lake Trout Farm Attn: Ethan Negus **OWRD**
Mailing Address: PO Box 40
City, State, Zip: Summer Lake, OR 97640
Mail Well ID to: ☒ SAME AS ABOVE ☐ In Care Of (C/O)
Name & Address: _____
City, State, Zip: _____

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

Township: 30 (North / South) Range: 17 (East / West) Section: 8 NE 1/4 of the NW 1/4
Tax Lot (usually last 3-5 numbers of Tax Map #): 601 County Lake County
GPS Coordinates: 42 59' 22.99" N 120 43' 55.70" W
Street Address of Well, City: 48320 Desert Springs Rd Summer Lake

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

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

Use of Well (domestic, irrigation, commercial, industrial, monitoring): Fish culture & Irrigation
Date Well Constructed (or property built): 6-30-85 Total Well Depth: 296' Casing Diameter: 12"
Owner at time the well was constructed (if known): Robert Olson Well Report # (if known): LAKE 3030
Other Information: _____

SUBMITTED BY (please print): Ethan Negus
PHONE: (541) 943-3192 EMAIL &/or FAX: ethan.negus@desertspringstroutfarm.com

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

For Official Use Only by the Oregon Water Resources Department:

Received Date:

11-26-19

Well Report Number:

LAKE 3030

Well Identification #:

L-137013

Last Update: 5/15/18

Well I.D. Number/2

WCC

Received Time Nov. 26. 2019 11:53AM No. 0785

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

LAKE 1507

RECEIVED

FEB 21 1988 TYPE or PRINT IN INK

Lake 1507

30917E-8.66
Well #2
(for official use only)

(1) OWNER:

Name ROBERT OLSON ^{SALEM, OREGON}
Address SUMMER LAKE
City _____ State OR.

(2) TYPE OF WORK (check):

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

(3) TYPE OF WELL:

Rotary Air	<input type="checkbox"/>	Driven	<input type="checkbox"/>
Rotary Mud	<input type="checkbox"/>	Dug	<input type="checkbox"/>
Cable	<input checked="" type="checkbox"/>	Bored	<input type="checkbox"/>

(4) PROPOSED USE (check):

Domestic	<input type="checkbox"/>	Industrial	<input checked="" type="checkbox"/>	Municipal	<input type="checkbox"/>
Irrigation	<input type="checkbox"/>	Thermal:			
Other:	<input type="checkbox"/>	Withdrawal	<input type="checkbox"/>	Reinjection	<input type="checkbox"/>
Piezometric	<input type="checkbox"/>	Grounding	<input type="checkbox"/>	Test	<input type="checkbox"/>

1) CASING INSTALLED:

) CASING INSTALLED: Steel ☐ Plastic ☐
 Threaded ☐ Welded ☐
 12" Diam. from +1 ft. to 60 ft. Gauge 250
 " Diam. from _____ ft. to _____ ft. Gauge _____

LINER INSTALLED:

LINER INSTALLED: Steel ☐ Plastic ☐
Threaded ☐ Welded ☐

....." Diam. from ft. to ft. Gauge

(6) PERFORATIONS:

(6) PERFORATIONS: Perforated? ☐ Yes ☒ No
Size of perforations in. by in.

..... perforations from ft. to ft.
..... perforations from ft. to ft.
..... perforations from ft. to ft.

(7) SCREENS:

(7) SCREENS: Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot Size Set from ft. to ft.

Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

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

Test	gal./min. with	ft. drawdown after	hrs.
Air test	gal./min. with drill stem at	ft.	hrs.
Bailer test	gal./min. with	ft. drawdown after	hrs.
Artesian flow	g.p.m.		
Temperature of water	60°	Depth artesian flow encountered	244 ft.

(y) CONSTRUCTION:

(9) CONSTRUCTION: Special standards: Yes ☐ No ☒

Well seal—Material used CEMENT GROUT

Well sealed from land surface to 55 ft.

Diameter of well bore to bottom of seal 16 in.

Diameter of well bore below seal 12 in.

Amount of sealing material 118 sacks ☒ pounds ☐

How was cement grout placed? PUMPED

Was pump installed? NO Type _____ HP _____ Depth _____ ft.
Was a drive shoe used? ☒ Yes ☐ No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of Water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL by legal description:

County LAKE NE 1/4 NW 1/4 of Section 8 of Township 30 (Township is North or South), Range 17 (Range is East or West), WM.

Tax Lot _____ Lot _____ Block _____ Subdivision _____
MAILING ADDRESS OF WELL (or nearest address) SUMMER LAKE

(11) WATER LEVEL of COMPLETED WELL:

Depth at which water was first found	55	ft.
Static level		ft. below land surface. Date
Artesian pressure	5	lbs. per square inch. Date 6-30-85

(12) WELL LOG:

(12) WELL LOG: Diameter of well below casing 12"
 Depth drilled 296 ft. Depth of completed well 296 ft.
 Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

[illegible]

Date work started 4-15-85/completed 6-30-85
Date well drilling machine moved off of well 7-15- 1985

(unbonded) Water Well Constructor Certification (if applicable):

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

[Signed] _____ Date _____ 19 _____

(bonded) Water Well Constructor Certification:

Bond 3841670 Issued by: O.A.I.C.
(number) (Surety Company Name)
On behalf of FLOYD BAKER
(type or print name of Water Well Constructor)

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

(Signed) Floyd Dukes
(Water Well Constructor)
(Dated) 2-20-86

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

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

SP*46856-690

LAKE 1507

May 15th, 2014

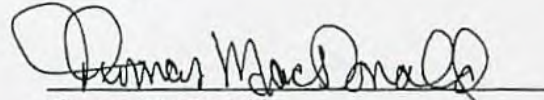
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

LAKE 1507



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

Application for Well ID Number

RECEIVED

NOV 26 2019

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

OWRD

I. OWNER INFORMATION

Current Owner Name (please print): Summer Lake Trout Farm Attn: Ethan Negus
Mailing Address: PO Box 40
City, State, Zip: Summer Lake, OR 97640
Mail Well ID to: ☒ SAME AS ABOVE ☐ In Care Of (C/O)
Name & Address: _____
City, State, Zip: _____

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

Township: 30 (North/South) Range: 17 (East/West) Section: 8 NE 1/4 of the NW 1/4
Tax Lot (usually last 3-5 numbers of Tax Map #): 601 County Lake County
GPS Coordinates: 42 59' 21.51" N 120 43' 55.81" W
Street Address of Well, City: 48320 Desert Springs Rd Summer Lake
If the property had a different street address in the past: _____

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

Use of Well (domestic, irrigation, commercial, industrial, monitoring): Fish culture & Irrigation
Date Well Constructed (or property built): 7-15-85 Total Well Depth: 296' Casing Diameter: 12"
Owner at time the well was constructed (if known): Robert Olson Well Report # (if known): LAKE 1507
Other Information: _____

SUBMITTED BY (please print): Ethan Negus
PHONE: (541) 943-3192 EMAIL &/or FAX: ethan.negus@desertspringstroutfarm.com

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

For Official Use Only by the Oregon Water Resources Department:

Received Date:

11-26-19

Well Report Number:

LAKE 1507

Well Identification #:

L-137012

LAKE 4444

May 15th, 2014

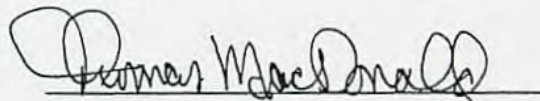
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

LAKE 4444

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

Application for Well ID Number RECEIVED

NOV 26 2019

OWRD

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

I. OWNER INFORMATION

Current Owner Name (please print): Summer Lake Trout Farm Attn: Ethan Negus

Mailing Address: PO Box 40

City, State, Zip: Summer Lake, OR 97640

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

Name & Address:

City, State, Zip:

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

Township: 30 (North/South) Range: 17 (East/West) Section: 8 NE 1/4 of the NW 1/4

Tax Lot (usually last 3-5 numbers of Tax Map #): 601 County Lake County

GPS Coordinates: 42 59' 21.53" N 120 43' 55.60" W

Street Address of Well, City: 48320 Desert Springs Rd Summer Lake

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

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

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

Date Well Constructed (or property built): 10-20-87 Total Well Depth: 262' Casing Diameter: 12"

Owner at time the well was constructed (if known): Robert Olson Well Report # (if known): LAKE 4444

Other Information:

SUBMITTED BY (please print): Ethan Negus

PHONE: (541) 943-3192

EMAIL &/or FAX: ethan.negus@desertspringstroutfarm.com

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

For Official Use Only by the Oregon Water Resources Department:

Received Date:

11-26-19

Well Report Number:

LAKE 4444

Well Identification #:

L-137011

Last Update: 5/15/18

Well I.D. Number/2

WCC

Received Time Nov. 26. 2019 11:53AM No. 0785

LAKE 3029

May 15th, 2014

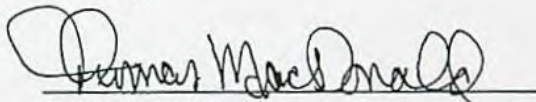
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

LAKE 3029



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

Application for Well ID Number

RECEIVED

NOV 26 2019

OWRD

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

I. OWNER INFORMATION

Current Owner Name (please print): Summer Lake Trout Farm Attn: Ethan Negus

Mailing Address: PO Box 40

City, State, Zip: Summer Lake, OR 97640

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

Name & Address:

City, State, Zip:

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

Township: 30 (North/South) Range: 17 (East/West) Section: 8 NE 1/4 of the NW 1/4

Tax Lot (usually last 3-5 numbers of Tax Map #): 601 County Lake County

GPS Coordinates: 42 59' 23.24" N 120 43' 55.76" W

Street Address of Well, City: 48320 Desert Springs Rd Summer Lake

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

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

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

Date Well Constructed (or property built): 4-15-88 Total Well Depth: 310' Casing Diameter: 12"

Owner at time the well was constructed (if known): Robert Olson Well Report # (if known): LAKE 3029

Other Information:

SUBMITTED BY (please print): Ethan Negus

PHONE: (541) 943-3192

EMAIL &/or FAX: ethan.negus@desertspringstroutfarm.com

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

For Official Use Only by the Oregon Water Resources Department:

Received Date:

11-26-19

Well Report Number:

LAKE 3029

Well Identification #:

L-137014

Last Update: 5/15/18

Well I.D. Number/2

WCC

Received Time Nov. 26. 2019 11:53AM No. 0785

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

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

LAKE 52367 #1

Well #5

WELL LABEL # 103826
START CARD # 206438
ORIGINAL LOG #

(1) LANDOWNER Owner Well I.D.
First Name Timothy Last Name Ang Daniel
Company PO BOX 87
Address Summers Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)
(2a) PRE-ALTERATION: Well Depth 11 ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other A

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 420 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Secs/lbs
20"	0	219	Cement	0	219	200	500
12"	219	420					

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

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
<input checked="" type="checkbox"/>		12"	+	1	219	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perf	Scm	Casing	Linr	Screen	From	To	Screen/	Slot	# of	Top/
				Dia			slot	length	slots	pipe
							width			size

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

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min 1000 gal Drawdown 420 Drill stem/Pump depth _____ Duration (hr) _____

Temperature 51 °F Lab analysis ☐ Yes ☐ No

Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units
------	----	-------------	--------	-------

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 SE 1/4 of the SW 1/4 Tax Lot 600
Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48412 DESSANT
SPRING RD SUMMERS LAKE OR 97640

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>9-25-10</u>			<u>Land</u>
Completed Well				<u>Surf</u>

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	SWL (ft)
	<u>225</u>	<u>250</u>	<u>1000 gpm</u>		

(11) WELL LOG

Material	From	To
TOP Soil	0	2
Black clay	2	100
Blue clay	100	120
Gray clay	120	145
Black clay	145	195
Blue clay	195	225
Sand gravel UD	225	250
Gray clay	250	290
Blue clay	290	300
Gray clay	300	380
Black clay	380	395
Blue clay	395	410

Date Started 8-31-10 Completed 9-25-10

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 10-10-11

Signed Thom
Contact Info. (optional) Search drilling INC
501-576-2189

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTION ONE COPY FOR CLERK
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

RECEIVED
MAR 12 2012
WATER RESOURCES DEPT
SALEM, OREGON

LAKE 52368

Well #6

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)LAKE
52368LAKE 52368
Well #11 #2
Am Titled

Well #6

L 137024

WELL LABEL # L 10-3847 TAG LOST!

START CARD # 206439

ORIGINAL LOG #

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

(1) LANDOWNER
First Name Thomas Last Name McDaniel
Company PO Box 87
Address Summer Lake State OR Zip 97640(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)(2a) PRE-ALTERATION: Well Depth ft.Seal Material Casing Type: ☐ Steel ☐ Plastic ☐ Other Casing Gauge Casing Diameter (3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other (4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other (5) BORE HOLE CONSTRUCTION
Depth of Completed Well 262 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
24"	0	39	Cement	0	39	60	SCK
18"	39	210	Cement	210	210	150	SCK
12"	210	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E☐ Other Backfill placed from ft to ft Material Filter pack from ft to ft Material Size (5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/lbs
Actual Amount Used: sacks/lbs

(6) CASING/LINER									
Casing	Linr	Dia	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		18"	0	39	.250	X			X
X		12"	3	220	.250	X			X

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) Temporary casing ☐ Yes Diameter From To (7) PERFORATIONS/SCREENS
Perforations Method
Screens Type Material

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☒ Air ☒ Flowing Artesian
Yield gal/min 1000 Drawdown 260 Duration (hr)
Temperature 60 °F Lab analysis ☐ Yes By
Water quality concerns? ☐ Yes (describe below) TDS ppm
From To Description Amount Units (9) LOCATION OF WELL (legal description)
County LAKE Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the 1/4 Tax Lot 600
Tax Map Number Lot
Lat or DMS or DD
Long or DMS or DDStreet Address of Well (or nearest address) 48413 Dresser
Spring Rd Summer Lake OR 97640(10) STATIC WATER LEVEL
Date 10-24-10 SWL (psi) 2.5 SWL (ft)
Existing Well/Pre-Alteration
Completed Well Flowing Artesian? ☐ Yes Dry Hole? ☐ YesWATER BEARING ZONES Depth water was first found 25

SWL Date	From	To	Est Flow	SWL (psi)	SWL (ft)
	20	25	259.1		

(11) WELL LOG Ground Elevation

Material	From	To
TOP SOIL	0	2
BLACK CLAY	2	60
Gray Clay	60	120
Blue Clay	120	180
Gray Basalt	180	225
Red Chert	225	260

RECEIVED

RECEIVED BY OWRD

MAR 13 2012

JUL 12 2012

WATER RESOURCES DEPT

SALEM, OREGON

SALEM, OR

Date Started 9-28-10 Completed 10-28-10(unbonded) Water Well Constructor Certification
I certify that the work performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.License Number Date Signed

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 10-12-11Signed

Contact Info (optional)

Search Drilling INC
70M Search 501-576-2189ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR OWRD
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK (11/12/2009)

APR 24 2014

SALEM, OR

STATE OF OREGON
WATER SUPPLY WELL REPORT
ORS 537.765 & OAR 690-205-0210

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

(1) LANDOWNER

Owner Well I.D. _____
First Name Thomas Last Name McDaniel
Company _____
Address PO Box 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK

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

(2a) PRE-ALTERATION:

Well Depth _____ ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD

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

(4) PROPOSED USE

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

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL				
Dia	From	To	Material	From	To	Amount	Scks/lbs
24"	0	39	Cement	0	39	80	SCK
18"	39	210	Cement	40	210	150	SCK
12"	210	260					

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

☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		18"	+	39	210	.250	X		X	
X		12"	-	3	220	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf	Scrn	Casing	Linr	Screen	From	To	Screen/	Slot	# of	Tele/
				Dia			slot	length	slots	pipe
							width			size

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

☐ Pump ☐ Bailer ☒ Air ☒ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

LAKE 52308
LAKE 52368
Am 7/12/10

L 137024

WELL LABEL # L 10 3897 TAG LOST!
START CARD # 206439
ORIGINAL LOG # _____

DRAFT

(9) LOCATION OF WELL (legal description)

County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 NE NW 1/4 of the _____ 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>10-28-10</u>	<u>2 PSI</u>		
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES

Depth water was first found 23'

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	<u>20</u>	<u>25</u>	<u>25 gpm</u>			

(11) WELL LOG

Ground Elevation _____

Material	From	To
TOP SOIL	0	2
BLACK CLAY	2	60
GRAY CLAY	60	120
BLUE CLAY	120	180
GRY BASALT	180	225
RED CLAY	225	260

RECEIVED

RECEIVED BY OWRD

MAR 13 2012

JUL 12 2012

WATER RESOURCES DEPT

SALEM, OREGON

SALEM, OR

Date Started 9-28-10 Completed 10-28-10

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 10-12-11

Signed Th. S.

Contact Info. (optional)

Search Drilling INC
Tom Search 501-576-2189

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

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

(1) LANDOWNER Owner Well I.D.
First Name Thomas Last Name Smith MC Donnell
Company _____
Address PO Box 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well _____ ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
24"	0	39	Cement	0	39	80	SCK
18"	39	210	Cement	40	210	150	SCK
12"	210	260					

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

Backfill placed from _____ ft. to _____ ft. Material _____
filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing/Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	18"	1	39	210	.250	Y		Y	
Y	12"	3	210	260	.150	X		Y	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf	Casing/Liner	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

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

☐ Pump ☐ Bailer ☐ Air ☒ Flowing Artesian
Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____
1000.

Temperature 60 °F Lab analysis ☐ Yes By _____
Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

Well #12
LAKE 52368
Amended

LAKE 52368 L 137024
WELL LABEL # L 103897 TAG LOST!
START CARD # 206439
ORIGINAL LOG #

DRAFT

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the 14 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>10-25-10</u>	<u>21.5</u>		
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	<u>20</u>	<u>25</u>	<u>259.1</u>			

(11) WELL LOG

Material	From	To
TOP SOIL	0	2
Black clay	2	60
Gray clay	60	120
Blue clay	120	180
Gray sand	180	225
Red sand	225	260

Date Started 9-28-10 Completed 10-25-10

(unbonded) Water Well Constructor Certification

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

License Number APR 05 2012 Date _____

Signed WATER RESOURCES DEPT

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 10-12-11

Signed Search
Contact Info. (optional) Search Drilling I.A.C
10m Search 511-76-2189

STATE OF OREGON
WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

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

Well #12
LAKE 52368

L 137024

WELL LABEL # 103897 TAG LOST!

START CARD # 206439

ORIGINAL LOG #

(1) LANDOWNER Owner Well I.D.
First Name Thomas Last Name Search
Company _____
Address PO Box 87
City Summer Lake State OR Zip 97140

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Allocation (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well _____ ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Secs/lb
Dia	From	To	Material	From	To		
24"	0	39	Cement	0	39	80	SEC
18"	39	210	Cement	210	210	750	SEC
12"	210	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____
Backfill placed from _____ ft. to _____ ft. Material _____
filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

Casing/Liner		Din	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
Casing	Liner									
X		16"	+	1	39	.250	X		X	
X		12"	-	3	210	.150	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS
Perforations Method _____
Screens Type _____ Material _____

Perf	Screen	Casing	Liner	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☐ Air ☒ Flowing Artesian
Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____
Temperature 60 °F Lab analysis ☐ Yes By _____
Water quality concerns? ☐ Yes (describe below) TDS _____ ppm
From _____ To _____ Description _____ Amount _____ Units _____

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the _____ 1/4 Tax Lot 600
Tax Map Number _____ Lnt _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97140

(10) STATIC WATER LEVEL		Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration		<u>10-24-10</u>	<u>2 PSI</u>		
Completed Well					

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	<u>10</u>	<u>25</u>	<u>25 gal</u>			

(11) WELL LOG		Ground Elevation	
Material	From	To	
TOP SOIL	0	2	
BLACK CLAY	2	60	
GRY CLAY	60	120	
BLUE CLAY	120	180	
GRY BASALT	180	225	
RED CLAY	225	260	

Date Started 9-29-10 Completed 10-29-10

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

License Number _____ Date _____

Signed _____

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

License Number 1654 Date 10-12-11

Signed Tom Search

Contact Info. (optional)

Search drilling INC
70M Search 501-576-2189

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

01/02/2009

P.3/3

TO:15039860904

5415762189

MAR-12-2012 12:35 FROM:TOM

LAKE 52368

May 15th, 2014

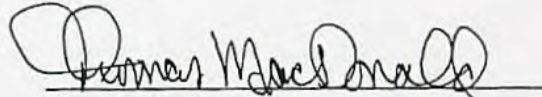
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

LAKE 52368

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

Application for Well ID Number

DEC 10 2019

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

OWRD

I. OWNER INFORMATION

Current Owner Name (please print): Western Development Group, LP - Attention: Bernie Burkholder

Mailing Address: PO Box 40

City, State, Zip: Summer Lake, OR 97640

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

Name & Address: _____

City, State, Zip: _____

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

Township: 30 S (North / ~~South~~) Range: 17 E (~~East~~ / West) Section: 5 SW 1/4 of the SE 1/4

Tax Lot (usually last 3-5 numbers of Tax Map #): 600 County Lake

GPS Coordinates: 42 59' 28.27" N 120 43' 50.53" W

Street Address of Well, City: 48413 Desert Springs Rd Summer Lake

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

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

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

Date Well Constructed (or property built): 10-28-10 Total Well Depth: 260' Casing Diameter: 12"

Owner at time the well was constructed (if known): _____ Well Report # (if known): Lake 52368

Other Information: Previously assigned Well I.D. Label # L103897 has been lost

SUBMITTED BY (please print): Ethan Negus

PHONE: (541) 943-3192 EMAIL &/or FAX: ethan.negus@desertspringstroutfarm.com

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

** Replacement tag!*

For Official Use Only by the Oregon Water Resources Department:

Received Date:

12-10-19

Well Report Number:

LAKE 52368

Well Identification #:

L-137024

Last Update: 5/15/18

Well I.D. Number/2

WCC

Received Time Dec. 10. 2019 2:10PM No. 0797

LAKE 52369

Well #7

Well #7

LAKE 52369

Well #1

STATE OF OREGON
WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

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

WELL LABEL # 103498START CARD # 206440

ORIGINAL LOG #

(1) LANDOWNER
First Name Thomas Last Name Mac Donell
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PIPE-ALTERATION: Well Depth ft.
Seal Material
Casing Type: ☐ Steel ☐ Plastic ☐ Other
Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 340 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Sacks/ft
Dia	From	To	Material	From	To		
12"	0	110	Concrete	0	110	300	50K
12"	110	340					

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

☐ Other
Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/ft.
Actual Amount Used: sacks/ft.

(6) CASING/LINER		Dia	From	To	Gauge	Steel	Plastic	Welded	Thrd
Casing	Liner								
X		12"	0	110	.250	X			X

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS

Perforations Method
Screens Type Material

Perf	Screen	Casing	Liner	Screen	From	To	Screen/Slot width	Slot height	# of slots	Total pipe size

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

☐ Pump ☐ Bailer ☐ Air ☒ Flowing Artesian

Yield gal/min Drawdown Drill stem/penetration depth Duration (hr)

Temperature 60 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County LAKE Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the 1/4 Eas Lot 600
Tax Map Number Lot
Lat Long UMS or UTD

Street Address of Well (or nearest address) 48413 Dr 550T
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL

Existing Well/Alteration	Date	SWL (gal)	+	SWL (ft)
Completed Well	7-5-11	4 PSI		

Flowing Artesian? ☐ Yes ☐ Dry Hole? ☐ Yes ☐ No

WATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	190	200	500 gal			1"

(11) WELL LOG

Material	From	To
TOP SOIL	0	2
Gravel	2	10
Black clay with	10	15
Remnant	15	25
Green clay	25	65
Gravel	65	105
Gravel	105	120
Red Rock	120	240
Red Basalt	240	260
Black Lava Rock	260	280
Red Limestone	280	340

Date Started 10-30-10 Completed 3-5-11

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

License Number Date

Signed

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

License Number 1654 Date 10-12-11

Signed

Contact Info. (optional)
Search drilling INC
Tom Search
541 576-2189

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

P.1-3

080805050101

5415762189

MAY 12 12:34 FROM: TOM

APR 24 2016

SALEM, OR

STATE OF OREGON
WATER SUPPLY WELL REPORT

(OR)

Inst

DRAFT

port are on the last page of this form.

(1) Owner Well I.D.
First Last Name Mac Donald
Company
Address PO Box 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth ft.
Seal Material
Casing Type: ☐ Steel ☐ Plastic ☐ Other
Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 340 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL		
Dia	From	To	Material	From	To
20"	0	220	Cement	0	220
12"	220	340			

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

Backfill placed from ft. to ft. Material
Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/lbs
Actual Amount Used: sacks/lbs

(6) CASING/LINER									
Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded
X		12"	+	1	220	.250	X		X

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS

Perforations Method
Screens Type Material

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

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

☐ Pump ☐ Bailer ☒ Air ☒ Flowing Artesian
Yield gal/min 3000 Drawdown 370 Drill stem/Pump depth Duration (hr)

Temperature 60 °F Lab analysis ☐ Yes By
Water quality concerns? ☐ Yes (describe below) TDS ppm

From	To	Description	Amount	Units

Well #13 LAKE
LAKE 52369
52369

WELL LABEL # 103848
START CARD # 206440
ORIGINAL LOG #

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the 1/4 Tax Lot 600
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL
Date 2-5-11 SWL (psi) 4 + SWL (ft)
Existing Well/Pre-Alteration
Completed Well

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	190	200	500 gal			1"

(11) WELL LOG Ground Elevation

Material	From	To
TOP SOIL	0	2
Gravel	2	10
Black clay with	10	35
limonite	35	65
Green clay	65	105
Gravel	105	220
lava rock	220	240
Red Basalt	240	360
Black lava rock	260	360
Red clark	300	340

Date Started 10-30-10 Completed 3-5-11

(unbonded) Water Well Constructor Certification
I certify that the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
JUL 12 2012

License Number Date
Signed SALEM, OR MAR 13 2012

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WATER RESOURCES DEPT
SALEM, OREGON

License Number 1654 Date 10-12-11
Signed
Contact Info. (optional) Search drilling INC

Tom Search
541 576-2189

STATE OF
WATER RESOURCES
ORS 537.76

DRAFT

LAKE 52369

Well #1

WELL LABEL # L 103848
START CARD # 206440
ORIGINAL LOG #

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

(1) LANDOWNER
First Name Thomas Last Name MAC DONALD
Company
Address PO BOX 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth ft.

