# Permit amendment

- Oversized map - Location\_

Name_Thomas machanala  Address_PO_BOX_81  Summer lake, argan_gaugo	Name of Stream				Date 12-26-19 3-3-2020 3-5-2020	FEES PAID Amount \$5,300.00 \$2,800.00 \$350.00	132057
Change in POU POA  Date Filed 12 700 7009  Initial notice date 01 01 7000  DPD issued date  PD issued date	Use GO Culture Quantity of water (CFS Name of ditch_App#G-11040	rnaation, Supp Ir	County AllNo. of Acres	PR Date OUL DIK		91 750	
PD notice date  Date of FO 24202 Vol V Page 160 GC  C-Date	App#	Per #Per #Per #Per #	Cert #Cert #Cert #Cert #	PR DatePR DatePR DatePR Date	Date	FEES REFUN Amount	DED Receipt #
COBU due date COBU Received date Certificate issued Assignments:							
Agent Scott Mantgameny, Scott Capec	inds. Com						
C's list axe canty							



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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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



North Mall Office Building 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 <a href="mailto:arla.l.davis@water.oregon.gov">arla.l.davis@water.oregon.gov</a>.

Sincerely,

Elyse D. Richman Water Right Support

Elype Richman

Transfers and Conservation Section

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

**Enclosures** 

CC:

#### 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**

- 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.
- 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

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.

The use is limited to not more than 17.8 CUBIC FEET PER SECOND, BEING Quantity:

7.73 CFS FOR IRRIGATION AND 17.8 CFS FOR FISH CULTURE

The amount of water used for irrigation, together with the amount secured Rate/Duty:

> 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.

**IRRIGATION OF 569.6 ACRES** 

NINE WELLS in the ANA RIVER BASIN Source:

# 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				

	SUP	PLEMEN	TAL IRE	RIGATION	
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	NENE	40.0

	SUP	PLEMEN	TAL IRE	RIGATION	
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
	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 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	РОА
30 S	17 E	WM	8	NE NW	WELL 7 – 180 FEET SOUTH AND 250 FEET WEST FROM THE NORTH ½ 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 ½ 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 ½ 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						
305	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.
- 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 2 1 2024

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

IVAN GALL, DIRECTOR

Oregon Water Resources Department

Mailing Date: OCT 2 2 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 2 1 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 1/2 CORNER OF SECTION 8	
30 S	17 E	WM	8	NE NW	WELL 3 – 575 FEET SOUTH AND 135 FEET WEST FROM THE NORTH ½ 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 FRO 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

<sup>\*</sup>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	CULTUI	RE	
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

		IRRIGA	TION		
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

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	39.3
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

# 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 and 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.

Assued

OCT 2 1 2024

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

IVAN GALL, DIRECTOR

Oregon Water Resources Department



North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301 Phone: 503-986-0900

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

- 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 S		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		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-0							
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	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		

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	SWNW	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

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 N <sup>1</sup> /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 <sup>1</sup> /4 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.

 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.

 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.
- 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:

 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.
- 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, 1

Director

Mailing Date: DEC 1 2 2008

# Affidabit 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 <a href="Two successive">Two successive</a> and consecutive weeks in the following issues:

October 7, 2020; October 14, 2020

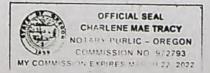
Manda W. Flynn

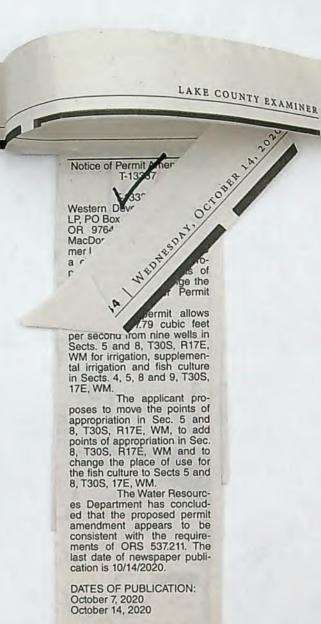
Subscribed and sworn to before me this 26th

day of October 2020

Notary Public for Oregon

(My commission expires 03-22-2022)





OWRD

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

General Manager

\_\_\_

Publisher, Editor or Business Manager

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 <a href="Two successive">Two successive</a> and consecutive weeks in the following issues:

October 7, 2020; October 14, 2020

Mandaw W. Flynn

Subscribed and sworn to before me this 26th

day of October 2020

Notary Public for Oregon

(My commission expires 03-22-2022)



Notice of Permit Amendmen

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

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.

# Applicant

WESTERN DEVELOPMENT GROUP LP
PO BOX 40
PO BOX 87
SUMMER LAKE, OR 97640
THOMAS A. MACDONALD
PO BOX 87
SUMMER LAKE, OR 97640

# **Findings of Fact**

- 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.
- 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.
- 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.
- 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.

- On July 28, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
- 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.
- 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.
- 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 1/4 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 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 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 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 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 1/4 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.
- 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.
- 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 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

<sup>\*</sup>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:

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	

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

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	SWNW	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 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.

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 and 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 landuse goals and any local acknowledged land-use plan.

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

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.

ssued				
	 	_		

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.



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



#### 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,

Disa J. Jaramillo, Pransfer and Conservation Section Manager

cc: Steve Shropshire, Attorney

FEB 2 8 2020

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)	Tv	ďΡ	Rr	ng	Sec	<b>V</b>	14	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)	
Well 1		LAKE 3030	30	s	17	E	8	NE	NW	601	390 feet South and 150 feet West from the North 1/4 corner of Section 8	mi
Well 1	☐ Authorized ☐ Proposed	LAKE 3030	30	s	17	E	8	NE	NW	601	*425 feet South and 145 feet West from the North 1/4 corner of Section 8	wa
Well 2		LAKE 1507	30	s	17	E	8	NE	NW	601	480 feet South and 190 feet West from the North 1/4 corner of Section 8	mª
Well 2	☐ Authorized ☐ Proposed	LAKE 1507	30	S	17	E	8	NE	NW	601	*530 feet South and 170 feet West from the North 1/4 corner of Section 8	w,
Well 3		LAKE 4444	30	s	17	E	8	NE	NW	601	525 feet South and 140 feet West from the North 1/2 corner of Section 8	ms
Well 3	☐ Authorized ☐ Proposed	LAKE 4444	30	s	17	E	8	NE	NW	601	*575 feet South and 135 feet West from the North 1/2 corner of Section 8	mb
Well 4		LAKE 3029	30	s	17	E	8	NE	NW	601	340 feet South and 145 feet West from the North 1/2 corner of Section 8	m
Well 4	☐ Authorized ☐ Proposed	LAKE 3029	30	s	17	E	8	NE	NW	601	*405 feet South and 150 feet West from the North 1/4 corner of Section 8	m
Well 5		LAKE 52764	30	s	17	E	5	SE	NW	600	3200 feet North and 300 feet West from the North 1/4 corner of Section 8	m9
Well 5	☐ Authorized ☐ Proposed	LAKE 52764	30	s	17	E	5	SE	NW	600	*3,155 feet North and 220 feet West from the South 1/2 corner of Section 5	mi
Well 6		LAKE 52368	30	s	17	E	5	sw	SE	600	155 feet North and 230 feet East from the North 1/4 corner of Section 8	MI
Well 6	☐ Authorized ☑ Proposed	LAKE 52368	30	s	17	E	5	sw	SE	600	*105 feet North and 250 feet East from the South 1/4 corner of Section 5	mi
Well 7		LAKE 52369	30	s	17	E	8	NE	NW	601	110 feet South and 280 feet West from the North 1/2 corner of Section 8	mi
Well 7	☐ Authorized ☐ Proposed	LAKE 52369	30	s	17	E	8	NE	NW	601	*180 feet South and 250 feet West from the North 1/2 corner of Section 8	mi
Well 8		LAKE 52487	30	s	17	E	5	NW	SE	600	2070 feet North and 100 feet East from the North 1/4 corner of Section 8	mi

Well 8	☐ Authorized ☐ Proposed	LAKE 52487	30	s	17	E	5	NW	SE	600	*2,010 feet North and 135 feet East from the South 1/4 corner of Section 5	h
Well 9	Authorized Proposed	not drilled yet	30	s	17	E	5	SE	sw	600	1,040 feet North and 130 feet West from the North 1/4 corner of Section 8	m
Well 10	☐ Authorized ☐ Proposed	not drilled yet	30	s	17	E	8	NE	NW	601	330 feet South and 180 feet West from the North 1/4 corner of Section 8	m
Well 11	☐ Authorized ☑ Proposed	not drilled yet	30	s	17	E	8	NE	NW	601	550 feet South and 155 feet West from the North 1/2 corner of Section 8	m

<sup>\*</sup>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.

	located.		•		•
	Check	all typ	e(s) of change(s) proposed below (	chang	e "CODES" are provided in parentheses):
	$\boxtimes$	Place	e of Use (POU) - Fish Culture only	$\boxtimes$	Point of Appropriation/Well (POA)
		Poin	t of Diversion (POD)	$\boxtimes$	Additional Point of Appropriation (APOA)
		Addi	itional Point of Diversion (APOD)		Surface water POD to Ground Water POA (SW/GW)
	Will all	of the	proposed changes affect the entir	e wate	er use permit?
		Yes	Complete only the proposed ("to" I "CODES" listed above to describe		section of Table 2 on the next page. Use the oposed changes.
		No	Complete all of Table 2 to describe	the po	ortion of the permit to be changed.
For a	change	in pla	ace of use:		
Does	the per	mit ho	older of record own or control the		O which the place of use is being moved? completed on a parallel track to this application)
If N	O, the la	andow holde	ner of the land TO which the place of	of use i	is being moved must be assigned to the permit quest for Assignment form and the required
Is the	propos	ed pla	ce of use contiguous to the author	ized p	lace of use? ⊠ Yes □ No
for t 496. listin	the purp 192 or t	hange oses o the fed cy. Co	to non-contiguous lands is in furthe f benefiting a species listed as sensit eral Endangered Species Act of 197 ontiguous land being either adjacent	rance of ive, th 3 (16 to land o	of mitigation or conservation efforts undertaken reatened, or endangered under ORS 496.171 to U.S.C. 1531 to 1544), as determined by the r land separated from the land to which a these or publicly owned rights of way.

RECEIVED

FEB 2 8 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

Orlowski; GRONDIN Gerald H \* WRD; PIERCEALL Jeffrey D \* WRD; MAYER Brian M \*

WRD; John Young (JYoung@williamskastner.com); NASHEM William D \* WRD

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,

Subject:

Please find attached a <u>DRAFT</u> 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





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



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

- ADDS of wells 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.
- 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	er 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 N½ 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	NWNW	36.0				
30 S	17 E	WM	9	SWNW	32.0				
30 S	17 E	WM	9	SENW	30.0				
30 S	17 E	WM	9	NESW	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		Rng Mer			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:

1	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 N½ Corner of Section 8.		
	30 S	17 E	WM	8	NENW	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.		

 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:

 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.
- 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, Ru

Director

Mailing Date: DEC 1 2 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:

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@wrd.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.
- 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/	SECTION 4	30.0 ACRES
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			40.0 ACRES
NW 1/4	SE 1/	4	39.1 ACRES
SW 1/4			30.0 ACRES
SE 1/4	SE 1/	4	40.0 ACRES
Charles of the Control		SECTION 5	

Application G-11640 Water Resources Department

PERMIT C-11024

PAGE TWO

NE	1/4	NE	1/4				40.0	O ACRES			
	1/4						33.	O ACRES			
	1/4						11.	O ACRES	&	FISH	
	1/4						31.	O ACRES			
	1/4									FISH	
	1/4									FISH	
-	-/-		-/ -	SEC	TION	8					
SW	1/4	NE	1/4				2.	O ACRES			
			1/4				36.	O ACRES			
			1/4				32.	0 ACRES			
			1/4				30.	O ACRES			
			1/4				31.	O ACRES			
			1/4				0.	5 ACRE			
			1/4				28.	O ACRES			
			1/4				20.	O ACRES			
			1/4				16.	O ACRES			
	-			SEC	TION	9					
TOT	WNSH	IP	30 SC	OUTH,	RANG	GE 1	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. RECEIVED BY OWRD

Che	k all items included with this application. (N/A = Not Applicable)									
$\boxtimes$	✓ Part 1 – Completed Minimum Requirements Checklist.  MAR 0 5 2014									
$\boxtimes$	Part 2 - Completed Application Map Checklist. SALEM, OR									
$\boxtimes$	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: <a href="http://apps.wrd.state.or.us/apps/misc/wrd">http://apps.wrd.state.or.us/apps/misc/wrd</a> fee calculator. If you have questions, call Customer Service at (503) 986-0801.									
$\boxtimes$	✓ Part 4 – Completed Applicant Information and Signature.									
$\boxtimes$	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)									
$\boxtimes$	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 <a href="http://www.oregon.gov/owrd/pubs/docs/forms/req">http://www.oregon.gov/owrd/pubs/docs/forms/req</a> 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.									
	<ul> <li>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:         <ul> <li>Water is to be diverted, conveyed, and/or used only on federal lands.</li> <li>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.</li> <li>The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # G-11024.</li> </ul> </li> </ul>									
$\boxtimes$	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									

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

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

	N/A If more than three permits are involved, separate maps for each permit.
	Permanent quality printed with dark ink on good quality paper.
$\boxtimes$	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.
$\boxtimes$	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 preapproved by the Department.
$\boxtimes$	
	survey lines.  +x 601 is not nor are  partial Tax lot boundaries (property lines) are required. Tax lot numbers are recommended. +x 800, 1001,
$\boxtimes$	✓ Major physical features including rivers and creeks showing direction of flow, lakes and
	Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
ora	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.  Show the way a 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

Applicant Information						
APPLICANT/BUSINESS NAME Thomas MacDonald			PHONE NO. 541-943-3104	ADDITIONAL CONTACT NO.		
ADDRESS PO Box 87				FAX NO.		
CITY	STATE	71P	E-MAII.			

Summer Lake 97640 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.	ADDITIONAL CONTACT NO.		
			503-281-4100			
ADDRESS				FAX NO.		
1915 NE Cesar E. Chavez Blvd.				503-281-4600		
CITY	STATE	ZIP	E-MAIL			
Portland	OR	97212	counsel@water-law.com			

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

The permit amendment is necessary for the following:

OR

- 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
- 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 America	n 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.

Hwe affirm that the information contained in this application is true and accurate.

Thomas MacDonald Print Name (and Title if applicable) 2/36/2014

;P0257256, 0929 00 SRL | Revised 7/1/2013

Permit Amendment Application - Page 4 of 9

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

#### PERMIT # G-11024



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.)

75 8 UENW 1765 585W 1765 585W	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)	Tw	P	Rr	ıg	Sec	1/4	<b>1</b> /4	Tax Lot; DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
	Well 1		LAKE 3030	30	s	17	E	8	NE	NW	600	390 feet south and 150 feet west from the N 1/4 of Section 8
	Well 2		LAKE 1507	30	s	17	E	8	NE	NW	600	480 feet south and 190 feet west from the N 1/4 of Section 8
305 176 505 505 505 176	Well 3		LAKE 4444	30	s	17	E	8	NE	NW	600	525 feet south and 140 feet west from the N 1/4 of Section 8
from Ny corsect 3 from sy corsecs—	Well 4		LAKE 3029	30	s	17	E	8	NE	NW	600	340 feet south and 145 feet west from the N 1/4 of Section 8
	Well 5	Authorized*	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		LAKE 52368	30	s	17	E	5	sw	SE	600	155 feet north and 230 feet east from the N ¼ of Section 8
y may	Well 7		LAKE 52369	30	s	17	E	8	NE	NW	600	110 feet south and 280 feet west from the N 1/4 of Section 8
12 From 50	Well 8		LAKE 52487	30	s	17	E	5	NW	SE	600	2070 feet north and 100 feet east from the N 1/4 of Section 8
160'S +80 150'N +3 340'N +3	Well 9	☐ Authorized ☐ 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
	produ locati	Il #5 is an authorized pouce water of an acceptal ion provided above to refells #6-8 were drilled in	ble quality. T eflect a new on different lo	heref well t	fore, that ns th	the will han re	locar be di eque	tion for	or Well to repl to take	#5 sh ace the advant	ould be e origin tage of	changed to the new all well.  the best locations for
Gauth.		wells as determined at dated with the "as drille						inates	for the	ese po	ints of	appropriation should

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

	Place	of	Use	(POU)	)
--	-------	----	-----	-------	---

M Point of Appropriation/Well (POA)

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Permit Amendment Application - Page 6 of 9

Additional Point of Appropriation (APOA) Point of Diversion (POD) M 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 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? \( \subseteq \text{Yes} \subseteq \text{No} \)

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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Copy

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.

	listing	that	appe	ars on	the co	NGES		lands) RE PROPO will be char		Proposed Changes (see		The li	sting		appear		or "on" la ER PROPO	nds) OSED CHAN	NGES
Twp	Rng	Sec	-	14	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table	Priority Date	"CODES" from previous page)	Twp	Rng	Sec	% X	Tax Lot		Acres (if applicable)	POD(s) or POA(s) to be used (from. Table 1)	Priority Date
(30		A.N.	- 27		145		71734	43.50	1	EXAMP	LE			DEPT ST		1	2 A 2 3	a to the	1.5.5
2 5	9 E	15	NE	NW	100		15.0	POD#1 POD#2		POUTOD	2 5	9 E	15	NW NW	100	1	10.0	POD#5	
4	* A	1	29	1		E 400	EXAMPLE		222	Ske to 5	2 8	9. E	15	SW NW	200	W.W.	5.0	POD#6	t left at
														1					
										1									
										1300 kg	7			;					
-		-			-								-						
-		+									,								
										51 350									
				TOTAL											AL ACI				

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.

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Permit Amendment Application - Page 8 of 9

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SALEM, OR

Permit # G-11024

	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:
17	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		Estima- ted 300- 375 feet	14"		Estima- ted 50- 100 feet		Artesian/ flowing	Mixed (same as other wells)	
Well 9	No		Estima- ted 300- 375 feet	14"		Estima- ted 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.

TL 600 existing wells 1-4 Anna

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

Copy

Wells located from Vacourse between sections 588:

# 1 390'S & 150'W from N'y of 80

# 3 525'S & 140'W

Proposed Additional POA's
#6 155'N & 230'E

#7 110'S 4 280' W

# 8 2070'N & 100'E

# 5 3200'N \$ 300'W 14 of 80 8

# 9 1040'N & 130'W.

Authorized POA's under T-10716 to be deleted

#5 150'5 \$ 300'W

#6 160'S & 80'W

#7 150'5 & 30'W

#8 340'5 & 280'W

Scale 1"= 1320'
(4"= 1 mile)

Permit Amendment Map for Tom Moc Donald (Desert Springs Trout Form)

App G-11640 Per G-11024

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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 17619 Salom, OR 97865-7518 (503) 565-7500

80382 Arnold Rd Bend, OR 97702 (641) 382-7391

MAR 0.5 2014

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

Associated ficate

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 (RRIGATION 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	SESW	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	SENW	9.60
30 S	17 E	WM	5	NESW	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.