Seal Material

Casing Type: ☐ Steel ☐ Plastic ☐ Other

Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 340 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
20"	0	220	Cement	0	220	300	50K
12"	220	340					

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

Backfill placed from ft. to ft. Material
Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/lbs
Actual Amount Used: sacks/lbs

(6) CASING/LINER									
Casing/Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	14"	+	1	220	1.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS
Perforations Method
Screens Type Material

Perf	Screen	Casing/Liner	Screen Dia	From	To	Screen/slot width	Slot length	# of slots	Tele/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailor ☐ Air ☒ Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Temperature 60 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County LAKE Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the 1/4 Tax Lot 600
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD

Street Address of Well (or nearest address) 48413 Dessert Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	3-5-11	4 PSI		
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	190	200	500 gal			1"

(11) WELL LOG	Ground Elevation	
Material	From	To
TOP SOIL	0	2
CLAY CLINT	2	10
BLACK CLAY WITH	10	35
limonite	35	65
Green clay	65	105
CLAY CLINT	105	220
Lava Rock	220	240
Red Basalt	240	260
Black Lava Rock	260	300
Red CLINT	300	340

Date Started 10-30-10 Completed 3-5-11

(unbanded) Water Well Constructor Certification
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License Number Date

Signed

(banded) Water Well Constructor Certification
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License Number 1654 Date 10-12-11

Signed

Contact Info. (optional)

Search drilling INC
Tom Search
541 576 2189

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

RECEIVED
MAR 1 2 2012
WATER RESOURCES DEPT
SALEM, OREGON

LAKE 52369

May 15th 2014

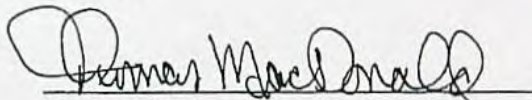
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

LAKE 52487

Well #8

Well #8

LAKE 52487

LAKE 52487

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690.205-0210)

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

WELL LABEL # 104458
START CARD # 206041
ORIGINAL LOG #

(1) LANDOWNER
First Name Thomas Last Name McCormick
Company
Address P.O. Box 5-1 State OR Zip 97140
City Salem, OR

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth 260 ft.

Seal Material

Casing Type: ☐ Steel ☐ Plastic ☐ Other

Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
2 1/2"	0	90	Cement	0	90	100	50
1 1/2"	90	155	Cement	90	155	100	50
1 1/4"	155	200					
1 1/8"	200	260					

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

☐ Other

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/lbs
Actual Amount Used: sacks/lbs

(6) CASING/LINER		Dia	From	To	Gauge	Steel	Plastic	Welded	Thrd
Casing	Liner								
X		1 1/2"	0	90	1.750	X		X	
X		1 1/4"	90	155	1.750	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)

Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS
Perforations Method
Screens Type Material

Perf	Screen	Casing	Liner	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailor ☐ Air ☒ Flowing Artesian
Yield gal/min 1500 Drawdown Drill stem/Pump depth Duration (hrs) hr
Temperature 60 °F Lab analysis ☐ Yes By
Water quality concerns? ☐ Yes (describe below) TDS ppm
From To Description Amount Units

(9) LOCATION OF WELL (legal description)
County Clatsop Twp 30 N or S Range 17 E or W W.M.
Sec 85 E of the SW 1/4 of the SW 1/4 Tax Lot 6002
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD
Street Address of Well (or nearest address) 48413 0+550'
Spring rd Summer Lake

(10) STATIC WATER LEVEL					
		Date	SWL (psi)	+	SWL. (ft)
Existing Well/Pre-Alteration		7-1-13	4 psi		
Completed Well					
Flowing Artesian? <input checked="" type="checkbox"/> Yes Dry Hole? <input type="checkbox"/> Yes					
WATER BEARING ZONES Depth water was first found 260'					
SWL Date	From	To	Est Flow	SWL (psi)	SWL (ft)
7-1-13	270	260	1500	4 psi	

(11) WELL LOG		Ground Elevation	
Material	From	To	
<u>Gravel</u>	<u>0</u>	<u>2</u>	
<u>Black lava rock</u>	<u>2</u>	<u>150</u>	
<u>Black lava rock</u>	<u>150</u>	<u>165</u>	
<u>Black lava rock</u>	<u>165</u>	<u>220</u>	
<u>Black lava rock</u>	<u>220</u>	<u>260</u>	
RECEIVED BY OWRD			
RECEIVED BY OWRD			
NOV 18 2013			
SALEM, OR			
Date Started <u>8-15-13</u> Completed <u>9-1-13</u>			

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

License Number Date

Signed

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

License Number 16561 Date 10-6-13

Signed

Contact Info (optional)

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

RECEIVED BY OWRD

APR 24 2014

SALEM, OR

DRAFT

REPORT

(0210)

This report are on the last page of this form.

LAKE 52487**LAKE 52487**WELL LABEL # L 104458START CARD # 20641

ORIGINAL LOG #

(1) LANDOWNER

Owner Well I.D.

First Name ThomasLast Name MacDonald

Company

Address Po Box 51City Sumner LakeState CAZip 97640**(2) TYPE OF WORK**☒ New☐ Conversion☐ Deepening☐ Alteration (complete Sections 2a & 10)☐ Abandonment (complete Section 5a)**(2a) PRE-ALTERATION:**

Well Depth _____ ft.

Seal Material _____

Casing Type:

☐ Steel☐ Plastic☐ Other _____

Casing Gauge _____

Casing Diameter _____

(3) DRILL METHOD☒ Rotary Air☐ Rotary Mud☐ Auger☐ Cable☐ Cable Mud☐ Reverse Rotary☐ Other _____**(4) PROPOSED USE**☐ Domestic☒ Irrigation☐ Community☐ Industrial/Commercial☐ Livestock☐ Dewatering☐ Injection☐ Thermal☐ Other _____**(5) BORE HOLE CONSTRUCTION**Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)**BORE HOLE****SEAL**

Dia	From	To	Material	From	To	Amount	Scks/lbs
24"	0	90	Concrete	0	90	100	50
18"	90	155	Concrete	90	155	100	50
14"	155	200					
10"	200	260					

How was seal placed: Method

☐ A☐ B☒ C☐ D☐ E☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs

Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		18"	+	1	90	.250	X		X	
X		14"	+	1	155	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____Temporary casing ☐ Yes Diameter _____ From _____ To _____**(7) PERFORATIONS/SCREENS**

Perforations Method _____

Screens • Type _____ Material _____

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour☐ Pump☐ Bailer☐ Air☒ Flowing Artesian

Yield gal/min

Drawdown

Drill stem/Pump depth

Duration (hr)

1500hrTemperature 60 °F Lab analysis ☐ Yes By _____Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)County Lake Twp 30 N or S Range 17 E or W W.M.Sec 5 SE 1/4 of the 12 1/4 Tax Lot 600

Tax Map Number _____

Lot _____

Lat _____

" or _____

DMS or DD

Long _____

" or _____

DMS or DD

Street Address of Well (or nearest address) 48413 D-55-J
Spring rd Summer Lake**(10) STATIC WATER LEVEL**

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>9-1-13</u>	<u>4 psi</u>		
Completed Well				

Flowing Artesian? ☒ Yes Dry Hole? ☐ Yes**WATER BEARING ZONES**Depth water was first found 260

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
<u>9-1-13</u>	<u>220</u>	<u>260</u>	<u>1500</u>	<u>4 psi</u>		

(11) WELL LOG

Ground Elevation _____

Material	From	To
<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>Gravel c/s</u>	<u>2</u>	<u>150</u>
<u>Black Lake Rock</u>	<u>150</u>	<u>165</u>
<u>Red Lake Rock</u>	<u>165</u>	<u>220</u>
<u>Red Lake Rock</u>	<u>220</u>	<u>260</u>

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OCT 10 2013

SALEM, OR

SALEM, OR

Date Started 8-15-13 Completed 9-1-13**(unbonded) Water Well Constructor Certification**

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

License Number _____

Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 16541Date 10-6-13

Signed _____

Contact Info. (optional) _____

LAKE 52487

May 15th 2014

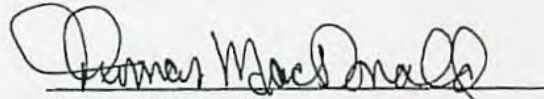
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

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MAY 19 2014

SALEM, OR

WELL I.D. LABEL#	L135003
START CARD #	212531
ORIGINAL LOG #	

Owner Well L.D.

Contact Info (optional) _____

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version: 0.95

[illegible]

#1 390'S & 150'W } No change
#2 480'S & 190'W }
#3 525'S & 140'W }
#4 340'S & 145'W }

#6 155°N & 230°E
#7 110°S & 280°W
#8 2070°N & 100°E
#5 3200°N & 300°W
#9 1040°N & 130°W

#5 150'S & 300'W
#6 160'S & 80'W
#7 150'S & 30'W
#8 340'S & 280'W

Scale $1'' = 1320'$
($4'' = 1 \text{ mile}$)

FEB 28 2020

OWRD



App G-11640
Per G-11024

T-10716
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MAR 05 2014

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS, LLC

~~PG Box 17518~~ 80382 Arnold Rd
Salem, OR ~~97308-7519~~ Bend, OR 97702
~~(503) 595-7500~~ (541) 382-7391

13337

SALEM FOR

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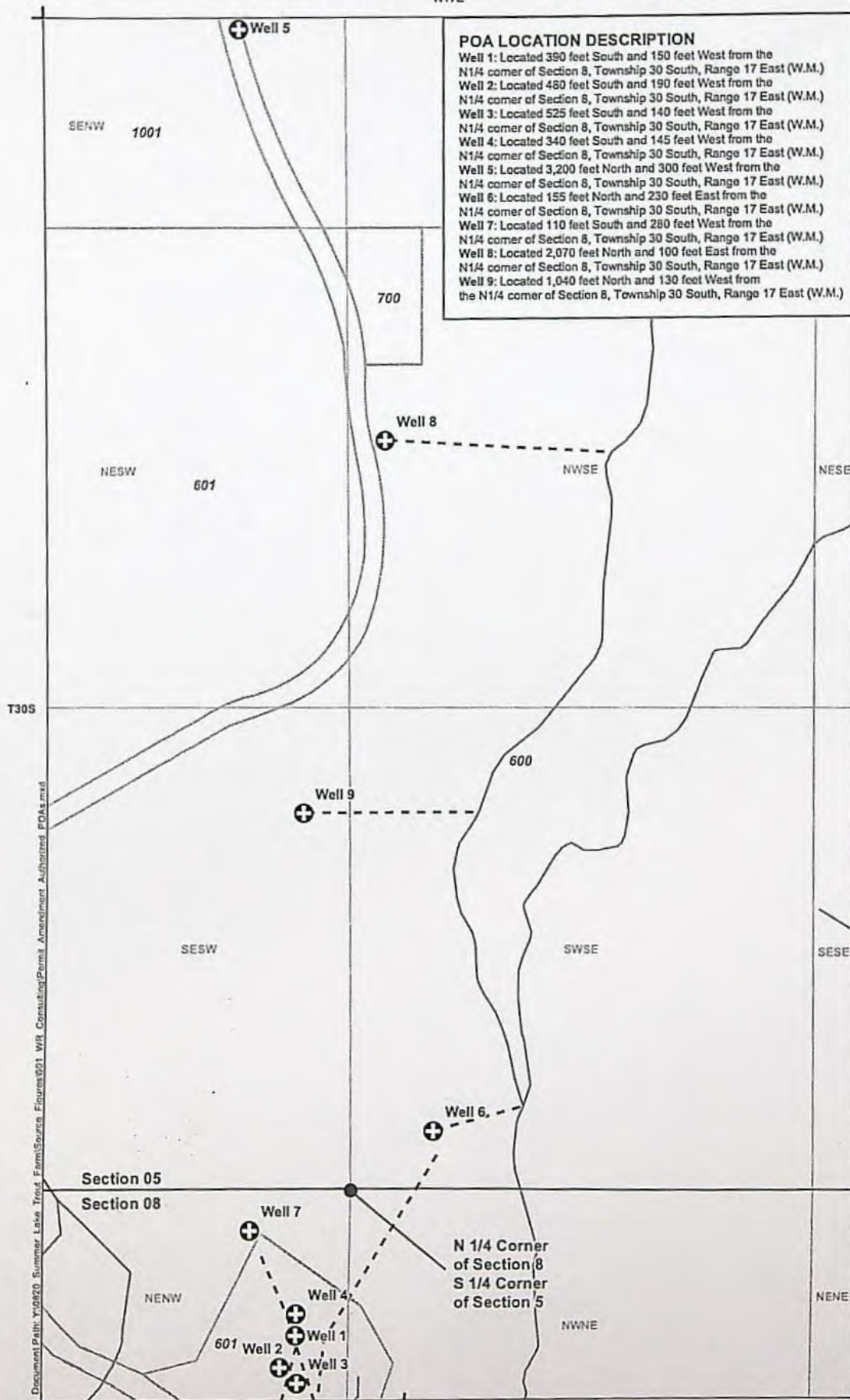
ATTACHMENT B

Permit Amendment Application POA & POU Maps

Permit Amendment Application Permit G-17749, Application G-11640 Authorized Points of Appropriation

Lake County, Township 30 South, Range 17 East (W.M.)

R17E



POA LOCATION DESCRIPTION

Well 1: Located 390 feet South and 150 feet West from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)
Well 2: Located 460 feet South and 190 feet West from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)
Well 3: Located 525 feet South and 140 feet West from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)
Well 4: Located 340 feet South and 145 feet West from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)
Well 5: Located 3,200 feet North and 300 feet West from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)
Well 6: Located 155 feet North and 230 feet East from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)
Well 7: Located 110 feet South and 280 feet West from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)
Well 8: Located 2,070 feet North and 100 feet East from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)
Well 9: Located 1,040 feet North and 130 feet West from the N1/4 corner of Section 8, Township 30 South, Range 17 East (W.M.)

LEGEND

- Authorized Point of Appropriation (POA)
- Conveyance System Line
- Fish Raceways**
- Existing
- All Other Features**
- Tax Lot
- Watercourse

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DISCLAIMER

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

MAP NOTES

Date: February 21, 2020
Data Sources: USGS, NAIP 2016, ESRI, BLM

0 200 400
1 inch = 400 feet

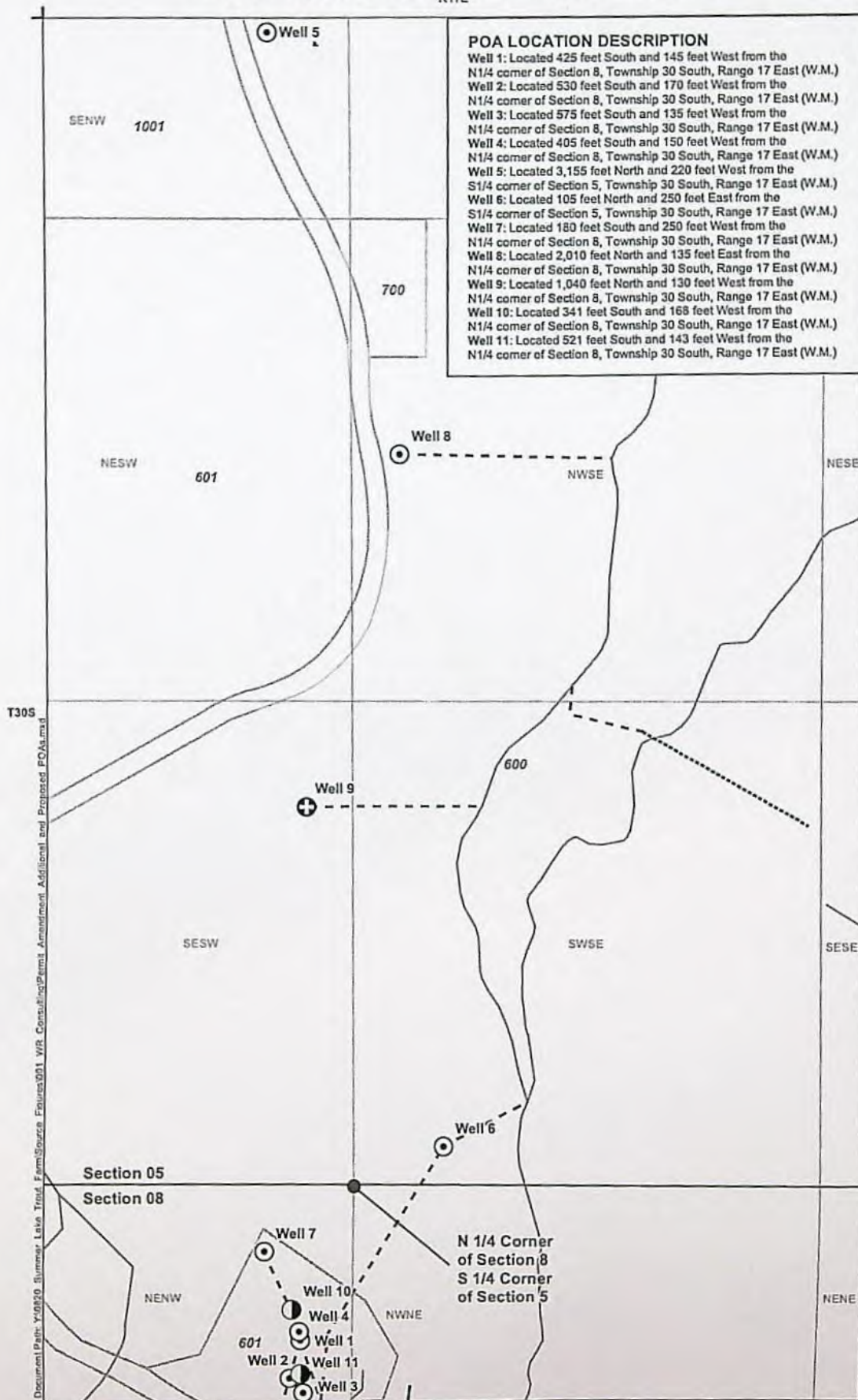


13337

Permit Amendment Application Permit G-17749, Application G-11640 Authorized, Additional, and Proposed Points of Appropriation

Lake County, Township 30 South, Range 17 East (W.M.)

R17E



LEGEND

- ⊕ Authorized Point of Appropriation (POA)
- Additional Point of Appropriation (POA)
- ⊙ Proposed Point of Appropriation (POA)
- - - Conveyance System Line

Fish Raceways

- Existing
- Proposed

All Other Features

- ⊕ Tax Lot
- ~ Watercourse

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DISCLAIMER

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

MAP NOTES

Date: February 21, 2020
Data Sources: USGS, NAIP 2016, ESRI, BLM

0 200 400
1 inch = 400 feet



Permit Amendment Application Permit G-17749, Application G-11640

Place of Use

Lake County

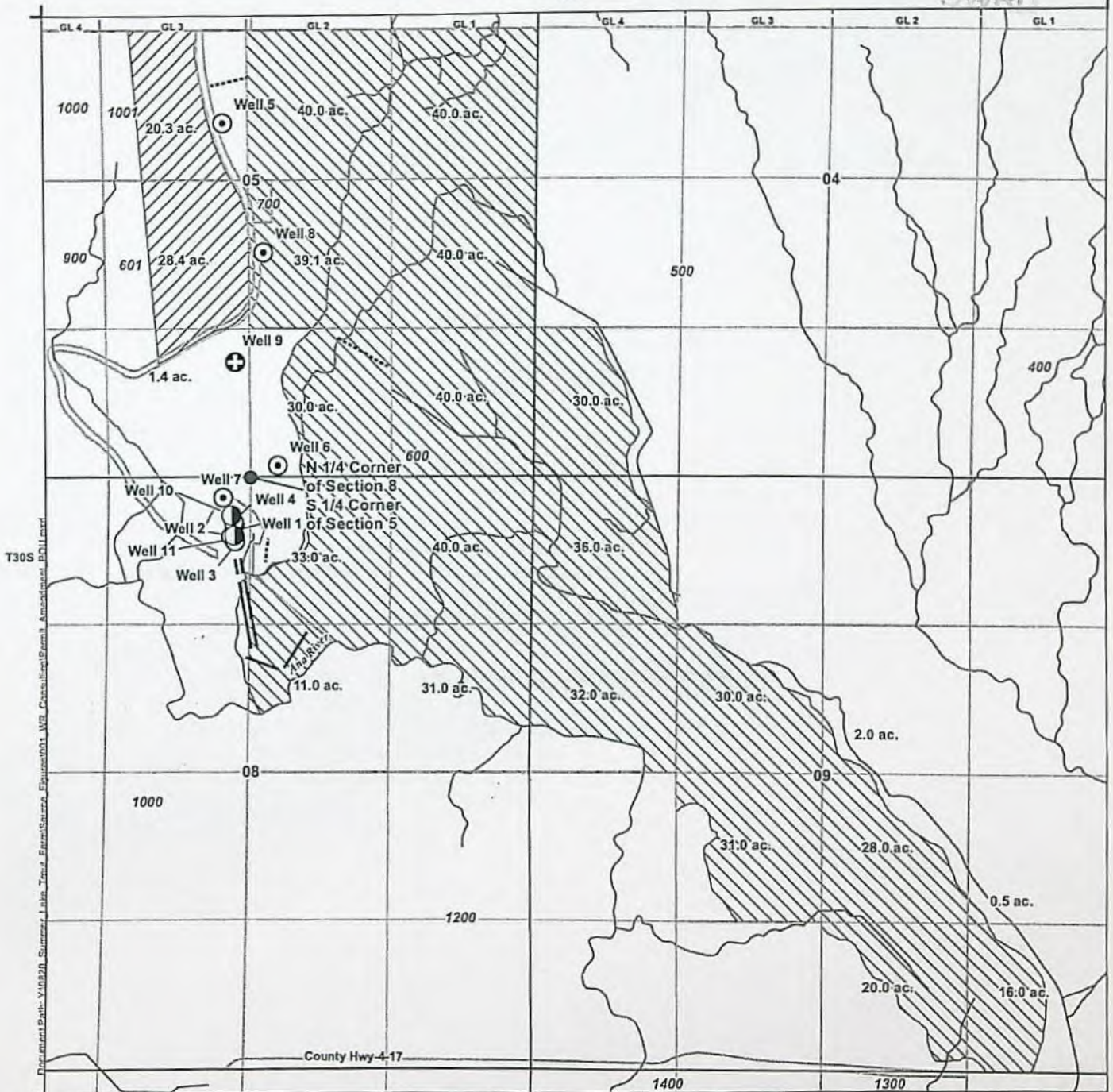
Township 30 South, Range 17 East (W.M.)

R17E

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LEGEND

- ⊕ Authorized Point of Appropriation (POA) All Other Features
- Additional Point of Appropriation (POA)
- ⊙ Proposed Point of Appropriation (POA)
- Place of Use (POU)
 - ▨ Primary Irrigation, (50.1 ac.)
 - ▨ Supplemental Irrigation, (569.6 ac.)
 - Existing (Fish Culture)
 - Proposed (Fish Culture)
- Government Lot (GL)
- Tax Lot
- ~ Watercourse

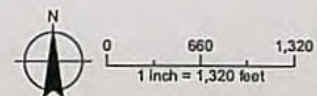
DISCLAIMER

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

MAP NOTES

Date: February 21, 2020

Data Sources: USGS, NAIP 2016, ESRI, BLM



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ATTACHMENT C

OWRD Land Use Information Form

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Part 5 of 5 – Water Use Permit Information

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

PERMIT # G-17749

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3030	30 S	17 E	8	NE NW	601	390 feet South and 150 feet West from the North ¼ corner of Section 8
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 3030	30 S	17 E	8	NE NW	601	*425 feet South and 145 feet West from the North ¼ corner of Section 8
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 1507	30 S	17 E	8	NE NW	601	480 feet South and 190 feet West from the North ¼ corner of Section 8
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 1507	30 S	17 E	8	NE NW	601	*530 feet South and 170 feet West from the North ¼ corner of Section 8
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 4444	30 S	17 E	8	NE NW	601	525 feet South and 140 feet West from the North ¼ corner of Section 8
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 4444	30 S	17 E	8	NE NW	601	*575 feet South and 135 feet West from the North ¼ corner of Section 8
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3029	30 S	17 E	8	NE NW	601	340 feet South and 145 feet West from the North ¼ corner of Section 8
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 3029	30 S	17 E	8	NE NW	601	*405 feet South and 150 feet West from the North ¼ corner of Section 8
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52764	30 S	17 E	5	SE NW	600	3200 feet North and 300 feet West from the North ¼ corner of Section 8
Well 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52764	30 S	17 E	5	SE NW	600	*3,155 feet North and 220 feet West from the South ¼ corner of Section 5
Well 6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52368	30 S	17 E	5	SW SE	600	155 feet North and 230 feet East from the North ¼ corner of Section 8
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52368	30 S	17 E	5	SW SE	600	*105 feet North and 250 feet East from the South ¼ corner of Section 5
Well 7	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52369	30 S	17 E	8	NE NW	601	110 feet South and 280 feet West from the North ¼ corner of Section 8
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52369	30 S	17 E	8	NE NW	601	*180 feet South and 250 feet West from the North ¼ corner of Section 8
Well 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52487	30 S	17 E	5	NW SE	600	2070 feet North and 100 feet East from the North ¼ corner of Section 8

Well 8	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52487	30 S	17 E	5	NW SE	600	*2,010 feet North and 135 feet East from the South ¼ corner of Section 5
Well 9	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	not drilled yet	30 S	17 E	5	SE SW	600	1,040 feet North and 130 feet West from the North ¼ corner of Section 8
Well 10	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	not drilled yet	30 S	17 E	8	NE NW	601	330 feet South and 180 feet West from the North ¼ corner of Section 8
Well 11	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	not drilled yet	30 S	17 E	8	NE NW	601	550 feet South and 155 feet West from the North ¼ corner of Section 8

*These POAs have been re-described slightly from that listed on the Permit to more accurately reflect the location of the wells. The location, as presented in this Permit Amendment, are the same location as these well have always been located.

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

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

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

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

For a change in place of use:

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

☐ Yes ☒ No (an assignment form is being submitted that will be completed on a parallel track to this application)

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

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

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

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

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

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

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
30	S	17	E	5	SE	NW	1001		20.3 – IR	Wells #1-9	4/7/1987	POA/APOA	30	S	17	E	5	SE	NW	1001		20.3 – IR	Wells #1-11	4/7/1987
30	S	17	E	5	NE	SW	601		28.4 – IR	Wells #1-9	4/7/1987		30	S	17	E	5	NE	SW	601		28.4 – IR	Wells #1-11	4/7/1987
30	S	17	E	5	SE	SW	601		1.4 – IR	Wells #1-9	4/7/1987		30	S	17	E	5	SE	SW	601		1.4 – IR	Wells #1-11	4/7/1987
30	S	17	E	4	SW	SW	600		30.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	4	SW	SW	600		30.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	SW	NE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	SW	NE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	SE	NE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	SE	NE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	NE	SE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	NE	SE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	NW	SE	600/601 /700		39.1 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	NW	SE	600/601 /700		39.1 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	SW	SE	600		30.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	SW	SE	600		30.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	SE	SE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	SE	SE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	8	NE	NE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	8	NE	NE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	8	NW	NE	600/601		33.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	8	NW	NE	600/601		33.0 – IS	Wells #1-11	4/7/1987

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0		
"	"	"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0		
30	S	17	E	8	SW	NE	600/601		11.0 – IS	Wells #1-9	4/7/1987	POA/APOA	30	S	17	E	8	SW	NE	600/601		11.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	8	SE	NE	600		31.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	8	SE	NE	600		31.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SW	NE	600		2.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SW	NE	600		2.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	NW	NW	600		36.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	NW	NW	600		36.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SW	NW	600		32.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SW	NW	600		32.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SE	NW	600		30.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SE	NW	600		30.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	NE	SW	600		31.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	NE	SW	600		31.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	NE	SE	600		0.5 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	NE	SE	600		0.5 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	NW	SE	600		28.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	NW	SE	600		28.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SW	SE	600		20.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SW	SE	600		20.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SE	SE	600		16.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SE	SE	600		16.0 – IS	Wells #1-11	4/7/1987
TOTAL ACRES									50.1 –IR 569.6 – IS	TOTAL ACRES									50.1 –IR 569.6 – IS					

Additional remarks: This table summarizes the Place of Use for the Irrigation (primary and supplemental) portion of Permit G-17749. Acreage labeled as IR are primary irrigation, and acreage labeled as SI are supplemental irrigation. The acres associated with the irrigation use on this right are NOT being modified, however the Applicant is proposing to add two new POAs that are intended to serve as replacement wells for the current Wells #1 through #4 that are beginning to fail. The Applicant is proposing that all POAs (existing and new) be authorized for irrigation use. The Applicant is also proposing to modify the Place of Use for the Fish Culture portion of Permit G-17749 by adding additional fish raceways. This change in POU is described in the next table.

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
												POA/APOA /POU	30	S	17	E	8	SW	NE	601		N/A	Wells #1-11	4/7/1987 & 6/14/1989
											30		S	17	E	8	NE	NW	601		N/A	Wells #1-11		
											30		S	17	E	8	SE	NW	601		N/A	Wells #1-11		
											30		S	17	E	8	NW	NE	600		N/A	Wells #1-11		
											30		S	17	E	5	SW	SE	600		N/A	Wells #1-11		
											30		S	17	E	5	SE	NW	600		N/A	Wells #1-11		
TOTAL ACRES										TOTAL ACRES						N/A								

Additional remarks: This table summarizes the Place of Use for the Fish Culture portion of Permit G-17749. The Applicant is proposing to add two new POAs that are intended to serve as replacement wells for the current Wells #1 through #4 that are beginning to fail. The objective is that all of the POAs (existing and new) will be authorized for Fish Culture use in any of the raceways. The Applicant is also proposing to modify the Place of Use for the Fish Culture portion of Permit G-17749 by adding additional fish raceways. This change in the Fish Culture POU is described in the table on this page. The fish raceways are a non-consumptive use and the additional proposed fish raceways will not enlarge the original water right. The fish raceways also serve as a lined conveyance to the POU for Irrigation.

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

If YES, list the other certificate, permit, or ground water registration numbers: SWR 170; Certs. 83065 & 83069

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) (**Attachment D**)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 9	No		500'	16"	+1 to 220'	0 to 220'		Artesian	Volcanic/basalt Unit below basin fill	2,000 gpm
Well 10*	No		300'	16"	+1 to 120	0 to 120'		Artesian	cinders/boulders/lava	2,000 gpm
Well 11*	No		275'	16"	+1 to 120	0 to 120'		Artesian	cinders/boulders/lava	2,000 gpm

*- will be constructed in a similar fashion to existing wells 3 and 4 that are beginning to fail

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ATTACHMENT A
Permit G-17749

13337

STATE OF OREGON
COUNTY OF LAKE
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

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

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

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

The wells are located as follows:

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

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

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

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

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

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

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

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

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

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

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Permit Amendment T-11749

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

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

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

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

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

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

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

Water use measurement conditions:

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

Original Permit Conditions

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

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

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

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

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

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

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

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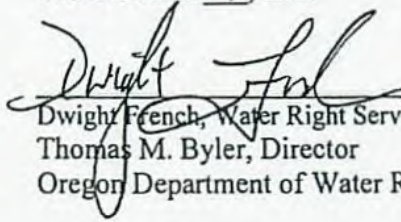
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The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Issued March 17, 2017



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

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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-13337

Review Due Date: 03/11/2020

Applicant Name: Thomas Macdonald

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

Reviewer(s): Brian Mayer

Date of Review: 03/09/2020

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

Drilling of any additional wells could have an effect on senior water right holders on the Ana spring and Ana river systems. Well 9 should not be drilled. Potentially affected water rights Certificates 82287, 83078, 90017, 11242, 22005, 83077, 83079, 90017, 64860, 82765, 38098, and 85478.

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:

during the irrigation season water that is not taken up by plant growth returns to the river at various places in sections 8 and 9 of T. 30S R. 17E. In off season water is returned to the Ana R. in the SWNE of Section 8 T.30S R.17E

☒ N/A

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

☒ N/A

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

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

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

10. For POU or USE changes: ☒ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☐ Yes ☐ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

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

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

☐ Yes ☐ No If "Yes", describe:

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

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

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

☒ Yes ☐ No If "Yes", explain:

Senior water rights on the Ana River and spring system

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

☐ Yes ☒ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

Remove well 9 from transfer,

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

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

☐ A Headgate should be required prior to diverting water.

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

a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, ☒ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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

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

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

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Weir | <input checked="" type="checkbox"/> Submerged Orifice |
| <input checked="" type="checkbox"/> Parshall Flume | <input type="checkbox"/> Flow Restrictor |
| <input checked="" type="checkbox"/> Other: <u>Ramp Flume</u> | |

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13337



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



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



at each new point of diversion/appropriation.

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

Watermaster name: Brian Mayer

District: 12

Address: 513 Center St.

City/State/Zip: Lakeview OR 97630

Phone: 541.947.6038

Email: brian.m.mayer@oregon.gov

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

Approval of an Alternate Measurement Device T- 13337
(to be filled out after consultation with the applicant, or after a site visit)

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

 Watermaster signature

 District

 Date

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

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

BAUSTIAN Julie C * WRD

From: JARAMILLO Lisa J * WRD
Sent: Monday, January 13, 2020 10:50 AM
To: BAUSTIAN Julie C * WRD
Cc: STARNES Patrick K * WRD
Subject: FW: Pending Civil Litigation Affecting Claim SWR 170, Water Right Certificate 83065, Water Rights Certificate 83069, and Permit G-17749 [IWOV-Worksite.FID2071379]
Attachments: LT OWRD Re McDonald Pending Litigation, 3.pdf

Hi Julie,

Please print copies of this email and the attached letter, and place copies of both in each of the following files:

- Claim SWR 170 (NOTE: This is a surface water registration claim);
- Certificate 83065 (Application S-61505);
- Certificate 83069 (Application S-57451);
- Permit G-17749 (Application G-11640); and
- Transfer T-13337

Please let me know if you have any questions.

Thank you,
Lisa

Lisa J. Jaramillo

Transfer and Conservation Section Manager
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone 503-986-0880



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

From: Steve Shropshire <Steve.Shropshire@jordanramis.com>
Sent: Friday, January 10, 2020 5:19 PM
To: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>; Patrick.K.STARNES@state.or.us; FRENCH Dwight W * WRD <Dwight.W.French@oregon.gov>
Cc: Lisa Klonoski <Lisa.Klonoski@jordanramis.com>; Libby Wawro <Libby.Wawro@jordanramis.com>
Subject: RE: Pending Civil Litigation Affecting Claim SWR 170, Water Right Certificate 83065, Water Rights Certificate 83069, and Permit G-17749 [IWOV-Worksite.FID2071379]

Lisa, Kelly, and Dwight:

In November 2018, my colleague Peter Mohr sent Lisa the attached letter notifying the Department of pending litigation involving the above-referenced water rights and the property to which they are appurtenant. As the letter explains, our clients assert an ownership interest in the appurtenant property and the water rights. That litigation is still ongoing.

I am writing because we've just become aware that Mr. MacDonald has filed a transfer application to amend Permit G-17749.

https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_char=T&transfer_nbr=13337 He took this action without consulting or otherwise coordinating with our clients. The permit in question has POAs and POUs on land that is subject to the ownership dispute and on land that undisputedly belongs to our clients. The changes proposed would remove the POU for fish culture from our clients' undisputed land and place it on the land that Mr. MacDonald claims he owns. It would also make changes to POAs located both on our clients' property and on the disputed property. In short, he is attempting to change the permit on lands he does not own and on lands where there is a pending ownership dispute.

While we anticipate filing a permit amendment application of our own in short order, the purpose of that amendment would simply be to conform the well locations in the permit to their actual locations, and to add replacement wells for a couple that have started to fail. This would be done in anticipation of completing the appropriation to the fullest possible extent by next October and then filing a claim of beneficial use.

We request that the Department place this letter in the file for each of the referenced water rights and that the Department decline to act on the MacDonald transfer application (or applications seeking to change the other appurtenant rights) until further notice. The parties have an upcoming February hearing in Lake County Circuit Court at which we anticipate this matter, among others, will be discussed.

Please contact me if you have any questions.

Best regards,
-Steve

STEVE SHROPSHIRE | Shareholder
Jordan Ramis PC | Attorneys at Law
Direct Bend: 541.647.2979 Direct Portland: 503.598.5583 Mobile: 503-522-8667

Bend OR | Portland OR | Vancouver WA
www.jordanramis.com

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Two Centerpointe Dr., 6th Floor
Lake Oswego, OR 97035
Tel. (503) 598-7070
Fax (503) 598-7373
www.jordanramis.com

Peter D. Mohr
Admitted in Oregon, Washington and Colorado
peter.mohr@jordanramis.com
Direct Dial: (503) 598-5529

November 8, 2018

VIA EMAIL AND CERTIFIED MAIL

Lisa J. Jaramillo
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301
lisa.jaramillo@oregon.gov

Re: Pending Civil Litigation Affecting Claim SWR 170, Water Right Certificate 83065, Water Rights Certificate 83069, and Permit G-17749
Our File No. 54350-77015

Dear Lisa,

As we discussed yesterday, I am writing to confirm on behalf of our clients, Summer Lake Trout Farm, Inc., an Oregon corporation, Bernard Burkholder, as both an individual and in his capacity as a limited partner of Western Development Group, LP and as manager of Western Development Group GP, LLC, and Ethan Negus (collectively our "Clients"), that, among other property interests, title ownership to those vested and inchoate water rights identified in the Oregon Water Resource Department's (the "Department") records as Claim SWR 170, Water Right Certificate 83065, Water Rights Certificate 83069, and Permit G-17749 (collectively, the "Water Rights") is in dispute between our Clients and specified individuals as further confirmed by our Clients' complaint which they recently filed in Case No. 18CV47457 in the Circuit Court of Lake County (the "*Complaint*"). Included within **Attachment A** to this letter are copies of each of the Water Rights. Included within **Attachment B** to this letter is: (1) a copy of the conformed title page of the Clients' *Complaint* filed in pending Case No. 18CV47457 in Lake County Circuit Court; and (2) a copy of the *Lis Pendens*, as recorded in the real property records of Lake County by our Clients' counsel out of Bend, which provides record notice of the real property interests including, but not limited to, the Water Rights, which are affected by the *Complaint*.

Among the individuals identified as defendants in the *Complaint* is Thomas A. MacDonald. The Thomas A. MacDonald identified as a defendant in the *Complaint* is the same Thomas A. MacDonald identified as the applicant and resulting recipient of record with respect to the Department's issuance of Water Right Certificate 83065, Water Rights Certificate 83069, and Permit G-17749. As a result of the *Complaint* and related pending action in Lake County Circuit Court, we provide this letter to confirm that no actions should be taken by the Department regarding the Water Rights without first consulting with either me or my colleague, Steve Shropshire. To the extent that any actions are taken by the Lake County Circuit Court relating to the ownership or any other aspect of the Water Rights, we will of course provide you with written notice of the same for the Department's

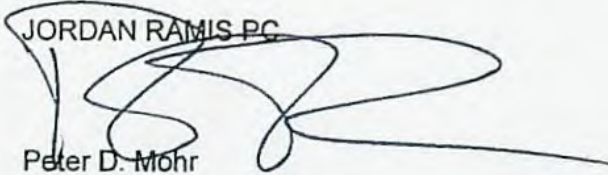
54350-77015 3255891.1

Lisa J. Jaramillo
November 8, 2018
Page 2

files. As we also discussed, with respect to the current status of Permit G-17749 and, more specifically, the remaining need to fully prove up such permit, our Clients have every intention to complete that process within the time period authorized to do so.

Thank you again for our discussion yesterday regarding the above. Should you have any comments or questions in the future about the pending litigation or any other matter affecting the Water Rights, please do not hesitate to contact me.

Sincerely,

JORDAN RAMIS PC

Peter D. Mohr

Attachments

cc: Patricia McCarty (via email only)
Dwight French (via email only)

Attachment A

RECEIVED

DEC 22 1992

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON
WATER RESOURCES DEPARTMENT

SURFACE WATER REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM

1. Name of Registrant: Robert Olson
Mailing Address: P.O. Box 40
Summer Lake, Oregon 97640 Telephone No: (503) 943-3277
2. Source of water: Springs / Artesian Wells
Tributary to: Anna River
3. Purpose(s) for which water is used: Irrigation
(Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)
If irrigation, total number of acres irrigated: 534.30
4. Priority Date
a) Date of first use: By 1901
b) Date water use development first initiated: July 16 1891
c) Name of party who initiated development: Arthur S. Phillips
5. Amount of water claimed: 13.36 in CFS or GPM
(Water put to beneficial use)
6. Location of place of use:
4, 5, 8, 9 Sections, Township 30 N/S, Range 17 E/W
____ Sections, Township ____ N/S, Range ____ E/W:
(Attach additional pages if necessary)
7. Usual period of use: 4 / 1 to 9 / 30
month day month day

8. Remarks: See ATTACHED Information

9. Total fees submitted with claim: \$635.00

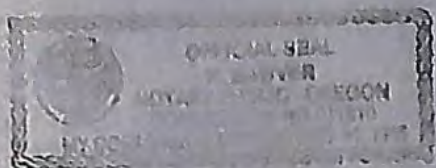
Notarized Statement Signed by Claimant.

STATE OF OREGON)
County of Lake) : ss

I, Robert F. Olson, having been duly sworn,
depone and say that I, and being the claimant of the existing surface
water right described herein, have read the contents of this claim and
to the best of my knowledge all of the matters stated herein
are true and correct.

Robert F. Olson
Signature of Claimant

Signed and attested before me this 21st day of December, 19 92



[Signature]
NOTARY PUBLIC for the State of Oregon
My commission expires: 12-18-95

**THIS FORM MUST BE ACCOMPANIED BY A MAP PREPARED BY A
CERTIFIED WATER RIGHT EXAMINER (CWRE).**

Certified Water Right Examiner

Name: Darryl Anderson CWRE#: 005

Address: 618 South 1st St
P.O. Box 28 Lathrop OR 97630

Telephone: 503 947 4407

Fax 947 2321

MAP TO ACCOMPANY SURFACE WATER REGISTRATION STATEMENT PRE-1909 VESTED WATER RIGHT CLAIM

LOCATED IN SECTIONS 4, 5, 8 AND 9
TOWNSHIP 30 SOUTH RANGE 17 EAST

RECEIVED

WATER RESOURCES DEPT.
BY FAX 08/03/93

RECEIVED

ALB 84 1000
WATER RESOURCES DEPT.
RECEIVED

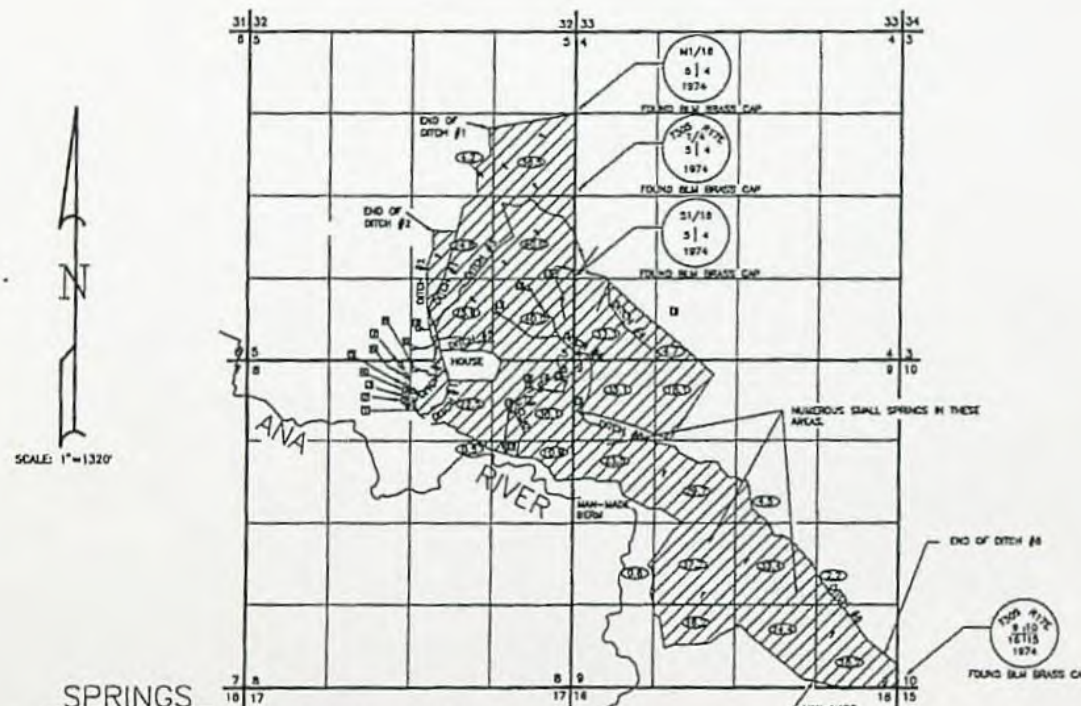
NOTES:

AREA SHOWN IS FLOOD PROTECTED FROM THE EXISTING SPRINGS AND DITCHES AS INDICATED ON THE MAP. BLACKHORN SPRING AND THE FOUR ARTESIAN WELLS ARE DIVERTED THROUGH THE TROUT FARM THEN PUMPED BACK INTO DITCHES ONE AND TWO. THE OWNER INDICATED THAT PRIOR TO CONSTRUCTION OF THE TROUT FARM THESE SOURCES WERE DIVERTED DIRECTLY INTO DITCHES ONE AND TWO. SOURCE VOLUMES FOR SOURCES 1-4 WERE SUPPLIED BY THE OWNER. VOLUMES FOR THE OTHER SOURCES WERE ESTIMATED AT THE TIME OF OUR SURVEY, DEC. 13, 1992. MANY OTHER SMALLER SPRINGS HELP PROTECT THE PROPERTY AS INDICATED ON THE MAP. INDICATED AREAS WERE SURVEYED TO EXISTING CHAIN LINES (GRASS) AND VERIFIED USING AN AERIAL PHOTOGRAPHY 41037-378.

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- 1/16 SECTION LINE
- INDICATED AREA

NOTE: PREPARATION OF THIS MAP IS FOR IDENTIFYING PROPOSED WATER RIGHTS ONLY. IT HAS NO INTENT TO PROVIDE LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDARIES.

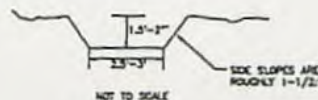


SPRINGS

DISTANCES ARE FROM THE SOUTH 1/16 CORNER BETWEEN SECTIONS 4 AND 5, T30S R17E

- 1 - BLACKHORN SPRING, APPROXIMATE FLOW, 4300 G.P.M. 1902' SOUTH AND 2815' WEST.
- 2 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M., 1872' SOUTH AND 2753' WEST.
- 3 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M., 1880' SOUTH AND 2748' WEST.
- 4 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M., 1882' SOUTH AND 2720' WEST.
- 5 - ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M., 1882' SOUTH AND 2774' WEST.
- 6 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1308' SOUTH AND 2718' WEST.
- 7 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1384' SOUTH AND 2653' WEST.
- 8 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1473' SOUTH AND 2583' WEST.
- 9 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 1128' SOUTH AND 2810' WEST.
- 10 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 822' SOUTH AND 2524' WEST.
- 11 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 334' SOUTH AND 1286' WEST.
- 12 - SPRING, APPROXIMATE FLOW, 20 G.P.M. 2129' SOUTH AND 1141' EAST.
- 13 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 1814' SOUTH AND 133' WEST.
- 14 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 1718' SOUTH AND 531' WEST.
- 15 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 1736' SOUTH AND 740' WEST.
- 16 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 2117' SOUTH AND 1033' WEST.
- 17 - SPRING, APPROXIMATE FLOW, 5 G.P.M. 2874' SOUTH AND 1113' WEST.

THE DITCHES THAT ARE NUMBERED ARE ALL OF THE SAME APPROXIMATE SIZE:



NOT TO SCALE

SIDE SLOPES ARE ROUGHLY 1-1/2:1

DITCH SLOPES	PER FT
11	0.001 FT PER FT
12	0.001 FT PER FT
13	0.003 FT PER FT
14	0.015 FT PER FT
15	0.000 FT PER FT
16	0.001 FT PER FT
17	0.001 FT PER FT

DITCH SLOPES VARY ALONG COURSE OF DITCH
SLOPES SHOWN ARE AN APPROXIMATE AVERAGE



PREPARED FOR:

ROBERT OLSON
P.O. BOX 40
SUMMER LAKE, OREGON 97640

PREPARED BY:

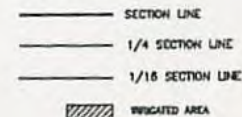
ANDERSON ENGINEERING AND SURVEYING
618 SOUTH FIRST STREET
P.O. BOX 28
LAKEVIEW, OREGON 97630
(503) 847-4407 FAX 847-2321
DECEMBER 1992 SHEET 1 OF 1
REVISED ON AUGUST 8, 1993

MAP REVISED 8/10/93

Supra supra

LOCATED IN SECTIONS 4,5,8 AND 9
TOWNSHIP 30 SOUTH RANGE 17 EAST

AREA SHOWN IS FLOOD IRRIGATED FROM THE EXISTING SPRINGS AND DITCHES AS INDICATED ON THE MAP. BRUCKMANN SPRING AND THE FOUR ARTISIAN WELLS ARE DIVERTED THROUGH THE TROUT FARM THEN PUMPED BACK INTO DITCHES ONE AND TWO. THE OWNER INDICATED THAT PRIOR TO CATCHING THE FISH, ONE AND TWO WERE THE ONLY SOURCES OF WATER. THE OTHER DITCHES (ONE AND TWO) SOURCE VOLUMES FOR SOURCES 1-4 WERE SUPPLIED BY THE OTHER VOLUMES FOR THE OTHER SOURCES WERE ESTIMATED AT THE TIME OF OUR SURVEY, I.E. 18,1952. MANY OTHER LOCAL AREAS WERE SURVEYED TO EXISTING DITCH LINES (DMS) ON A C MAP. IRRIGATED AREAS WERE SURVEYED TO EXISTING DITCH LINES (DMS) AND VERIFIED USING AN A35C PHOTOGRAPH #1037-379.



NOTE: PREPARATION OF THIS MAP IS FOR IDENTIFYING PROPOSED WATER RIGHTS ONLY. IT HAS NO INTENT TO PROVIDE LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDARIES.

SPRINGS

DISTANCES ARE FROM THE SOUTH 1/16 CORNER BETWEEN SECTIONS 4 AND 5, T30S R17E

- | | | |
|----|---|---|
| 01 | - | BUCKSHORN SPRING, APPROXIMATE FLOW, 4200 G.P.M. 1802' SOUTH AND 2818' WEST. |
| 02 | - | ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1907' SOUTH AND 2753' WEST. |
| 03 | - | ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1867' SOUTH AND 2746' WEST. |
| 04 | - | ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1802' SOUTH AND 2729' WEST. |
| 05 | - | ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1802' SOUTH AND 2704' WEST. |
| 06 | - | SPRING, APPROXIMATE FLOW, 20 G.P.M. 1534' SOUTH AND 2716' WEST. |
| 07 | - | SPRING, APPROXIMATE FLOW, 20 G.P.M. 1389' SOUTH AND 2803' WEST. |
| 08 | - | SPRING, APPROXIMATE FLOW, 20 G.P.M. 1423' SOUTH AND 2853' WEST. |
| 09 | - | SPRING, APPROXIMATE FLOW, 20 G.P.M. 1128' SOUTH AND 2825' WEST. |
| 10 | - | SPRING, APPROXIMATE FLOW, 20 G.P.M. 1128' SOUTH AND 2524' WEST. |
| 11 | - | SPRING, APPROXIMATE FLOW, 20 G.P.M. 832' SOUTH AND 2524' WEST. |
| 12 | - | SPRING, APPROXIMATE FLOW, 20 G.P.M. 834' SOUTH AND 1268' WEST. |
| 13 | - | SPRING, APPROXIMATE FLOW, 20 G.P.M. 2128' SOUTH AND 1141' EAST. |
| 14 | - | SPRING, APPROXIMATE FLOW, 5 G.P.M. 1814' SOUTH AND 133' WEST. |
| 15 | - | SPRING, APPROXIMATE FLOW, 5 G.P.M. 1715' SOUTH AND 133' WEST. |
| 16 | - | SPRING, APPROXIMATE FLOW, 5 G.P.M. 1730' SOUTH AND 740' WEST. |
| 17 | - | SPRING, APPROXIMATE FLOW, 6 G.P.M. 2117' SOUTH AND 1033' WEST. |
| 18 | - | SPRING, APPROXIMATE FLOW, 6 G.P.M. 2878' SOUTH AND 1113' WEST. |



ROBERT OLSON
P.O. BOX 40
SUMMER LAKE, OREGON 97640

PREPARED BY:
ANDERSON ENGINEERING AND SURVEYING
818 SOUTH FIRST STREET
P.O. BOX 28
LAKEVIEW, OREGON 97630
(503) 947-4407 FAX 947-2321

DECEMBER 1992 SHEET 1 OF 1

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS A MACDONALD
PO BOX 87
SUMMER LAKE OR 97640

NORTHWEST FARM CREDIT SERVICES FLCA/PCA
PO BOX 148
KLAMATH FALLS OR 97601

confirms the right to use the waters of UNNAMED STREAM, a tributary of ANA RIVER for FISH CULTURE.