Application S-57451.jme

Page 1 of 2

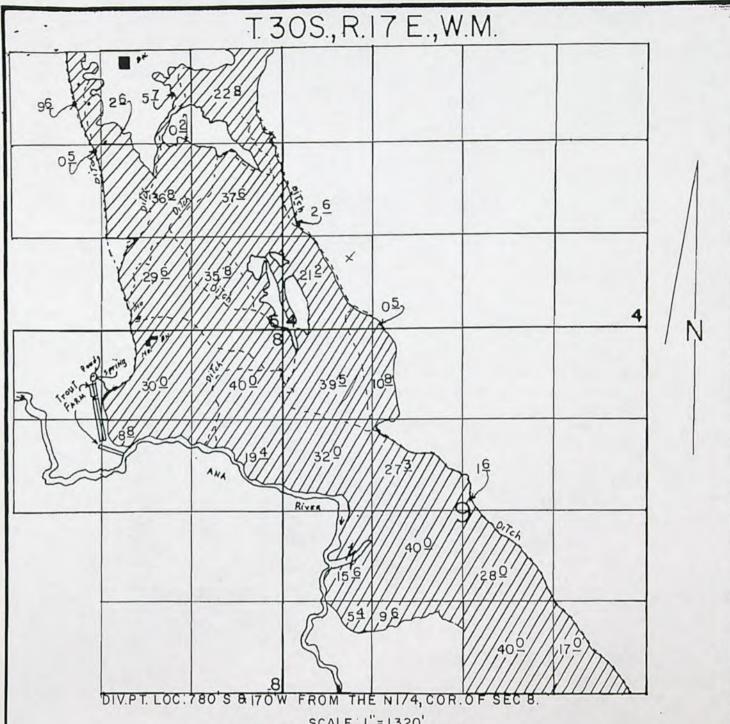
Certificate 83069

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	SENE	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	NWNW	39.50
30 S	17 E	WM	9	SWNW	32.00
30 S	17 E	WM	9	SENW	27.30
30 S	17 E	WM	9	NE SW	40.00
30 S	17 E	WM	9	NWSW	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.

	JAN 2 6 2007	
WITNESS the signature of the Water Resources Director, affixed		

Phillip C. Ward, Director Water Resources Department

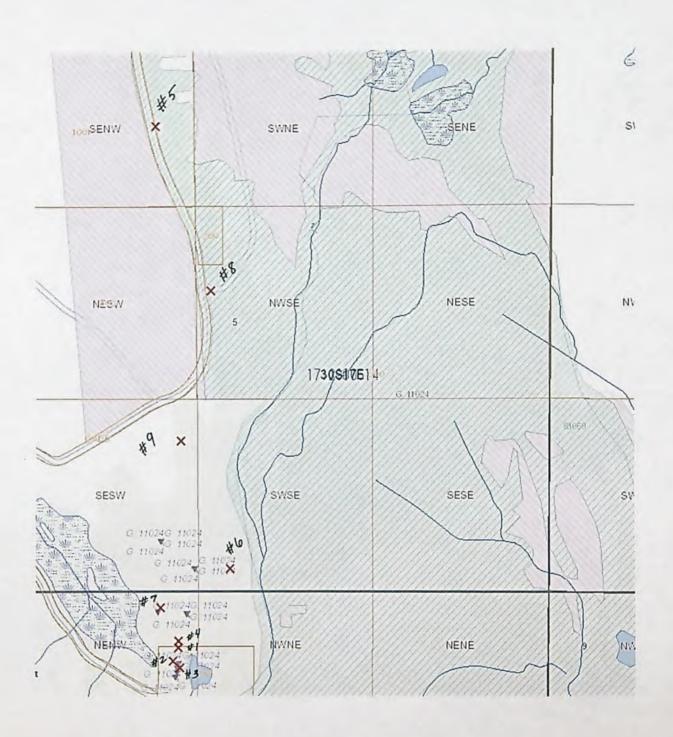


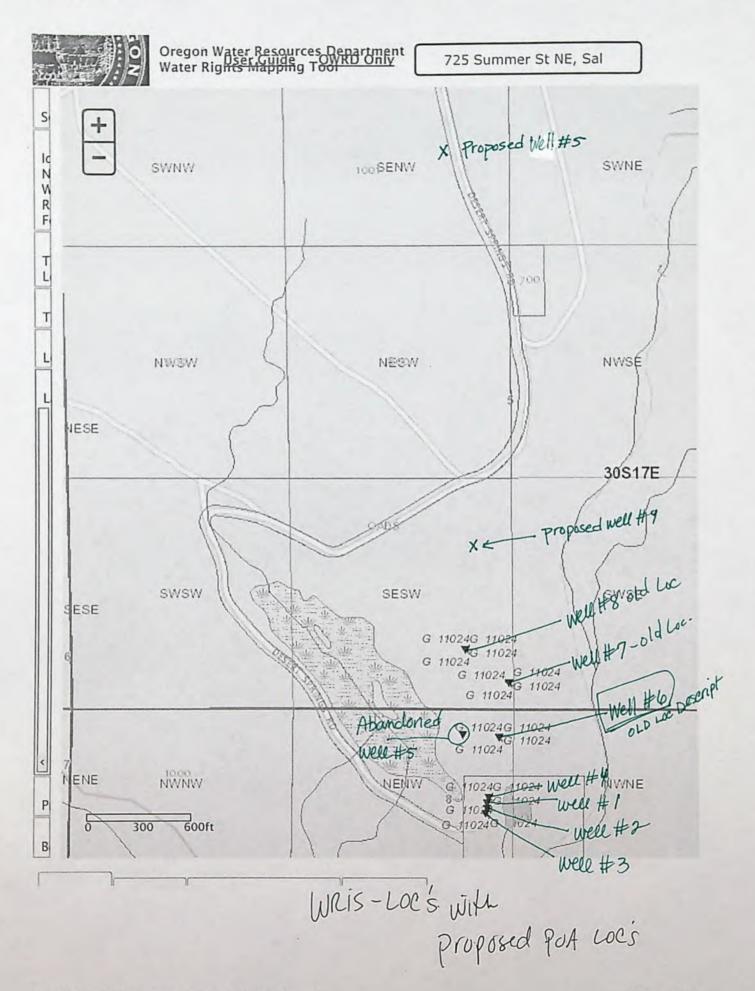
# FINAL PROOF SURVEY

Application No. 57.451. Permit No. 432.60... - IRRIGATION INNAME OF BANK OF OREGON & EUAN CARLON DBA CARLON CATTLE CO.

Surveyed MAY 29 19.97, by R.M. SUTTERFIELD

Water	Righ	t Information Query I	Results					
Contact Information		uments View all scanned documen	1		Ē			
▼ Current contact information	▶ App	lication: G 11640						
OWNER:		nit: G 11024 document , paper map						
THOMAS MACDONALD	1	▶ Signature: 4/30/1990						
OWNER:		Permit Workflow						
▼ Prior contact information		Action	Date	Result	Completed By			
OWNER:		Permit Issued	4/30/1990					
NORTHWEST FARM CREDIT SERVICES FLCA/PCA		Completion Date [C Date]	10/1/1993	1994-Assign				
1900 W NICKERSON ST SUITE 215 SEATTLE, WA 98119		Extension Received	9/5/2007	2003-Assign	KIM FRENCH-GORSK			
		Extension Comment Period Ends	9/11/2007		KIM FRENCH-GORSK			
		Extension PFO 315 Issued	11/13/2007	Propose to Extend				
	1	Extension FO Issued	1/10/2008	Extended	KIM FRENCH-GORSK			
		Extension Checkpoint 320 Received	9/30/2008		SCOTT KUDLEMYER			
		Extension Checkpoint 315 Public Notice			SCOTT KUDLEMYER			
		Extended Completion Date	10/1/2010		KIM FRENCH-GORSK			
	1	Extension Received	10/1/2010	100 Acc 10	SCOTT KUDLEMYER			
	Þ	Extension Comment Period Ends	10/12/2010		SCOTT KUDLEMYER			
		Extension PFO 315 Issued	9/13/2011	Propose to Extend				
		Extension PFO Protest Period Ends	10/28/2011	Approved	JERRY GAINEY			
		Extension FO Issued	1/20/2012	Approved	JERRY GAINEY			
		Extended Completion Date  Extension Received	10/1/2012		JERRY GAINEY JOAN SMITH			
		Extension Comment Period Ends	11/15/2012					
		Extension PFO 315 Issued	8/13/2013	Propose to Extend	MICHELE MCALEER			
		Extension PFO 315 Issued	8/27/2013	riopose to Exterio	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			
	▼ Ord	er(s)						
		Order Origin Volume-Page Signature	Description					
	<b>D</b>			APOA'S T-10716				
Water Right Information	> Trai	nsfer(s)						
A CONTRACTOR OF MANAGEMENT OF THE PROPERTY OF	19 mm	w right with Web Mapping						
		w 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					[3			
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/	/7/198	7	_					
➤ Use - IRRIGATION (Primary) - 50.1 acres; Priori								
Water Dight Concelegy	ai) - 5	os.o acres; Priority Date: 4/7/1987			ĮE			
Water Right Genealogy								
-Permit: G 11024								
∃-Inchoate: T 10716 CF (AMN)								



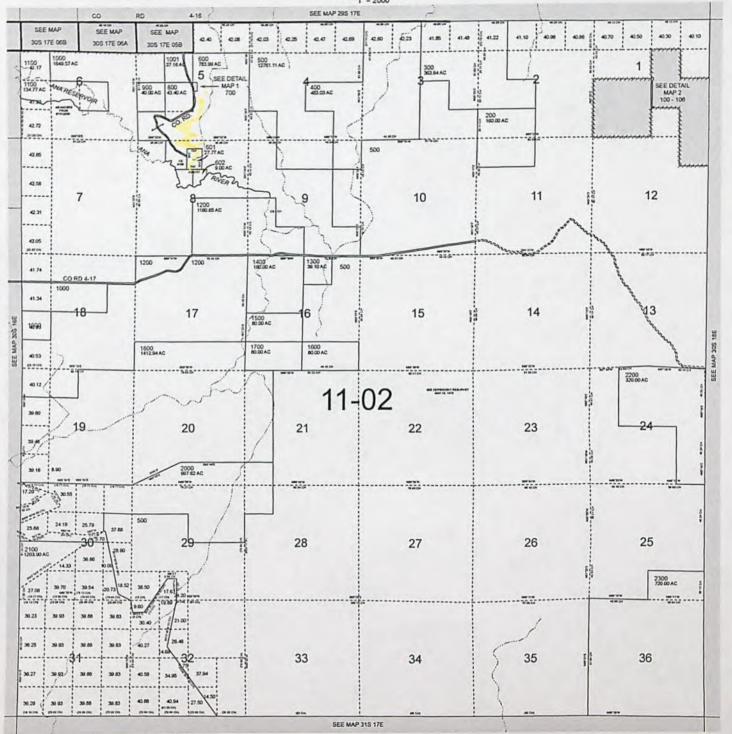


SENW proposed Well #5 - (Replacement well) Well #8 - NWSE section 5 800 NESW > Switch Basemap Measurement **†** proposed well#9 SWSE SESE SESW G 11024G 11024 G 11024 30S17E Well#6 poursed docomptron—Well#7 R G 11024G 11024 G 11024 Renged description well #7 6 10246 110246 11024 6 10246 11024 11024 6 10246 11024 -Well#6 VOWW. L NWNE NENE - We 1/#2 - well #3 POA Locations not Adjusted in 150 i 300ft Wris to match

T-10714 AS

LCATDWC - 2014-03-05 13:37

CANCELLED



Permit: G 11024 \*

ADDITION OF	Infon	mation	wate.	-		forma	Contra processor to the contract of		-	-	143			
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Current co		rmation				n: G 1164								
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OWNER						t Issued		_	-	4/30/19		_		
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### **▼** 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
		0.625(est)						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
P	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
P	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)
- FIRRIGATION (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

Se	ction: 8	-							Annual Control	
	QQ	DLC	Gov't Lot	Taxlot	Acres	T-R-S	Status	Linked PODs	Inchoate Info	Remarks
	SW NE					30.00S-17.00E-8	NC			
Þ	NE NW					30.00S-17.00E-8	NC			
	SE NW					30.00S-17.00E-8	NC			
	C	A	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			

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

<sup>▼</sup> Township: 30.00S-17.00E

Permit: G 11024 \*

Page 3 of 3

	QQ		Gov't Lot	Taxlot	_		_	Linked PODs	Inchoate Info	Remarks	
•	SW SW				30.0	30.005-17.00E-4	NC				
	Sum of	Acres	30.0								
ied	ction: 5			70.00	1,000					T. restal	
		DLC	Gov't Lot	Taxlot				Linked PODS	Inchoate Info	Remarks	
	SW NE				1	30.00S-17.00E-5					
	SE NE				_	30.00S-17.00E-5					
0	NE SE				_	30.00S-17.00E-5					
	NW SE					30.00S-17.00E-5					
	SW SE		1			30.00S-17.00E-5	_				
	SE SE				40.0	30.00S-17.00E-5	NC				
	Sum of	Acres	5: 229.1								
e	ction: 8										
	-	DLC	Gov't Lot	Taxlot				Linked PODs	Inchoate Info	Remarks	
	NE NE				40.0	30.00S-17.00E-8	NC				
0	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				
		Acres	s: 115.0								
e	ction: 9										
	QQ	DLC	Gov't Lot	Taxlo	_			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				
Þ	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				
		Acre	s: 195.5								
	Sum of				$\overline{}$						
·I			enealo	gv							

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

	Water Plahs S	hanoing Xfers	Priority //	HER STA	tus DLC Gov't	QQ(40): NE	E NW NE	SW SW	SE N	E NW	SW	E NE	NW S	SW :	SE NE SW SE	NW SE
	Cert:83065 OR *  Additional Info: THOMAS MACDONALD App: \$61505 Permit: \$45063 Cert: 83065		4/6/1981	CULTURE				.)								
	Permit: G 11024 • T  Additional Info: THOMAS MACDONALD App: G11640 Permit: G11024	11749	4/7/1987 FISH	CULTURE	X			$\cdot$		(		)				
lelect	Cert:83069 OR *  Additional Info: NORTHWEST FARM CREDIT SERVICES FLCA/PCA App: 557451 Permit: S43260 Cert: 83069		5/24/1978 IRRI	GATION TO STATE OF THE STATE OF	rys	40	30	8.8	9.4							
Select	Claim:SW 170 *  Additional Info: ROBERT OLSON Claim: SW170		12/31/1901 IRR	GATION												
Select	Permit: G 11024 * T  Additional Info: THOMAS MACDONALD App: G11640 Permit: G11024	11749	IRRI	PLEMENTAL IGATION opi'mti)	)	> 40	33	11	31							
Select	Cert:82765 OR *  Additional Info: OREGON DEPARTMENT OF FISH AND WILDLIFE App: G10414 Permit: G10433 Cert: 82765		11/8/1982 WIL	DLIFE												

# 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 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 3200 FEET NORTH AND 300 FEET WEST FROM THE NORTH 1/4 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 1/4 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 1/4 CORNER OF SECTION 8

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 (	CULTUR	RE	
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NENW
30 S	17 E	WM	8	SE NW

Twp	Rng	Mer	GATIC Sec	Q-Q	Acres
30 S	17 E	WM	5	SENW	20.30
30 S	17 E	WM	5	NESW	28.40
30 S	17 E	WM	5	SE SW	1.40
				Total	50.10

	SUPPLEN	<b>IENTAL</b>	IRRI	GATION	
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	SWNE	2.00
30 S	17 E	WM	9	NWNW	36.00
30 S	17 E	WM	9	SWNW	32.00
30 S	17 E	WM	9	SENW	30.00

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	9	NESW	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 and 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 landuse goals and any local acknowledged land-use plan.

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

### 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 NORTHWEST FARM CREDIT SERVICES FLCA/PCA

PO BOX 148

SUMMER LAKE OR 97640

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	SENW	9.60
30 S	17 E	WM	5	NESW	0.50

### NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

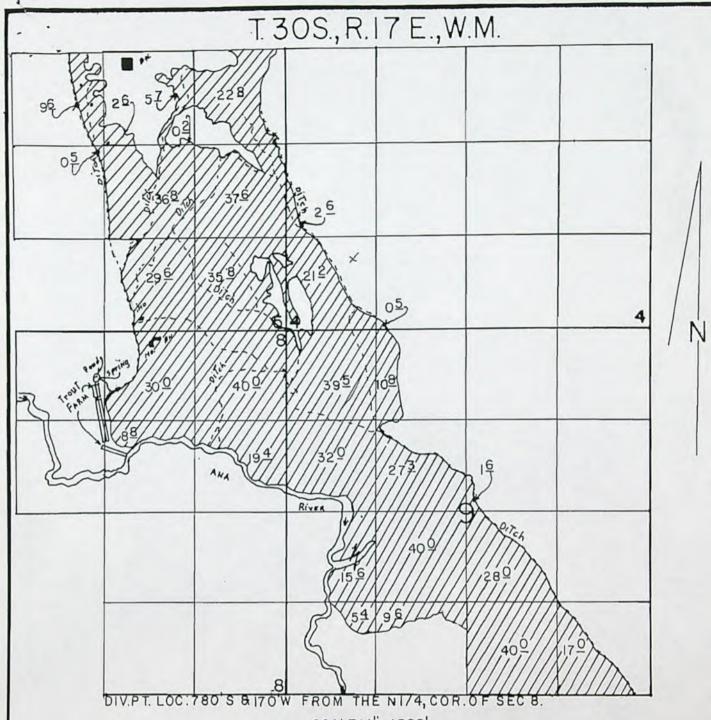
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review 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	NENE	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	NENW	10.80
30 S	17 E	WM	9	NWNW	39.50
30 S	17 E	WM	9	SWNW	32.00
30 S	17 E	WM	9	SENW	27.30
30 S	17 E	WM	9	NESW	40.00
30 S	17 E	WM	9	NWSW	15.60
30 S	17 E	WM	9	SW SW	5.40
30 S	17 E	WM	9	SESW	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.

	JAN 2 6 2007	
WITNESS the signature of the Water Resources Director, affixed		

Phillip C. Ward, Director Water Resources Department



# FINAL PROOF SURVEY

Application No. 57.4.51. Permit No. 4.32.60...— IRRIGATION INNAME OF BANK OF OREGON & EUAN CARLON DBA CARLON CATTLE CO.

Surveyed MAY 29 19.97, 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: Spri Tributary to: Anna		ls	
	7			
3. 1	Purpose(s) for which wa	ter is used: Irri	gation	
	(Irrigation, Stockwate	r, Domestic, Hydroelec	tric power, Industrial, Etc.)	
	If irrigation, total number	er of acres irrigated:	534,30	
4.	Priority Date	0 10-		
	a) Date of first use:  b) Date water use deve	elopment first initial	ed: Aulu 16 12	891
	c) Name of party who	initiated developme	ent: Authur 5	Ph: 11:ps
-				,
٥.	. Amount of water clain	(Water put to benefic		
6.	Location of place of us 4, 5, 8,9 Sections, To		Panco 17 E/	
	<u>+1 0, 0,5</u> Sections, 10	ownship	, Range 17 E/	
		The state of the s	, Range E/W.	
	(Attach a	dditional pages if neces	sary)	
7.	Usual period of use:	anonth / 1 to	9 / 30 month day	

Remarks: See ATTached Information
Total fees submitted with claim:
Notarized Statement Signed by Claimant.
TATE OF OREGON  : ss  County of
Robert Fr 0 (50 m), having been duly sworn, lepose and say that I, and being the claimant of the existing surface vater right described herein, have read the contents of this claim and to the best of my knowledge all of the matters stated herein re true and correct.  Robert Fr 0 (50 m), having been duly sworn, lepose and say that I, and being the claimant of the existing surface vater right described herein, have read the contents of this claim and on the best of my knowledge all of the matters stated herein re true and correct.  Signature of Claimant
gned and attested before me this 21st day of December, 19 92
NOTARY PUBLIC for the State of Oregon My commission expires: 12-18-95
HIS FORM MUST BE ACCOMPANIED BY A MAP PREPARED BY A ERTIFIED WATER RIGHT EXAMINER (CWRE).
Certified Water Right Examiner
Name: Darry   Anderson CWRE#: 005 618 South 15T ST Address: P.O. Borz8 Lallewick On 97630
Telephone: 503 947 4407  Fax 947 2321

-16

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

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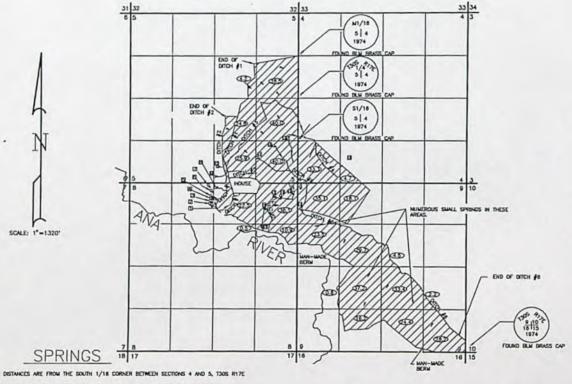
AUG 24 1993

WATER RESOURCES DEPT. GALTH, OREGON

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

NOTES:

AREA SHOWN IS FLOOD PROCATED FROM THE EXISTING SPRINGS AND DITCHES AS NOCKIED ON THE MAP, BUCKNOOM SYNDIG AND THE FOUR ARTESAN WILLS NOCKIED ON THE MAP, BUCKNOOM SYNDIG AND THE FOUR ARTESAN WILL SHOULD SHO



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 BOUNDRIES...