This right was perfected under Permit S-46063. The date of priority is APRIL 6, 1981. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 14.26 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
30 S	17 E	WM	8	NE NW	780 FEET SOUTH AND 170 FEET WEST FROM N1/4 CORNER, SECTION 8

A description of the place of use to which this right is appurtenant is as follows:

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


The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a 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, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

WITNESS the signature of the Water Resources Director, affixed JAN 26 2007


Phillip C. Ward, Director
Water Resources Department

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS A MACDONALD
PO BOX 87
SUMMER LAKE OR 97640

NORTHWEST FARM CREDIT SERVICES FLCA/PCA
PO BOX 148
KLAMATH FALLS OR 97601

confirms the right to use the waters of UNNAMED STREAM, a tributary of ANA RIVER, for IRRIGATION of 570.5 ACRES.

This right was perfected under Permit S-43260. The date of priority is MAY 24, 1978. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 14.3 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
30 S	17 E	WM	8	NE NW	780 FEET SOUTH AND 170 FEET WEST FROM N1/4 CORNER, SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	NW SW	2.60
30 S	17 E	WM	4	SW SW	21.20
30 S	17 E	WM	4	SE SW	0.50
30 S	17 E	WM	5	SW NE	8.50
30 S	17 E	WM	5	SE NE	22.80
30 S	17 E	WM	5	SE NW	9.60
30 S	17 E	WM	5	NE SW	0.50

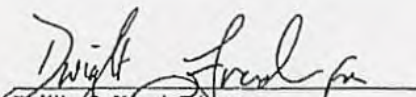
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Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	NE SE	37.60
30 S	17 E	WM	5	NW SE	36.80
30 S	17 E	WM	5	SW SE	29.60
30 S	17 E	WM	5	SE SE	35.80
30 S	17 E	WM	8	NE NE	40.00
30 S	17 E	WM	8	NW NE	30.00
30 S	17 E	WM	8	SW NE	8.80
30 S	17 E	WM	8	SE NE	19.40
30 S	17 E	WM	9	SW NE	1.60
30 S	17 E	WM	9	NE NW	10.80
30 S	17 E	WM	9	NW NW	39.50
30 S	17 E	WM	9	SW NW	32.00
30 S	17 E	WM	9	SE NW	27.30
30 S	17 E	WM	9	NE SW	40.00
30 S	17 E	WM	9	NW SW	15.60
30 S	17 E	WM	9	SW SW	5.40
30 S	17 E	WM	9	SE SW	9.60
30 S	17 E	WM	9	NW SE	28.00
30 S	17 E	WM	9	SW SE	40.00
30 S	17 E	WM	9	SE SE	17.00

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JAN 26 2007


Phillip C. Ward, Director
Water Resources Department

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

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

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

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

The wells are located as follows:

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

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

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

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

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

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

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

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

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

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

Permit Amendment T-11749

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

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

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

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

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

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

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

Water use measurement conditions:

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

Original Permit Conditions

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

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

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

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

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

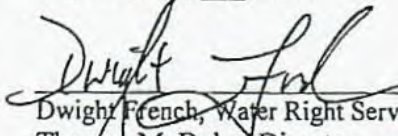
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued March 17, 2017



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

Attachment B

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LAKE

SUMMER LAKE TROUT FARM, INC., an
Oregon corporation; BERNARD
BURKHOLDER, individually and in his
capacity as limited partner of WESTERN
DEVELOPMENT GROUP, LP and as manager
of WESTERN DEVELOPMENT GROUP GP,
LLC; and ETHAN NEGUS,

Plaintiffs,

v.

THOMAS A. MACDONALD; KAREN
MACDONALD; MEGAN MACDONALD; and
EDWARD MACDONALD,

Defendants,

And

WESTERN DEVELOPMENT GROUP, LP;
and WESTERN DEVELOPMENT GROUP
GP, LLC,

Nominal Defendants.

Case No.

**COMPLAINT (Declaratory Judgment;
Quiet Title; Trover, Conversion, Detinue;
Unjust Enrichment; Breach of Fiduciary
Duty; Financial Abuse; Specific
Performance)**

**CLAIMS NOT SUBJECT TO
MANDATORY ARBITRATION**

Amount Claimed: \$12 Million

Fee Authority: ORS 21.135(1), (2)(g)

For their complaint, plaintiffs Summer Lake Trout Farm, Inc. ("SLTF"); Ethan Negus
("Negus"); and Bernard Burkholder, individually ("Burkholder"), and in his capacity as a limited
partner of Western Development Group, LP (the "Partnership") and as manager of Western
Development Group GP, LLC (the "General Partner") allege as follows:

Venue

1.

This case involves several claims seeking determinations concerning the ownership and
recovery of both real property and personal property located exclusively in Lake County,



00020459201800020830030032

I, Stacie Geaney, County Clerk for Lake County, Oregon
certify that the instrument identified herein was
recorded in the Clerk records.

Stacie Geaney - County Clerk

AFTER RECORDING RETURN TO:

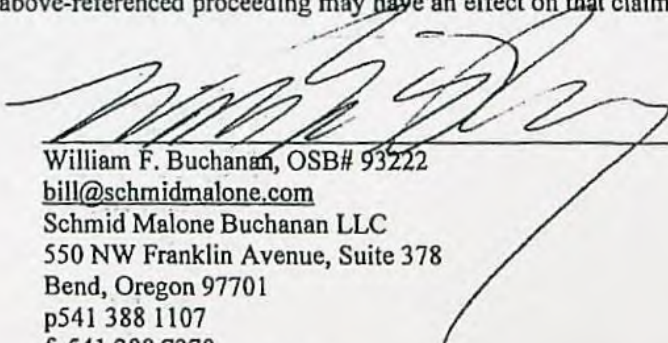
William F. Buchanan
Schmid Malone Buchanan LLC
937 N.W. Newport Avenue, Suite 220
Bend, Oregon 97703

NOTICE OF PENDENCY OF AN ACTION (LIS PENDENS)

Pursuant to ORS 93.740, the undersigned states:

1. Plaintiffs, Bernard Burkholder, individually, as a limited partner of Western Development Group, LP, a Texas limited partnership and Western Development Group GP, LLC, a Texas limited liability company; Summer Lake Trout Farm, Inc., an Oregon corporation; and Ethan Negus, individually, have filed an action in the Circuit Court for Lake County, State of Oregon, identified as Case No. 18CV47457.
2. The Defendants are Thomas A. MacDonald, Karen M. MacDonald, Megan MacDonald, and Edward MacDonald.
3. The object of the action in the complaint is to quiet title to, or declare ownership of, the real property described in Exhibit A; to establish a constructive trust in such property in favor of Western Development Group, LP; and/or to compel transfer of the property to Western Development Group, LP.
4. The description of the real property involved or affected is set forth in Exhibit A.
5. All persons should be advised that one or more parties claim an interest in the above-described real property and that the outcome of the above-referenced proceeding may have an effect on that claimed interest.

DATED this 22nd day of October, 2018.


William F. Buchanan, OSB# 93222
bill@schmidmalone.com
Schmid Malone Buchanan LLC
550 NW Franklin Avenue, Suite 378
Bend, Oregon 97701
p 541 388 1107
f 541 388 7370
Of Attorneys for Plaintiff

STATE OF OREGON)
) ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 22nd day of October, 2018 by William F. Buchanan.



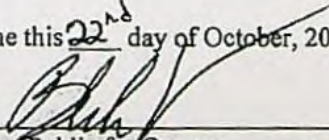

Notary Public for Oregon
My commission expires: 9/12/2022

EXHIBIT A – page 1

Parcel 1 Legal description:

Lot 2 in Block 3 of Ana River Subdivision No. 1, a subdivision in the NW1/4 of Section 6, Township 30 South, Range 17 East of the Willamette Meridian, Lake County, Oregon

TOGETHER WITH all appurtenances to the above described property, and other interests associated therewith, including, but not limited to, all water and all inchoate and vested water rights.

Tax information: Tax Map/Lot No. 30S17E06B000801; Tax Account No. 16840

Parcel 2 Legal description:

In the County of Lake, State of Oregon:

Lot 25, Block 3 of Ana River Subdivision No. 1, a subdivision in the NW1/4 of Section 6, Township 30 South, Range 17 East of the Willamette Meridian, Lake County, Oregon

TOGETHER WITH all appurtenances to the above described property, and other interests associated therewith, including, but not limited to, all water and all inchoate and vested water rights.

Tax information: Tax Map/Lot No. 30S17E06B000603; Tax Account No. 8933

Parcel 3 Legal description:

T.30S R.17E W.M.

Section 5: that portion of the SE ¼ NW1/4 lying West of County Road #4-16B

TOGETHER WITH all appurtenances to the above described property, and other interests associated therewith, including, but not limited to, all water and all inchoate and vested water rights.

Tax information: Tax Map/Lot No. 30S17E000001001; Tax Account No. 8522

Parcel 4 Legal description:

In the County of Lake, State of Oregon, as follows:

Township 30 South, Range 17 East of the Willamette Meridian,

Section 5: Beginning at the Northwest corner of the Southeast Quarter of Section 5, Township 30 South, Range 17 East of the Willamette Meridian; Thence East 200 feet; Thence South 400 feet; Thence West 200 feet; Thence North 400 feet to the point of beginning, EXCEPTING THEREFROM property conveyed to Lake County, a political subdivision of the State of Oregon, by deed recorded January 27, 1992, in Book 219 at Page 259, Deed Records, for road purposes.

TOGETHER WITH all appurtenances to the above described property, and other interests associated therewith, including, but not limited to, all water and all inchoate and vested water rights.

Tax information: Tax Map/Lot No. 30S17E000000700; Tax Account No. 8479 LAKE COUNTY RECORDING NO.

2018002083

EXHIBIT A - page 2

Parcel 5 (Tax Map/Lot 30S17E000000600; Tax Account No. 8477) In the County of Lake, State of Oregon, as follows

Township 30 South, Range 17 East of the Willamette Meridian
Section 4: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 5: That portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying east of County Road 4-16B; that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying east of County Road 4-16B; that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying east of County Road 4-16B; that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying south and east of County Road 4-16B; S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ EXCEPTING THEREFROM beginning at the Northwest corner of the SE $\frac{1}{4}$ of said Section 5, thence East 200.00 feet, thence South 400.00 feet, thence West 200.00 feet, thence North 400.00 feet to the point of beginning; S $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 8: Beginning at the intersection of the west right-of-way line of County Road 4-16B and the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ said Section 8, thence S31°52'50"E a distance of 173.24 feet, more or less, to a 5/8" iron pin, thence along a 1244.12 foot radius curve to the left, the central angle of which is 26°58'44" a distance of 585.82 feet to a 5/8" iron pin, thence leaving said right-of-way line N73°11'23"E a distance of 243.04 feet to a 5/8" iron pin, thence N26°42'07"E a distance of 382.43 feet to a 5/8" iron pin, thence S54°03'09"E a distance of 343.14 feet to a 5/8" iron pin, thence S25°45'07"E a distance of 192.22 feet to a 5/8" iron pin, thence S17°12'45"W a distance of 126.80 feet to a 5/8" iron pin, thence N82°08'01"W a distance of 65.05 feet to a 5/8" iron pin, thence S01°54'03"E a distance of 279.53 feet to a 5/8" iron pin, thence S49°23'39"E a distance of 533.48 feet to a 5/8" iron pin, thence S50°01'04"E a distance of 102.66 feet to a 5/8" iron pin, thence S85°39'58"E a distance of 26.81 feet to a 5/8" iron pin, thence S45°38'45"E a distance of 210.38 feet to a 3/8" iron pin on the north bank of Ana River, thence S45°38'45"E to the center line of Ana River, thence Southeasterly along the center line of Ana River to a point on the east line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 8, thence Northerly along the east line of said Section 8 to the NE corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, thence Westerly along the north line of said Section 8 to the point of beginning EXCEPTING THEREFROM any portion lying within the county road right-of-way.

Section 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$; that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying north and east of the center line of Ana Reservoir; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$.

TOGETHER WITH all appurtenances to the above described property, and other interests associated therewith, including, but not limited to, all water and all inchoate and vested water rights.

LAKE COUNTY RECORDING NO.

2018002083

STARNES Patrick K * WRD

From: Steve Shropshire <Steve.Shropshire@jordanramis.com>
Sent: Thursday, February 06, 2020 3:41 PM
To: STARNES Patrick K * WRD
Cc: Lisa Klonoski; Libby Wawro
Subject: Comments on T-13337
Attachments: Summer Lake Trout Farm Comments on T-13337.pdf

Mr. Starnes,

Attached are my client's comments on Permit Amendment Application T-13337. Please let me know if you have any problem opening the attachment.

Best regards,

STEVE SHROPSHIRE | Shareholder
Jordan Ramis PC | Attorneys at Law
Direct Bend: 541.647.2979 Direct Portland: 503.598.5583 Mobile: 503-522-8667

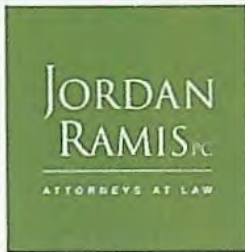
Bend OR | Portland OR | Vancouver WA
www.jordanramis.com

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FEB 06 2020

OWRD



360 SW Bond St., Ste. 510
Bend, OR 97702

Tel. (541) 550-7900
Fax (503) 598-7373

www.jordanramis.com

Steven L. Shropshire
Admitted in Oregon and Washington
steve.shropshire@jordanramis.com
OR Direct Dial: (541) 647-2979

February 6, 2020

VIA EMAIL ONLY

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
E-mail: patrick.k.starnes@oregon.gov

RECEIVED

FEB 06 2020

OWRD

Re: Comments on Permit Amendment Application T-13337
Our File No. 54350-77015

Dear Mr. Starnes:

Our firm represents Summer Lake Trout Farm ("SLTF"). The following comments are submitted on behalf of SLTF with regard to Permit Amendment Application T-13337 (the "Application") filed by Thomas MacDonald requesting amendments to Permit No. G-17749 ("Permit"). The Application seeks to make changes to points of appropriation ("POA") and places of use ("POU") authorized under the Permit. The Permit includes POAs and POUs located on land that is owned by our client or its affiliates and on land subject to an ongoing ownership dispute with Mr. MacDonald.

We have a number of concerns with the Transfer Application. They are as follows:

1. First and foremost, the Application seeks to move the POU for the aquaculture use off of the SLTF property and onto the disputed property. This would deprive our client of the use of that water for its long-established aquaculture business, and is, therefore, something we oppose.
2. While we recognize that the Permit is held in Thomas MacDonald's name, a portion of the appurtenant property belongs to our client, and a portion is subject to an ongoing ownership dispute. Because the Permit authorizes POAs and POUs on both properties, it cannot proceed without our client's involvement and cooperation. Our client is very interested in advancing the mutually beneficial aspects of the permit amendment, and we have offered to collaborate with Mr. MacDonald in an effort to craft an amendment application that meets both parties' needs. Application T-13337 was filed, however, without our input or consent; and as noted above, would significantly damage our client. We therefore request that the Department recognize our client as a necessary party with legal status as a co-applicant.
3. The Application does not include GPS-verified locations for the POAs on our client's property. This information needs to be added in order to confirm the amendment request to the as-built location of all wells.

54350-77015 4822-3159-4164.1

4. The Application included the wrong well log for Well 5. The correct well log demonstrates that the well is constructed in compliance with all applicable conditions.
5. The map attached to the Application is deficient in certain respects, missing information required by the Department's administrative rules, including tax lot boundaries, tax lot labels, and depiction of the existing water delivery system.
6. The fee calculation appears to be incorrect. The Application claims the changes will affect the entire permit on page 7, thus the applicant should have calculated the fee based on the full 17.8 cfs.
7. Table 2 on page 10 of the Application identifies the incorrect Section and Quarter-Quarters for two proposed aquaculture POUs.
8. On page 11 of the Application, the applicant checked the box indicating there are no other water rights associated with the "from" or "to" lands. The following water rights are associated with the "from" and "to" lands: SWR-170, Certificate 83065, and Certificate 83069.
9. The Application did not include the required Land Use Information Form.

Our client has prepared an alternate permit amendment application that would correct these deficiencies. We are currently negotiating with Mr. MacDonald regarding a request that we substitute our client's application for the deficient Application submitted by Mr. MacDonald. In the meantime, we request that the Department refrain from moving forward with the MacDonald Application unless our client is acknowledged as having legal status as an owner of the appurtenant land with the right to fully participate in the permit amendment process as a co-applicant.

If the parties are unable to reach agreement in the near term regarding the resolution of these concerns, we intend to seek a court order clarifying which party is entitled to pursue the permit amendment. We will advise you of any developments related to these efforts.

Sincerely,

JORDAN RAMIS PC



Steven L. Shropshire

RECEIVED

FEB 06 2020

OWRD



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

Application for Permit Amendment

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

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

(For Staff Use Only)

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

- ☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

RECEIVED

Part 2 of 5 – Permit Amendment Map Checklist

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

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

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

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*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:

- Revised 2/11/2019

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Western Development Group LP Thomas A. MacDonald			PHONE NO. 541-943-3192 541-943-3104	ADDITIONAL CONTACT NO.
ADDRESS PO Box 40 (Western Development Group LP) PO Box 87 (Thomas MacDonald)				FAX NO.
CITY Summer Lake	STATE OR	ZIP 97640	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

CO-AGENT/BUSINESS NAME GSI Water Solutions, Inc. Attn. Bruce Brody-Heine			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 147 SW Shevlin Hixon Dr, Suite 201				FAX NO.
CITY Bend	STATE OR	ZIP 97702	E-MAIL bbheine@gsiws.com	

CO-AGENT/BUSINESS NAME JORDAN RAMIS PC ATTN. STEVE SHROPSHIRE			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 360 SW Bond St, Suite #510				FAX NO.
CITY Bend	STATE OR	ZIP 97702	E-MAIL Steve.Shropshire@jordanramis.com	

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

Explain in your own words what you propose to accomplish with this permit amendment; and why:
The permit amendment updates the well description locations for Wells #1 through #8 to more accurately reflect the location of these wells; and adds two new POAs that are intended to serve as replacement wells for the current Wells #1 through #4 that are beginning to fail; and adds additional fish raceways to the permitted place of use.

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

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

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

If NO, include either:

☒ A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), (an assignment form is being submitted that will be completed on a parallel track to this application)

☐ An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

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

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

If NO, what are the completion dates of the permit(s)? October 1, 2020 (per Extension Final Order issued 7/28/17)

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

By my signature below, I confirm that I understand:

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



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

Bernie Burkholder
Applicant Signature

Western Development Group LP

Bernie Burkholder
Print Name (and Title if applicable)

2/11/2020
Date

Thomas A. MacDonald
Applicant Signature

Thomas A. MacDonald

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

2/11/2020
Date

Check one of the following:

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

Check the appropriate box, if applicable:

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Lake County	ADDRESS 513 Center Street	
CITY Lakeview	STATE OR	ZIP 97630

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Well 8	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52487	30	S	17	E	5	NW	SE	600	*2,010 feet North and 135 feet East from the South ¼ corner of Section 5
Well 9	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	not drilled yet	30	S	17	E	5	SE	SW	600	1,040 feet North and 130 feet West from the North ¼ corner of Section 8
Well 10	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	not drilled yet	30	S	17	E	8	NE	NW	601	330 feet South and 180 feet West from the North ¼ corner of Section 8
Well 11	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	not drilled yet	30	S	17	E	8	NE	NW	601	550 feet South and 155 feet West from the North ¼ corner of Section 8

*These POAs have been re-described slightly from that listed on the Permit to more accurately reflect the location of the wells. The location, as presented in this Permit Amendment, are the same location as these well have always been located.

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

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

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

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

For a change in place of use:

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

☐ Yes ☒ No (an assignment form is being submitted that will be completed on a parallel track to this application)

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

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

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

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Part 5 of 5 – Water Use Permit Information

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

PERMIT # G-17749

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3030	30 S	17 E	8	NE NW	601	390 feet South and 150 feet West from the North ¼ corner of Section 8
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 3030	30 S	17 E	8	NE NW	601	*425 feet South and 145 feet West from the North ¼ corner of Section 8
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 1507	30 S	17 E	8	NE NW	601	480 feet South and 190 feet West from the North ¼ corner of Section 8
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 1507	30 S	17 E	8	NE NW	601	*530 feet South and 170 feet West from the North ¼ corner of Section 8
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 4444	30 S	17 E	8	NE NW	601	525 feet South and 140 feet West from the North ¼ corner of Section 8
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 4444	30 S	17 E	8	NE NW	601	*575 feet South and 135 feet West from the North ¼ corner of Section 8
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3029	30 S	17 E	8	NE NW	601	340 feet South and 145 feet West from the North ¼ corner of Section 8
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 3029	30 S	17 E	8	NE NW	601	*405 feet South and 150 feet West from the North ¼ corner of Section 8
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52764	30 S	17 E	5	SE NW	600	3200 feet North and 300 feet West from the North ¼ corner of Section 8
Well 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52764	30 S	17 E	5	SE NW	600	*3,155 feet North and 220 feet West from the South ¼ corner of Section 5
Well 6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52368	30 S	17 E	5	SW SE	600	155 feet North and 230 feet East from the North ¼ corner of Section 8
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52368	30 S	17 E	5	SW SE	600	*105 feet North and 250 feet East from the South ¼ corner of Section 5
Well 7	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52369	30 S	17 E	8	NE NW	601	110 feet South and 280 feet West from the North ¼ corner of Section 8
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52369	30 S	17 E	8	NE NW	601	*180 feet South and 250 feet West from the North ¼ corner of Section 8
Well 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 52487	30 S	17 E	5	NW SE	600	2070 feet North and 100 feet East from the North ¼ corner of Section 8

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

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

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

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
30	S	17	E	5	SE	NW	1001		20.3 – IR	Wells #1-9	4/7/1987	POA/APOA	30	S	17	E	5	SE	NW	1001		20.3 – IR	Wells #1-11	4/7/1987
30	S	17	E	5	NE	SW	601		28.4 – IR	Wells #1-9	4/7/1987		30	S	17	E	5	NE	SW	601		28.4 – IR	Wells #1-11	4/7/1987
30	S	17	E	5	SE	SW	601		1.4 – IR	Wells #1-9	4/7/1987		30	S	17	E	5	SE	SW	601		1.4 – IR	Wells #1-11	4/7/1987
30	S	17	E	4	SW	SW	600		30.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	4	SW	SW	600		30.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	SW	NE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	SW	NE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	SE	NE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	SE	NE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	NE	SE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	NE	SE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	NW	SE	600/601 /700		39.1 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	NW	SE	600/601 /700		39.1 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	SW	SE	600		30.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	SW	SE	600		30.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	5	SE	SE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	5	SE	SE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	8	NE	NE	600		40.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	8	NE	NE	600		40.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	8	NW	NE	600/601		33.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	8	NW	NE	600/601		33.0 – IS	Wells #1-11	4/7/1987

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0		
"	"	"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0		
30	S	17	E	8	SW	NE	600/601		11.0 – IS	Wells #1-9	4/7/1987	POA/APOA	30	S	17	E	8	SW	NE	600/601		11.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	8	SE	NE	600		31.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	8	SE	NE	600		31.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SW	NE	600		2.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SW	NE	600		2.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	NW	NW	600		36.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	NW	NW	600		36.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SW	NW	600		32.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SW	NW	600		32.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SE	NW	600		30.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SE	NW	600		30.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	NE	SW	600		31.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	NE	SW	600		31.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	NE	SE	600		0.5 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	NE	SE	600		0.5 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	NW	SE	600		28.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	NW	SE	600		28.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SW	SE	600		20.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SW	SE	600		20.0 – IS	Wells #1-11	4/7/1987
30	S	17	E	9	SE	SE	600		16.0 – IS	Wells #1-9	4/7/1987		30	S	17	E	9	SE	SE	600		16.0 – IS	Wells #1-11	4/7/1987
TOTAL ACRES									50.1 –IR 569.6 – IS	TOTAL ACRES												50.1 –IR 569.6 – IS		

Additional remarks: This table summarizes the Place of Use for the Irrigation (primary and supplemental) portion of Permit G-17749. Acreage labeled as IR are primary irrigation, and acreage labeled as SI are supplemental irrigation. The acres associated with the irrigation use on this right are NOT being modified, however the Applicant is proposing to add two new POAs that are intended to serve as replacement wells for the current Wells #1 through #4 that are beginning to fail. The Applicant is proposing that all POAs (existing and new) be authorized for irrigation use. The Applicant is also proposing to modify the Place of Use for the Fish Culture portion of Permit G-17749 by adding additional fish raceways. This change in POU is described in the next table.

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
											POA/APOA /POU		30	S	17	E	8	SW	NE	601		N/A	Wells #1-11	4/7/1987 & 6/14/1989
													30	S	17	E	8	NE	NW	601		N/A	Wells #1-11	
													30	S	17	E	8	SE	NW	601		N/A	Wells #1-11	
													30	S	17	E	8	NW	NE	600		N/A	Wells #1-11	
													30	S	17	E	5	SW	SE	600		N/A	Wells #1-11	
													30	S	17	E	5	SE	NW	600		N/A	Wells #1-11	
TOTAL ACRES													TOTAL ACRES							N/A				

Additional remarks: This table summarizes the Place of Use for the Fish Culture portion of Permit G-17749. The Applicant is proposing to add two new POAs that are intended to serve as replacement wells for the current Wells #1 through #4 that are beginning to fail. The objective is that all of the POAs (existing and new) will be authorized for Fish Culture use in any of the raceways. The Applicant is also proposing to modify the Place of Use for the Fish Culture portion of Permit G-17749 by adding additional fish raceways. This change in the Fish Culture POU is described in the table on this page. The fish raceways are a non-consumptive use and the additional proposed fish raceways will not enlarge the original water right. The fish raceways also serve as a lined conveyance to the POU for Irrigation.

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

If YES, list the other certificate, permit, or ground water registration numbers: SWR 170; Certs. 83065 & 83069

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) (**Attachment D**)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 9	No		500'	16"	+1 to 220'	0 to 220'		Artesian	Volcanic/basalt Unit below basin fill	2,000 gpm
Well 10*	No		300'	16"	+1 to 120	0 to 120'		Artesian	cinders/boulders/lava	2,000 gpm
Well 11*	No		275'	16"	+1 to 120	0 to 120'		Artesian	cinders/boulders/lava	2,000 gpm

*- will be constructed in a similar fashion to existing wells 3 and 4 that are beginning to fail

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TACS

STATE OF OREGON
COUNTY OF LAKE
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

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FEB 28 2020

OWRD

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

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

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

The wells are located as follows:

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

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ATTACHMENT A

Permit G-17749

13337

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

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

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

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

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

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

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

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

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

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Permit Amendment T-11749

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

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

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

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

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

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

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

Water use measurement conditions:

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

Original Permit Conditions

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

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

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

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

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

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

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

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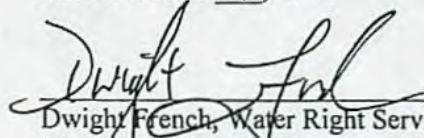
FEB 28 2020

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

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

Issued March 17, 2017



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

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Application G-11640/T-11749. jms
Basin 13

Water Resources Department
Volume 2 Ana River & Misc. Wells

PERMIT G-17749
District 12

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ATTACHMENT B

Permit Amendment Application POA & POU Maps

A hand-drawn map of the Anna River area, overlaid on a grid. The map includes the following features:

- Grid:** A grid with vertical lines labeled 5, 6, 7, 8, 9 and horizontal lines labeled 1, 2, 3, 4, 5, 6, 7, 8, 9.
- Anna River:** A wavy line representing the river, flowing from the bottom left towards the right, labeled "Anna River" and "8".
- Buckhorn Spring:** A cluster of wells labeled #1, #2, #3, #4, #5, #6, #7, and #8, located near the intersection of vertical line 6 and horizontal line 4. A label "existing wells 1-4" points to wells #1, #2, #3, and #4.
- TL 600:** A dashed line forming a loop, labeled "TL 600".
- TL 601:** A dashed line forming a loop, labeled "TL 601".
- Other Labels:** "TOV RA" is written in the top right corner. "59" and "89" are written near the intersection of vertical line 9 and horizontal line 4.

#1 390'S E 150'W } No change
#2 480'S E 190'W }
#3 525'S E 140'W }
#4 340'S E 145'W }

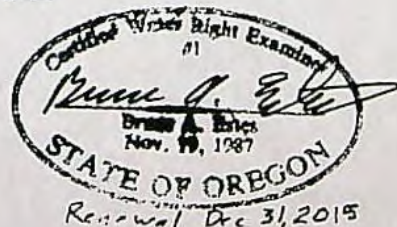
#6 155'N & 230'E
#7 110'S & 280'W
#8 2070'N & 100'E
#5 3200'N & 300'W
#9 1040'N & 130'W

#5 150'S & 300'W
#6 160'S & 80'W
#7 150'S & 30'W
#8 340'S & 280'W

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Permit Amendment Map
for
Tom MacDonald
(Desert Springs Trout Farm)

APR G-11640

Per G-11024

I-10716

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MAR 05 2014

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS, LLC

~~PO Box 17510~~ 80382 Arnold Rd
Salmon, OR ~~97388-7510~~ Bend, OR 97702
~~(503) 685-7500~~ (541) 382-7391

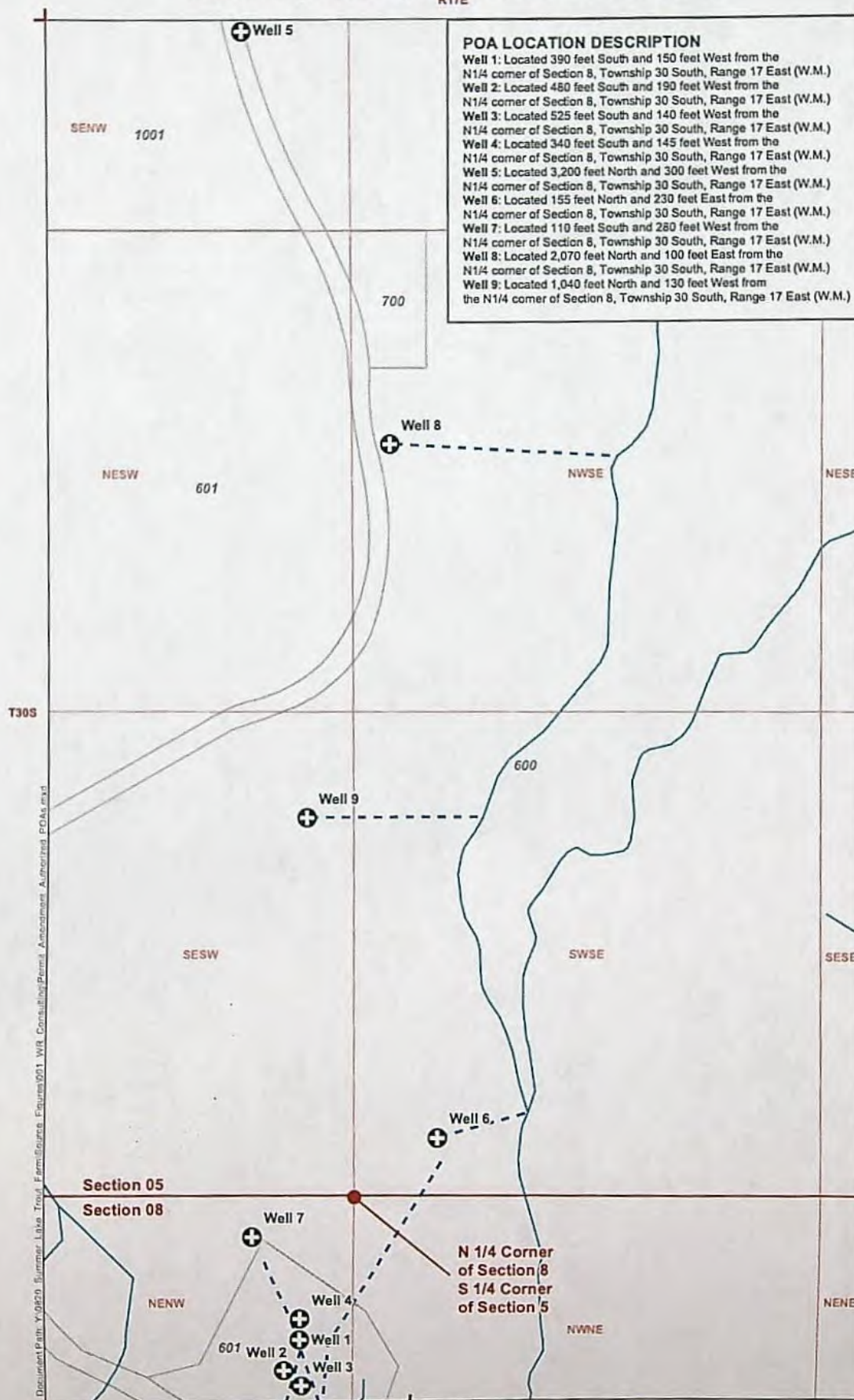
13335

SALEM FOR

Permit Amendment Application Permit G-17749, Application G-11640 Authorized Points of Appropriation

Lake County, Township 30 South, Range 17 East (W.M.)

R17E



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OWRP

DISCLAIMER

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

MAP NOTES

Date: February 21, 2020
 Data Sources: USGS, NAIP 2016, ESRI, BLM

0 200 400
 1 inch = 400 feet

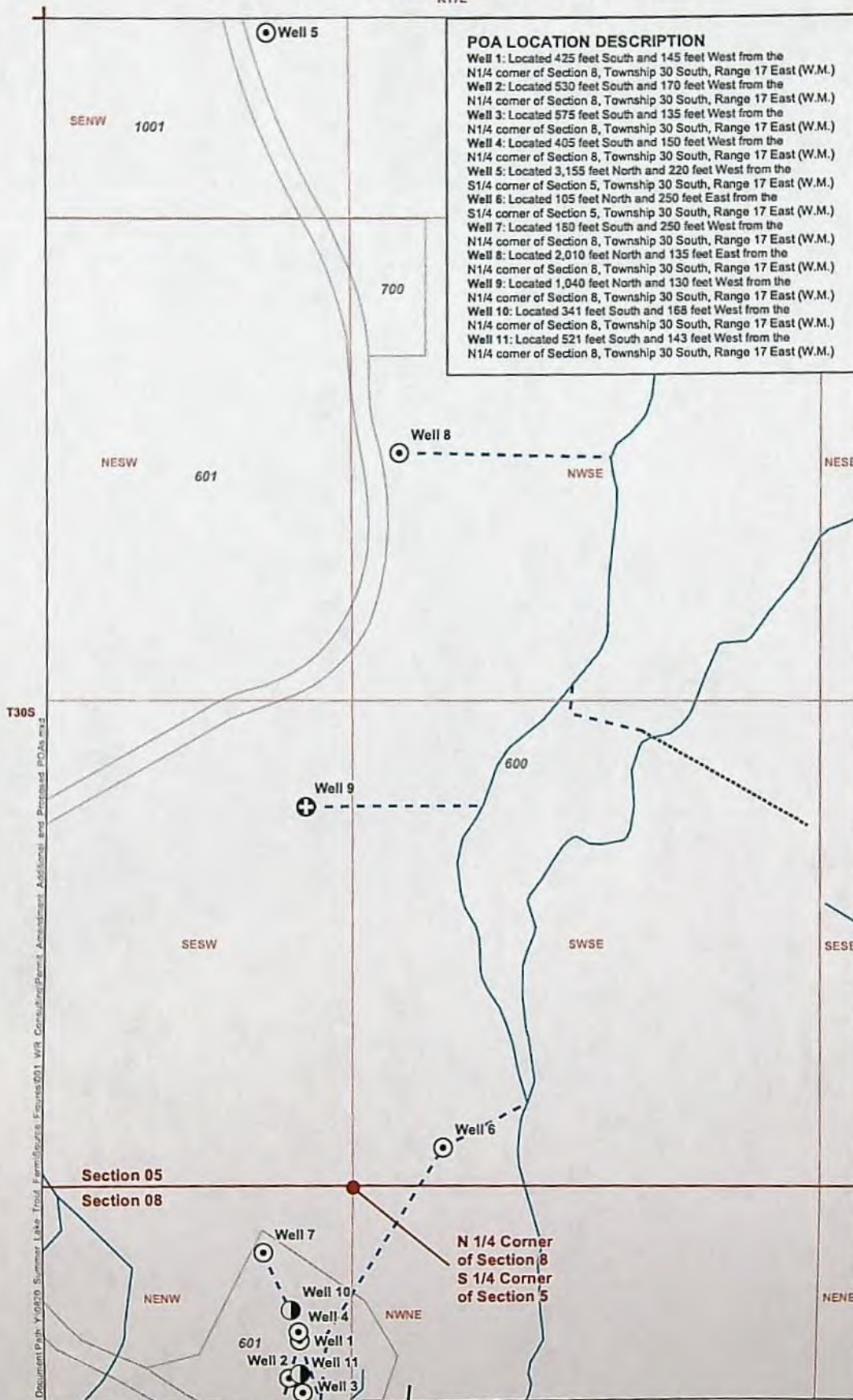


13337

Permit Amendment Application Permit G-17749, Application G-11640 Authorized, Additional, and Proposed Points of Appropriation

Lake County, Township 30 South, Range 17 East (W.M.)

R17E

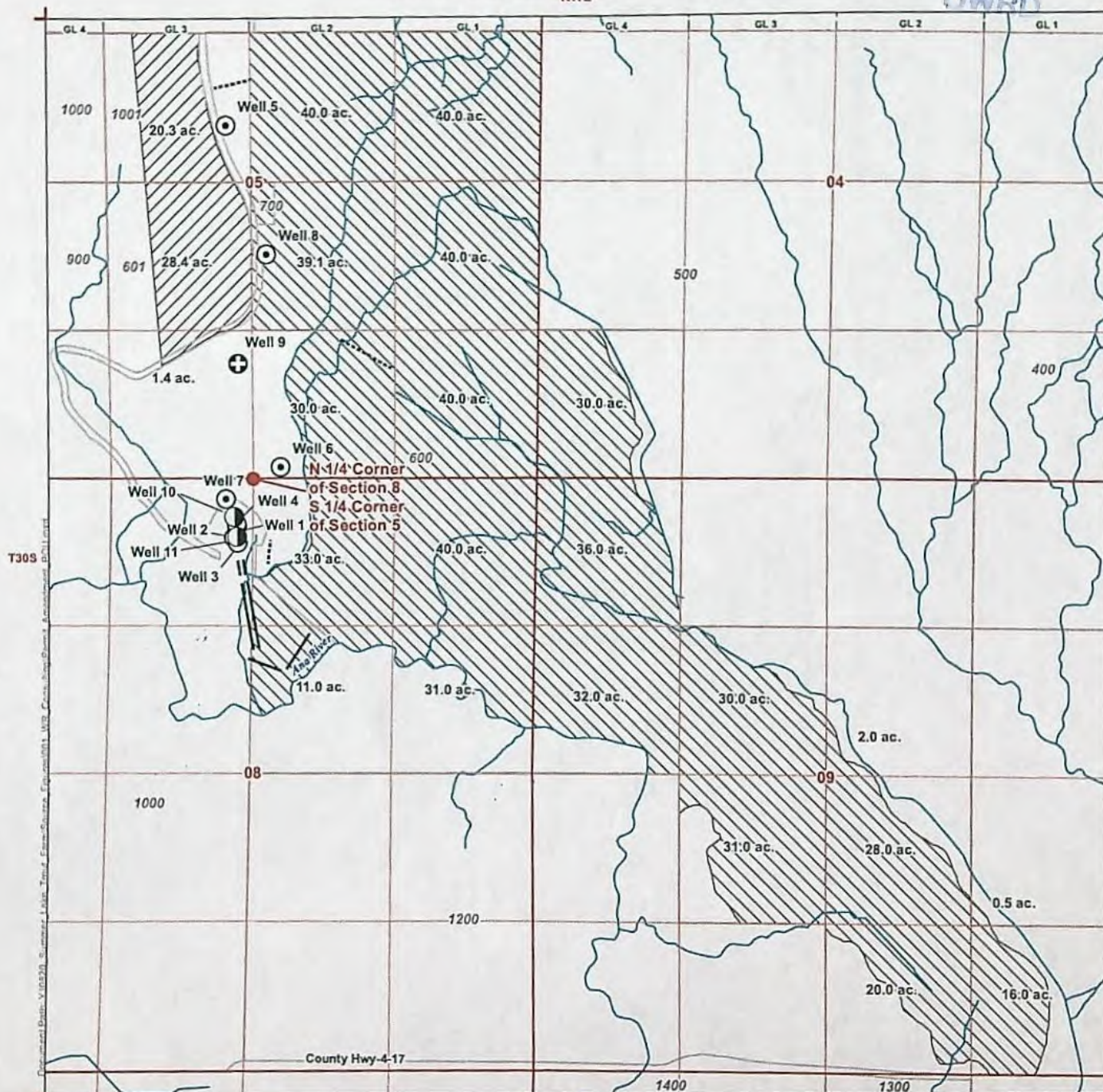


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Permit Amendment Application
Permit G-17749, Application G-11640
Place of Use
 Lake County
 Township 30 South, Range 17 East (W.M.)
 R17E

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OWPD



LEGEND

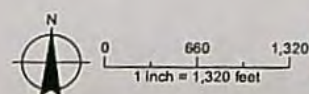
- Authorized Point of Appropriation (POA) **All Other Features**
- Additional Point of Appropriation (POA) Government Lot (GL)
- Proposed Point of Appropriation (POA) Tax Lot
- Place of Use (POU)** Watercourse
- Primary Irrigation, (50.1 ac.)
- Supplemental Irrigation, (569.6 ac.)
- Existing (Fish Culture)
- Proposed (Fish Culture)

DISCLAIMER

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

MAP NOTES

Date: February 21, 2020
 Data Sources: USGS, NAIP 2016, ESRI, BLM



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ATTACHMENT C

OWRD Land Use Information Form



All Points Engineering and Surveying, Inc.

P.O. Box 767 (CRR)
Terrebonne, OR 97760
(541) 548-5833 PH
(541) 585-4602 FX
Scott@APEandS.com

February 26, 2020

Attn: Lisa Jaramillo, Transfer Section Manager
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

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28 2020

SUBJECT: Revised Application for T-13337

WRD

Dear Ms. Jaramillo:

Please find attached to this cover letter a revised application and maps to replace the current application and map. Due to the close approaching C-date, the updated applicants and agents will work together with the department to process this application as expediently as possible.

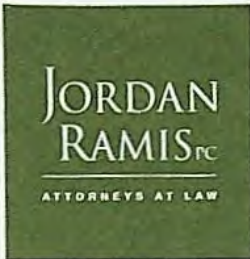
The reason for this updated application is because my current application doesn't address the changes that Western Development, LP or "Western" desires. Western retained GSI Water Solutions, Inc. or "GSI" after my original application was submitted. GSI prepared a new application to include Western's desired changes along with the changes I prepared for Tom MacDonald. It has been determined between both applicants and their agents that the most efficient way to move forward will be to use the GSI application and maps, rather than have me update my application and map to include Western's changes.

If you have any questions, please don't hesitate to call me at 541-548-5833.

Best Regards,

Scott Montgomery
All Points Engineering and Surveying
P.O. Box 767
Terrebonne, OR 97760
scott@apeands.com
PH: 541-548-5833
FAX: 541-585-4602

13337



360 SW Bond St., Ste. 510
Bend, OR 97702
Tel. (541) 550-7900
Fax (503) 598-7373
www.jordanramis.com

Steven L. Shropshire
Admitted in Oregon and Washington
steve.shropshire@jordanramis.com
OR Direct Dial: (541) 647-2979

February 27, 2020

VIA FEDERAL EXPRESS

Arla Davis
Oregon Water Resources Department
725 Summer St. NE #A
Salem OR 97301

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OWRD

Re: **Application for Permit Amendment T-13337**
Our File No. 54350-77015

Dear Arla:

Enclosed are the following with respect to the Permit Amendment Application T-13337:

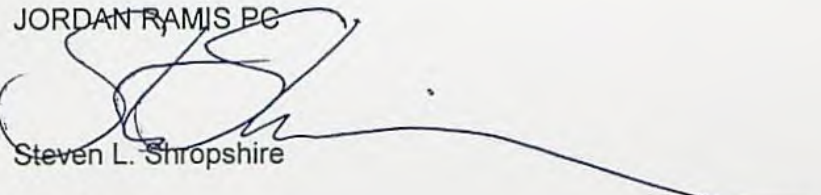
1. Cover letter; and
2. Superseding Application for Permit Amendment T-13337.

As we've previously discussed, we will submit the check for the difference in the application fee between the pending application and this superseding application under separate cover.

If you have any questions, please do not hesitate to contact me.

Sincerely,

JORDAN RAMIS PC



Steven L. Shropshire

Enclosures

cc: Client (via email w/ encl.)
John Young (via email w/ encl.)
Scott Montgomery (via email w/ encl.)

13337

54350-77015 4823-2118-7510.1

Land Use Information Form



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

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

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Land Use Information Form



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

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FEB 28 2020

Applicant(s): Western Development Group LP & Thomas A. MacDonald

Mailing Address: PO Box 40 (WDG) & PO Box 87 (TMacDonald)

City: Summer Lake

State: OR

Zip Code: 97640

Daytime Phone: 541-943-3192

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>30 S</u>	<u>17 E</u>	<u>4</u>	_____	<u>600</u>	<u>A-2</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>30 S</u>	<u>17 E</u>	<u>5</u>	_____	<u>600</u>	<u>A-2</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation, Fish Culture</u>
<u>30 S</u>	<u>17 E</u>	<u>8</u>	_____	<u>600 & 601</u>	<u>A-2</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation, Fish Culture</u>
<u>30 S</u>	<u>17 E</u>	<u>9</u>	_____	<u>600</u>	<u>A-2</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>

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

Lake County, OR

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 17.8 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

The Applicant is proposing to add additional fish raceways and two proposed wells as points of appropriation to existing Permit G-17749. The proposed wells serve as replacements for several wells that are beginning to fail.

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

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Lake County Zoning Ordinance: Article 3, Section 3.02.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

30-17-600
30-17-601

Name: Darwin Johnson Title: Planning Director
 Signature: [Signature] Phone: 541-947-6036 Date: 11 FEB 2020
 Government Entity: LAKE COUNTY Planning DEPT.

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

Receipt for Request for Land Use Information

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

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WR / FS

WELL 1: LAKE 3030

WELL 2: LAKE 1507

WELL 3: LAKE 4444

WELL 4: LAKE 3029

WELL 5: LAKE 52764

WELL 6: LAKE 52368

WELL 7: LAKE 52369

WELL 8: LAKE 52487

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4 8 2020

OWRD

ATTACHMENT D
OWRD Well Logs

RECEIVED

FEB 28 2020

LAKE 52487

~~Amended~~

Well #8

OWRD

LAKE 52487

LAKE 52487

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

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

WELL LABEL # L 104458

START CARD # 206041

ORIGINAL LOG #

(1) LANDOWNER

Owner Well ID
First Name Thomas Last Name McDermott
Company
Address P.O. Box 5-1
City Sumner Lake State OR Zip 97140(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)(2a) PRE-ALTERATION: Well Depth ft.

Seal Material

Casing Type: ☐ Steel ☐ Plastic ☐ Other

Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Secs/lbs
24"	0	90	Cement	0	90	100	50
18"	90	155	Cement	90	155	100	50
14"	155	200					
10"	200	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E☐ OtherBackfill placed from ft. to ft. Material Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: sacks/lbsActual Amount Used: sacks/lbs

(6) CASING/LINER

Casing/Liner	Dia	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	18"	0	90	.750	X		X	
X	14"	90	155	.750	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS

Perforations Method Screens Type Material

Perf	Screen	Casing/Liner	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele pipe size

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

☐ Pump ☐ Bailor ☐ Air ☒ Flowing ArtesianYield gal/min 1500 Drawdown Drill stem/Pump depth Duration (hrs) hrTemperature 60 °F Lab analysis ☐ Yes By Water quality concerns? ☐ Yes (describe below) TDS ppmFrom To Description Amount Units

(9) LOCATION OF WELL (legal description)

County Clatsop Twp 30 N or S, Range 17 E or W, W.M.Sec 35 NE 1/4 of the 56 Tax Lot 6002Tax Map Number Lot Lat " or DMS or DDLong " or DMS or DDStreet Address of Well (or nearest address) 48413 0+540Spring rd Sumner Lake

(10) STATIC WATER LEVEL

	Date	SWL (psi)	SWL (ft)
Existing Well/Pre-Alteration	7-1-13	4 psi	
Completed Well			

Flowing Artesian? ☒ Yes Dry Hole? ☐ YesWATER BEARING ZONES Depth water was first found 260

SWL Date	From	To	Est Flow	SWL (psi)	SWL (ft)
7-1-13	270	260	1500	4 psi	

(11) WELL LOG

Material	From	To
7' 6" Soil	0	2
11' 6" Clay	2	150
Black Lava Rock	150	165
Red Lava Rock	165	220
Black Lava Rock	220	260

RECEIVED BY OWRD	
RECEIVED BY OWRD	NOV 18 2013
OCT 10 2013	SALEM, OR
SALEM, OR	
Date Started <u>8-15-13</u>	Completed <u>9-1-13</u>

(Unbonded) Water Well Constructor Certification

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

License Number Date Signed

(Bonded) Water Well Constructor Certification

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

License Number 16511 Date 10-6-13Signed Contact Info (optional) ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

01/02/2009

APR 24 2014

SALEM, OR

LAKE 52369

Well #7

Amended
LAKE 52369
Well #1STATE OF OREGON
WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

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

(1) LANDOWNER
First Name Thomas Last Name MacDonald
Company
Address PO Box 87
City Summer Lake State OR Zip 97640(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)(2a) PRE-ALTERATION: Well Depth ft.
Seal Material
Casing Type: ☐ Steel ☐ Plastic ☐ Other
Casing Gauge Casing Diameter (3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 340 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/ft
Dia	From	To	Material	From	To		
12"	0	340	Concrete	0	340	340	500

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ OtherBackfill placed from ft. to ft. Material
Filter pack from ft. to ft. Material Size (5a) ABANDONMENT USING UNYLRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/ft.
Actual Amount Used: sacks/ft.