UI — BUCKHORN SPRING, APPROXIMATE FLOW, 4200 G.P.M. 1902 SOUTH AND 2815' WEST.
G. — ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M., 1972' SOUTH AND 2753' WEST.
UI — ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M., 1905' SOUTH AND 2746' WEST.
EI — ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1002' SOUTH AND 2778' WEST.
EI — ARTESIAN WELL, APPROXIMATE FLOW, 2000 G.P.M. 1002' SOUTH AND 2778' WEST.
EI — ARTESIAN WELL, APPROXIMATE FLOW, 20 G.P.M. 1506' SOUTH AND 2716' WEST.
EI — SPRING, APPROXIMATE FLOW, 20 G.P.M. 1506' SOUTH AND 2716' WEST.
EI — SPRING, APPROXIMATE FLOW, 20 G.P.M. 1506' SOUTH AND 2716' WEST.
EI — SPRING, APPROXIMATE FLOW, 20 G.P.M. 1472' SOUTH AND 2603' WEST.

SPRING, APPROXIMATE FLOW, 20 G.P.M. 1126" SOUTH AND 2510" WEST.

SPRING, APPROXIMATE FLOW, 20 G.P.M. 1126" SOUTH AND 2510" WEST.

SPRING, APPROXIMATE FLOW, 20 G.P.M. 251" SOUTH AND 2524" WEST.

SPRING, APPROXIMATE FLOW, 20 G.P.M. 2126" SOUTH AND 114" EAST.

- SPENG, APPROXIMATE FLOW, 5 G.P.M. 1614' SOUTH AND 133' WIST,
- SPENG, APPROXIMATE FLOW, 5 G.P.M. 1718' SOUTH AND 531' WEST.

- SPRING, APPROXIMATE FLOW, 5 G.P.M. 1739' SOUTH AND 740' WEST. - SPRING, APPROXIMATE FLOW, 5 C.P.M. 2117' SOUTH AND 1033' WEST.

EI - SPRING, APPROXIMATE FLOW, 5 C.P.M. 2878' SOUTH AND 1113' WEST.

THE DITCHES THAT ARE NUMBERED ARE ALL OF THE SAME APPRENDIANT SIZE.



CH SLOPES

0.001 FT PER FT

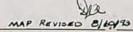
0.003 FT PER FT

0.003 FT PER FT

0.005 FT PER FT

0.005 FT PER FT

DITCH SLOPES VARY ALDNO COURSE OF DITCH SLOPES SHOWN ANEAN APPROXIMATE ADVERAGE



PREPARED FOR:

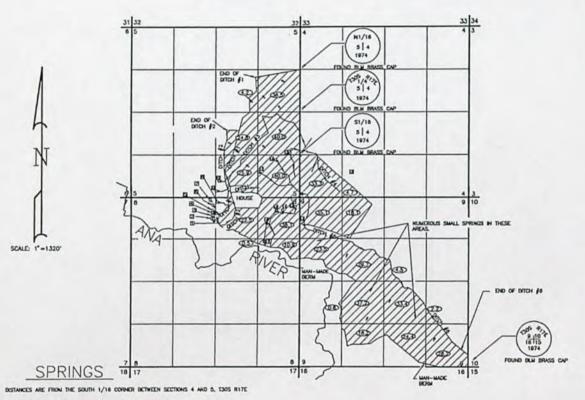
ROBERT OLSON P.O. BOX 40 SUMMER LAKE, OREGON 97640

PREPARED BY: ANDERSON ENGINEERING AND SURVEYING 818 SOUTH FIRST STREET P.O. BOX 28 LAKEVIEW, ORECON 97630 (503) 947-4407 FAX 947-2321 FAX 947-2321 DECEMBER 1992 SHEET 1 OF 1

Supaz suapaso

# 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



AREA SHOWN IS FLOOD REIGHTED FROM THE DOSTING SPIRMOS AND DITCHES AS PROCEED ON THE MAP. BUCKNICHON SPIRMOS AND HE FOUR ARTHAN WILLS PROCEED THE PROPERTY OF THE CHARLE VOLUMES FOR THE OTHER SOURCE VOLUMES FOR THE OTHER SOURCES WORK ESTIMATED AT THE TIME OF OUR SURVEY, DEC. 15, 1802. MAY OTHER SOURCES WORK SERVICES OF THE PROPERTY AS ROCKATED ON THE MAP. BRIGACTED ARTS WORK SURVEY, DEC. 15, 1802. MAY OTHER SOURCES SHOWLD TO EXISTING CITED LINES (GMASS) AND VISITED USING AN ASSET PROPERTY AS ROCKATED.

### LEGEND

- SECTION LINE

- 1/4 SECTION LINE

- 1/18 SECTION LINE

FORGATED AREA

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



IT - EPRING APPROXIMATE FLOW, 5 G.P.M. 2676" SOUTH AND 1113" WEST.



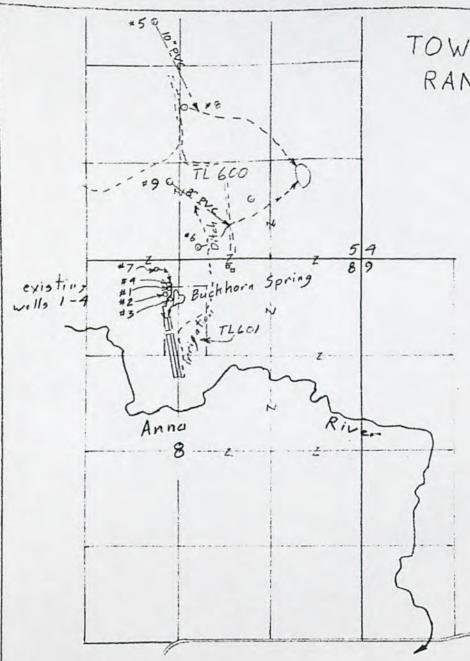
### PREPARED FOR:

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

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

DECEMBER 1992





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

> Wells located from Vacous. between sections 588:

# 1 390'5 £ 150'W

# 2 480'S & 190'W \ No change

# 3 525'5 & 140'W

# 4 340'5 £ 145' W/

Proposed Additional POA's

# 6 155'N & 230'E

#7 110'5 \$ 280' W

# 8 2070'N & 100'E

# 5 3200'N \$ 300'W

# 9 1040'N & 130'W

Authorized POA's under T-10716 to be deleted

#5 150'5 & 300'W

#6 160'S & 80'W

#7 150'S & 30' W

#8 340'5 \$ 280'W

Scale 1"= 1320'
(4"= 1 mile)

Permit Amendment Map for Tom Moc Donald (Desert Springs Trout Form)

App G-11640 Per G-11024

RECEIVED TO THE

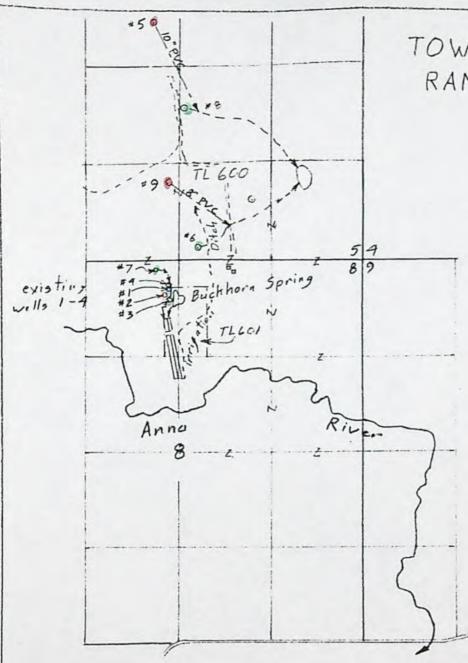
This map is for the purpose of locating a water right one and has no intent to provide legal dimensions or the location of property lines.



# ESTES SURVEYS, LLC

PO Box 17518 Salom, OR 97805-751 80382 Arnold Rd Bend, OR 97702 (541) 382-7391

MAR 05 2014



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

> Wells located from Vacories between sections 588:

# 1 390'5 £ 150'W

# 2 480'S & 190'W \ No change

# 3 525'5 & 140'W

# 4 340'S & 145'W)

Proposed Additional POA's

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#7 150'5 & 30'W

#8 340'S \$ 280'W

Scale 1"= 1320'
(4"= 1 mile)

Permit Amendment Map for Tom Mac Donald (Desert Springs Trout Form)

App G-11640 Per G-11024

RECEIVED TO 716

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



# ESTES SURVEYS, LLC

PO Box 17619 Salom, OR 97806-75 (603) 566-7508 30352 Arnold Rd Bend, OR 97702 (541) 382-7391

MAR 0.5 2014



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 \$75is 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

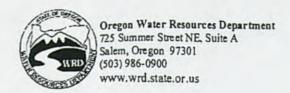
cc: Watermaster 12

Thomas A. MacDonald

Data Center, OWRD (Complete Copy of Assignment Request)

Hydrographics

File



# 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 (Phone #) (Mailing Address) (State) ☐ 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: ; Permit # G11024 Application # G11640 ; Transfer # ; GR Certificate of Registration # ; GR Statement # 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) (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 Applicant/Permit Holder Applicant/Permit Holder & Androvize Sigur, Northwest Form Applicant/Permit Holder BECEIVED

Water Rights Division J. Ik - au Last updated: August 21, 2009

- For Director by Jerry Sa

DO NOT WRITE IN THIS BOX

8:00a.m. on date of receipt at Salery, - Fee receipt # iO/069

- This certifies assignment and record change at

Oregon Water Resources Department effective

Request for Assignment

The completed "Request for Assignment"

form must be submitted to the Department

along with the recording fee of \$75.

WR

SEP 1 0 2010

WATER RESOURCES DEPT

SALEM, OREGON

Extent 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 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. Page 1 of 2 Final Order: Permit G-11024

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

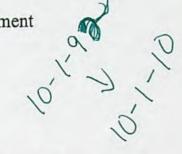
PHILLIP C. WARD, DIRECTOR

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

# Oregon Water Resources Department Water Rights Division

Water Rights Application Number G-11640



# 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 Final Order: Permit G-11024 Page 1 of 2

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).

## <u>Order</u>

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

- 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

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

 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

<u>Units of Measure</u> 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

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.

- 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.
- 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.
- 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.
- 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, 20102 2012. No public comments were received regarding the extension application.
- 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 and grant an extension of time to apply water to full beneficial use from October 1, 2012, to October 1, 2012.
  - 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 537.230<sup>1</sup>, 537.248<sup>2</sup>, 537.630<sup>3</sup> and/or 539.010(5)<sup>4</sup>.

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

 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)]

 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.

- 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:

ORS 537.230 applies to surface water permits only.

<sup>&</sup>lt;sup>2</sup>ORS 537.248 applies to reservoir permits only.

<sup>&</sup>lt;sup>3</sup>ORS 537.630 applies to ground water permits only.

<sup>&</sup>lt;sup>4</sup>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:
  - Construction of the well and water system began prior to the April 30, 1991 deadline specified in the permit.
  - 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)]

- The water right permit holder's conformance with the permit or previous extension conditions.
  - 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)]

 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.
- 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.
- 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)].
  - 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)]

 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

- 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).
- 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).
- 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).
- Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2014<sup>5</sup>, 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).

<sup>&</sup>lt;sup>5</sup>Pursuant 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 W. Erench, 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**

- 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;
  - 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;
  - A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
  - 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:
    - Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
    - 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



# Ground Water Review Form:

WED	Oregon Water Reso 725 Summer Street N Salem, Oregon 9730 (503) 986-0900 www.wrd.state.or.us	E, Suite A	☐ Water Righ ☐ Permit Ame ☐ GR Modific ☐ Other	endment
Application: T	11749_	App	licant Name: Thoma	as A. MacDonald
Proposed Chan	ges: POA USE	⊠ APOA □ POU	☐ SW→GW ☐ OTHER	RA
Reviewer(s):	Gerald H. Gro	ndin	Date of Review:	24 April 2014
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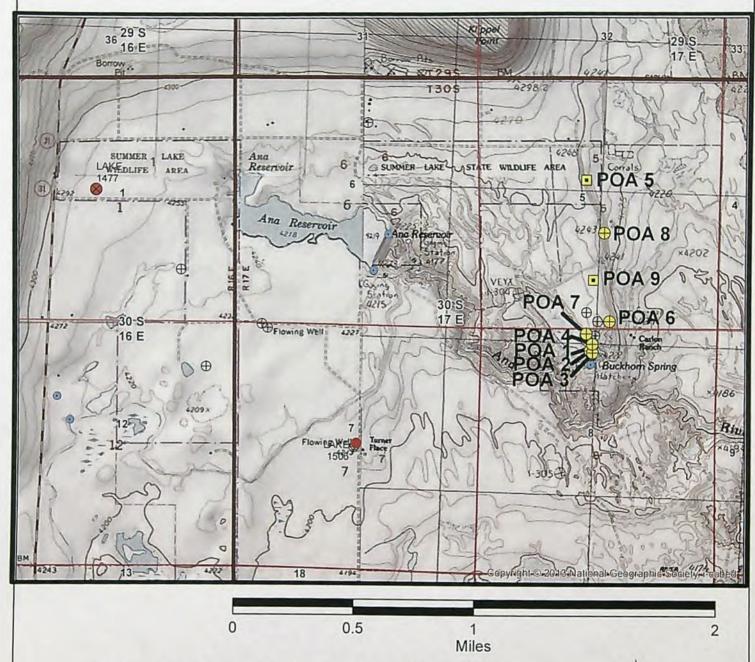
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nt (e.g., basalt and alluvium)

Ground Water Review Form

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? Minimal Significant Stream: Ana Springs at Ana Reservoir Minimal Significant Stream: Ana River 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

Transfer Application: T-11479

# Permit Amendment Application T-11749 Thomas A. MacDonald

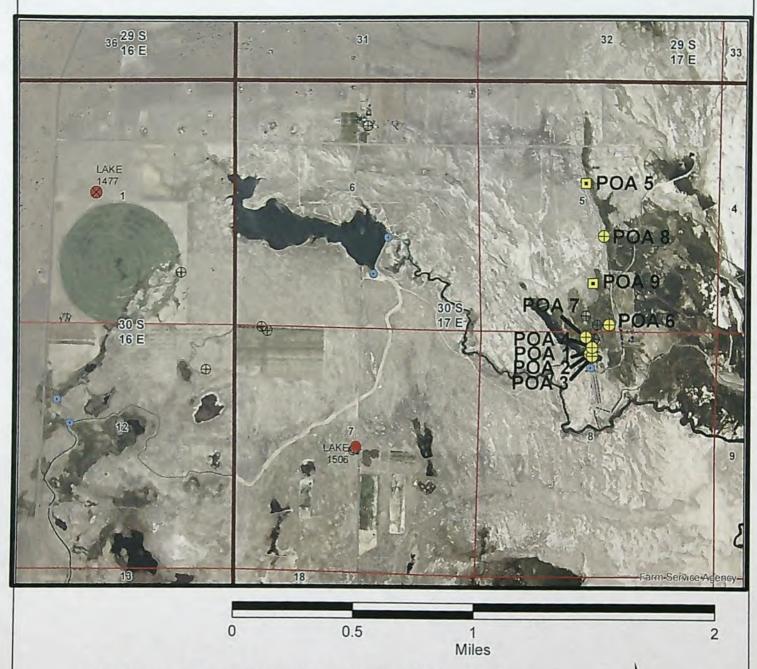


Yellow = Application Noted Well(s) Red = Other Existing or Proposed Wells

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



# RECEIVED

#### STATE OF OREGON

WATER WELL REPORT (as required by ORS 537.765)

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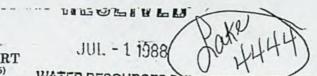
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City SUMMER WAKE State OR Zip 97640	Section 8	NE	" NE	4		
(2) TYPE OF WORK:		Lot Blo				
🔀 New Well 🗆 Deepen 🗆 Recondition 🗆 Abandon	Street Address of	Well (or nearest address)	ZOWY	LER	_ L.F	IKE
(3) DRILL METHOD			**			
☐ Rotary Air ☐ Rotary Mud ☐ Cable	(10) STATIC	WATER LEVE	L:			
Other	n	below land surface.		Date _		
(4) PROPOSED USE:	Artesian pressure	17 lb. per s	quare inch.	Date _	6-3	0-89
□ Domestic □ Community □ Industrial □ Irrigation	(11) WATER I	BEARING ZON	ES:			
Immal Injection Other FISH HATCHERY	Charles and the same of the sa					
(5) BORE HOLE CONSTRUCTION:		as first found		_		
Special Construction approval Yes No Depth of Completed Well 296 ft.	From	То		ed Flow R	late	SWL
Yes No	241	296	310	0		+1.5
A			-			
HOLE SEAL Amount Diameter From To Material From To sacks or pounds			-		-	
Diameter From To Material From To sacks or pounds 16" 0 60 CEMENT 0 60 160 SACK	\$ (10) 111111111		-	-		
G 12051	(12) WELL LC	Ground eleve	ation			
12" 60 296		Material	F	From	То	SWL
	5016 -5	ANDV		0	3	3'
How was seal placed: Method □ A □ B 🎘 C □ D □ E	CLAY-G			Acres de la Contraction de la	45	3'
Other		INE BLACE	2 1	15 1	46	3'
Backfill placed from ft. to ft. Material	CLAY -T	LA	L	16 8	241	+1.5
Gravel placed fromft. toft. Size of gravel	CINDERS	- SAND . R.	ED 2	HIS	243	+1.5
(6) CASING/LINER:		CHARRE		W35		1
Diameter From To Gauge Steel Plastic Welded Threaded	CINDERS-	SAND RET	2	95 8	196	41.5
Casing: 12" +1.5 60'.250 🗵 🗆 🗷						
	-			-		
				-		
Liner			-	-		
Final location of shoe(s)				-		
			-		-	
(7) PERFORATIONS/SCREENS:						
Perforations Method						
Screens Type Material						
From To size Number Diameter size Casing Liner						
	Date started 4 - 1	5-85 0	mpleted 6	- 3	0 -	85
(8) WELL TESTS: Minimum testing time is 1 hour		Well Constructor C ne work I performed			alta	otion
☐ Pump ☐ Bailer ☐ Air ☐ Artesian	abandonment of thi	s well is in complian	ice with Ore	gon we	ll cons	struction
	standards. Materials	used and information	reported abo	ove are	true to	my best
Yield gal/min Drawdown Drill stem at Time	knowledge and belief.		117117	CN		
2100 1hr.	Signad		Det	C Numb		
	Signed		Date			
		ell Constructor Cert				
Temperature of water 60 Depth Artesian Flow Found 241	I accept respons	sibility for the constr	uction, altera	ition, or	aband	lonment
Was a water analysis done?	work performed du	ring this time is i	n complian	ce with	Oreg	on well
Did any strata contain water not suitable for intended use? 🔊 Too little	construction standar	ds. This report is tru	e to the best	of my	knowle	edge and
□ Salty □ Muddy □ Odor □ Colored □ Other □	Delief.	B 0.	ww	C Numi	per [	363
Depth of strata:	belief. Signed F. Quell	a Dave	Date	6-	24	-88
				$\overline{}$	_	