Casing/Liner		Dia	From	To	Gauge	Steel	Plastic	Worked	Thrd
Casing	Liner								
X		14"	0	340	2.50	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temporary casing ☐ Yes Diameter Feet To

(7) PERFORATIONS/SCREENS

Perforations Method
Screens Type Material

Perf	Screen	Casing	Liner	Screen	Dia	From	To	Screen	Stk	Stk	# of	Total
Size	Size	Size	Size	Size	Size	Size	Size	Size	Size	Size	Size	Size

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

☐ Pump ☐ Baker ☐ Air ☒ Flowing Artesian
Yield gal/min Drawdown Drift down/Pump depth Duration (hr) Temperature 60 °F Lab analysis ☐ Yes By
Water quality concerns? ☐ Yes (describe below) TDS ppm

From	To	Description	Amount	Units
------	----	-------------	--------	-------

WELL LABEL # 103498
START CARD # 206440
ORIGINAL LOG # (9) LOCATION OF WELL (Legal description)
County LAKE Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the 1/4 Tax Lot 600
Tax Map Number Lot
Lat or DMS or DD
Long or DMS or DDStreet Address of Well (or nearest address) 48413 D-550T
SPRING RD SUMMER LAKE OR 97640(10) STATIC WATER LEVEL
Date 12-5-11 SWL (psf) 4 PSI + SWL (ft)
Existing Well/Alteration
Completed Well
Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES		Depth water was first found	
SWL Date	From	To	SWL (psf)
	100	200	500

(11) WELL LOG		Ground Elevation	
Material	From	To	
TOP SOIL	0	2	
Gravel	2	10	
Black clay with	10	33	
limonite	33	63	
Green clay	63	105	
Gravel	105	120	
Lake Rock	120	240	
Red Basalt	240	260	
Black Lava Rock	260	340	
Red Limestone	340	360	

Date Started 10-30-10 Completed 3-5-11(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.License Number Date Signed (bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.License Number 1654 Date 10-12-11Signed Contact Info. (optional)
Search drilling inc
Tom Search
541 576-2189ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

P. 1.3

TO: 15359680904

5415762189

FROM: TOM

RECEIVED
MAR 1 2012
WATER RESOURCES DEPARTMENT
SALEM, OREGON

APR 24 2012

13337

SALEM, OR

RECEIVED
FEB 28 2020

LAKE 52368

Well #6

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

LAKE 52368
LAKE 52368
Amended

WELL LABEL # L 103897
START CARD # 206439
ORIGINAL LOG #

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

(1) LANDOWNER
First Name Thomas Last Name McDaniel
Company
Address PO Box 87
City Summer Lake State OR Zip 97140

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth 260 ft.

Seal Material

Casing Type: ☐ Steel ☐ Plastic ☐ Other

Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
24"	0	34	Cement	0	34	60	55K
16"	34	210	Cement	34	210	150	55K
12"	210	260					

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

☐ Other

Backfill placed from ft to ft. Material

filter pack from ft to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: sacks/lbs

Actual Amount Used: sacks/lbs

(6) CASING/LINER

Casing	Liner	Dia	1	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		16"	1	34	210	.150	X			X
X		12"	3	210	260	.150	X			X

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)

Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS

Perforations Method

Screens Type Material

Perf	Screen	Casing	Liner	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

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

☐ Pump ☐ Bailor ☒ Air ☒ Flowing Artesian

Yield gal/min 1000 Drawdown 260 Drill stem/Pump depth Duration (hr)

Temperature 60 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County LAKE Twp 30 N or S Range 17 E or W W.M.

Sec 5 1/4 of the 1/4 Tax Lot 600

Tax Map Number Lot

Lat " or DMS or DD

Long " or DMS or DD

Street Address of Well (or nearest address) 48413 Dessert

SPRING RD SUMMER LAKE OR 97140

(10) STATIC WATER LEVEL

Date 10-28-10 SWL (psi) 2.25 SWL (ft)

Existing Well/Pre-Alteration 10-28-10 Completed Well

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 23

SWL Date 10 From 23 To 259 SWL (psi) SWL (ft)

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR OWRD
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK 01/02/2009

APR 24 2014

SALEM, OR

RECEIVED
FEB 28 2020

LAKE 52764

WELL I.D. LABEL#	82299
START CARD #	212520
ORIGINAL LOG #	

(1) LAND OWNER
First Name Thomas Owner Well I.D. _____
Last Name McDonnell
Company _____
Address P.O. Box 87
City Summit Lake State CO Zip 81640

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

[illegible]

(3) **DRILL METHOD**
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☒ Domestic ☒ Irrigation ☐ Community
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION Special Standard ☐ (Attach copy)
Depth of Completed Well 540 ft.

BORE HOLE			SEAL			sacks/
Dia	From	To	Material	From	To	lbs
24"	0	131	Cement	0	131	300 sacks
14"	131	540				
					Calculated	100
					Calculated	300 sacks
					Calculated	100

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: ☐ Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE			
Proposed Amount	Pounds	Actual Amount	Pounds

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/4"	<input checked="" type="checkbox"/>	1	131	172	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temp casing ☐ Yes Dia _____ From _____ To _____

[illegible]

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
26.00 gpm		4655 ft	2 hr

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS amount 700

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Lake Twp 30 N/S Range 17 E/W WM

Sec 5 1/4 of the 1/4 1/4 Tax Lot 600

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

☐ Street address of well ☐ Nearest address

(10) STATIC WATER LEVEL		Date	SWL(psi)	+	SWL(ft)
Existing Well / Pre-Alteration					
Completed Well			4 PSI		4 PSI
Flowing Artesian? <input checked="" type="checkbox"/>		Dry Hole? <input type="checkbox"/>			

WATER BEARING ZONES			Depth water was first found		60
SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
	500	540	1000 g	4131	

[illegible]

Date Started ~~7-5-16~~ Completed 9-1-16

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

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 12-25-16
Signed [Signature]
Contact (info optional) _____

13337

Well #4

OWRD

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

JUL - 1 1968

Lake 3029

30/16E-8aa

(1) OWNER: ROBERT OLSON WATER RESOURCES DEPT #4
Name ROBERT OLSON SALE, OREGON
Address P.O. Box 40
City SUMMER LAKE State OR Zip 97140

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable

☐ Other _____

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation

☒ Thermal ☐ Injection ☐ Other FISH HATCHERY

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 310 ft.

Explosives used Yes No Type Amount

HOLE			SEAL			Amount
Diameter	From	To	Material	From	To	sacks or pounds
16"	0	120	CEMENT	0	120	210 SACKS
12"	120	245	GROUT			
8"	245	310				

How was semi placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____
 Buck fill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:								
	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12"	0	160	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____

☐ Screens Type _____ Material _____

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

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

<input type="checkbox"/> Pump	<input type="checkbox"/> Boiler	<input type="checkbox"/> Air	<input checked="" type="checkbox"/> Flowing Artesian
Yield gal/min	Drawdown	Drill stem at	Time

2100			1 hr.

Temperature of water 60 Depth Artesian Flow Found 245
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☒ Too little
☐ Salty ☐ Milky ☐ Odor ☐ Colored ☐ Other _____
Depth of strata 7

WHITE COPIES - WATER RESOURCES DEPARTMENT YELLOW

(9) LOCATION OF WELL by legal description:

County LAKE Latitude _____ Longitude _____
Township 30 N of 8 Range 16 E of W, WM
Section 8 NE 1/4 NE 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SUMMER LAKE

(10) STATIC WATER LEVEL:
_____ ft. below land surface. Date _____
Artesian pressure 17 lb. per square inch. Date 4-15-7

(11) WATER BEARING ZONES:
Depth at which water was first found 7 FT

From	To	Estimated Flow Rate	SWL
7'	8'		3'
245	310	2100	42

(12) WELLLOG: _____

[illegible]

Date started 11-10-87 Completed 4-15-88

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed _____ WWC Number _____
Date _____

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

Signed Elmira Baker WWC Number 1761
Date 6-24-88

COPY - CONSTRUCTOR PINK COPY - CUSTOMER WHITE COPY - ARCHITECT

RECEIVED BY OWRD

APR 24 2014

SALEM, OR

SALEM, OH

(Take 3030)

30s/18E-8aa

JUL - 1 1988

(1) OWNER: WATER RESOURCES CENTER #1
Name ROBERT OLSON MALE OREGON
Address P/O BOX 40
City SUMMER LAKE State OR Zip 97640

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

☐ Rotary Air ☐ Rotary Mud ☒ Cable

☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☒ Commercial ☐ Injection ☐ Other FISH HATCHERY

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 296 ft

Explosives used Yes ☐ No ☒ Type _____ Amount _____

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

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing	12"	41.5	60	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____

☐ Screens Type _____ Material _____

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

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

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailor	<input type="checkbox"/> Air	<input checked="" type="checkbox"/> Flowing Artisan
Yield gal/min	Drawdown	Drill stem at	Time

2100			1 hr.

Temperature of water 68 Depth Artesian Flow Found 241

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☒ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: 3'

WHITE COPIES - WATER RESOURCES DEPARTMENT

(9) LOCATION OF WELL by legal description:

County LAKE Latitude _____ Longitude _____
Township 30 No. 5 Range 18 Sec. 8 or W. W.M.
Section 8 NE $\frac{1}{4}$ ~~1/4~~ $\frac{1}{4}$ $\frac{1}{4}$
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SUMMER LAKE

(10) STATIC WATER LEVEL:

_____ ft. below land surface. Date _____
 Artesian pressure 17 lb. per square inch. Date 6-30-85

(11) WATER BEARING ZONES:

Depth at which water was first found 3 FT.

From	To	Estimated Flow Rate	SWL
241	296	2100	41.5

(12) WELL LOG:

Ground elevation

[illegible]

Date started 4-15-85 Completed 6-30-85

(unbonded) Water Well Constructor Certification:

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

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

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

believed.
Signed Florida Balch WWC Number 1362
Date 6-24-88

WHITE COPIES - WATER RESOURCES DEPARTMENT

YELLOW COPY - CONSTRUCTOR

PINK COPY - CUSTOMER
RECEIVED BY OWRD

RECEIVED

FEB 28 2020

APR 24 2014

OWRD

SALEM, OR
13337

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-13337

Review Due Date: 03/11/2020

Applicant Name: Thomas Macdonald

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

Reviewer(s): Brian Mayer

Date of Review: 03/09/2020

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

Drilling of any additional wells could have an effect on senior water right holders on the Ana spring and Ana river systems. Well 9 should not be drilled. Potentially affected water rights Certificates 82287, 83078, 90017, 11242, 22005, 83077, 83079, 90017, 64860, 82765, 38098, and 85478.

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:

during the irrigation season water that is not taken up by plant growth returns to the river at various places in sections 8 and 9 of T. 30S R. 17E. In off season water is returned to the Ana R. in the SWNE of Section 8 T.30S R.17E

☒ N/A

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

☒ N/A

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

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

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

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

☒ Yes ☐ No If "Yes", explain:

Senior water rights on the Ana River and spring system

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

☐ Yes ☒ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

Remove well 9 from transfer,

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

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

☐ A Headgate should be required prior to diverting water.

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

a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, ☒ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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

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

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

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

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

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13337



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



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



at each new point of diversion/appropriation.

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

Watermaster name: Brian Mayer

District: 12

Address: 513 Center St.

City/State/Zip: Lakeview OR 97630

Phone: 541.947.6038

Email: brian.m.mayer@oregon.gov

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

Approval of an Alternate Measurement Device **T- 13337**
(to be filled out after consultation with the applicant, or after a site visit)

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

 Watermaster signature

 District

 Date

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

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



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

Application for Permit Amendment

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

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

(For Staff Use Only)

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

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

___ Land Use Form not enclosed or incomplete

___ Additional signature(s) required ___ Part ___ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 5 – Permit Amendment Map Checklist

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

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

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

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,160
2	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> If only one change, this will be 0 Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » » RECEIVED DEC 26 2019 OWRD	2	\$930
3	Number of permits included in Permit Amendment <u>1 (3a)</u> Subtract 1 from the number in 3a: <u>0 (3b)</u> If only one permit this will be 0 Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input checked="" type="checkbox"/> Yes: enter \$410 »	4	\$410
5	Do you propose to change the place of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see example below*): <u>8.9 (5a)</u> Subtract 1.0 from the number in 5a above: <u>7.9 (5b)</u> If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>8 (5c)</u> and multiply 5c by \$350, then enter on line 5 » » » » » » » » » »	5	\$2800
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$5300
7	Is this permit amendment: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » Permit Amendment Fee:	8	\$5300

*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 ÷ 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*).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

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

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

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

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

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

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

If NO, include either:

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

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

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

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

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

By my signature below, I confirm that I understand:

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

13337 -



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

Thomas A. MacDonald
Applicant Signature

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

12/23/2019
Date

Applicant Signature

Print Name (and Title if applicable)

Date

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Check one of the following:

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

Check the appropriate box, if applicable:

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

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Lake County	ADDRESS 515 Center St	
CITY Lakeview	STATE OR	ZIP 97630

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Part 5 of 5 – Water Use Permit Information

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

PERMIT # G-17749

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

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

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

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

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

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

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

For a change in place of use:

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

☒ Yes ☐ No

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

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

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

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

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

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

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.									Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.								
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
									POA	30 S	17 E	4	SW SW	800		30.0 IS	#1 - #9	1987
									POA	30 S	17 E	5	SE NE	800		40.0 IS	#1 - #9	1987
									POA	30 S	17 E	5	SW NE	800		40.0 IS	#1 - #9	1987
									POA	30 S	17 E	5	SE NW	800		20.3 IR	#1 - #9	1987
									POA	30 S	17 E	5	NE SW	800		28.41R	#1 - #9	1987
									POA	30 S	17 E	5	NW SE	800		39.1 IS	#1 - #9	1987
									POA	30 S	17 E	5	NE SE	800		40.0 IS	#1 - #9	1987
									POA	30 S	17 E	5	SE SE	800		40.0 IS	#1 - #9	1987
									POA	30 S	17 E	5	SW SE	800		30.0 IS	#1 - #9	1987
									POA	30 S	17 E	5	SE SW	800		1.4 IR	#1 - #9	1987
									POA	30 S	17 E	8	NE NE	800		40.0 IS	#1 - #9	1987
									POA	30 S	17 E	8	NW NE	800		33.0 IS	#1 - #9	1987

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									POA	30	S	17	E	8	SW	NE	800		11.0 IS	#1 - #9	1987
									POA	30	S	17	E	8	SE	NE	800		31.0 IS	#1 - #9	1987
									POA	30	S	17	E	9	NW	NW	800		36.0 IS	#1 - #9	1987
									POA	30	S	17	E	9	SW	NW	800		32.0 IS	#1 - #9	1987
									POA	30	S	17	E	9	SE	NW	800		30.0 IS	#1 - #9	1987
									POA	30	S	17	E	9	SW	NE	800		2.0 IS	#1 - #9	1987
									POA	30	S	17	E	9	NE	SE	800		0.5 IS	#1 - #9	1987
									POA	30	S	17	E	9	NW	SE	800		28.0 IS	#1 - #9	1987
									POA	30	S	17	E	9	NE	SW	800		31.0 IS	#1 - #9	1987
									POA	30	S	17	E	9	SW	SE	800		20.0 IS	#1 - #9	1987
									POA	30	S	17	E	9	SE	SE	800		16.0 IS	#1 - #9	1987
TOTAL ACRES											TOTAL ACRES							50.1 IR 569.6 IS			

Additional remarks: IR & IS uses shown.

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

Additional remarks: Fish harvest uses shown.

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Permit # G-17749

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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

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SMITH Tamera L * WRD

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

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

Get [Outlook for Android](#)

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

Good morning Scott,

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

Hope your day is great ☺

Kindest regards,

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



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

13337 -

Permit Amendment Application Checklist

Checked by AB

Date 12.27.19

App # 6-17749

Permit # _____

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

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

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

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

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

If not, what is missing? _____

- ☐ 2. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? LU, well logs

- ☒ 3. Are fees included and correct? Fee Paid: 5200 ✓
If not, the correct fee would be: _____, so the amount missing is: _____

- ☒ 4. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____

- ☒ 5. Are the Permit completion date(s) current? 10/2020
If the Permit completion date has expired, we **CANNOT** accept the application.

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

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

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

applicant mld
direct to DWRD,

you APOA's

missing WL & LU

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

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

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

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

The wells are located as follows:

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

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

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

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

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

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

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

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

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

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

Permit Amendment T-11749

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

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

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

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

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

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

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

Water use measurement conditions:

- a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Original Permit Conditions

This project was considered and approved by the Water Resources Commission on March 30, 1990.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an airline and pressure gauge adequate to determine water level elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. Artesian wells must have control valves installed to regulate the flow of water.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the Department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work was to begin on or before April 30, 1991, however, complete application of the water to the use was extended and shall be made on or before October 1, 2016. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

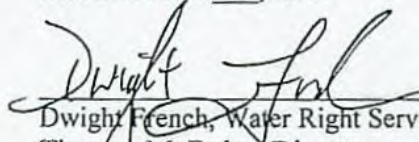
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued March 17, 2017



Dwight French, Water Right Services Administrator for,
Thomas M. Byler, Director
Oregon Department of Water Resources

LAKE 3029

May 15th 2014

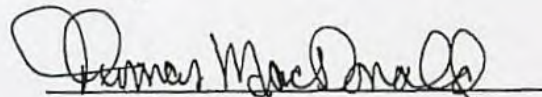
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

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LAKE 4444

May 15th 2014

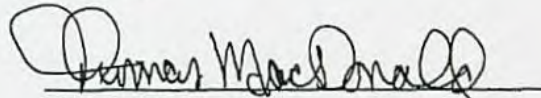
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Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

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Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

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JUL - 1 1988

LAKE 4444

305/16E-8aa

(1) OWNER:

Name ROBERT OLSON
Address P/O BOX 40
City SUMMER LAKE State OR Zip 97640

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable
☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☒ Thermal ☐ Injection ☐ Other FISH HATCHERY

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☒ No ☐ Depth of Completed Well 262 ft.
Explosives used ☐ ☒ Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
16	0 120	GROUT	0 120	165	
12"	120 262				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E.
☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12	0	160	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☐ Perforations
 ☐ Screens

Method _____
 Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailer	<input type="checkbox"/> Air	<input checked="" type="checkbox"/> Flowing Artesian
Yield gal/min	Drawdown	Drill stem at	Time
2100			1 hr.

Temperature of water 60 Depth Artesian Flow Found 245
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☒ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: ONE FOOT

(9) LOCATION OF WELL by legal description:

County LAKE Latitude _____ Longitude _____
Township 30 North Range 16 East W, W.M.
Section 8 NE 1/4 NE 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SUMMER LAKE

(10) STATIC WATER LEVEL:

_____ ft. below land surface. Date _____
Artesian pressure 17 lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found		ONE FOOT	
From	To	Estimated Flow Rate	SWL
1'	7'		1'
245	262	2100	+2'

(12) WELL LOG:

Material	From	To	SWL
SOIL, SANDY BROWN	0	7	1'
CLAY, GREEN	7	63	1'
CLAY - TAN	63	245	+2'
CINDERS-SAND, RED	245	246	+2'
BOULDERS, LAVA, LARGE	246	261	+2'
CINDERS-SAND, RED	261	262	+2'

Date started 5-15-87 Completed 10-20-87

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed _____ WWC Number _____
Date DEC 20 1987

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Floyd A Baker WWC Number 1362
Date 6-24-88

LAKE 4444

Well #3

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

JUL - 1 1988

WATER RESOURCES DEPARTMENT

(1) OWNER:

Name ROBERT OLSON
Address P/O Box 40
City SUMMER LAKE State OR Zip 97640

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable
☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☒ Normal ☐ Injection ☐ Other FISH HATCHERY

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No ☒ Depth of Completed Well 262 ft.
Explosives used ☐ Type None Amount None

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
16"	0 120	GROUT	0 120	165	
12"	120 262				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E.☐ OtherBackfill placed from 0 ft. to 120 ft. Material GROUTGravel placed from 120 ft. to 262 ft. Size of gravel 1/2"

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing 12"	0	160	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☐ Perforations Method None
☐ Screens Type None Material None

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailor ☐ Air ☒ Flowing Artesian
Yield gal/min 2100 Drawdown 1 ft. Drill stem at 1 hr.Temperature of water 60 Depth Artesian Flow Found 245Was a water analysis done? ☐ Yes By whom NoneDid any strata contain water not suitable for intended use? ☒ Too little☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ OtherDepth of strata: ONE FOOT

WHITE COPIES - WATER RESOURCES DEPARTMENT

YELLOW COPY - CONSTRUCTOR

PINK COPY - OWNER

(9) LOCATION OF WELL by legal description:

County LAKE Latitude 44° 44' N Longitude 122° 16' E
Township 30 North Range 16 6th W. 11th E.
Section 8 NE 1/4
Tax Lot None Lot None Block None Subdivision None
Street Address of Well (or nearest address) SUMMER LAKE

(10) STATIC WATER LEVEL:

ft. below land surface 17 Date 5-15-87
Artesian pressure 17 lb. per square inch Date 5-15-87

(11) WATER BEARING ZONES:

Depth at which water was first found ONE FOOT

From	To	Estimated Flow Rate	SWL
1'	7'		1'
245	262	2100	+2'

Material	From	To	SWL
SOIL, SANDY BROWN	0	7	1'
CLAY, GREEN	7	63	1'
CLAY - TAN	63	245	+2'
CINDERS - SAND, RED	245	246	+2'
BOULDERS, LAVA, LARGE	246	261	+2'
CINDERS - SAND, RED	261	262	+2'

Date started 5-15-87 Completed 10-20-87

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed Elmer A. Baker WWC Number 1352 Date 6-24-88

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Elmer A. Baker WWC Number 1352 Date 6-24-88RECEIVED BY OWRD
DEC 30 2019

13337 - OWRD

APR 24 2014

SALEM, OR

LAKE 52368

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301
(503) 986-0900
www.oregon.gov/owrd

Application for Well ID Number

DEC 10 2019

Do not complete if the well already has a Well Identification Number.

OWRD

I. OWNER INFORMATION

Current Owner Name (please print): Western Development Group, LP - Attention: Bernie Burkholder

Mailing Address: PO Box 40

City, State, Zip: Summer Lake, OR 97640

Mail Well ID to: ☒ SAME AS ABOVE ☐ In Care Of (C/O)

Name & Address: _____

City, State, Zip: _____

II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 30 S (North / ~~South~~) Range: 17 E (~~East~~ / West) Section: 5 SW 1/4 of the SE 1/4

Tax Lot (usually last 3-5 numbers of Tax Map #): 600 County Lake

GPS Coordinates: 42 59' 28.27" N 120 43' 50.53" W

Street Address of Well, City: 48413 Desert Springs Rd Summer Lake

If the property had a different street address in the past: _____

III. GENERAL WELL INFORMATION (Please fill out as completely as possible, AND attach copy of Well Report, if available)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): Fish culture and Irrigation

Date Well Constructed (or property built): 10-28-10 Total Well Depth: 260' Casing Diameter: 12"

Owner at time the well was constructed (if known): _____ Well Report # (if known): Lake 52368

Other Information: Previously assigned Well I.D. Label # L103897 has been lost

SUBMITTED BY (please print): Ethan Negus

PHONE: (541) 943-3192 EMAIL &/or FAX: ethan.negus@desertspringstroutfarm.com

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902.
Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

** Replacement tag!*

For Official Use Only by the Oregon Water Resources Department:

Received Date:

12-10-19

Well Report Number:

LAKE 52368

Well Identification #:

OWRD 37024

Last Update: 5/15/18

Well I.D. Number/2

WCC

Received Time Dec. 10. 2019 2:10PM No. 0797

LAKE 52368

May 15th 2014

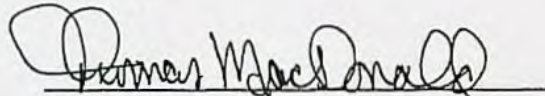
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,


Thomas MacDonald
Desert Springs Trout Farm

RECEIVED

DEC 30 2019

OWRD

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

13337 -

STATE OF OREGON
WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.

Well #12
LAKE 52368

L 137024
WELL LABEL # L 103897 TAG LOST!
START CARD # 206439
ORIGINAL LOG #

(1) LANDOWNER
First Name Thomas Last Name Search
Company
Address PO Box 87
City Summer Lake State OR Zip 97140

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)
(2a) PRE-ALTERATION: Well Depth ft.
Seal Material
Casing Type: ☐ Steel ☐ Plastic ☐ Other
Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Secs/lb
4 1/4"	0	39	Cement	0	39	80	SEK
4 1/2"	39	210	Cement	40	210	150	SEK
12"	210	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

Backfill placed from ft. to ft. Material
Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/lbs
Actual Amount Used: sacks/lbs

(6) CASING/LINER									
Casing	Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded
X		16"	+	0	39	.250	X		X
X		12"	+	3	210	.750	X		X

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS
Perforations Method
Screens Type Material

Perf	Screen	Casing	Liner	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tube/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Boiler ☐ Air ☒ Flowing Artesian
Yield gal/min 1000 Drawdown Drill stem/Pump depth Duration (hr)
Temperature 60 °F Lab analysis ☐ Yes By
Water quality concerns? ☐ Yes (describe below) TDS ppm
From To Description Amount Units

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the 1/4 Tax Lot 600
Tax Map Number Lnt
Lat " or DMS or DD
Long " or DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97140

(10) STATIC WATER LEVEL			
Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration <u>10-24-10</u>	<u>2 PSI</u>		
Completed Well			

Flowing Artesian? ☐ Yes Dry Hurd? ☐ Yes
WATER BEARING ZONES Depth water was first found

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	<u>20</u>	<u>25</u>	<u>25 gal</u>			

(11) WELL LOG			Ground Elevation
Material	From	To	
TOP SOIL	0	2	
BLACK CLAY	2	10	
Gray clay	10	120	
Blue clay	120	180	
Gray Basalt	180	225	
Red clay	225	260	

RECEIVED

MAR 1 2 2012

WATER RESOURCES DEPT
SALEM, OREGON

Date Started 9-28-10 Completed 10-28-10

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date

Signed

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1654 Date 10-12-11

Signed RECEIVED

Contact Info (optional)
Search drilling DEC 30 2019
Tom Search 501-576-2189
OWRD

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

01/02/2009

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.

(1) LANDOWNER Owner Well I.D.
First Name Thomas Last Name Smith MC DONALD
Company _____
Address PO Box 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.