STATE OF OREGON	R	-	6 -	-	1	u
ATER WELL REPORT	4.	-	U	-		
TILLET II DES TEST OFF					-	

	There win. 1,1013.	(for official use only	y)
(1) OWNER: WATER RESOURCES DEPT	(10) LOCATION OF WELL by lega		of
Address SUMMER LAKE	Township, Range,		, WM.
City State OR.		(Range is East or West)	
V. P. Carlotte and C. P. Carlotte and C. Carlo	Tax Lot Lot Block Subdivision MAILING ADDRESS OF WELL (or nearest address)	1 9344	NVE
(2) TYPE OF WORK (check):	MAILING ADDRESS OF WELL (or nearest address)	ANIE -	AFI
New Well			
If abandonment, describe material and procedure in Item 12.	(11) WATER LEVEL of COMPLET	ED WELL.	
(3) TYPE OF WELL: (4) PROPOSED USE (check):			
Rotary Air Driven Domestic Industrial Municipal .		\$ 5	ft.
Rotary Mud Dug Irrigation Withdrawal Reinjection		land surface. Date	-
Coble Bored D Other: Grounding D Test	Artesian pressure 5 lbs. per	square inch. Date 6-	-50-
(5) CASING INSTALLED: Steel  Plastic		f completed well 2 C	
Threaded Welded D  Oiam. from the fit to SO ft Gauge 250  Diam. from ft. to ft Gauge	Formation: Describe color, texture, grain size and structure and nature of each stratum and aquifer penetrated, with at l formation. Report each change in position of Static Wat water-bearing strata.	least one entry for each c	change of
LINER INSTALLED: Steel   Plastic   Threaded   Welded	MATERIAL	From To	SWL
		0 3	SWE
"Diam. from	TAN CLAV		21
(6) PERFORATIONS: Perforated? □ Yes 🗷 No	SAND FINE	55 56	~
Size of perforations in. by in.	CLAY GREEN	56 241 4	-1
perforations from ft. to ft.	BOULDERS, RED,	241296	
perforations from ft. to ft.	Paurous	271276	
perforations from	15/02/03		
(7) SCREENS: Well screen installed?   Yes No Manufacturer's Name			
Diam. Slot Size Set from ft. to ft.			
Diam. Slot Size Set from ft. to ft.			
(8) WELL TESTS: Drawdown is amount water level is lowered below static level			_
Was a pump test made?			
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 1960 g.p.m.	-		
perature of water 60° Depth artesian flow encountered 21.1. ft.	Date work started 4 - 15 - 8 2/complete	ed 6-30-	85
(9) CONSTRUCTION: Special standards: Yes □ No ♥ Well seal—Material used CEMENT GROUT	Date well drilling machine moved off of well	5 -	198
Well sealed from land surface toft.	(unbonded) Water Well Constructor Certific	A SECURE OF SECURE AS A SECURE OF SECURE	
Diameter of well bore to bottom of sealin.	This well was constructed under my direct sup		sed and
Diameter of well bore below seal	information reported above are true to my best kno	owledge and belief.	
Amount of sealing material sacks pounds □	[Signed]	Date, 1	9
How was cement grout placed? PUMPED	(bonded) Water Well Constructor Certificati	one	
	Bond 3 B 4 6 70 Issued by: O. A.	T. C.	
Was pump installed? NO Type HP Depth ft.	On behalf of FLOYD DA	KER	
Was a drive shoe used? ➤ Yes □ No Plugs Size: location ft.	/(type or print name of W	ater Well Constructor)	
Did any strata contain unusable water?   Yes No	This well was drilled under my jurisdiction a	nd this report is tru	e to the
Type of Water? depth of strata	best of my knowledge and belief:		
Method of sealing strata off	(Signed) Flood Dake	)	
Was well gravel packed? ☐ Yes 🔊 No Size of gravel:	9 9 (Water Well Construct	or)	
Gravel placed fromft. toft.	(Dated)	***************************************	

#### STATE OF OREGON ...

WATER WELL REPORT (as required by ORS 537.765)



30\$ 16 E- 8aa

(1) OWNER: SWINDSONSON	(3) LOCATION OF WELL BY ICEAR GESCEN	
Name ROBERT OLSON	County LAKE Latitude Longitude	ide
Address P/O BOX 40	Township 30 Nor Range 16	Or W, WM.
City SUMMER LAKE State OR Zip 97640		
(2) TYPE OF WORK:	Tax Lot Lot Block Sub	
New Well Deepen Recondition Abandon	Street Address of Well (or nearest address) 50MME	RLAKE
(3) DRILL METHOD		
Rotary Air Rotary Mud Cable	(10) STATIC WATER LEVEL:	
Other	ft. below land surface. Date	e
(4) PROPOSED USE:	Artesian pressure 17 lb. per square inch. Date	e
☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation	(11) WATER BEARING ZONES:	
Jermal   Injection   Other FISH HATCHERY		T
(5) BORE HOLE CONSTRUCTION:	Depth at which water was first found ONE FOO	
Special Construction approval Yes No Depth of Completed Well 262 ft.	From To Estimated Flo	
Explosives used	1	1'
	245 262 2100	+21
HOLE SEAL Amount  Drameter From To Material From To sacks or pounds		
16 3 129 GROOT 0 120 165	(10) WIEVY VOC	
12 " 120 863	(12) WELL LOG: Ground elevation	
	Material From	To SWL
	SOIL, SANDY BROWN B	7 11
How was seal placed: Method	CLAV, GREEN 7	63 1'
Other	CLAY-TAN 63	245 + 21
Backfill placed from ft. to ft. Material	CINDERS-SAND, RED 245	846 42
Gravel placed from ft. Size of gravel		261 +2
(6) CASING/LINER: Diameter From To Gauge Steel Plastic Welded Threaded	CINDERS-SAND, RED 261	262 +2
Casing: 12 0 160 250		
Final location of shoe(s)		
(7) PERFORATIONS/SCREENS:		
Perforations Method		
Screens Type Material		
From To Slot Tele/pipe Size Number Diameter Size Casing Liner		
	Date started 5-15-87 Completed 10-	20-87
	(unbonded) Water Well Constructor Certification:	
(8) WELL TESTS: Minimum testing time is 1 hour	I certify that the work I performed on the construct	ion, alteration, or
☐ Pump ☐ Bailer ☐ Air ☒ Artesian	abandonment of this well is in compliance with Oregon	well construction
Yield gal/min Drawdown Drill stem at Time	standards. Materials used and information reported above a knowledge and belief.	and the second second
2100 1hr.		umber
	Signed Date	
Temperature of water 60 Depth Artesian Flow Found 2115 Was a water analysis done? Yes By whom	(bonded) Water Well Constructor Certification:  I accept responsibility for the construction, alteration work performed on this well during the construction dates work performed during this time is in compliance well accept the construction of th	reported above. all
Did any strata contain water not suitable for intended use?	construction standards. This report is true to the best of rebelief.  WWC No. Date 6	
Depth of strata: ONE FOOT	Signed Date 6	-2H-98

## MEGEIVEU

STATE OF OREGON

WATER WELL REPORT (as required by ORS 537.765) JUL = 1 1988



30\$16E-8aa

(1) OWNER: WATER RESOURCES DEEL # 4		OF WELL by le				
Name ROBERT OLS SALEM, OREGON	County LAKE	Latitude		Longitud	de	• •
Address P/O BOX HO	Township 30	No S Range	16		Dor W.	WM.
CITYSUMMER LAKE State OR ZIPG7640		NE 4				
(2) TYPE OF WORK:		_ Lot Block				11
New Well Deepen Recondition Abandon	Street Address of V	Vell (or nearest address)	OWI	MEB	LA	KE
(3) DRILL METHOD						=
Rotary Air Rotary Mud Cable	(10) STATIC V	VATER LEVEL:				
Other	ft.	below land surface.		Date	-	
(4) PROPOSED USE:	Artesian pressure _	17 lb. per squ	are inch.	Date	14-	5-8
□ Domestic □ Community □ Industrial. □ Irrigation		EARING ZONE				
hermal   Injection   Other FISH HATCAERY	The state of the s	s first found				
(5) BORE HOLE CONSTRUCTION:						
Special Construction approval Yes No Depth of Completed Well 10 ft.	From	To	Estim	ated Flow	Rate	SWL
Explosives used Type Amount	7'	8,	_		_	3'
A	245	310	-01	100	)	+2
Drameter From To Material From To sacks or pounds			-			
16" 0 120 CEMENT 0 120 2105 KK	(12) WELL LO	C.	-		*	
164 100 000	(12) WELL LO	Ground elevation	on			
8" 245,210		Material		From	То	SWL
	SOIL, BRO	KANYS WAYE	1	0	7	7'
How was seal placed: Method	CLAY-GI	SEEN			53	7'
Backfill placed fromft. toft. Material	CLAY .T				2115	
Gravel placed fromft. toft. Size of gravel	CINTERS	- SAND, RE	D	5772		+3
(6) CASING/LINER:	CINDERS	DERS, LAR		-	308	+2
Diameter From To Gauge Steel Plastic Welded Threaded	CIMPERS	KED		202	310	Ta
Casing: 19" 0 160,250 A						
Liner:						
Final location of shoe(s)						
(7) PERFORATIONS/SCREENS:						
Perforations Method						
Screens Type Material					-	
From To size Number Diameter size Casing Liner			-		-	
Sale France Sale Casing Lines						
					-	
	Date started 11 -	10-87 Comp	leted A	4-11	5-8	8
	Market Street Street					
(8) WELL TESTS: Minimum testing time is 1 hour		Well Constructor Cer e work I performed or			n alter	ation or
☐ Pump ☐ Bailer ☐ Air ☒ Artesian	abandonment of this	well is in compliance	with C	regon v	vell cons	truction
	standards. Materials u knowledge and belief.	used and information re	eported a	bove ar	e true to	my best
Yield gal/min Drawdown Drill stem at Time	knowledge and belief.		w	WC No	mhor	
2100 1hr.	Signed				moer	
		10 1 2		11 11 11 11 11		
2115		Il Constructor Certif bility for the construc			or aba-	lonnest
Temperature of water 60 Depth Artesian Flow Found 245	work performed on th	is well during the cons	truction	dates re	ported a	hove all
Was a water analysis done?	work performed dur	ing this time is in s. This report is true t	complia	ance wi	th Oreg	on well
Did any strata contain water not suitable for intended use?   Too little  Satty Muddy Odor Colored Other	holiaf					The Paris of the P
Depth of strata:	Signed Floral	a bake	) De	ate 6	-9 LI	362 -88
				-		

#### STATE OF OREGON WATER SUPPLY WELL REPORT

WELL LABEL # L /C	3897
START CARD# 30	6439
ORIGINAL LOG#	

(ORS 537.765 & OAR 690-205-0210) Instructions for completing this report are on the last page of this form. (1) LANDOYNER Owner Well I.D. (9) LOCATION OF WELL (legal description) First Name Thomas Last Name County Lake Twp 30 Nors Range 17 Eor W W.M. ompany
Address PO Box 87
City Schmar Land Sec 5 1/4 1/4 of the \_\_\_\_\_ 1/4 Tax Lot 600 Tax Map Number \_\_\_\_\_ DMS or DD Lat \_\_\_° '\_\_\_\_\_\_ (2) TYPE OF WORK → New □ Conversion ☐ Deepening DMS or DD ☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a) Street Address of Well for nearest address) 48413 DESSETT SPring RUSUMMER Lake on 9740 (2a) PRE-ALTERATION: Well Depth Seal Material ☐ Plastic Other\_ (10) STATIC WATER LEVEL Date SWL(psi) | + | SWL (ft) Casing Gauge Casing Diameter\_ 2 1.51 Existing Well/Pre-Alteration VC 2y-10 Completed Well (3) DRILL METHOD Rotary Air Rotary Mud Auger Flowing Artesian? Yes Dry Hole? Yes 7 ☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other ☐ WATER BEARING ZONES (4) PROPOSED USE Domestic Irrigation Commun ☐ Community SWL Date From Est Flow | SWL (psi) | + | SWL (ft) ☐ Industrial/Commercial Livestock 25901 10 Other\_ ☐ Thermal (5) BORE HOLE CONSTRUCTION Depth of Completed Well 260 ft. Special Standard: Yes (attach copy) BORE HOLE From To Amount Scks/lbs From Material 39 210 260 (11) WELL LOG Ground Elevation Cement 40 210 /50 SCK Cement Material From TACK clan How was seal placed: Method ☐ A ☐ B MC ☐ D ☐ E Clay Other\_ BasalT Backfill placed from \_ ft. Material ft. to ilter pack from ft. to \_\_\_ ft. Material RECEIVED RECEIVED BY OWRD (5a) ABANDONMENT USING UNHYDRATED BENTONITE: Calculated Amount Proposed to be Used: Actual Amount Used: MAR 1 3 2012 JUL 1 2 2012 (6) CASING/LINER WATER RESOURCES DEPT Csng Linr Dia + From To Gauge SALEM. OREGON SALEM, OR 39 10-28-10 28-10 Date Started Completed \_ (unbonded) Water Well Constructor Certification Shoe Inside Outside Other Location of shoe(s) I certify that the work I performed on the construction, deepening, alteration, or Temporary casing Yes Diameter \_\_\_\_\_ From \_\_\_\_ abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to (7) PERFORATIONS/SCREENS the best of my knowledge and belief. Method \_ Perforations Material License Number Date Screens Type \_ Tele/ Screen Signed # of Screen slot Slot pipe Perf Scm Csng Linr From To width length slots Dia (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. (8) WELL TESTS: Minimum testing time is 1 hour License Number 1650 Bailer X Air Flowing Artesian Pump Yield gal/min Drawdown Drill stem/Pump depth Duration (hr) 260 Search drilling INC

Search drilling Sul-576-2189 emperature 60 °F Lab analysis Yes By Water quality concerns? Yes (describe below) TDS ppm From Description Amount

#### STATE OF OREGON WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

Amended 368

LAKE 52368

WELL LABEL # L 10 3897
START CARD # 306439
ORIGINAL LOG #

Instructions for completing this report are on the last page of this form.	ORIGINAL LOG#	
(1) LANDOWNER First Name Thomas Last Name Last Name	(9) LOCATION OF WELL (legal description) County Lane Twp 30 Nor S Ran	nge 17 Eor W W.M.
ompany Address PU Box 87	Sec 5 14 1/4 of the 1/4 Ta	x Lot 600
City SUMMEY Lahe State OR Zip 97610	.Tax Map Number	_Lot
(2) TYPE OF WORK New Conversion Deepening	Tax Map Number	DMS or DD DMS or DD
Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)	Street Address of Well (or nearest address) 1/8/// SPIIN AU SU mmer Lake	13 nessert
(2a) PRE-ALTERATION: Well Depth ft.	SPINA AU SU mmer Lake	on 97410
Seal Material	3/11/	
Casing Type:	(10) STATIC WATER LEVEL	
Casing Gauge Casing Diameter		(psi)   +   SWL (ft)
	Existing Well/Pre-Alteration 10 24 10 2/	5
(3) DRILL METHOD   ☐ Rotary Mud ☐ Auger	Completed Well	
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other	Flowing Artesian? Yes Dry	y Hole? Yes
Besse Bessetting Branchistary Besset	WATER.BEARING ZONES Depth water was t	
(4) PROPOSED USE Domestic Pringation Community		
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection	SWL Date From To Bst Flow SW	/L (psi) + SWL (ft)
☐ Thermal ☐ Other	20 25 259-	
(5) BORE HOLE CONSTRUCTION		
Depth of Completed Well ft. Special Standard:  Yes (attach copy)		
PORT 1101 F		
BORE HOLE SEAL Dia From To Material From To Amount Scks/lbs		
24" 0 39 (rmin) 0 39 80 SCK	(11) WELL LOG Ground Elevation	
181 39 210 Coment 20 210 150 SCK	Material From	n   To
12" 210 260	TOP 5016 0	2
	Black Clay	60
How was seal placed: Method	Gay Clay 60	120
Other	BIVE (104/ 120	180
Backfill placed fromft. toft. Material	6/2/ Pasnit 180	245
ilter pack from ft. to ft. Material Size	Red Cinel 225	260
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:		
(6) CASING/LINER		
Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd		
X 18" 1 21 39 . 250 Y Y		
y 121 - 3 220 .150 x x	0)4111	10 ) ( //2
	Date Started 9- 28-10 Completed	0-73.10
	(unbonded) Water Well Constructor Certification	
Shoe Inside Outside Other Location of shoe(s)	I certify that the work I performed on the construction	n, deepening, alteration, or
Temporary easing Yes Diameter From To	abandonment of this well is in compliance with Oregon v	
(7) PERFORATIONS/SCREENS	construction stand	reported above are true to
Perforations Method	the best of my knowledge and belief.	
Screens Type Material	License Number APR C 5 2012 Date	
	ALL OF COIL	
Screen/ Tele/	Signed WATER RESOURCES DEPT	
Perf Scrn Csng Linr Dia From To width length slots size		
ren sen engli bia rion 10 widii lengui siots size	(bonded) Water VSALEMS TO RESCONTIFICATION  I accept responsibility for the construction, deepening	a alteration or
	abandonment work performed on this well during the cor	
	above. All work performed during this time is in complia	
	supply well construction standards. This report is true to	
	and belief.	
(8) WELL TESTS: Minimum testing time is 1 hour	License Number 1654 Date 10	5-11-11
□ Pump □ Bailer □ Air ☑ Flowing Artesian	License Number 16 Date 1C	12 1
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	Signed 11	
1000.	Signed Contact Info. (optional)	
emperature 60° F Lab analysis Yes By	Contact into. (optional)	
Water quality concerns?  Yes (describe below) TDSppm	Scarle Or III	11-2189
From To Description Amount Units	16,40 500111 5011	16 ,
	Signed M. Contact Info. (optional)  Scarce de 11110 I. C.  10M Scarch Sil	

## LAKE 523682

STATE OF OREGON WELL LABEL #L 10 3897 WATER SUPPLY WELL REPORT START CARD# 30 (ORS 537.765 & OAR 690-205-0210) Instructions for completing this report are on the last page of this form. ORIGINAL LOG # Owner Well LD. (1) LANDOWNER First Name Thomas (9) LOCATION OF WELL (legal description) County Lake Twp 30 Nor's Range 17, E or W W.M. interest Po Box 87
City Summer Land Sec 5 14 14 1/4 of the \_\_\_\_\_ 1/4 Tax Lot 600 Tax Map Number\_\_\_\_\_ State A (2) TYPE OF WORK New □ Conversion □ Deepening □ Alteration (complete Sections 2a & 10) □ Abandonment (complete Section 5a) Street Address of Well for nearest address) 48413 DESSETT STIND AU SU MMET LAKE ON 97490 (2a) PRE-ALTERATION: Scal Material Casing Type: Steel Plantic Other (10) STATIC WATER LEVEL Casing Gauge Casing Diameter SWL(psi) | + ] Existing Well/Pre-Alteration VC 24-10 2 PSI (3) DRILL METHOD Rotary Air Rotary Mud Auger Completed Well Cable Cable Mud Reverse Rotary Other\_ Flowing Artesian? Yes Dry Hole? Yes WATER BEARING ZONES Depth water was first found \_\_\_ Domestic Irrigation Community
Livestock Dewatering Injection (4) PROPOSED USE ☐ Industrial/Commercial To Est Flow SWL (psi) + SWL (ft) 2590 ☐ Thermal Other\_ (5) BORE HOLE CONSTRUCTION Depth of Completed Well \_\_\_\_\_\_\_ ft. Special Standard: Yes (attach copy) RORE HOLE SEAL From From To Dia Material (11) WELL LOG Ground Elevation Coment Cemen From 270 How was seal placed: Method A A B C D D Other\_\_ Backfill placed from ft. to ft. Material ilter pack from \_ It to \_ ft. Material \_ (50) ABANDONMENT USING UNHYDRATED BENTONITE: Calculated Amount Proposed to be Used: Actual Amount Used:\_ MAR 1 2 2012 (6) CASING/LINER WATER RESOURCES DEPIT Cong Line Din SALEM, OREGON Date Started 9 28-10 Completed 10-28-10 (unbonded) Water Well Constructor Certification Shoe Inside Outside Other Location of shoc(s) I certify that the work I performed on the construction, deeponing, ulteration, or Temporary easing Yes Diameter \_\_\_\_ From \_\_\_ abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to (7) PERFORATIONS/SCREENS the best of my knowledge and belief. Methoul Perforations License Number\_ Material Screens Type Tclc/ Screen Signed \_ Serven slot Slot Hul pipe Dia width length alots (bonded) Water Well Constructor Certification Perf Sem Cang Line size 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 (8) WELL TESTS: Minimum testing time is 1 hour Date 10-12-11 License Number 1650 Flowing Artesian ☐ Bailer ☐ Air Vield gaVmin | Drawdown | Drill stem/Pump depth | Signed Contact Info. (optional)