Seal Material _____

Casing Type: ☐ Steel ☐ Plastic ☐ Other _____

Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well _____ ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
4"	0	39	Cement	0	39	80	5CK
16"	39	210	Cement	210	210	150	5CK
12"	210	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs

Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		16"	+	1	39	.250	X		X	
X		12"	-	3	220	.150	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☐ Air ☒ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From _____ To _____ Description _____ Amount _____ Units _____

From _____ To _____ Description _____ Amount _____ Units _____

From _____ To _____ Description _____ Amount _____ Units _____

From _____ To _____ Description _____ Amount _____ Units _____

From _____ To _____ Description _____ Amount _____ Units _____

From _____ To _____ Description _____ Amount _____ Units _____

From _____ To _____ Description _____ Amount _____ Units _____

From _____ To _____ Description _____ Amount _____ Units _____

LAKE 52368 L 137024
WELL LABEL # L 103847 TAG LOST!
START CARD # 206439
ORIGINAL LOG # _____

(9) LOCATION OF WELL (legal description)

County Lake Twp 30 N or S Range 17 E or W W.M.

Sec 5 1/4 of the 1/4 Tax Lot 600

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 Dessert

Spring AD Summer Lake OR 97640

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	10-28-10	21.5		
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Bst Flow	SWL (psi)	+	SWL (ft)
	20	23	259			

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

SWL Date _____ From _____ To _____ Bst Flow _____ SWL (psi) _____ + _____ SWL (ft) _____

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.

(1) LANDOWNER
First Name Thomas Last Name Mc Denio
Company MC Denio
Address PO Box 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth ft.
Seal Material
Casing Type: ☐ Steel ☐ Plastic ☐ Other
Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
4"	0	39	Cement	0	39	60	SK
8"	39	210	Cement	210	210	150	SK
12"	210	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other
Backfill placed from ft. to ft. Material
Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/lbs
Actual Amount Used: sacks/lbs

(6) CASING/LINER		Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
Casing	Linr									
X		18"	+	1	39	.250	X		X	
X		12"	-	3	210	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS
Perforations Method
Screens Type Material

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailor ☒ Air ☒ Flowing Artesian
Yield gal/min 1000 Drawdown 260 Drill stem/Pump depth Duration (hr)
Temperature 60 °F Lab analysis ☐ Yes By
Water quality concerns? ☐ Yes (describe below) TDS ppm
From To Description Amount Units

LAKE 52368
LAKE 52368
Am Tule

L 137024
WELL LABEL # L 10 3897 TAG LOST!
START CARD # 306439
ORIGINAL LOG #

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 NE NW 1/4 of the 1/4 Tax Lot 600
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD
Street Address of Well (or nearest address) 48413 Dessert Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL						
	Date	SWL(psi)	+	SWL (ft)		
Existing Well/Pre-Alteration	10-28-10	2.55				
Completed Well						
Flowing Artesian? <input type="checkbox"/> Yes Dry Hole? <input type="checkbox"/> Yes						
WATER BEARING ZONES Depth water was first found <u>25'</u>						
SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	20	25	259.1			

(11) WELL LOG		Ground Elevation	
Material	From	To	
TOP SOIL	0	2	
Black clay	2	60	
Gray clay	60	120	
Blue clay	120	180	
Gray Basalt	180	225	
Red clod	225	260	
<div style="display: flex; justify-content: space-between;"> <div> <p>RECEIVED</p> <p>MAR 13 2012</p> <p>WATER RESOURCES DEPT</p> <p>SALEM, OREGON</p> </div> <div> <p>RECEIVED BY OWRD</p> <p>JUL 12 2012</p> <p>SALEM, OR</p> </div> </div>			
Date Started	<u>9-28-10</u>	Completed	<u>10-28-10</u>

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date
Signed

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1654 Date 10-12-11
Signed
Contact Info. (optional)

Search drilling INC
70m Search Sul-576-2189

LAKE 52368

Well #6

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.

(1) LANDOWNER
First Name Thomas Last Name McDaniel
Company PO Box 87
Address Summer Lake State OR Zip 97140

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth ft.
Seal Material
Casing Type: ☐ Steel ☐ Plastic ☐ Other
Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
14"	0	39	Cement	0	39	60	SCK
16"	39	210	Cement	40	210	150	SCK
18"	210	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other
Backfill placed from ft to ft. Material
Filter pack from ft to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: sacks/lbs
Actual Amount Used: sacks/lbs

(6) CASING/LINER

Casing/Liner	Dia	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	16"	0	39	.250	X		X	
X	12"	3	270	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temporary casing ☐ Yes Diameter From To

(7) PERFORMANCES/SCREENS

Performance Method
Screens Type Material

Perf	Screen	Casing/Liner	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailor ☒ Air ☒ Flowing Artesian

Yield gal/min 1000 Drawdown 260 Drill stem/Pump depth Duration (hr)

Temperature 60 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS ppm

From	To	Description	Amount	Units

L 137024
WELL LABEL # L 137024 TAG LOST!
START CARD # 206439
ORIGINAL LOG #

(9) LOCATION OF WELL (legal description)
County LAKE Twp 30 N or S Range 17 E or W W.M.
Sec 5 1/4 of the 1/4 Tax Lot 600
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD
Street Address of Well (or nearest address) 48413 Dessert
SPRING RD SUMMER LAKE OR 97140

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	10-28-10	2.25		
Completed Well				

Flowing Artesian? ☐ Yes ☒ Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found 25'

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	20	25	254			

(11) WELL LOG

Material	From	To
TOP SOIL	0	2
Black Clay	2	60
Gray Clay	60	120
Blue Clay	120	180
Gray Basalt	180	225
Red Clay	225	260

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MAR 13 2012

JUL 12 2012

WATER RESOURCES DEPT
SALEM, OREGON

SALEM, OR

Date Started 9-28-10 Completed 10-28-10

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1654 Date 10-12-11

Signed

Contact Info. (optional)

Search drilling I RECEIVED
70M Search Soil-576-2189
DEC 30 2019

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR OWRD
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK 01/02/2009

13337 -

APR 24 2014

SALEM, OR

LAKE 52487

May 15th 2014

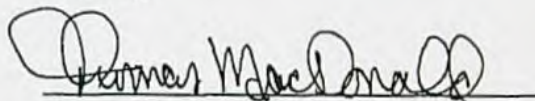
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

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MAY 19 2014

SALEM, OR

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DEC 30 2019

OWRD

13337 -

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)

LAKE 52487

LAKE 52487

WELL LABEL # L 104458
START CARD # 206041
ORIGINAL LOG #

Instructions for completing this report are on the last page of this form.

(1) LANDOWNER Owner Well I.D.
First Name Thomas Last Name MacDonald
Company _____
Address Po Box 8-1
City Sumner Lake State OR Zip 97140

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
4"	0	90	Cement	0	90	100	50
12"	90	155	Cement	90	155	100	50
14"	155	200					
10"	200	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		18"	+	1	90	.250	X		X	
X		14"	+	1	155	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☐ Air ☒ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) hr

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 SE 1/4 of the 12 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 D-55rd
Spring rd Summer Lake

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>9-1-13</u>	<u>4 psi</u>		
Completed Well				

Flowing Artesian? ☒ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 260'

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
<u>9-1-13</u>	<u>220</u>	<u>260</u>	<u>1500</u>	<u>4 psi</u>		

(11) WELL LOG

Material	From	To
<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>Brown clay</u>	<u>2</u>	<u>150</u>
<u>Black Lignite</u>	<u>150</u>	<u>165</u>
<u>Red Lignite</u>	<u>165</u>	<u>220</u>
<u>Black Lignite</u>	<u>220</u>	<u>260</u>

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NOV 18 2013

OCT 10 2013

SALEM, OR

SALEM, OR

Date Started 8-15-13 Completed 9-1-13

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 16541 Date DEC 30 2010 - 6-13

Signed [Signature] OWRD

Contact Info. (optional)

LAKE 52487

Well #8

LAKE 52487

LAKE 52487

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.

WELL LABEL # 104458
START CARD # 20641
ORIGINAL LOG #(1) LANDOWNER
First Name Thomas Last Name MacDonald
Address P.O. Box 5-1
City Sumner Lake State OR Zip 97140(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)(2a) PRE-ALTERATION: Well Depth ft.
Seal Material Casing Type: ☐ Steel ☐ Plastic ☐ Other
Casing Gauge Casing Diameter (3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other (4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other (5) BORE HOLE CONSTRUCTION
Depth of Completed Well 260 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Secs/lbs
24"	0	90	Leam	0	90	100	5"
14"	90	155	Leam	90	155	100	5"
14"	155	200					
10"	200	260					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other Backfill placed from ft. to ft. Material
"Uter pack from ft. to ft. Material Size (5a) ABANDONMENT USING UNHYDRATED BENTONITE:
Calculated Amount Proposed to be Used: sacks/lbs
Actual Amount Used: sacks/lbs

(6) CASING/LINER									
Casing/Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	18"	+	1	90	.750	X		X	
X	14"	+	1	155	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temporary casing ☐ Yes Diameter From To (7) PERFORATIONS/SCREENS
Perforations Method
Screens Type Material

Perf	Screen	Casing	Liner	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailor ☐ Air ☒ Flowing Artesian
Yield/gph 1500 Drawdown Drill stem/Pump depth Duration (hrs) hr
Temperature 60 °F Lab analysis ☐ Yes By
Water quality concerns? ☐ Yes (describe below) TDS ppm
From To Description Amount Units (9) LOCATION OF WELL (legal description)
County LAKE Twp 30 N or S, Range 17 E or W W.M.
Sec 35 NE 1/4 of the SW 1/4 Tax Lot 600
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DDStreet Address of Well (or nearest address) 48413 0-550
Spring rd SUMNER LAKE(10) STATIC WATER LEVEL
Existing Well/Pre-Alteration 7-1-13 SWL (psi) 4 psi SWL (ft)
Completed Well SWL (psi) SWL (ft) Flowing Artesian? ☒ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found 260

SWL Date	From	To	Est Flow	SWL (psi)	SWL (ft)
7-1-13	270	260	1500	4 psi	

(11) WELL LOG			Ground Elevation	
Material	From	To		
70' Soil	0	2		
10' Gravel	2	12		
Black lava rock	12	15		
Red lava rock	15	20		
Black lava rock	20	260		

RECEIVED BY OWRD
NOV 18 2013
OCT 10 2013
SALEM, OR
SALEM, OR
Date Started 8-15-13 Completed 9-4-13(Unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.License Number Date
Signed (Bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.License Number 16541 Date 10-6-13
Signed
Contact Info (optional) ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR SUBMITTER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORKRECEIVED BY OWRD
NOV 18 2013

DEC 24 2013

13337 -

SALEM, OR

LAKE 52369

May 15th, 2014

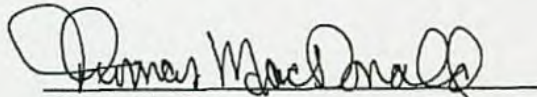
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

RECEIVED

DEC 30 2019

OWRD

LAKE 52369

Well #1

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.

(1) LANDOWNER
First Name Thomas Last Name MAC DONALD
Company _____
Address PO BOX 87
City Summer Lake State OR Zip 97640(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 3b) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.

Seal Material _____

Casing Type: ☐ Steel ☐ Plastic ☐ Other _____

Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 340 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
30"	0	220	Cement	22	220	380	5CK
12"	220	310					

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs

Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing/Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	14"	+	1	220	.1250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf	Screen	Casing/Liner	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailor ☐ Air ☒ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____

Temperature 60 °F Lab analysis ☐ Yes By _____Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

WELL LABEL # 103848
START CARD # 206440
ORIGINAL LOG # _____

(9) LOCATION OF WELL (legal description)

County LAKE Twp 30 Nor S Range 17 E or W W.M.Sec 5 1/4 of the _____ 1/4 Tax Lot 600

Tax Map Number _____ Lot _____

Lat _____ or _____ DMS or DD

Long _____ or _____ DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL

Existing Well/Pre-Alteration	Date	SWL (psi)	+	SWL (ft)
Completed Well	<u>7-5-11</u>	<u>4 PSI</u>		

Flowing Artesian? ☐ Yes ☐ Dry Hole? ☐ YesWATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	<u>190</u>	<u>200</u>	<u>500 gal</u>			<u>1"</u>

(11) WELL LOG

Ground Elevation _____

Material	From	To
TOP SOIL	0	2
Gravel	2	10
Black clay with	10	35
Remnant	35	65
Green clay	65	105
Gravel	105	220
Lava Rock	220	240
Red Basalt	240	260
Black Lava Rock	260	300
Red clod	300	340

Date Started 10-30-10 Completed 3-5-11

(unbanded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number _____ Date _____

Signed _____

(banded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1654 Date 10-12-11Signed Thomas MacdonaldContact Info. (optional) Search drilling INCTom Search541 576 2189ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORKRECEIVED
WATER RESOURCES DEPT
MAY 1 2 2012
DEPT OF AGRICULTURE
OREGON

STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)

LAKE 52367 #1

WELL LABEL # L 103876
START CARD # 206438
ORIGINAL LOG #

Instructions for completing this report are on the last page of this form.

(1) LANDOWNER
First Name Thomas Last Name Eric Danald
Company PO BOX 87
Address SUMMER'S LAKE State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)
(2a) PRE-ALTERATION: Well Depth _____ ft.
Seal Material _____
Casing Type: ☐ Steel ☐ Plastic ☐ Other _____
Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 420 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL				Amount	Sols/lbs
Dia	From	To	Material	From	To	Material	Amount		
12"	0	219	CEMENT	0	219	200	500	500	500
12"	219	420							

How was seal placed. Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs
Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12"	+	1	219	.150	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf	Screen	Casing	Linr	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian
Yield gal/min 1000 Drawdown 420 Drill stem/Pump depth _____ Duration (hr) _____

Temperature 51 °F Lab analysis ☐ Yes By _____
Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Unit

(9) LOCATION OF WELL (legal description)
County Lake Twp 30 N or S Range 17 E or W W.M.
Sec 5 SE 1/4 of the SW 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
Street Address of Well (or nearest address) 48412 Dessert
SHRINE'S LN SUMMER LAKE OR 97640

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>9-25-10</u>			<u>Land</u>
Completed Well				<u>Serial</u>

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	SWL (ft)
	<u>225</u>	<u>250</u>	<u>1000</u>	<u>94</u>	

(11) WELL LOG

Material	From	To
TOP SOIL	0	2
Black Clay	2	100
Blue Clay	100	120
Gray Clay	120	165
Black Clay	165	195
Blue Clay	195	225
Sand Gravel UD	225	250
Gray Clay	250	290
Blue Clay	290	300
Gray Clay	300	380
Black Clay	380	395
Blue Clay	395	420

Date Started 8-31-10 Completed 9-25-10

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1654 Date 10-10-11

Signed [Signature]

Contact Info. (optional)

Search drilling REC'D
TOM Search
541-576-2189
WATER RESOURCES DEPT
SALEM, OREGON
11/21/2012
13337

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTION ONE COPY FOR CLOSURE
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

LAKE 3030

May 15th 2014

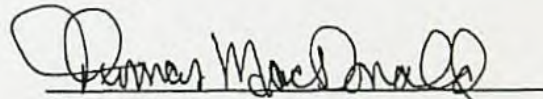
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

RECEIVED

DEC 30 2019

OWRD

13337 -

LAKE 3030

Well #1

RECEIVED

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

JUL - 1 1988

(1) OWNER: **WATER RESOURCES PROJECT #1**
Name **ROBERT OLSON** **ALLAS, OREGON**
Address **P/O BOX 40**
City **SUMMER LAKE** State **OR** Zip **97640**

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable

☐ Other _____

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation

☒ Thermal ☐ Injection ☐ Other FISH HATCHERY

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 296 ft.

Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds
16"	0 60'	CEMENT GROUT	0 60	160 SACKS

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:								
	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing	12"	41.5	60'	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lin.					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____

☐ Screens Type _____ Material _____

[illegible]

(8) WELL TESTS: Minimum testing time is 1 hour

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailor	<input type="checkbox"/> Air	<input checked="" type="checkbox"/> Flowing Artesian
Yield gal/min	Drawdown	Drill stem at	Time

2100			1 hr.

Temperature of water 60 Depth Artesian Flow Found 241
Was a water analysis done? ☐ Yes By whom _____

Did any strain contain water not suitable for intended use? ☒ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: 3'

WHITE COPIES - WATER RESOURCES DEPARTMENT

YELLOW COPY - CONSTRUCTOR

PINK COPY - CUSTOMER

RECEIVED BY OWRD

(9) ~~LOCATION OF WELL~~ by legal description:

County LAKE Latitude _____ Longitude _____
Township 30 N of 8 Range 18 E of W. WM.
Section 8 NE 1/4 14
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SUMMER LAKE

(10) **STATIC WATER LEVEL:**

_____ ft. below land surface. Date _____
Artesian pressure 17 lb. per square inch. Date 6-30-85

(11) WATER BEARING ZONES:

Depth at which water was first found 3 FT.

From	To	Estimated Flow Rate	SWL
241	296	2100	41.5

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
SOIL - SANDY	0	3'	3'
CLAY - GREEN	3	45	3'
SAND - FINE BLACK	45	46	3'
CLAY - TAN	46	241	+1.5
CINDERS - SAND, RED	241	243	+1.5
LAVA BOULDERS	243	295	+1.5
CINDERS - SAND RED	295	296	+1.5

Date started 4-15-85 Completed 6-30-85

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Elodie Baker WWC Number 1338
Date 6-24-88

RECEIVED BY OWNER

APR 24 2014 DEC 30 2019

OWRD
SALEM, OF

13337 -

SALEM, OR

LAKE 1507

May 15th 2014

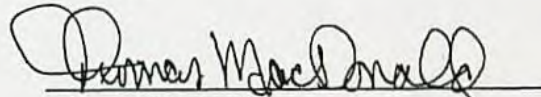
Oregon Water Resources Department
Attn: Buffy Gillis
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Gillis,

Below is a list of the correct locations of the wells therein identified. Well driller Tom Search sent your office the corrected well logs for LAKE 1507 and LAKE 52487. Schroeder Law Offices sent your office the corrected well logs for the remaining wells.

Well #	Well Log #	Township, Range, Section, Quarter-Quarter
Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
Well 3	LAKE 4444	30 South, 17 East, Sec. 8 NE NW
Well 4	LAKE 3029	30 South, 17 East, Sec. 8 NE NW
Well 6	LAKE 52368	30 South, 17 East, Sec. 5 SW SE
Well 7	LAKE 52369	30 South, 17 East, Sec. 8 NE NW
Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,



Thomas MacDonald
Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 19 2014

SALEM, OR

RECEIVED

DEC 30 2019

13337 -

OWRD

309/17E-866
7
(for official use only)

WATER RESOURCES DEPT

Name ROBERT OLSON SALEM, OREGON
Address SUMMER LAKE
City _____ State OR.

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air	<input type="checkbox"/>	Driven	<input type="checkbox"/>
Rotary Mud	<input type="checkbox"/>	Dug	<input type="checkbox"/>
Cable	<input checked="" type="checkbox"/>	Bored	<input type="checkbox"/>

(4) PROPOSED USE (check):

Domestic	<input type="checkbox"/>	Industrial	<input checked="" type="checkbox"/>	Municipal	<input type="checkbox"/>
		Thermal:			
Irrigation	<input type="checkbox"/>	Withdrawal	<input type="checkbox"/>	Reinjection	<input type="checkbox"/>
Other:					
Piezometric	<input type="checkbox"/>	Grounding	<input type="checkbox"/>	Test	<input type="checkbox"/>

(b) CASING INSTALLED:

(5) CASING INSTALLED: Steel ☐ Plastic ☐
Threaded ☐ Welded ☐
12" Diam. from +1 ft. to 60 ft. Gauge 250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:

LINER INSTALLED: Steel ☐ Plastic ☐
Threaded ☐ Welded ☐
....." Diam. from ft. to ft. Gauge

(6) PERFORATIONS:

(6) PERFORATIONS: Perforated? ☐ Yes ☒ No
Size of perforations in. by in.

..... perforations from ft. to ft.
..... perforations from ft. to ft.
..... perforations from ft. to ft.

(7) SCREENS:

(7) SCREENS: Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot Size Set from ft. to ft.

Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Test:	gal./min. with	ft. drawdown after	hrs.
Air test	gal./min. with drill stem at	ft.	hrs.
Bailer test	gal./min. with	ft. drawdown after	hrs.
Artesian flow	g.p.m.		
Temperature of water	60°	Depth artesian flow encountered	2411

(9) CONSTRUCTION:

(9) CONSTRUCTION: Special standards: Yes ☐ No ☒
Well seal—Material used CEMENT GROUT
Well sealed from land surface to 55 ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Amount of sealing material 118 sacks ☒ pounds ☐
How was cement grout placed? PUMPED

Was pump installed? NO Type _____ HP _____ Depth _____ ft.
Was a drive shoe used? ☒ Yes ☐ No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of Water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL by legal description:

County LAKE _____ 1/4 _____ 1/4 of Section _____ of
Township _____, Range _____, WM.
(Township is North or South) (Range is East or West)
Tax Lot _____ Lot _____ Block _____ Subdivision _____

MAILING ADDRESS OF WELL (or nearest address) SUMMER LAKE

(11) WATER LEVEL of COMPLETED WELL:

Depth at which water was first found	55	ft.
Static level		ft. below land surface. Date
Artesian pressure	5	lbs. per square inch. Date 6-30-85

(12) WELL LOG:

(12) WELL LOG: Diameter of well below casing 12"
 Depth drilled 296 ft. Depth of completed well 296 ft.
 Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

[illegible]

Date work started 4-15-85 / completed 6-30-85
Date well drilling machine moved off of well 7-15- 1985

(unbonded) Water Well Constructor Certification (if applicable):

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] _____ Date _____, 19____

(bonded) Water Well Constructor Certification:

Bond 38 41670 Issued by: O.A.I.C.
(number) (Surety Company Name)
On behalf of FLOYD BAKER
(type or print name of Waste Water Contractor)

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief:

(Signed) Floyd Baker
(Water Well Contractor)
(Dated) 2-20-86 **SWRD**

NOTICE TO WATER WELL CONSTRUCTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP*46866-690

LAKE 52369

Well #7

Amended
LAKE 52369
Well #1STATE OF OREGON
WATER SUPPLY WELL REPORT
(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.

WELL LABEL # 103998
START CARD # 206440
ORIGINAL LOG #(1) LANDOWNER
First Name Thomas Last Name MAC DONALD
Company PO BOX 81
Address Summer Lake State OR Zip 97640(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)(2a) PRE-ALTERATION: Well Depth 17 ft.
Seal Material
Casing Type: ☐ Steel ☐ Plastic ☐ Other
Casing Gauge Casing Diameter (3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 380 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL		
Dia	From	To	Material	From	To
12"	0	220	Concrete	0	220
12"	220	370			

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ EBackfill placed from ft. to ft. Material Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: sacks/ft.
Actual Amount Used: sacks/ft.

(6) CASING/LINER		Comp. Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	12"	1	220	1250	X	X					

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS

Perforations Method
Screens Type Material

Perf	Screen	Casing	Liner	Screen	From	To	Screen/	Slot	# of	Tools
				Dia			slot	width	slots	per

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailor ☐ Air ☒ Flowing ArtesianYield gal/min Drawdown Drill stem/Pump length Duration (hr) Temperature 60 °F Lab analysis ☐ Yes ☒ NoWater quality concerns? ☐ Yes (describe below) TDS ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (Legal description)

County LAKE Twp 30 N or S Range 17 E or W W.M.Sec 5 1/4 of the 1/4 Tax Lot 600Tax Map Number Lot Lat " or " DMS or DDLong " or " DMS or DDStreet Address of Well (or nearest address) 48413 D-550T
SPRING RD Summer Lake OR 97640

(10) STATIC WATER LEVEL

Date 2-5-11 SWL (psi) 4 PSI + SWL (ft) Existing Well/Type Alteration Completed Well Flowing Artesian ☐ Yes ☒ Dry Hole? ☐ YesWATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	190	200	50 gal			1"

(11) WELL LOG

Ground Elevation

Material	From	To
TOP SOIL	0	2
CLAY	2	10
BLACK CLAY	10	30
CLAY	30	65
GREEN CLAY	65	105
CLAY	105	220
LOOSE ROCK	220	240
RED BASALT	240	260
BLACK LAVA ROCK	260	300
RED CLAY	300	370

Date Started 10-30-10 Completed 3-5-11

(Unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date Signed

(Bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1654 Date 10-12-11Signed Contact Info. (optional) Search drilling INC70M SearchSul 576-2189ORIGINAL - WATER RESOURCES DEPARTMENT DNP COPY FOR CONSTRUCTOR ONE COPY FOR CUSTODY
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

P.1-3

10:15039660904

5415762189

10:12012 12:34 FROM: TOM

RECEIVED
MAY 1 2012
WATER RESOURCES
DEPARTMENT
SALEM, OR
CWR 4 2012

SALEM, OR

STATE OF OREGON
WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.

(1) LANDOWNER Owner Well I.D.
First Name Thomas Last Name Mac Donald
Company _____
Address PO BOX 87
City Summer Lake State OR Zip 97640

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth _____ ft.

Seal Material _____

Casing Type: ☐ Steel ☐ Plastic ☐ Other _____

Casing Gauge _____ Casing Diameter _____

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 340 ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE				SEAL				Amount	Scks/lbs
Dia	From	To	Material	From	To	Material	Material		
20"	0	220	Cement	0	220	360	5CK		
12"	220	310							

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: _____ sacks/lbs

Actual Amount Used: _____ sacks/lbs

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		12"	+	1	220	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen slot width	Slot length	# of slots	Tele/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☒ Air ☒ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

WELL #13 LAKE
LAKE 52369
52369

WELL LABEL # L 103548
START CARD # 206440
ORIGINAL LOG # _____

(9) LOCATION OF WELL (legal description)

County LAKE Twp 30 N or S Range 17 E or W W.M.

Sec 5 1/4 of the _____ 1/4 Tax Lot 600

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 48413 Dessert
Spring Rd Summer Lake OR 97640

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration	<u>2-5-11</u>	<u>4 PSI</u>		
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 60

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	<u>190</u>	<u>200</u>	<u>500 gal</u>			<u>1"</u>

(11) WELL LOG

Material	From	To
TOP SOIL	0	2
CLAY CLAY	2	10
BLACK CLAY WITH	10	35
Humic	35	65
Green Clay	65	105
CLAY CLAY	105	220
LOVE ROCK	220	240
Red Basalt	240	260
Black Lava Rock	260	300
Red CLAY	300	340

Date Started 10-30-10 Completed 3-5-11

(unbonded) Water Well Constructor Certification

I certify that the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

JUL 12 2012 RECEIVED

License Number _____ Date _____

Signed _____ SALEM, OR MAR 13 2012

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1654 Date 10-12-11

Signed Tom Search

Contact Info. (optional) Search drilling INC

Tom Search 541 576-2189

RECEIVED

DEC 30 2019

SMITH Tamera L * WRD

From: Scott <Scott@apeands.com>
Sent: Monday, December 30, 2019 10:12 AM
To: SMITH Tamera L * WRD
Subject: RE: Permit Amendment for Thomas MacDonald
Attachments: LAKE_1507_POA2.pdf; LAKE_3029_POA4.pdf; LAKE_3030_POA1.pdf; LAKE_4444_POA3.pdf; LAKE_52367_POA5.pdf; LAKE_52368_POA6.pdf; LAKE_52369_POA7.pdf; LAKE_52487_POA8.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Tamera,
I've attached digital files for POAs 1 to 8 (POA 9 isn't built yet). I'm sending the Lake County Planner a request for the original Land Use form by mail and email. I don't seem to be able to find an earlier email with the form.
Thanks,
Scott D. Montgomery, Owner/Principal
All Points Engineering and Surveying, Inc.

From: SMITH Tamera L * WRD [mailto:Tamera.L.Smith@oregon.gov]
Sent: Friday, December 27, 2019 8:50 AM
To: Scott <Scott@apeands.com>
Subject: Permit Amendment for Thomas MacDonald

Good morning Scott,

I've received Tom's application and check, looks like he sent it to the Department rather than back to your office. If you could email the Land Use and well logs right away via email, then mail hard copy of Land Use with original signatures, I'll be able to accept the application without returning it with the check to Mr. MacDonald.

Hope your day is great ☺

Kindest regards,

TAMERA SMITH
TRANSFER & CONSERVATION CASEWORKER
725 Summer St. NE, Suite A | Salem, Oregon 97301 | Phone: 503.986.0864



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

13337 -



ALL POINTS
ENGINEERING & SURVEYING, INC.
P.O. Box 767 (CRR)
Terrebonne, Oregon 97760

TRANSMITTAL

ATTN: Thomas A MacDonald
PO Box 87
Summer Lake, OR 97640

Date: 8/28/2019
Re: App for Permit Amendment

☒ Prints ☐ Plans ☐ Plat ☐ Specifications ☐ Change order ☐ Other

Hello Tom,

Attached is your Application for Permit Amendment on Permit G-17749. Please review and if it looks OK, sign the signature page (page 5), and return the signed signature page along with a check made out to OWRD for their fees of \$5300 to our office. Once we receive the signed signature page and the check, we will attach any supporting documentation and forward to OWRD for processing.

If you have any questions please don't hesitate to call us at 541-548-5833 or email.

Signed: Revised Montgomery

Copies	No.	Description
1	1	App for Permit Amendment (12 pages letter bond)
1	2	Final Proof Map (1 page bond)
1	3	Invoice

RECEIVED

DEC 26 2019

13337 OWRD

APPLICATION TO CHANGE PLACE OF USE & CHANGE POINTS OF APPROPRIATION FOR PERMIT APPLICATION G-11640

TAX LOT 600
IN SECTIONS 4, 5, 8, & 9, TOWNSHIP 30 SOUTH, RANGE 17 EAST, W.M.
LAKE COUNTY, OREGON

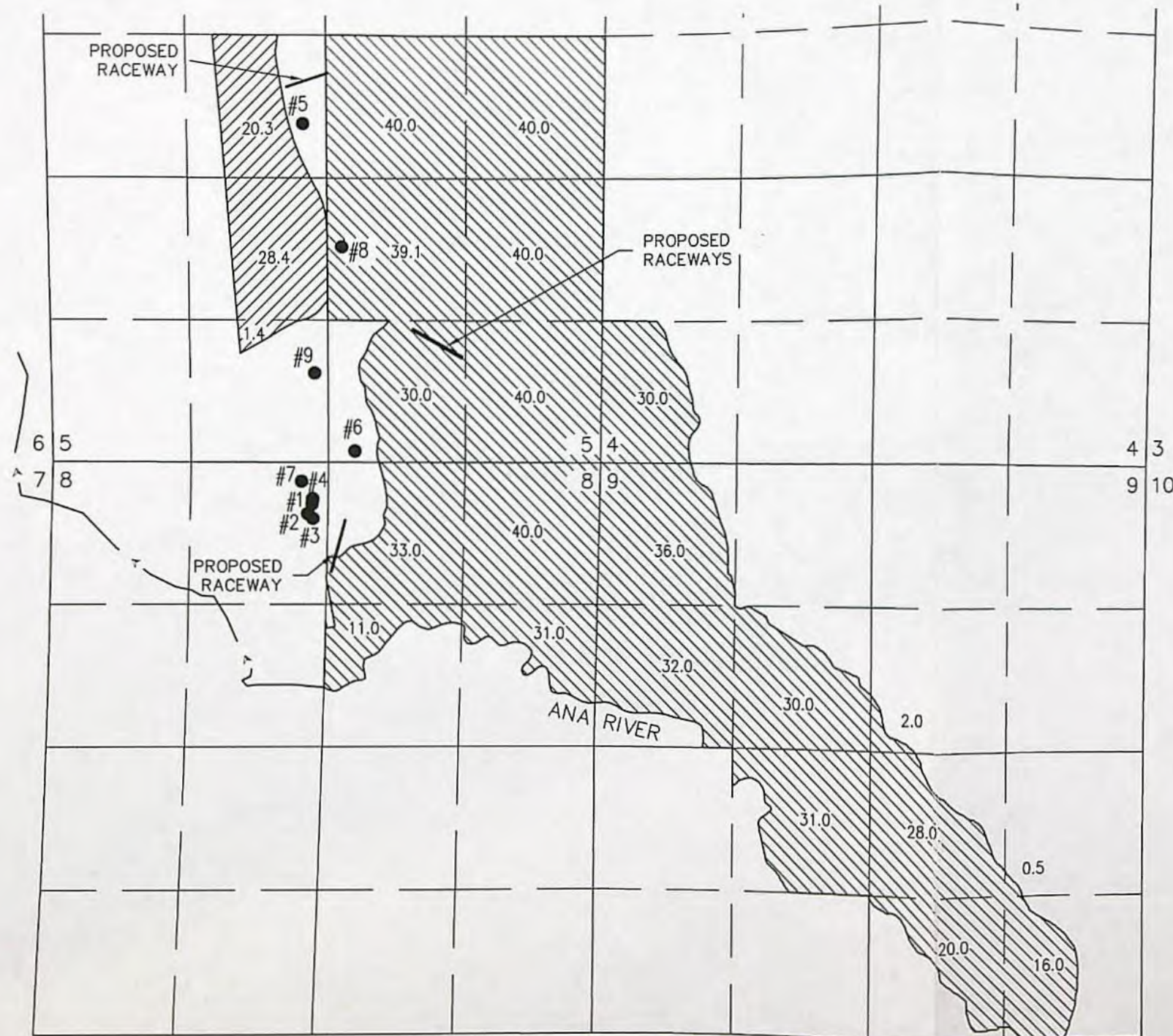
RECEIVED

DEC 26 2019

OWRD

13337-

SCALE 4" = 1 MILE



50.1 PRIMARY ACRES
IRRIGATION, AS SHOWN

569.6 ACRES SUPPLEMENTAL
IRRIGATION, AS SHOWN

12' X 540' RACEWAYS, AS SHOWN
LOCATED IN:
SE 1/4 NW 1/4 SEC. 5
SW 1/4 SE 1/4 SEC. 5,
NW 1/4 NE 1/4 SEC. 8

- WELL #1 (LAKE3030) AUTHORIZED IN THE NE 1/4 OF THE NW 1/4 SECTION 8 & 390' SOUTH & 150' WEST FROM THE N 1/4 CORNER SECTION 8.
- WELL #2 (LAKE1507) AUTHORIZED IN THE NE 1/4 OF THE NW 1/4 SECTION 8 & 480' SOUTH & 190' WEST FROM THE N 1/4 CORNER SECTION 8.
- WELL #3 (LAKE4444) AUTHORIZED IN THE NE 1/4 OF THE NW 1/4 SECTION 8 & 525' SOUTH & 140' WEST FROM THE N 1/4 CORNER SECTION 8.
- WELL #4 (LAKE3029) AUTHORIZED IN THE NE 1/4 OF THE NW 1/4 SECTION 8 & 340' SOUTH & 145' WEST FROM THE N 1/4 CORNER SECTION 8.
- WELL #5 (LAKE52367) PROPOSED IN THE SE 1/4 OF THE NW 1/4 SECTION 5 & 3155' NORTH & 220' WEST FROM THE S 1/4 CORNER SECTION 5.
- WELL #6 (LAKE52368) PROPOSED IN THE SW 1/4 OF THE SE 1/4 SECTION 5 & 105' NORTH & 250' EAST FROM THE S 1/4 CORNER SECTION 5.
- WELL #7 (LAKE52369) PROPOSED IN THE NE 1/4 OF THE NW 1/4 SECTION 8 & 180' SOUTH & 250' WEST FROM THE N 1/4 CORNER SECTION 8.
- WELL #8 (LAKE52487) PROPOSED IN THE NW 1/4 OF THE SE 1/4 SECTION 5 & 2010' NORTH & 135' EAST FROM THE S 1/4 CORNER SECTION 5.
- WELL #9 NOT BUILT PROPOSED IN THE SE 1/4 OF THE SW 1/4 SECTION 5 & 835' NORTH & 125' WEST FROM THE S 1/4 CORNER SECTION 5.

ALL POINTS ENGINEERING
& SURVEYING, INC.

P.O. BOX 767
TERREBONNE, OREGON 97760
(541) 548-5833 PH
Scott@APEandS.com
www.APEandS.com

PROJECT No. 19-045

PREPARED AT THE REQUEST OF:

TOM MACDONALD
P.O. BOX 87
SUMMER LAKE, OR 97640

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant(s): Thomas McDonald

Mailing Address: P.O. Box 87

City: Summer Lake

State: OR

Zip Code: 97640

Daytime Phone: 541-815-4070

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>30S</u>	<u>17E</u>	<u>4</u>	<u>SW SW</u>	<u>600</u>	<u>A-2 Ag Use</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>FARMING</u>
_____	_____	<u>5</u>	<u>SW NE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SE NE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SE NW</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>NE SW</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SE SW</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>NE SE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>NW SE</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SW SE</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SE SE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	<u>8</u>	<u>NE NE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>NW NE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SW NE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SE NE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	<u>2</u>	<u>SW NE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>NE NW</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	<u>NWNW</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SW NW</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SE NW</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>NE SW</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>NE SE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>NW SE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SW SE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	<u>SE SE</u>	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____

RECEIVED

13337 -

DEC 30 2019

OWRD

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Lake County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☐ Water Right Transfer ☒ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 17.80 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other fish culture

Briefly describe:

Water user proposes to correct the locations of POAs 5 to 9 and POU for fish culture.

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. →

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DEC 30 2010

OWRD

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Yuba County Zoning Ordinance - Article 3.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (c.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: DARREN JOHNSON Title: Planning Director

Signature: [Signature] Phone: 541-947-6036 Date: 30 DEC 2019

Government Entity: Yuba County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

RECEIVED

DEC 30 2019

OWRD WR / FS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT F. OLSON
PO BOX 40
SUMMER LAKE, OREGON 97640

503-943-3277

to use the waters of FOUR WELLS in the ANA RIVER BASIN for FISH CULTURE, IRRIGATION OF 50.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 569.6 ACRES.

This Permit is issued approving Application G-11640. The dates of priority for the uses are APRIL 7, 1987 for 10.0 CFS FOR FISH CULTURE AND 7.73 CFS FOR IRRIGATION AND JUNE 14, 1989 FOR 7.8 CFS FOR FISH CULTURE. The use is limited to not more than 17.80 CUBIC FEET PER SECOND, BEING 7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

NE 1/4 NW 1/4, SECTION 8, T 30 S, R 17 E, W.M.; WELL 1 - 530 FEET SOUTH AND 160 FEET WEST; WELL 2 - 560 FEET SOUTH AND 160 FEET WEST; WELL 3 - 590 FEET SOUTH AND 170 FEET WEST; WELL 4 - 500 FEET SOUTH AND 150 FEET WEST, ALL FROM N 1/4 CORNER, SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.

At any time when the flow of Ana Springs is insufficient to furnish the amount of water required to satisfy existing rights with priority earlier than this permit, all ground water derived under this permit shall be delivered by the permittee into Ana River to the extent necessary to restore Ana River to its historic flow.

The permittee shall construct and maintain the necessary pipelines or ditches and install and maintain the necessary measuring devices so the provisions of the permit may be enforced by the proper state officer.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under the permit is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 SW 1/4		30.0 ACRES
SECTION 4		
SW 1/4 NE 1/4		40.0 ACRES
SE 1/4 NE 1/4		40.0 ACRES
SE 1/4 NW 1/4	20.3 ACRES	
NE 1/4 SW 1/4	28.4 ACRES	
SE 1/4 SW 1/4	1.4 ACRES	
NE 1/4 SE 1/4		40.0 ACRES
NW 1/4 SE 1/4		39.1 ACRES

NW 1/4 NE 1/4	33.0 ACRES	
SW 1/4 NE 1/4	11.0 ACRES	& FISH
SE 1/4 NE 1/4	31.0 ACRES	
NE 1/4 NW 1/4		FISH
SE 1/4 NW 1/4		FISH

SECTION 8

SW 1/4 NE 1/4	2.0 ACRES
NW 1/4 NW 1/4	36.0 ACRES
SW 1/4 NW 1/4	32.0 ACRES
SE 1/4 NW 1/4	30.0 ACRES
NE 1/4 SW 1/4	31.0 ACRES
NE 1/4 SE 1/4	0.5 ACRE
NW 1/4 SE 1/4	28.0 ACRES
SW 1/4 SE 1/4	20.0 ACRES
SE 1/4 SE 1/4	16.0 ACRES

SECTION 9

TOWNSHIP 30 SOUTH, RANGE 17 EAST, W.M.

This project was considered and approved by the Water Resources Commission on March 30, 1990.

The well 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 elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. Artesian wells must have control valves installed to regulate the flow of water.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, APRIL 30, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

T-13337

JARAMILLO Lisa J * WRD

From: JARAMILLO Lisa J * WRD
Sent: Wednesday, February 12, 2020 11:29 AM
To: JARAMILLO Lisa J * WRD
Subject: RE: Do you have time for a quick call today on T-13337...

Hi Steve,

Kelly and I have discussed the proposed revisions and determined that we won't need to publish it on the Department's Public Notice a second time. The original Public Notice is sufficient.

Let me know if you have any further questions.

Thank you,
Lisa

Lisa J. Jaramillo

Transfer and Conservation Section Manager
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone 503-986-0880



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Sent: Monday, February 10, 2020 1:03 PM
To: Steve Shropshire <Steve.Shropshire@jordanramis.com>
Cc: Lisa Klonoski <Lisa.Klonoski@jordanramis.com>; Libby Wawro <Libby.Wawro@jordanramis.com>
Subject: Re: Do you have time for a quick call today on T-13337...

Hi Steve,

I can make time between 2:15 and 3:30 today. Let me know what works best for you and I'll be sure to stay at my desk for a phone call.

Thanks,
-Lisa

Sent from my iPad

On Feb 10, 2020, at 11:34 AM, Steve Shropshire <Steve.Shropshire@jordanramis.com> wrote:

Lisa,

It appears the parties are close to reaching resolution on how to proceed and it will likely involve filing a superseding application. I'd like to talk with you about how that could work. Please let me know if you have 10 minutes for a call.

- No need to
re-publish on
Dept's Public
Notice
per L. Jaramillo
K. Starnes
2-12-2020

T-13337

Thank you,
Steve

STEVE SHROPSHIRE | Shareholder

Jordan Ramis PC | Attorneys at Law

Direct Bend: 541.647.2979 Direct Portland: 503.598.5583 Mobile: 503-522-8667

Bend OR | Portland OR | Vancouver WA

www.jordanramis.com

E-MAIL CONFIDENTIALITY NOTICE: The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient or this message has been addressed to you in error, please notify the sender by reply e-mail and delete the message and any attachments. You are further notified that any use, dissemination, distribution, copying, or storage of this message or any attachment by anyone other than the intended recipient is strictly prohibited.

Handwritten notes in red ink:
No reply to
re-broadcast
Dept 2
Notice
for
K. Starnes
5-15-505



RECEIVED

MAR 05 2020

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Summer Lake Trout Farm IncPO Box 40 48320 Desert Springs Rd Summer Lake OR 97640Transaction Type: Permit Amendment T-13337Fees Received: \$ 350.00☐ Cash☒ Check:Check No. 2582Name(s) on Check: Summer Lake Trout Farm IncAddress on Check: PO Box 40 48320 Desert Springs Rd
Summer Lake OR 97640

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 an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the information will be returned to you with an explanation of deficiencies that must be addressed in a future submission.

If you have any questions, please feel free to contact the Department at 503-986-0801 or 503-986-0810.

Sincerely,

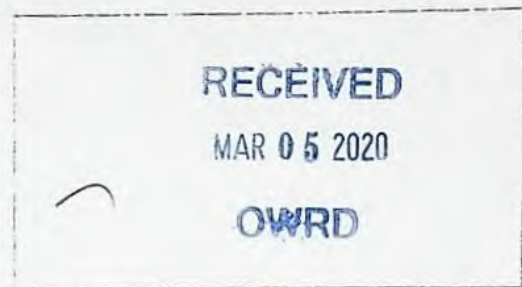
OWRD Customer Service Staff

Submission received by: Judy Ferrell
(Name of OWRD staff)

Please
return
to
Arla Davis
The JCU

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: Summer Lake Trout Farm Inc

PO Box 40 48320 Desert Springs Rd Summer Lake OR 97640

Transaction Type: Permit Amendment T-13337

Fees Received: \$ 350.00

☐ Cash

☒ Check:

Check No. 2582

Name(s) on Check: Summer Lake Trout Farm Inc

Address on Check: PO Box 40 48320 Desert Springs Rd
Summer Lake OR 97640

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: Judy Ferrell
(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).
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RECEIVED

MAR 05 2020

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Summer Lake Trout Farm Inc

PO Box 40 48320 Desert Springs Rd Summer Lake OR 97640

Transaction Type: Permit Amendment T-13337

Fees Received: \$ 350.00

☐ Cash

☒ Check:

Check No. 2582

Name(s) on Check: Summer Lake Trout Farm Inc

Address on Check: PO Box 40 48320 Desert Springs Rd
Summer Lake OR 97640

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

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Sincerely,

OWRD Customer Service Staff

Submission received by: Judy Ferrell
(Name of OWRD staff)

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- 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).
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Summer Lake Trout Farm, Inc.

DBA Desert Springs Trout Farm

P.O. Box 40

48320 Desert Springs Rd.

Summer Lake, OR 97640

March 3, 2020

Oregon Water Resources Department

Attn: Arla Davis

725 Summer St. NE #A

Salem, OR 97301

RE: Supplemental Fee for Application T-13337

To Whom It May Concern:

Please find check #2582, in the amount of \$350.00 enclosed – this is to accompany the superseding permit amendment application sent to you on Thursday, February 27, 2020.

Thank you,

Ethan Negus, Operations Manager

RECEIVED
MAR 05 2020
OWRD



P.O. Box 40
48320 Desert Springs Road
Summer Lake, Oregon 97640

RECEIVED

MAR 05 2020

OWRD

Oregon Water Resources Department
Attn: Arla Davis
725 Summer St. NE #A
Salem, OR 97301



Summer Lake Trout Farm, Inc.

DBA Desert Springs Trout Farm

P.O. Box 40
48320 Desert Springs Rd.
Summer Lake, OR 97640

March 2, 2020

Oregon Water Resources Department
Attn: Arla Davis
725 Summer St. NE #A
Salem, OR 97301

RE: Supplemental Fee for Application T-13337

To Whom It May Concern:

Please find check #2574, in the amount of \$2,800.00 enclosed – this is to accompany the superseding permit amendment application sent to you on Thursday, February 27, 2020.

Thank you,

Ethan Negus, Operations Manager

RECEIVED

MAR 03 2020

OWRD



RECEIVED
MAR 03 2020
OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Summer Lake Trout Farm, Inc.
Po Box 40, 48320 Desert Springs Road, Summer Lake,
Transaction Type: Supplemental Fee for Application T-13337 OR
97640
Fees Received: \$ 2800.⁰⁰

☐ Cash ☒ Check: Check No. 2574
Name(s) on Check: SAME
Address on Check: SAME

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: Cory Middleton
(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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RECEIVED
MAR 03 2020
OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Summer Lake Trout Farm, Inc.

Po Box 40, 48320 Desert Springs Road, Summer Lake,
OR
97640

Transaction Type: Supplemental Fee for Application T-13337

Fees Received: \$ 2800.⁰⁰

☐ Cash

☒ Check:

Check No. 2574

Name(s) on Check: SAME

Address on Check: SAME

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

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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: Cory Middleton
(Name of OWRD staff)

Instructions for OWRD staff:

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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.



P.O. Box 40
48320 Desert Springs Road
Summer Lake, Oregon 97640

RECEIVED

MAR 03 2020

OWRD

Oregon Water Resources Department
Attn: Arla Davis
725 Summer St. NE #A
Salem, OR 97301

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **131629**

INVOICE # _____

RECEIVED FROM: *Kemp M. McDonald*
BY: *Thomas A. McDonald*

APPLICATION	
PERMIT	
TRANSFER	<i>1-13337</i>

CASH: ☐ CHECK: # *9658* OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ *5,300.00*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
	OTHER: (IDENTIFY)	\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$ <i>5,300.00</i>		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
	OTHER (IDENTIFY)			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **131629**

DATED: *12-26-19* BY: *B. C.*



Oregon

Kate Brown, Governor

T13337

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

December 31, 2019

THOMAS A. MACDONALD
PO BOX 87
SUMMER LAKE, OR 97640

Reference: Application T- 13337

On December 26, 2019, we received your water right Transfer application. The application was accompanied by \$5300.00. Our receipt number 131629 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water 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) 986-0815.

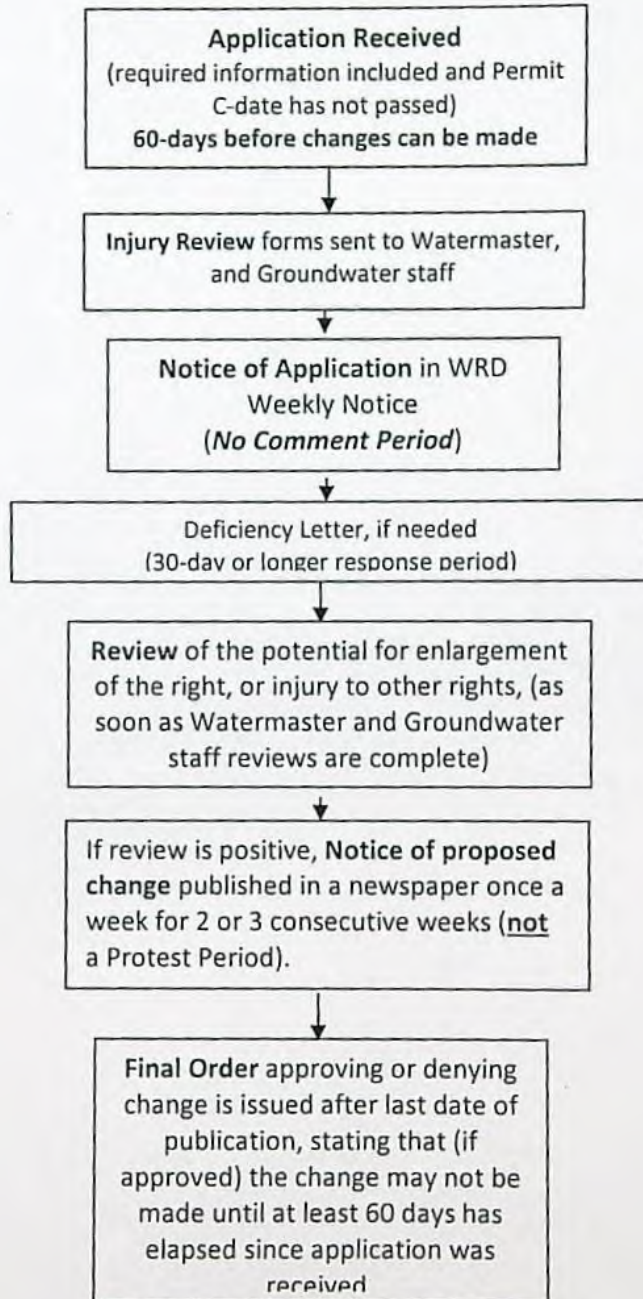
Cc: Watermaster Dist. #12 (via email)
Scott D. Montgomery, Agent

Enclosure

Permit Amendment Process

ORS 537.211

Changes: POD/POA, Place of Use



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **132075**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: *Summer Lake Trout Farm, Inc. DBA Desert Springs Trout Farm*
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-13337

CASH: ☐ CHECK # **2582** OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ **350.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ 350.00		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE **RECEIVED**
OBJ. CODE _____ VENDOR # **OVER THE COUNTER**
DESCRIPTION _____ \$ _____

RECEIPT: **132075**

DATED: **3-5-2020** BY: *[Signature]*

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **132057**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Summer Lake Trout Farm, Inc.; DBA Desert Springs Trout Farm
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>7-13331</u>

CASH: ☐ CHECK: # 2574 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 2,800.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$

0205 TRANSFER \$ 2,800.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$ _____

**RECEIVED
OVER THE COUNTER**

RECEIPT: **132057**

DATED: 3-3-2020 BY: [Signature]

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **132075**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: *Summer Lake Trout Farm*

BY: *Tr. DBA Desert Springs Trout Farm*

APPLICATION

PERMIT

TRANSFER *7-13337*

CASH: ☐ CHECK: # *2582* ☒ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ *350.00*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY) _____

\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$ *350.00*

EXAM FEE

LICENSE FEE

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: **132075**

DATED: *3-5-2020*

BY: *[Signature]*