Search drilling INC

301-576-2189 emperature 60 °F Lab analysis TYes By Water quality concerns? TYes (describe below) TDS ppm 70m Search Description Amount From ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER

2412762189

01/02/2009

#### STATE OF OREGON WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

LAKE 52369 AKE 52369

WELL LABEL # L 10 38 48
START CARD # 206440

(I) LANDONNER   Dane Well I.D. Date III   Da	Instructions for completing this report are on the last page of this form.	ORIGINAL LOG#
First Name   1.0 etc.   1.5 or   1.5 or	(1) LANDOWNER Owner Well I.D.	(9) LOCATION OF WELL (legal description)
Address   P   D   S   T	First Name Thomas Last Name Mac Donald	County lake Twp 30 Nors Range 17 Eor W W.N
City   Street   Complete   Conversion   Deepening   Lat	'ompany	Sec : 5 1/4 of the 1/4 Tax Lot 600
Allertation (complete Sections 2 & 10)   Assancomment (complete Sections 2)   Allertation (complete	Address PO DOX 81	Too Man Number
Allertation (complete Sections 2 & 10)   Assancomment (complete Sections 2)   Allertation (complete		Tax map Number DMS or DF
Allertation (complete Sections 2 & 10)   Assancomment (complete Sections 2)   Allertation (complete	(2) TYPE OF WORK New Conversion Deepening	Lat Of DMS of DB
Casing Type:   Steel   Plastic   Other   Casing Gauge   Casing Type:   Steel   Plastic   Other   Casing Gauge   Casing Diameter   Casing Gauge	Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)	
Scaling Material   Casing Type:   Steel   Plastic   Other   Casing Diameter   Casing Mell/Pro-Aleration   55. T   1/251   1/251   Campleted Well   SwL (psi)   SwL (ps	(A) PDP +1 TEP + TION: Well Death #	Street Address of Wells(or nearest address) 48 413 Dresser T
Casing Type:   Steel   Plastic   Other   Casing Gauge   Casing Diameter   Casing Gauge   Casing Gauge   Casing Diameter   Casing Gauge   Ca		corner Ad Schner Lake MOY 97640
Casing Gauge		311119
Casing Gauge	Casing Type:	(10) STATIC WATER LEVEL
Cable   Cable   Material   Reverse Rotary   Other   Completed Well   Flowing Artesian?   Ves   Dyst   Hole?   Ves   WATER BEARING ZONES   Depth water was first found   Completed Well   Flowing Artesian?   Ves   Dyst   Hole?   Ves   WATER BEARING ZONES   Depth water was first found   Completed Well   Flowing Artesian?   Ves   Dyst   Hole?   Ves   WATER BEARING ZONES   Depth water was first found   Completed Well   Flowing Artesian?   Ves   Dyst   Hole?   Ves   WATER BEARING ZONES   Depth water was first found   Completed Well   Flowing Artesian?   Ves   Dyst   Hole?   Ves   WATER BEARING ZONES   Depth water was first found   Completed Well   Flowing Artesian   Ves   Dyst   Hole?   Ves   WATER BEARING ZONES   Depth water was first found   Completed Well   Flowing Artesian   Ves   Dyst   Hole?   Ves   WATER BEARING ZONES   Depth water was first found   Completed Well   Flowing Artesian   Ves   Dyst   Hole?   Ves   Dyst	Casing Gauge Casing Diameter	Date   SWL(psi)   +   SWL(ft)
Cable   Cable Mud   Reverse Rotary   Other		
Cable   Cable   Mul   Reverse Rotary   Other   Flowing Artesian?   Yes   Dy Hole?   Yes   Material   Flowing Artesian?   Yes   Dy Hole?   Yes   Material   From   To   Est Flow   SWL (psi)   + SWL	(2) PRILL METHOD Month of Daniel Med Clauses	
A proposed use   Domestic   Irrigation   Community   Industrial/Commercial   Livestock   Dewatering   Injection   Thermal   Other     Thermal   Other   SEAL   Domestic   Dewatering   Injection   Thermal   Other     Signature   Section		
Community   Industrial   Community   Injection   Community   Injection   Community   Injection   Community   Injection   Community   Com	Cable Cable Mud Reverse Rotary Other	
Industrial Commercial   Livestock   Dewatering   Injection   Thermal   Other	(4) PROPOSED USE M. Domestic	WATER BEARING ZONES Depth water was first found 60
Thermal		SWI Date   From   To   Est Flow   SWI (nsi)   + SWI (ft)
Sport Hole Construction   Second Standard:   Yes (attach copy)		180 200 500 81
Depth of Completed Well 3		10 10 10 10 10 10 10 10 10 10 10 10 10 1
BORE HOLE    Dia   From   To   Material   From   To   Amount   Seks/lbs     Dia   From   To   Material   From   To   Material     Dia   From   To   Material   From   To   Material     Dia   Dia   Dia   Dia   Dia   Dia   Dia   Dia     Dia   Dia   Dia   Dia   Dia   Dia   Dia   Dia     Conglain   Dia   Dia   Dia   Dia   Dia   Dia   Dia     Conglain   Dia   Dia   Dia   Dia   Dia   Dia   Dia   Dia     Conglain   Dia   Dia   Dia   Dia   Dia   Dia   Dia     Conglain   Dia   Dia   Dia   Dia   Dia   Dia   Dia   Dia   Dia     Conglain   Dia   D		
Dia   From   To   Material   From   To   Amount   Scks/lbs   To   To   To   To   To   To   To   T	Depth of Completed Wellft. Special Standard: Yes (attach copy)	
Dia   From   To   Material   From   To   Amount   Scks/lbs   To   To   To   To   To   To   To   T	RODE HOLE SEAL	
Actual Amount Vectors   Actual Amount Proposed to be Used:   Sacks/lbs		
Actual Amount Using UnityDrated Bentonite:   Sacks/lbs   Sacks/l	20" 0 20 (1mm) T () 2)0 100 5cK	(11) WELL LOG Ground Elevation
How was seal placed: Method   A   B   DC   D   E     Other     Backfill placed from   ft. to   ft. Material   Size       Site pack from   ft. to   ft. Material   Size       Site pack from   ft. to   ft. Material   Size       Sacks/lbs   Sacks/lbs	12 1 720 370	Material From 1 To
How was seal placed: Method   A   B   AC   D   E	// // // // // // // // // // // // //	
How was seal placed: Method   A   B   A   C   D   E     Other     Backfill placed from   ft. to   ft. Material     Size     Size   Size   Size     Sacks/lbs     Actual Amount Used:   Sacks/lbs     Actual Amount		112 1121 2
Other   Backfill placed from   ft. to   ft. Material   Size	U	BLOCK Clarkin 30 35
Backfill placed from	How was seal placed: Method LA LB AC LD LE	
ilter pack from		Clean Clark de 65 1/25
(5a) ABANDOMENT USING UNHYDRATED BENTONITE: Calculated Amount Proposed to be Used:  Sacks/lbs Actual Amount Used:  Sacks/lbs S		(Now C/m) 105 270
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	'ilter pack from fl. to ft. Material Size	Take nack 1770 1000
Actual Amount Used:		6 And B65215 340 210
Actual Amount Used:	(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	Black Lava NOCK 760 360
Actual Amount Used:    Sacks/lbs   Go CASING/LINER	Calculated Amount Proposed to be Used:sacks/lbs	Red (idek 300 310
Cang   Linr   Dia   + From   To   Gauge   Steel   Plastic   Welded   Thrd	Actual Amount Used:sacks/lbs	
Cang   Linr   Dia   + From   To   Gauge   Steel   Plastic   Welded   Thrd		
Cang   Linr   Dia   + From   To   Gauge   Steel   Plastic   Welded   Thrd	(6) CASING/LINER	
Date Started   Date	Csng Linr   Dia   +   From   To   Gauge   Steel   Plastic   Welded   Thrd	
Date Started   Doubleted   Screen   Date   Screen   Date	X 12" H 1 220 ,250 X X	
Shoe   Inside   Outside   Other Location of shoe(s)   Temporary casing   Yes Diameter   From   To   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 possibility for the construction, depening, 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 possibility for the construction, depening, 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 possibility for the construction, depening, 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 my knowledge and best of my knowledge and my knowledge and my knowledge and my knowle		
Shoe   Inside   Outside   Other Location of shoe(s)   Temporary casing   Yes Diameter   From   To   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 possibility for the construction, depening, 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 possibility for the construction, depening, 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 possibility for the construction, depening, 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 my knowledge and best of my knowledge and my knowledge and my knowledge and my knowle		Date Started 10 - 30-10 Completed 2- 5- 11
Temporary casing   Yes   Diameter   From   To		Date Stated
Temporary casing   Yes   Diameter   From   To	Ct. Dist. Double Dobe Leader Start)	(unbonded) Water Well Constructor Certification
Construction standards. Materials used and information reported above are true to the best of my knowledge and period.   Construction standards. Materials used and information reported above are true to the best of my knowledge and period.   Construction standards. Materials used and information reported above are true to the best of my knowledge and period.   Construction standards. Materials used and information reported above are true to the best of my knowledge and period.   Construction standards.		I certif RECEIVED BY COMPOstruction, deepening, alteration, or
Construction standards. Materials used and information reported above are true to the best of my knowledge and point of the best of my knowledge and belief.    Construction standards. Materials used and information reported above are true to the best of my knowledge and belief.    Signed	Temporary casing   Yes Diameter From To To	abandonment of this well is in compliance with Oregon water supply well
Screen   Type	AL DEDUCAL TRANSPORTERIO	construction standards. Materials used and information reported above are true to
Screen   Type	AND AND THE COME THE ADMINISTRATION OF THE COMMENT	the best of my knowledge and best of my knowledge and best of my knowledge and best of my knowledge
Screen   Screen   Screen   Screen   Solot # of pipe   Solot # of		ILOCIALD
Screen   Dia   From   To   width   length   slots   size   (bonded) Water Well Constructor Certification of the construction, of the construction of the constructio	Screens Type Material	License Number Date
Screen   Dia   From   To   width   length   slots   size   (bonded) Water Well Constructor Certification of the construction, of the construction of the constructio		CALEN OR MAR 1 3 2012
Perf Scrn Csng Linr Dia From To width length slots size    Conded   Water Well Constructor Certification   Construction   Cons		Signed SALEM, OH WITH I DESTE
I accept responsibility for the construction, descent of the construction of the const		Charles D. W. W. WATER DECOMPORT DETAIL
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.    Big   WELL TESTS: Minimum testing time is 1 hour   Pump   Bailer   Air   Flowing Artesian   License Number   654   Date   6 - 12 - 11	Tett Sent Carg Lin Dia 110m 10 widin length 310ts 5126	(bonded) Water Well Constructor Certification neouthices DEPT
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.    Bailer   Air   Flowing Artesian   Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.    Compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.		abandonment work performed on this wall during SELEM. OREGON
8) WELL TESTS: Minimum testing time is 1 hour Pump Bailer Air Air Stowing Artesian Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)  Signed  Supply well construction standards. This report is true to the best of my knowledge and belief.  License Number 1654  Date 10-12-11  Signed		
8) WELL TESTS: Minimum testing time is 1 hour Pump Bailer Air Air Flowing Artesian Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)  3///		
WELL TESTS: Minimum testing time is 1 hour   Pump   Bailer   Air   M Flowing Artesian   License Number   654   Date   67-12-11		
Yield gal/min Drawdown Drill stem/Rump depth Duration (hr) Signed	(8) WELL TESTS: Minimum testing time is 1 hour	and belief.
Yield gal/min Drawdown Drill stem/Rump depth Duration (hr) Signed		License Number al 654 Date 10-11-11
Then Signed In a Agent		Citetise Humber
Signed   S		Signed A A Service
Vemperature 60° °F Lab analysis   Yes By   Search drilling INC  Water quality concerns?   Yes (describe below) TDS   ppm    From   To   Description   Amount   Units   TOM   Search    Search   Search   Search   Search    Search   Search   Search   Search    Search   Search   Search   Search   Search    Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search   Search	3000	Signed
Water quality concerns? Yes (describe below) TDS ppm From To Description Amount Units Tom Search Sea	emperature 60' °F Lab analysis  Yes By	Contact Into. (optional)
From To Description Amount Units 76m Search Sul 576. 2189		Scarch offin)
From Search 2189		The Cartela
Sul 8/6. X1 0/	From 10 Description Amount Units	10M Search 21/ 2/89
5417		

# LAKE 52369

STATE OF OREGON WATER SUPPLY WELL REPORT (ORS 5)7.765 & OAR 690-205-0210)

WELL LABEL # L 10 38 9 8 START CARD # 206440

Instructions for completing this report are on the last page of this form.	ORIGINAL LOC#
(I) LANDOWNER First Name Thomas Last Name MAC Donald	(9) LOCATION OF WELL (legal description)
First Name I howas Last Name MAC Donald	County Lake Twp 30 Nor S Range 17 Eur W
onipany Address PO BOX 81 City Summer Lake State On zip 97640	Sec 5 1/4 of the 1/4 Tax Lot 600
City Summer Lake State On Zip 97640	Tax Map Number LotLot
	Lat v or DMS
(2) TYPE OF WORK New Conversion Deepening	Tax Map Number
Alteration (complete Sections 2n & 10) Ahandonment (complete Section 5a)	Street Address of Well/or manual address 40 413 Descent
(2a) PRE-ALTERATION: Well Depthtt.	Street Address of Wellylor nearest address) 48413 Drsser. Spring Ad Summer Lane By 976
Seal Material	517 19 100 30 11 116
Casing Type: Steel Plastic Other	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Date SWL(psi) + SWL
	Existing Well/I're-Alteration 2-5-11 4 PSI
(3) DRILL METHOD Kolury Air Robury Mud Auger	Completed Well
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other	Flowing Artesian? Yes Dry Hole? Yes,
O PROPOSED HER TRANSPORTER TO COMMENT	WATER BEARING ZONES Depth water was first found 60
(4) PROPOSED USE Domestic   Irrigation   Community   Industrial/Commercial   Livestock   Dewalering   Injection	SWL Dute   From   To   Est Flow   SWL (psi)   + SWL
Thermal Other	180 200 500 51
(5) BORE HOLE CONSTRUCTION	
Depth of Completed Well 300 ft. Special Standard: Yes (attach copy)	
BORE HOLE SEAL  Dia   From   To   Material   From   To   Amount   Seks/lb.	
12" 120 310 Comen 0 20 160 5cK	(11) WELL, LOG Ground Elevation
12" 120 370	Material From To.
	TOP SOIL 0 2
	Car Cal
fow was seal placed: Method	Black Clay UN 20 35
Other	
lackfill placed from 8. to h, Material	Great Clay 105 220
iller pack from ft. to ft. Material Size	( ) C   M   105 2/0 2/0 2/0 2/0 2/0 2/0 2/0 2/0 2/0 2/0
50) ATTANDONMENT USING UNITYDRATED BENTONITE:	GOT Red BES-11 240 26
Calculated Amount Proposed to be Used:sucks/lbs	Black Lava Noch 160
Acquait Amount Used:	Rad Ciden 300 310
6) CASING/LINER	
Cang Linr Din + From To Gauge Steel Plastic Wolded Thrd	
X 11/" + 1 720 1250 X X	
	Date Started 10 - 30-10 Completed 3-5-11
	Date Started 10 - 30-10 Completed 3-1
shoe   Inside   Outside   Other Location of shoe(s)	(unbunded) Water Well Constructor Certification
Comporary easing Yes Diameter From To	I vertify that the work I performed on the construction, deeponing, ulterati
	abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true
7) PERFORATIONS/SCREENS	the best of my knowledge and belief.
erforations Method	Li
W	License Number Date
	Signed
	Signed
	(handed) Water Well Constructor Certification
	(handed) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or
	(handed) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was
	(handed) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates repor above. All work performed during this time is in compliance with Oregon wa supply well construction standards. This report is true to the best of my know
Perf Scm Csng Lin Dia From To Screen width length slots size	(handed) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was
erf Scm Csng Linr Dia From To Screen width length slots size  WELL TESTS: Minimum testing time is I hour	(handed) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates repor above. All work performed during this time is in compliance with Oregon wa supply well construction standards. This report is true to the best of my know
Perf Scm Csng Linr Dia From To width length slots size    Screen   Screen   Screen   Screen   For   Tele/ pipe width length slots size	(handed) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was supply well construction standards. This report is true to the best of my know and belief.
Perf Scm Csng Linr Dia From To Screen/ slot Slot # of pipe width length slots size  3) WELL TESTS: Minimum testing time is I hour	(handed) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was supply well construction standards. This report is true to the best of my know and belief.
Perf Scm Csng Linr Dia From To Screen/ slot # of pipe width length slots size  8) WELL TESTS: Minimum testing time is 1 hour	(handed) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was supply well construction standards. This report is true to the best of my know and belief.  License Number 1654 Date 10-12-11
Serveen   Stot   # of pipe size   Serveen   Serveen   Serveen   Serveen   Stot   # of pipe size   Serveen   Stot   # of pipe size   Serveen   Serveen   Serveen   Serveen   Serveen   Stot   # of pipe size   Serveen   Serveen   Serveen   Serveen   Serveen   Stot   # of pipe size   Serveen   Serveen   Serveen   Serveen   Serveen   Serveen   Serveen   Serveen   Serveen   Stot   Serveen   Serveen   Serveen   Serveen   Serveen   Serveen   Serveen   Stot   Stot   Serveen   Serveen   Serveen   Serveen   Stot   Serveen   Serveen   Serveen   Serveen   Serveen   Stot   Serveen	(handed) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was supply well construction standards. This report is true to the best of my know and belief.  License Number    G 54   Date   O - 12 - 11
Screen   Screen   Screen   Screen   Screen   Screen   Stot   # of pipe   Screen   Screen   Stot   # of pipe   Size   Screen   Stot   # of pipe   Size   Screen   Stot   # of pipe   Size   Screen   Screen   Stot   # of pipe   Size   Screen   Screen   Stot   Stot   # of pipe   Size   Screen   Screen   Stot   Stot   # of pipe   Size   Size   Screen   Stot   Stot   Screen   Stot   Stot   Stot   Screen   Stot   Stot   Screen   Stot   Stot   Stot   Stot   Screen   Stot   Stot   Stot   Stot   Screen   Stot   Screen   Stot   Stot   Stot   Stot   Stot   Stot   Stot   Stot   Screen   Stot   S	(handed) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was supply well construction standards. This report is true to the best of my know and belief.  License Number    G 54   Date   O - 12 - 11
Serveen   Serveen   Serveen   Serveen   Serveen   Serveen   Stot   # of   pipe   size	(handed) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was supply well construction standards. This report is true to the best of my know and belief.  License Number    G 54   Date   O - 12 - 11
Screen   Screen   Sercen   Sercen   Sercen   Solid   # of pipe   Size   Sercen   Sint   Stot   # of pipe   Size   Sercen   Sint   Stot   # of pipe   Size   Sercen   Sint   Stot   # of pipe   Size   Sercen   Size   Sercen   Sint   Stot   # of pipe   Size   Sercen   Sint   Stot   # of pipe   Size   Siz	(handed) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates report above. All work performed during this time is in compliance with Oregon was supply well construction standards. This report is true to the best of my know and belief.  License Number 1654 Date 10-12-11  Signed Contact Info. (optional)

### **LAKE 52487**

LAKE 52487

WELL LABEL # L 10 4458 START CARD # 206041 ORIGINAL LOG#

STATE OF OREGON	
WATER SUPPLY WELL REPORT	r

(ORS 537.765 & OAR 690-205-0210)

Instructions for completing this report are on the last page of this form.	ORIGINAL LOG#
(1) LANDOWNER  First Name Thomas  Last Name Lac Dopler	(9) LOCATION OF WELL (legal description)  County La M. Twp JO N or S Range 17 E or W W.N  Sec JS SE 1/4 of the L. 1/4 Tax Lot 600
ompany Address P = Boy 5-1	Sec \$ 5 5 6 1/4 of the 12 1/4 Tax Lot 600
City Summer Lake State at Zip 97640	Tax Map NumberLot
(2) TYPE OF WORK New Conversion Deepening	Tax Map Number         Lot           Lat         °         '         "or         DMS or DD           Long         °         '         "or         DMS or DD
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)	Street Address of Well (or gearest address) 48413 D-554
(2a) PRE-ALTERATION: Well Depth ft.	Sitted Address of Well (or Healest address) 10 4(1)
Seal Material	3/11 ) // Summer and
Casing Type:	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Date   SWL(psi)   +   SWL(ft)
	Existing Well/Pre-Alteration 9-1-13 4 pri
(3) DRILL METHOD	Completed Well
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other	Flowing Artesian? Yes Dry Hole? Yes
	WATER BEARING ZONES Depth water was first found 260
(4) PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Community	
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection	SWL Date From To Est Flow SWL (psi) + SWL (ft)
Thermal Other	9-1-13 220 260 1500 4 851
(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	
74" 0 90 Lemon 0 90/00 SK	(11) WELL LOG Ground Elevation
18" 90 155 Cement 90 155/00 50	Material From To
1411 153 200	701 So L 0 2
10" 200 260	Brown c/av/ 2 /50
How was seal placed: Method □ A □ B ☑ C □ D □ E	Black Lota Neck 150 165
Other	And Lava Rock 165 220
Backfill placed fromft. toft. Material	Bro Has Lavard 220 260
'ilter pack from ft. to ft. Material Size	
	RECEIVED BY OWND
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED BY OWRD
Calculated Amount Proposed to be Used:sacks/lbs	The state of the s
Actual Amount Used:sacks/lbs	NOV 1 8 2013
	OCT 1 0 2013
(6) CASING/LINER	
Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd	SALEM, OR
X 18" + 1 90 , 250 X X	SALEM, OR
X 14" + 1 155 . 250 Y	
	Date Started 8-15-13 Completed 9-1-13
a. Et il Ea il Eai i i i i i i	(unbonded) Water Well Constructor Certification
Shoe Inside Outside Other Location of shoe(s)	I certify that the work I performed on the construction, deepening, alteration, or
Temporary casing	abandonment of this well is in compliance with Oregon water supply well
(7) PERFORATIONS/SCREENS	construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Perforations Method	the oest of my knowledge and benefit.
Screens · Type Material	License Number Date
Screen   Screen   Tele/	Signed
Perf Scm Csng Linr Dia From To width length slots size	(bonded) Water Well Constructor Certification
	l 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
(0) MCLI TECTS. Minimum testing time is 1 hours	and belief.
(8) WELL TESTS: Minimum testing time is 1 hour  □ Pump □ Bailer □ Air ☒ Flowing Artesian	License Number 1 6 5 6 Date 10 - 6 - 13
	01
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	Signed M &
1500 hr!	Contact Info. (optional)
.emperature 60' °F Lab analysis  Yes By	
Water quality concerns? Yes (describe below) TDSppm	
From To Description Amount Units	



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 T-13337, Lake County	)	FINAL ORDER 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	THOMAS A. MACDONALD
PO BOX 40	PO BOX 87
SUMMER LAKE, OR 97640	SUMMER LAKE, OR 97640

#### Findings of Fact

- 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.
- 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.
- 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.

- 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.
- 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 1/4 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 1/4 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 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 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 (	CULTUR	Œ	
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.
- 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 MBYLER, 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 February 10, 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.

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 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 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

<sup>\*</sup>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:

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

		IRRIG.	ATION				
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							

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.
30 S	17 E	WM	5	NE SE	40.
30 S	17 E	WM	5	NW SE	39.
30 S	17 E	WM	5	SW SE	30.
30 S	17 E	WM	5	SE SE	40.
30 S	17 E	WM	8	NE NE	40.
30 S	17 E	WM	8	NW NE	33.
30 S	17 E	WM	8	SW NE	11.
30 S	17 E	WM	8	SE NE	31.
30 S	17 E	WM	9	SW NE	2.
30 S	17 E	WM	9	NWNW	36.
30 S	17 E	WM	9	SWNW	32.
30 S	17 E	WM	9	SE NW	30.
30 S	17 E	WM	9	NE SW	31.
30 S	17 E	WM	9	NE SE	0.
30 S	17 E	WM	9	NW SE	28.
30 S	17 E	WM	9	SW SE	20.
30 S	17 E	WM	9	SE SE	16.
				Total	569.6

#### 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 and 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 n 4 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
Accession and a second	)	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**

- 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.
- 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.
- 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.
- 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.

- On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
- On September 13, 2010, the Department approved an assignment of the permit to Thomas A. MacDonald.
- 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 21<sup>st</sup>, 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 1/4 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 1/4 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 1/4 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.
- 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.
- 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.
- 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 Hight Services Administrator, for

Thomas M Byler, Director

Oregon Water Resources Department

Mailing Date: 0CT 3 1 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 208-271 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	NENW	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 1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NENW	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 ½ CORNER OF SECTION 8
30 S	17 E	WM	5	SENW	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 1/4 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 (	CULTUR	RE	
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NENW
30 S	17 E	WM	8	SENW

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			

	SUPPLEN	<b>MENTAL</b>	IRRI	GATION	
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	NENE	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

	SUPPLEN	MENTAL	IRRI	GATION		
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	SWNW	32.00	
30 S	17 E	WM	9	SE NW	30.00	
30 S	17 E	WM	9	NESW	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					

#### 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 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.

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 and 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
1.0	)	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**

- 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.
- On March 14, 1994, the Department approved an assignment of the permit to Summer Lake Trout Farm.
- On June 12, 1995, the Department approved an assignment of the permit to Key Bank of Oregon.
- 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.

- On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
- 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.
- On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
- On September 13, 2010, the Department approved an assignment of the permit to Thomas A. MacDonald.
- On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
- 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 21<sup>st</sup>, 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 14 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 <sup>1</sup> 4 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.
- 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 \_\_\_\_\_ day of March 2017.

Dwight French, Water Right Services Administrator, for

Thomas M. Byler, Director

Oregon Water Resources Department

Mailing Date: MAR 2.2 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 <u>PA T-13337</u> 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

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] > Integrity | Service | Technical Excellence | Teamwork | Forward-Looking > 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:

				PRIMARY	SUPPLEMENTAL
SW	1/4	SW	1/4	SECTION 4	30.0 ACRES
SW	1/4	NE	1/4		40.0 ACRES
	1/4				40.0 ACRES
				20.3 ACRES	
				28.4 ACRES	
				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

PAGE TWO

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 Applications 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 (F 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 NWM NWM, 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% SE%, 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. Theordore 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.

(Buckhorn Spring also contributes to the flow of Ana River), are located in the SEM NEM, and the NEM SEM of Section 1, T. 30 S., R. 16 E., W. M. and the SWA NWM and NWM SWM, 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.	Priorit Date	y Permittee	Point of Diversion	Extent of Right
14427	10447		1915	Summer Lake Irrigation District	NW/4 SE/4 Sec. 6 T 30 S R17 E	Appropriation of 90 c.f.s. for the irrigation of 6941.2 acres.
4660	3479	3496	1915	William Kittredge	SE% SE% 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% SE% 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/4 SW/4 Sec. 16 or NEW SEM/ Sec. 17 T 30 S R 17 F	Appropriation not to exceed 4 c.f.s. for the irrigation of 320 acres.
13689	10981	11241	1930	J. C. WIlliams	NE% SE% 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% SE% 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 Bight
15510	11407	11974	1934	Imogene Turner	NEW SEW Sec. 17 or NWW SWW Sec. 16 T 30 S R 17 E and Williams Ditch NWW NWW 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/4 SW/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/4 SE/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	SEM SEM Sec. 24 T 30 S R 16 E and SEM SEM 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/4 NW/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 i com 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.
- 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 18 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.

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 AJ are also irrigation wells. Well 7F1 has been authorized by Permit No. U-174. No application has been filed for well Al, which is unfinished.

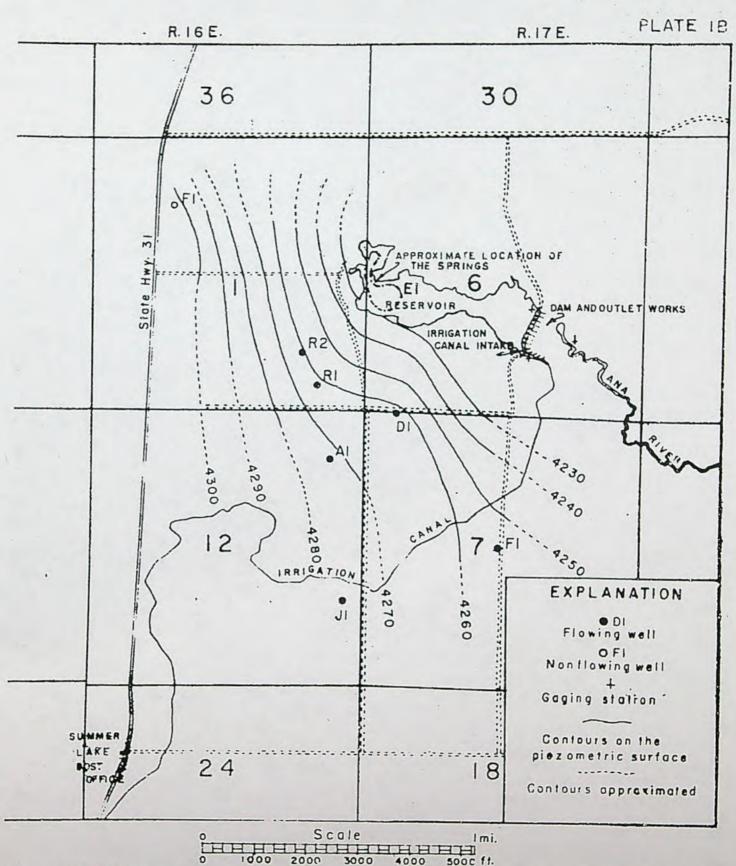
12. The Vancil A. Withers well No. 1 (Pl) was drilled about 1953. It is a 209 foot well, cased with 8-inch casing to a depth of 182 feet. The drillers log of this well is as follows:

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		112
Rock, broken and sand		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 arrasian 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 Ann 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.

- showed that wells R1, R2 (Withers Nos. 1 and 2), D1 (P. R. Williams well), and well 7F1 are all hydraulically connected and obtain water from the same ground water reservoir. Well Al 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.)		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	0.6
				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 onefourth 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 Orogon 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.

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 Arm 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 . 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

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	)	RECONSIDERATION OF A FINAL
T-13337, Lake County	)	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**

- 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.
- On October 18, 2013, the Department approved an extension of time for complete application of water to October 1, 2014.
- 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.

- 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.
- 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.
- 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 scriveenr's error with has been fixed, and some of the language in Condition #7 now condition #9 has been redescribed. Superseding Permit G-XXXXX is issued to replace Permit G-18433.

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

In the Matter of Permit Amendment T-13337, Lake County	)	FINAL ORDER 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	THOMAS A. MACDONALD		
PO BOX 40	PO BOX 87		
SUMMER LAKE, OR 97640	SUMMER LAKE, OR 97640		

## Findings of Fact

- 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.
- On March 14, 1994, the Department approved an assignment of the permit from Robert F. Olson to Summer Lake Trout Farm.
- 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.
- On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
- On September 10, 2010, the Department approved an assignment of the permit from Northwest Farm Credit Services FLCA/PCA to Thomas A. MacDonald.
- On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
- 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.

## 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 defi These are all the old (or original) well location descriptions,

however the permit amendment application specifically re-

16. Permit describes the locations to more accurate to reflect the locations of the wells as they have always been - Should be updated as mate distances between approprequested.

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 ½ 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 ½ 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 ½ CORNER OF SECTION 8	No change
30 S	17 E	wм	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 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 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 (	CULTUR	Œ		
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

- 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 voicanic rocks and sediments. All the wells should receive groundwater only from the higher permeability, higher yielding volcanie 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.

This statement is misleading/ inaccurate. Since the topic of well KE 303 shall be constructed construction is covered on a wellby-well basis in Findings paragraphs 20-27, it should be removed pasin iii.

T-13337.ald

Add "under this permit I is faili statutes and rules, to receive obtain" (consistent with paragraph #10)

Replace only with ve ground "solely" (consistent with Icanic reconsistent with Oregon Irrent per language in Order paragraph mit cond #10)

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.

and the

13337

- 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.
- 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 of a surveyed location shall be provided and a clearly visible monument adjacent to the meter meter shall be installed for the same of the s

This is inconsistent with the Watermaster's determination that due to the artesian nature of the wells, alternate measuring approaches could be used.

formation received from the Watermaster, in order to prevent injury, the Permit It must be conditioned to limit the total number of wells authorized under the 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:

- 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.
- 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.

Add ")"

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 on the previous permit amendment. Recommend deletion.

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, missing the next line of point of appropriation (new and existing). text - See condition

b. The water user shall maintain the meters or measuring devices in good working order.

This statement is misleading/ inaccurate. Since the topic of well construction is covered on a wellby-well basis in Findings paragraphs 20-27, it should be removed

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 pplication authorized and proposed wells generally consists of lower

permeagury 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 well should receive groundwater only from the higher permeabil Add "under this permit canic rocks and sediments below the lower casing and seal extending conReplace only with

permeability, lower shall be constructed least land surface, co consistent with Oregon asin fill and extending into the "solely" (consistent with volcanic rocks and se obtain" (consistent with language in Order

h fill.

language in Order paragraph #10)

6. The flow meter for e paragraph #10) ly 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:

oth additional points of appropriation WELL 10 and WELL 11 are drilled, then ting authorized WELL 3 (LAKE 4444) and WELL 4 (LAKE 3029) shall be hdoned 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.
- 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 VELL 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.

FEB n 4 2021

12. All other terms and conditions of Permit G-18433 remain the same.

Dafad in Salem, Oregon on

isa J. Jaramillo, Transfer and Conservation Section Manager, for

THOMAS MESTLER, DIRECTOR Oregon Water Resources Department

Mailing Date:

FEB n 5 2021

MAE: 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.<sup>1</sup>

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.

Thomas M. Byler Suppliment to Petition for Reconsideration April 13, 2022 Page 2

# 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.<sup>2</sup>

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-intime 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.

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<sup>&</sup>lt;sup>2</sup> 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).



Thomas M. Byler Suppliment to Petition for Reconsideration April 13, 2022 Page 3

## 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)



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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 <u>PA T-13337</u> 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

Fransfer: T- 13337	Tra	ansfer Specialist:	(Pila)		
Transfer Type: Permit Amendme	ent		0000		
Applicant Name/Address/email: THOMAS MACDONALD PO BOX 87 SUMMER LAKE, OR 97640	Agent Name/Address SCOTT D. MON PO BOX 767 TERREBONNE,	NTGOMERY		ame/Address:	
CWRE Name/Number:	Irr. District Name/Ad				
	Current Landowner N	Noma/Addrage	Lake County		
Commentor(s): Name/Address:	(if different than appl				
Permit(s) Affected					
Records Records Marked Copied	App File No. or Decree Name	Permit No.	Superseding	Permit No.	
	G-11640	G-17749			
Key Dates & Initial Actions					
Rec'd: December 26, 2019	Proposed Action(s): P	OINT OF APPR	OPRIATION; PI	LACE OF USE	
Fees Pd: 5300.00	WM District: 12				
Initial Notice: January 7, 2020	WM Review sent: Done:		(		
Acknowledgement Letter Sent:	Date:	6000	dits		
Processing Dates & Actions  Deficiency Contact(s):  Draft Mailed:  If yes, date rec'd okay from agent/a  ODFW contact sheet sent; need'  WM measurement sheet sent; need'  Yes □ or No □	? Yes 🗌 or No 🗌	Liles Good	ags, then then	(ly	
Final Order			V	-	
Reviewer:	15/20	Revi Date Coo Date	Superseding Permit ewer: : : : : : : : : : : : : : : : : : :	reconsider Ce 10/18/2	
Comments/Special Issues:					

# Permit Amendment Checklist

Applicant Name/Address/email: THOMAS MACDONALD PO BOX 87 SUMMER				Rec Landowner Name/Address:		
LAKE, OR 9764	10	TERREBONNE,	OR 97760			
CWRE Name/Number: Irr. District Name			ddress:		cted Gov'ts Name/Address: e County	
Commentor(s): Nan	ne/Address:	Current Landowner I (if different than app				
ermit(s) Affected						
Records Marked	Records Copied	App File No. or Decree Name	Permit No.		Superseding Permit No.	
		G-11640	G-17749			
ey Dates & Initia	Actions					
Rec'd: Decembe		9 Proposed Action(s): P	POINT OF APP	ROPR	IATION; PLACE OF U	
Fees Pd: 5300.00	0	WM District: 12	WM District: 12		ODFW District:	
Initial Notice: Jan	uary 7, 20	020 WM Review sent: Done:			ODFW Review sent: Done:	
Acknowledgemen	t Letter Sen	: 🛛 Date:		GW Review sent: Done:		
Proposing Dates &	Actions			Done		
Deficiency Contacts  Draft Mailed:  If yes, date rec'd ok  ODFW contact s  WM measureme  Yes  or No	(s): ay from age	eed? Yes 🔲 or No 🗌		quired quested ews \$ so ved: iblish se	: ent: nt to newspaper: on received:	
Deficiency Contacts Draft Mailed:  If yes, date rec'd ok ODFW contact s WM measureme Yes Or No	ay from age sheet sent; n	eed? Yes  or No t; need?	not req Date quote re Request for n News \$ receiv Request to pu Affidavit of p Dates of publ	uired quested ews \$ se ved: ablish se publication:	: ent: nt to newspaper: on received:	
WM measureme Yes or No inal Order  Draft Order & So Revie Date Coord Date	ay from age sheet sent; nent sheet sen uperseding ewer:	eed? Yes or No t; need?  Permit Review (Optional)	Date quote re Request for n News \$ receiv Request to pu Affidavit of p Dates of publ  Final Order & Rev Dat Coo Dat	uired quested ews \$ so ved:	seding Permit Review (Sales)	
Deficiency Contacts Draft Mailed:  f yes, date rec'd ok ODFW contact s WM measureme Yes or No nal Order  Draft Order & So Revie Date: Coord	ay from age sheet sent; nent sheet sen uperseding ewer:; dinator:; ature Bin D	Permit Review (Optional)	Date quote re Request for n News \$ receiv Request to pu Affidavit of p Dates of publ  Final Order & Rev Dat Coo Dat	uired quested ews \$ so ved:	: ent: nt to newspaper: on received: seding Permit Review (Sale	

<u>Application</u>	
PR CW	
☐ The type of change is clearly indicated.	
☐ The application is appropriately signed.	
Appropriate fees were paid.  N/A If overpayment, Refund Request submitted	-
Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's)	
☐ 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 p	ermit
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 correneeded)	ctions
☐ 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 appl	icant
☐ N/A If necessary, the permit has been assigned to permit amendment applicant.	cant.
Evaluation Materials	
Application complete Permit Land Use form N/A Plat card	
Amendment Map Permit Map Fees paid N/A Well logs	
Amendment Map Permit Map	
Reviews/comments/conditions received?	GW
N/A Headgate	
N/A Measuring Devices  When in the judgment Prior to diverting  Existing and maintain	
Type of device, if applicable: totalizing flow meter: at new at existing an	d new
Injury: Yes No	
Enlargement: 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

PO BOX 87	The state of the s	WESTERN DEVELOPMENT GROUP LP PO BOX 40 SUMMER LAKE, OR 97640
	I didn't rean to point on Cert paper!	
entered	, and to	of appropriation proposed under Permit approved by Special Order Volume 122, Page, describe extensions of time for complete application of anuary 20, 2012, October 18, 2013, January 16, 2015,
July 28, 201	7, and December 18, 202 (arch 14, 1994, June 12, 1	0 and to describe assignments to new permittees 1995, and September 10, 2010. This permit supersedes

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 1/4 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

<sup>\*</sup>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:

	F	ISH CULT	TURE	
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

		IRRIG.	ATION	1 300	
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

	SUPPLE	MENTA	L IRR	IGATION	
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SWSW	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	NWNW	36.0
30 S	17 E	WM	9	SWNW	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 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 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.

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 and 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.

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

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 40centered FFB 14 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 accurate reflect the locations of the wells as they have always been - Should be updated as requested

pre

PAGE 2

# \*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 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

<sup>\*</sup>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:

	r	ISH CUL	IUKE	
Twp	Rng	Мет	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



		IRRIG.	ATION		
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SENW	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

Twp	Rng	Mer	Sec	Q-Q	30.0 40.0	
30 S	17 E	WM	4	SWSW		
30 S	17 E	WM	5	SW NE		
30 S	17 E	WM	5	SE NE	40.0	
30 S	17 E	WM	5	NESE	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	NWNW	36.0 32.0 30.0	
30 S	17 E	WM	9	SWNW		
30 S	17 E	WM	9	SENW		
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	

Joe

Add ")"

### 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: <

This is repeat of condition # 17 found on the previous permit amendment. Recommend deletion.

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 noint of appropriation (new and existing).

This statement is misleading/ construction is covered elsewhere it should be removed

2

inaccurate. Since the topic of well user shall maintain the meters or measuring devices in good working order. user shall allow the Watermaster access to the meters or measuring devices; |condition #17 owever, where the meters or measuring devices are located within a private

Missing the next line of text - See

removel 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.

may

The flow meter for each well is to be proper shall be constructed 4 within 50 feet of the well head with a clearl consistent with Oregon surve ed location shall be provided and a cl statutes and rules, to installed for each meter more than 50 feet friobtain" (consistent with

ined. Each replace only with Add "under this permit "solely" (consistent with acent to ti language in condition #8) t adjacent to the meter shall be language in condition

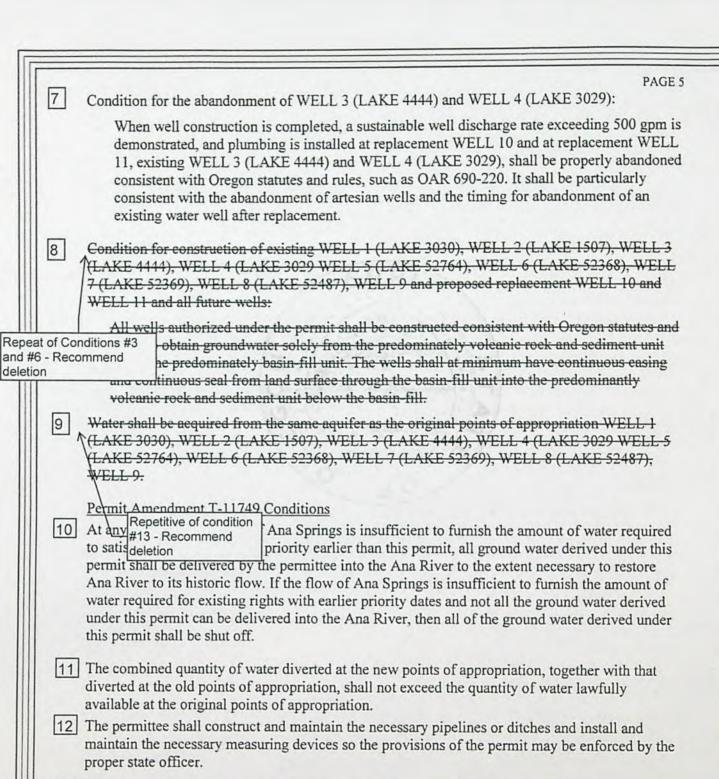
5 \* No more This is inconsistent with the Watermaster's determination

If I that due to the artesian nature ex of the wells, alternate measuring approaches could ab be used. Also inconsistent with for 17a, which addresses the same topic.

priation WELL 10 and WELL 11 are drilled, then KE 4444) and WELL 4 (LAKE 3029) shall be arrent well construction standards, and will result in a one and WELL 4:

ermit G-18433. Therefore:

- 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.



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

unless the Department authorizes the change in writing.

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.

PAGE 6

- The Additional Point of Appropriation Well #9 and the new Point of Appropriation Well #5 shall 15 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.
- Prior to using water from any well listed on this permit, the permittee shall ensure that the well 16 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: 17
  - 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.

another permit extension, it seems inconsistent/confusing to include the prior last extension condition

The wells shall be constructed in accordance with the General Standards for the Construction and In light of the decision to grant Vater Wells in Oregon. The works shall be equipped with a usable access port, ude and airline and pressure gauge adequate to determine water level elevations mes. When required by the department, the permittee shall install and maintain ump updated ther suitable measuring device, and shall keep a complete record of the amount rithdrawn. Artesian wells must have control valves installed to regulate the

flow of water.

Prior to receiving a certificate of water right, the permit holder extension final order, which test meeting the Department's standards, to the Water Resource extended the BU date to Oct. require water level or pump test results every ten years thereaf

This language is inconsistent with the Dec. 18, 2020

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.

Water Resources Department

**PERMIT G-18433** 

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 landuse goals and any local acknowledged land-use plan.

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

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 0 4 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, with approximate distances between 103 feet and 3720 feet from the existing points of appropriation, as follows:

Twp	Rng	Rng Mer Sec Q-Q Measured Distances			Measured Distances	Proposed Change
30 S	OS 17E 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 1/4 CORNER OF SECTION 8	Location Re-description
30 S	17 E	E WM 8 NE NW WELL 3 – 575 FEET SOUTH AND 135 FEET WEST FROM THE NORTH 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 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 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 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 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 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 (	CULTUR	Œ	
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 nox 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-XXXXX, 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 - reconsidedration final - Copy.docx; Petition for Reconsideration

4829-1791-075f

T-13386 CC

Good Morning,

Attached is the reconsideration order for Perm review and let me know if there are any further suggestions. Feel free to add to the document finalized and issued before the end of the year. Thank you are

of if you have questions or on. I would love to be able to have this 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

# 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 - reconsidedration final - Copy.docx; Petition for Reconsideration

4829-1791-0756 v (004).pdf

# 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 of 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 faired 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.

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).

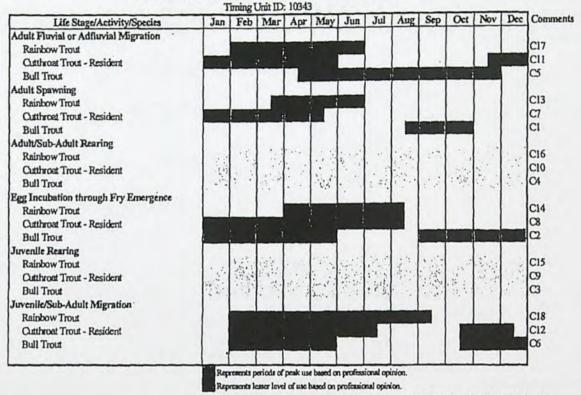
	Basin	Instream	Instream	USACE	Oregon	
	Information	Water	Flow	releases	Chub	Oregon
	Report	Right	point	at Blue	Flow	Department of
	Oregon	(minimum	(from	River +	needs	Fish and Wildlife
	Method River	flow #528)		Cougar		Recommended
	Mile 7.1 area	(cfs) (RM	RM 7.1)	Dams	1	Flow
Month	(cfs)	7.1) (cfs) <sup>2</sup>	(cfs)	(cfs)		(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 <sup>1</sup>	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

<sup>1 -</sup> 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.

<sup>2 -</sup> 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: <a href="http://nrimp.dfw.state.or.us/nrimp/default.aspx?p=331">http://nrimp.dfw.state.or.us/nrimp/default.aspx?p=331</a>)

#### McKenzie Rabove Blue R - Non-Anadromous Species



Represents periods of presence, either with no level of use CR 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.
  - CS 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: <a href="http://nrimp.dfw.state.or.us/nrimp/default.aspx?p=331">http://nrimp.dfw.state.or.us/nrimp/default.aspx?p=331</a>)

#### McKenzie Rabove Blue R-Anadromous Species Timing Unit ID: 10343 Jan Feb Mar Apr May Jun Jul Ang Sep Oct Nov Dec Comments Life Stage/Activity/Species Upstream Adult Migration Summer Steelhead Œ Spring Chinook salmon CI Adult Spawning C8 Summer Steelhead Soring Chinook salmon C3 Adult Holding Summer Steelhead C7 (2 Spring Chinook salmon Fgg Incubation through Fry Emergence Summer Steelhead C Spring Chinook salmon Juvenile Rearing C10 Summer Steelhead Spring Chinook salmon Downstream Juvenile Migration Summer Steelhead CII Spring Chinook salmon CS 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 CR 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

- CI 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
- CS 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 it's 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

inte E. Mililia

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

			91/95			
	Apr 11 1892	(9)	Irrigation	Upper Ditch	Granite Creek	14 acres in NS15W1 27 acres in SS15W1 Section 9, 8 acres in NENW1 Section 16, T. 24 S. R. 58 B. W. H.
	April 1 1892	22	Irrigation	Rye Grass	Fickey Creek	8 scres in NaiSWi 14 scres in SaiSWi Section 6, T. 24 S. R. 58 E. W. M.
Woodruff, Ella	1884	65				
Vale, Oregon.	1004	000	Irrigation	Harris	Bully	40 acres in NELWY
	T		ag lands are a	lso irrigat		4 acres in Swinwi. Section 4, T. 19 S. R. 44 E. W. H.
					alrady Suph	Section 4, T. 19 S. R. 44 E. W. M.
Woodward, Tom L. Juntura, Oregon.	June 1898	120.5	Irrigation	Saott	Horth Fork Malbeur	25 acres in Lot 3(NBING) 16 acres in Lot 4(NVINVA) 40 acres in SEASE 36 acres in SWISE 3.5 acres in Lot 2(NVINDA) 56ction 1, T. 21 S. R. 37 E. W. M.
1	1884	129	Irrigation	Williams	Middle Fork Malheur	35 acres in NW1NB1 20 acres in SW1NB1 38 acres in NB1NW1 36 acres in SW2NW1

4.0 acrs in SWNW -4 ORR

21 acres in NENW -99 11, 1 RR 11.8 gares RR above + 44 below ditch 55.8 RR

COPY Permit G-12506 (Appl G-14031)

### 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

Final Order: Permit G-12506, modified by Permit Amendment T-8352

Page 1 of 3

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

Water Right Services Division Administrator, for

Director, Oregon Water Resources Department

Final Order: Permit G-12506, modified by Permit Amendment T-8352 Page 2 of 3

- 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

Final Order: Permit G-12506, modified by Permit Amendment T-8352 Page 3 of 3 Damon's property.

1-17-19 MikeLadd 869 - Brian Ihomas (filed 7-31-14) amon's vight Permit Extension expired said no newbecause to change A process

	· Permit G-12506
	- Ext Fo issued 9-12-2014
	W/ a Condition stating:
	W/ a Condition Stating:  " This is to be the last
	extension of time granted for
	Permit 6-12506. Any future
	ext. of fine will be Lenied."
	- Extended from Oct. 1, 2012 to Oct 1, 2017.
-	

If allow another Permit · This could stave off litigation -> Sue the Dept. @ Hate to have Det le trate to have a permit amend pending pending onother Ext. > We will accept The have to pay fee - We will get the P.A. all ready to go so can issue as soon as Ext extension issued 9-12-14 to extend to: -10-1-2017 - conditioned to state 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 the amended Maps + Completed

## 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: • 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: • 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:  • 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:  • 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

\$

G-12506



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

Trigury from 25323
25813
25810 > monny water / return flow
25809

Sub imigation - cant move

Cant dry it up = from lands
24983

Jules and the PN of 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 inground 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 \$	1 E	WM	18	NE SE	WELL 3 – 590 FEET SOUTH AND 1290 FEET WEST FROM THE E½ CORNER OF SECTION 18
3 S	1 E	WM	18	SE SE	WELL 4 – 1640 FEET SOUTH AND 515 FEET WEST FROM THE E½ CORNER OF SECTION 18
3 \$	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 E½ CORNER OF SECTION 18

#### Authorized Place of Use:

		NURSE	RY		
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:

Accretion = Coburg Gage value - (Mohawk Gage value - 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 stongly correlated with streamflows of the Mohawk River (Figure A-1) during the storage season. This make 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

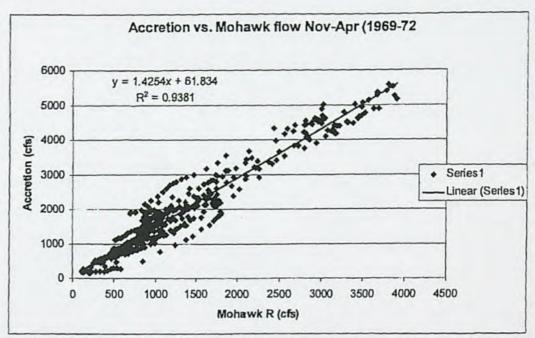


Figure A-1. Accretion vs. Mohawk flow

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:

Flow RM 14 (cfs) = Vida flow (cfs) + 1.4254 (Mohawk flow (cfs)) + 61.8 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.

Flow RM 14 (cfs) = Vida flow (cfs) + 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 #: 5	87990	Applicant's Name:	Rick Mailion			
1) Does the affect	ed surface wate	r source flow above g	round in a defined channel into anoth	er water bo	ody?	
⊠ YE	s 🗆	NO S	OMETIMES; between year round and	d		
2) Does the affect	ed surface wate	r source ever go dry in	the area of the proposed diversion?	☐ YES		NO
3) To your knowle including instream			ource of water been regulated because NO	e of insuffic	cient flow	to satisfy existing water rights
If YES,	please explain:	Source is the McKenz	tie R March through May for temp co	ontrol and s	tored wate	r for irrigation
	vith the specific	d water availability, a	nd the recommended period of use?	⊠ YES	□NO	☐ I DON'T KNOW
5) Did you discus Who:	s this application Agency:	n with staff from anoth	her agency? YES NO			
6) If the Initial Re	view is unfavor	able, is mitigation an	option? YES NO			
If YES,	please explain:	N/A				
7) What condition	s do you recom	mend? Metering and t	he ususal.			
8) Your recommen	ndation under O	AR 690-033-0330 (2)	: Approval with conditions Approval without conditions Denial			
Watermaster Sign	ature: Michael J	. Mattick Date: 10/1	5/2014			
WRD Contact:	Caseworker:	Kim French Gorski \	Vater 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

bly

Not withstanding 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.

The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment b5 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.

The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not futile call otherwise flow into a tributary of the \_\_\_\_\_\_ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration riparian 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 wq meet existing state or federal water quality standards due to reduced flows.

The stream and its adjacent riparian area shall be fenced to exclude livestock. fence

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 prospective 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.



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



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, Assistant District Fish Biologist Date: 09.11.2014
WRD Contact: Caseworker: Kim French, Water Rights Division, 503-986-0900 / Fax 503-986-0901

# **DEO** 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.

Applicant's Name: Robert Manion, Ailene Manion

 Is there a connection to a 303(d) listed water quality limited water body?

NO XYES Explain: Yes, Courtney Creek is LOW 2) What is the potential for this use to impact a water quality limited water body: 

HIGH 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 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

Check with ODF W

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

Application #: S 87990

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.

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

Not withstanding 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.
- The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before b5 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.
- Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead b58 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.
- The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer wq meet existing state or federal water quality standards due to reduced flows.
- The stream and its adjacent riparian area shall be fenced to exclude livestock. fence
- Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an bly 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.



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

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

# Request for Assignment OWRE

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.

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 # 5-87990; Permit # 5-54944; Transfer # ; Limited License # ; Groundwater Statement # Amber Vackson + Brian Chekson McKenzie Huy. Springfre(d of 97475 (City) (State) (Zip) (Phone #) 25,5n-Approve 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 ... RTH 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 10-2020 day of January, 20 20.
(Day) (Month) (Year) Signature of Current Holder of Record Polent Joseph Hallert 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 # /3/142
For Director by Mary F. Bjork. 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.



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.

71	ne of Current Holder of Record)	Fuero	no OP	97408	
31439 Coburg Bottom Loop Mailing Address)		(City)	(State)		(Phone #)
Z]	hereby assign all my interest in and to the entire (example, sold all the land authorized to	application/perrunder the right)	nit∕transfe	er/limited lic	ense/groundwater statement;
	hereby assign all my interest in and to a portion statement; (You must include a map showing the license/groundwater statement to be assigned.	e portion of the a	application	n/permit/trai	nsfer order/limited
	hereby assign a portion of my interest in and to statement; (example, adding an additional person		ation/perr	nit/transfer/l	imited license/groundwater
	Application # 1.87990 Perm	it# <u>\$54944</u>	; T	ransfer #	;
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Nam	ne of New Owner)				
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Nord Wi	te: If there are other owners of the property descri groundwater statement, you must provide a list this form. Write the initials (first letters) of you x I hereby certify that I have notified all other of der, limited license, or groundwater statement of the	Spring (City)  Shed in the application of all other own our first and last nowners of the properties o	eation, per ers' name names at the perty des	(Zip)  mit, transferes and mailing the spot indicate in this.	(Phone #)  order, limited license, or a addresses and attach it to cated below RP

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt of Salept, Oregon.

Fee receipt #12577
For Director by Jerry Savyer Program Afalys
Water Rights Division #10 Journal

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

nequest for Assignment

RECEIVED
WR
JAN 2 9 2018

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

	the Matter of Permit Amendment -13337, Lake County	)	FINAL ORDER APPROVING CHANGES IN POINTS OF APPROPRIATION AND A CHANGE IN PLACE OF USE
Δ1	uthority	,	CIME TOD IN TERTOD OF GOD
Or ho	egon Revised Statute (ORS) 537.211 es		the process in which a water right permit appropriation and/or place of use authorized
Ap	pplicant		
P	VESTERN DEVELOPMENT GROUP I O BOX 40 UMMER LAKE, OR 97640	_P	THOMAS A. MACDONALD PO BOX 87 SUMMER LAKE, OR 97640
Fir	ndings of Fact		
1.	points of appropriation Department assigned th		ONALD, filed an application to change the
2.	On March 14, 1994, th Olson to Summer Lake	ok	permit from Robert F.  edits ermit from Summer Lake
3.	On June 12, 1995, the Trout Farm to Key Ba	ee 4	edits ermit from Summer Lake
4.	On January 10, 2008. application of water	lem	ne for complete  of the permit from Summer Lake
5.	On September 10, 20 Northwest Farm Cre  50	od 4	
5.	On January 20, 2012, une per application of water to October 1, 201	2.	lally ime for complete

 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.

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

In the Matter of Permit Amendment T-13337, Lake County	)	FINAL ORDER APPROVING CHANGES IN POINTS
1-13337, Lake County	)	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	THOMAS A. MACDONALD
PO BOX 40	PO BOX 87
SUMMER LAKE, OR 97640	SUMMER LAKE, OR 97640

#### Findings of Fact

- 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.
- On March 14, 1994, the Department approved an assignment of the permit from Robert F. Olson to Summer Lake Trout Farm.
- 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.
- On January 10, 2008, the Department approved an extension of time for complete application of water to October 1, 2010.
- On September 10, 2010, the Department approved an assignment of the permit from Northwest Farm Credit Services FLCA/PCA to Thomas A. MacDonald.
- On January 20, 2012, the Department approved an extension of time for complete application of water to October 1, 2012.
- 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.

- On January 16, 2015, the Department approved an extension of time for complete application of water to October 1, 2016.
- On July 28, 2017, the Department approved an extension of time for complete application of water to October 1, 2020.
- 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.
- 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 ->
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	58	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

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

	FISH (	CULTUR	RE	
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 thetiming 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:

- The change in points of appropriation and change in place of use proposed by Permit Amendment Application T-13337 are approved.
- 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.

- 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.
- 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 thetiming 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.

- 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	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.

MERSONS SUSCESSION 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:

	F	ISH CUL	TURE	
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

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

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	NWNW	36.0
30 S	17 E	WM	9	SWNW	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 and 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 landuse goals and any local acknowledged land-use plan.

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

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

Applic	cant Name: Thomas Macdonald
Propo	osed Changes: POU POD POA USE OTHER
Revie	wer(s): Brian Mayer  Date of Review: 07/02/2020
1.	Do you have <u>evidence</u> that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2.	Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes V 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 Vo 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:

Watermaster Review Form Transfer Application

	porary transfer of this nature been previously filed and approved on the same lands as 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:

TACS

Watermaster Review Form		Transfer Application
12. Are there other issues not identifi determining whether the change	ed through the above questions that s "can be effected without injury to oth	hould be considered in er rights"?
Yes No If "Yes", expl	ain:	
See Pg.9 paragraph 6, Condition for review.	the construction or reconstruction of exis	ting POA; of the Groundwater
13. What alternatives may be availab	le for addressing any issues identified	above:
See Pg. 9 paragraph 5, Cond	ition for the abandonment; of the G	roundwater review
14. Do conditions need to be included other rights? No Ves, a	d in the transfer order to avoid enlarge as checked and provided below:	ement of the right or injury to
For POU changes that involve necessary to prevent injury,	ve micro-irrigation, provide the monito enlargement:	oring and reporting conditions
A Headgate should be requ	ired prior to diverting water.	
	OD or POA: (if this condition is selecte	d, also fill in the top
or, with prior approval of diversion/appropriation with the exception	y begin under this order, the water user so f the Director, another suitable measuring (new and existing) OR at each new point that water rights issued to the Bureau of are not subject to this condition.	device, at each point of of diversion/appropriation
b. The water user shall	maintain the meters or measuring device	s in good working order.
however, where the met	allow the Watermaster access to the met ers or measuring devices are located with est access upon reasonable notice.	
Reservoir water use measur of Page 4)	rement: (if this condition is selected, a	so fill in the top sections
or, with prior approval o	y begin under this order, the water user s f the Director, other suitable measuring d n empty and full in each reservoir. Staff go	evices, that measure the entire
suitable measuring devid adjustable outlet valve n order. A written waiver	y begin under this order, if the reservoir in ses must be installed upstream and downs must be installed. The water user shall ma may be obtained, if in the judgment of the g devices, or the adjustable outlet valve, w	tream of the reservoir, and, an intain such devices in good working Director, the installation of weirs or
* The following alternative device selected condition:	(s) should be substituted for the bold	, underlined device in the above
Selected condition: Weir	Submerged Orifice	
Parshall Flume	Flow Restrictor	
Other:		
TACS	Page 4 of 5	Last revised May 2019

### **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 <u>prior to diversion of water</u> , as a condition of this transfer:  at each point of diversion/appropriation (new and existing) OR  at each new point of diversion/appropriation.	
For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:	
Watermaster name: Brian Mayer	
District: 12	
Address: 513 Center St.	
City/State/Zip: Lakeview OR 97630	
Phone: 541.947.6038	
Email: brian.m.mayer@oregon.gov	
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 ap 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:	

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

Watermaster signature

District

Date

## **Groundwater Transfer Review Summary Form**

Transfer/PA # T- <u>13337</u>	
GW Reviewer <u>Gerald H. Grondin</u>	Date Review Completed: 21 April 2020
Summary of Enlargement (Same Source) Rev	iew:
☐ The proposed transfer fails to keep the ori source.	iginal place of use from receiving water from the same
Summary of Injury Review:	
	er, existing water right not receiving previously available a significant interference with a surface water source.
Summary of Similarity Review:	
☐ The proposed SW-GW transfer doesn't me	eet the definition of "similarly" as per OAR 690-380-2130.
☑ None of the Above	
This is only a summary. Documentation is attobasis for determinations.	ached and should be read thoroughly to understand the



#### Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271 (503) 986-0900

Ground Water	r Review Form:
☐ Water R	light Transfer
⊠ Permit A	Amendment
☐ GR Mod	lification
☐ Other	

W	vw.wrd.state.	or.us		
Application: T-1333	7		Applicant Name:	Thomas A. MacDonald
Proposed Changes:	⊠ POA □ USE	⊠ APOA ⊠ POU	□ SW→GW □ OTHER	□ RA
Reviewer(s): Gera	ld H. Grond	<u>in</u>	Date of	of Review: 21 April 2020
		Date Reviewed	l by GW Mgr. and R	eturned to WRSD: JTI 4/30/2020
The information pro transfer may be appr			ufficient to evaluate	whether the proposed
☐ The water well affected by the		ded with the app	lication do not corre	spond to the water rights
				on of the well construction proposed to be developed.
□ Other				

above).

si	1987 & 1990: Original Application (G-11640) in 1987 and subsequent Permit (G-1102) and in 1990: authorized 4 wells (Wells #1, #2, #3, #4) not yet drilled (see Map 1a, 1b, & 1c a
T	able 1) allowing a maximum instantaneous total discharge of 17.8 cfs for fish culture a rigation (50.10 primary POU acres and 569.60 supplemental POU acres).
-	The permit included the following condition to protect senior water rights related to A
S	orings / Ana River:
	"At any time when the flow of Ana Springs is insufficient to furnish the amount of water requir
to	satisfy existing rights with priority earlier than this permit, all ground water derived under t
	ermit shall be delivered by the permittee into Ana River to the extent necessary to restore Ana Riv
to	its historic flow.
n	The permittee shall construct and maintain the necessary pipelines or ditches and install a aintain the necessary measuring devices so the provisions of the permit may be enforced by
	roper state officer."
_	This language was / is a modification of what was proposed by the reviewing hydrogeolog
V	ho in February 1990 recommended a special permit condition similar to Order volume
	ages 125 to 135 dated July 1959 related to nearby permit G-1388 (file G-72, Withers) (
<u>a</u>	tached Documents #1, #2, and #3):
	"If at any time in the Director's judgement, the flow of Ana Springs is insufficient to furnish
	nount of water required to satisfy existing rights with priority earlier than the priority of the per
h	erein authorized, use and/or flow from the wells shall cease. Alternatively, the permittee shall oper
11	wells and construct works to deliver one-fourth of the total water withdrawn into the Ana Spring
	eservoir or into the main canal of the Summer Lake Irrigation District. The quantity of water Livered shall not be charged against the water allowed for the uses authorized from these wells.
a	In my view, some interference with the current supply at Ana Reservoir appears certain from
,	roposed use."
P	oposed lise.
_	2008: Permit Amendment Application (T-10716) in 2008 and subsequent Amended Per
(	mended G-11024) signed in 2008: identified the original authorized 4 POA wells (Wells #1,
	3, #4) that had been drilled, amended their locations, and authorized 4 more POA wells (W
#	5, #6, #7, #8) not yet drilled (see Map 2a, 2b, & 2c and Table 1). It continues allowing
	aximum instantaneous total discharge of 17.8 cfs for fish culture and irrigation (50.10 prim
P	OU acres and 569.60 supplemental POU acres).
_	
_	2014, 2016, 2017: Permit Amendment Application (T-11749) in 2014 and subsequent Per
	G-17282) signed in 2016 superseded by a subsequent Permit (G-17749) signed in 2017 t
_	akes corrections to Permit G-17282: amended the locations of POA Wells #5, #6, #7, and
_	reviously authorized in 2008, identifies POA Wells #6, #7, #8, changed ("replace") POA V
_	due to original POA Well #5 not producing sufficient quantity (new POA Well #5 reported)
_	ot yet drilledhowever, subsequent 2019 & 2020 application T-13337 identifies POA Well
a	a well reportedly drilled in 2010), and authorized an Additional POA Well (Well #9) not
12	rilled (see Map 3a, 3b, & 3c and Table 1). It continues allowing a maximum instantaneous to
d	scharge of 17.8 cfs for fish culture and irrigation (50.10 primary POU acres and 569 applemental POU acres).

## 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<sub>RES</sub>) 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 x  $10^6$ gpd/ft = 260,677 ft<sup>2</sup>/day Storage coefficient ( $S_V$ ) = 0.00029

Transfer Application: T-13337

Ana Spring discharge rate  $(Q_{AS})$  to Ana Reservoir relationship to the height of the groundwater level above the reservoir pool level  $(H_{GW})$ :

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:

 $Q_{AS} = C (H_{GW} - H_{RES})$  or Change in  $Q_{AS} = C [(H_{GW1} - H_{RES1}) - (H_{GW2} - H_{RES2})]$ 

where: QAS = Ana Spring discharge rate in cfs (ft3/s) to Ana Reservoir

H<sub>GW</sub> = groundwater elevation (ft amsl)

H<sub>RES</sub> = reservoir pool elevation (ft amsl)

C = proportionality constant = 1.63 ft<sup>2</sup>/s = 140,832 ft<sup>2</sup>/d

The value for C was derived from the Brown (1957) observation that a 2.7-foot change in (H<sub>GW</sub> - H<sub>RES</sub>) resulted in a 4.4 ft<sup>3</sup>/s change in Q<sub>AS</sub>

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<sub>AS</sub>) to Ana Reservoir has likely decreased from historic rates 15 cfs (ft²/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 (ft³/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

Transfer Application: T-13337

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 vielding 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 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
vet drilled) and/or proposed APOA well #11 (not vet 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 vet drilled) and/or proposed APOA well #11 (not vet 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.

Transfer Application: T-13337

Owner/POA	Well #9 (likely LAKE 53062 & LAKE 53078): the geologic materials described the report LAKE 53062 indicates the well is open to receive groundwater from the
in the water we	The 10-foot thick volcanic deposit noted on the water well report appears to b
basin-fill only.	The 10-100t thick voicanic deposit noted on the water well report appears to b
an interped "sti	ringer" within the basin fill. Current existing permit condition requires this well
	ed to receive groundwater solely from the volcanic rocks and sediments below th
basin fill.	
Owner/POA	Well #10 (not yet drilled): permit amendment should require this well to receive
groundwater so	slely 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 so	olely from the volcanic rocks and sediments below the basin fill.
	than one source developed under the right (e.g., basalt and alluvium)?
	I no. The 9 existing authorized wells are open to receive groundwater from the
basin-fill and/o	r the volcanic rocks and sediments. See section 2 above.
h) If was astimat	to the neution of the right supplied by each of the sources and describe any limitation
	te the portion of the right supplied by each of the sources and describe any limitation be placed on the proposed change (rate, duty, etc.):
Not estimate	ed. Likely more than 90 percent of the groundwater discharge is from th
	and sediments below the basin fill based on review of the water well reports fo
THE FRUIT IZES	
interference with	posed change, at its maximum allowed rate of use, likely result in an increase in another ground water right?  Comments:
Assuming al	I the groundwater discharge is from the volcanic rocks and sediments below th
basin fill, the in	creased seasonal drawdown at the nearest water right POA well for the T-1333 ion 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. Thes
	right POA wells should be able to easily accommodate the increased seasona
drawdown.	
groundwater righ	this proposed change, at its maximum allowed rate of use, likely result in another not receiving the water to which it is legally entitled?
☐ Yes   ☑ No	If yes, explain:
See part 4a a	bove.

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 the springs of the spr						
				interference.		
b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference						
b) If ves, at its maximum allowed rate of	use, what is the	expected change in degree of interference				
with any surface water sources resulting	from the propo	sed change?				
with any surface water sources resulting Stream: Ana Springs / Ana Reservoir Stream:	g from the propo Minimal  Minimal	osed change?  Significant Significant				
with any surface water sources resulting Stream: Ana Springs / Ana Reservoir	g from the propo Minimal  Minimal	osed change?  Significant Significant				
with any surface water sources resulting Stream: Ana Springs / Ana Reservoir Stream: Provide context for minimal/significant in	g from the propo Minimal  Minimal  mpact:	osed change?  Significant Significant				
with any surface water sources resulting Stream: Ana Springs / Ana Reservoir Stream:	g from the propo Minimal  Minimal  mpact:	osed change?  Significant Significant				
with any surface water sources resulting Stream: Ana Springs / Ana Reservoir Stream: Provide context for minimal/significant in	g from the propo Minimal  Minimal  mpact:	osed change?  Significant Significant				
with any surface water sources resulting Stream: Ana Springs / Ana Reservoir Stream: Provide context for minimal/significant in See part 5a above.	g from the propo	osed change?  Significant Significant				
with any surface water sources resulting Stream: Ana Springs / Ana Reservoir Stream: Provide context for minimal/significant in See part 5a above.	g from the propo	osed change?  Significant Significant of diversion affect the surface water source				

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 ¾ 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."

Ground Water Review Form

Transfer Application: T-13337

Any additional comments:		
No additional comments.		

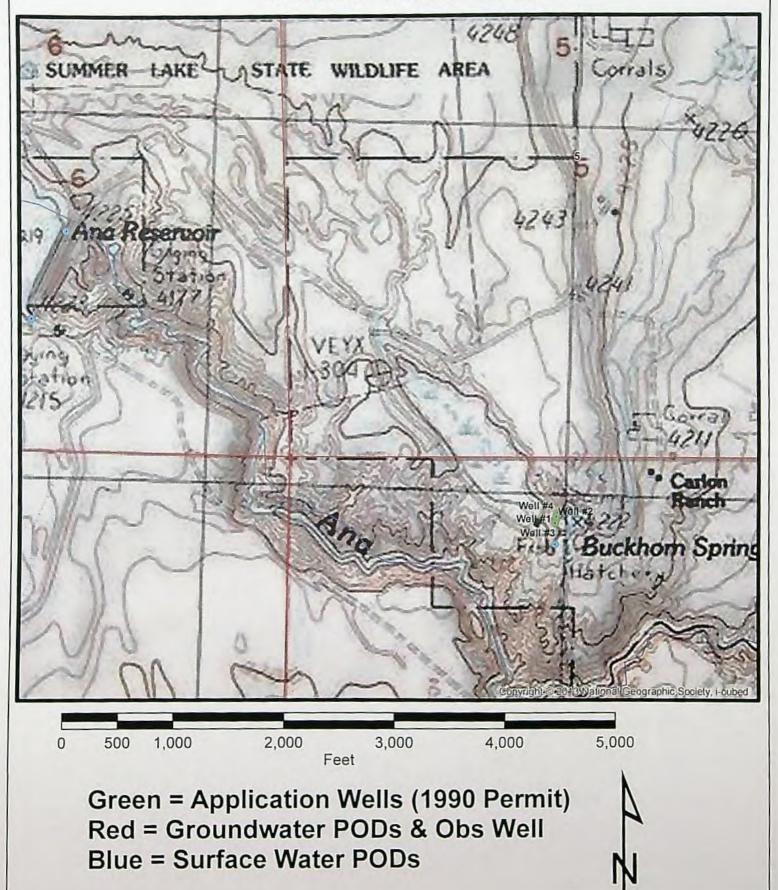
#### Reference:

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

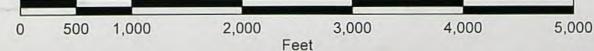
Groundwater Permit Amendment Application T-13337

Thomas A. MacDonald



## Map 1b Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald

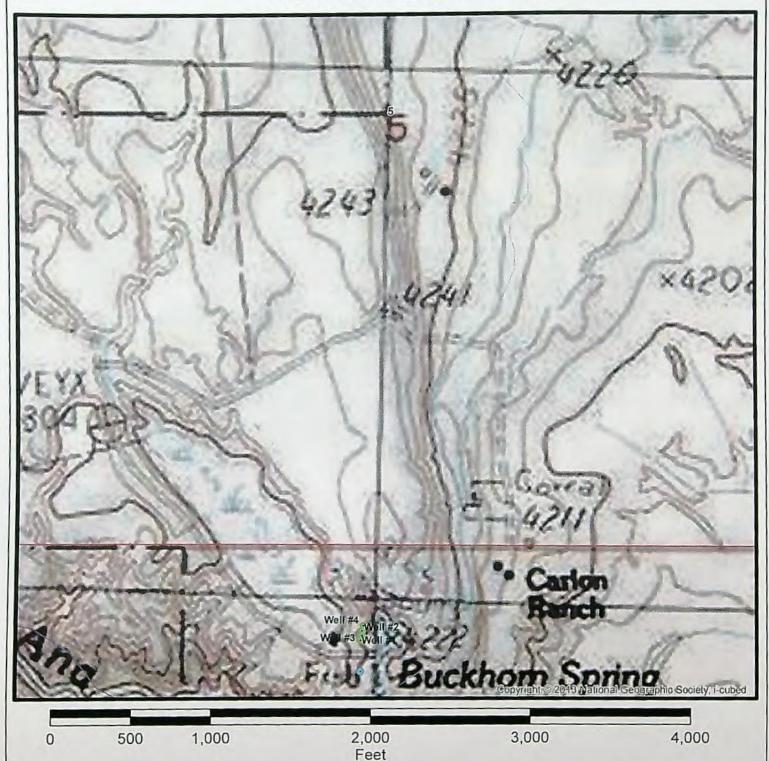




Green = Application Wells (1990 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



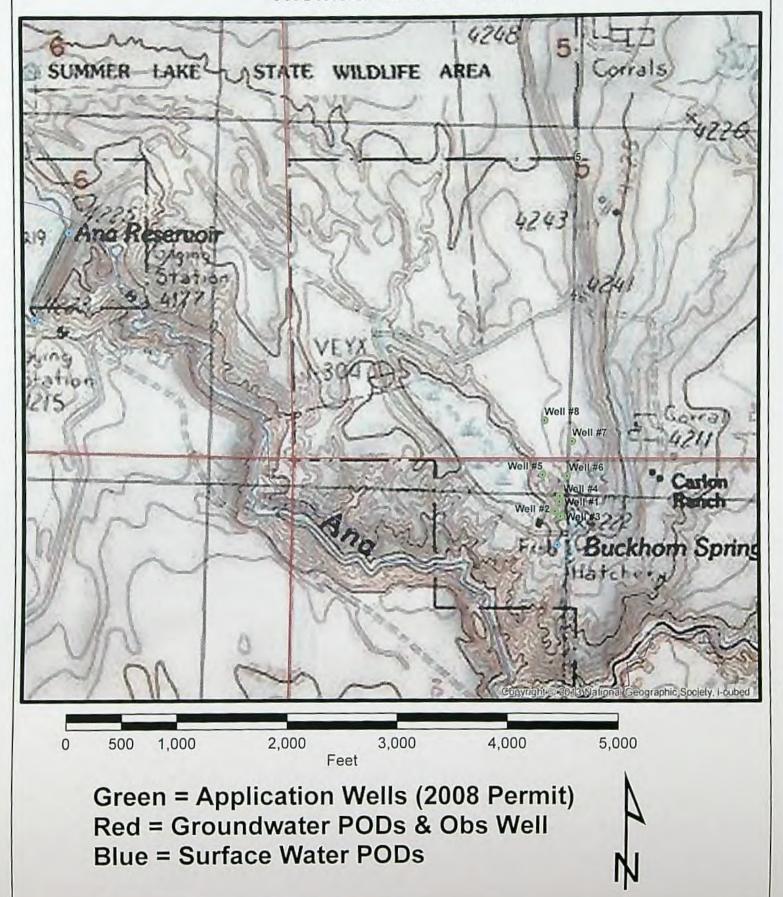
Map 1c
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



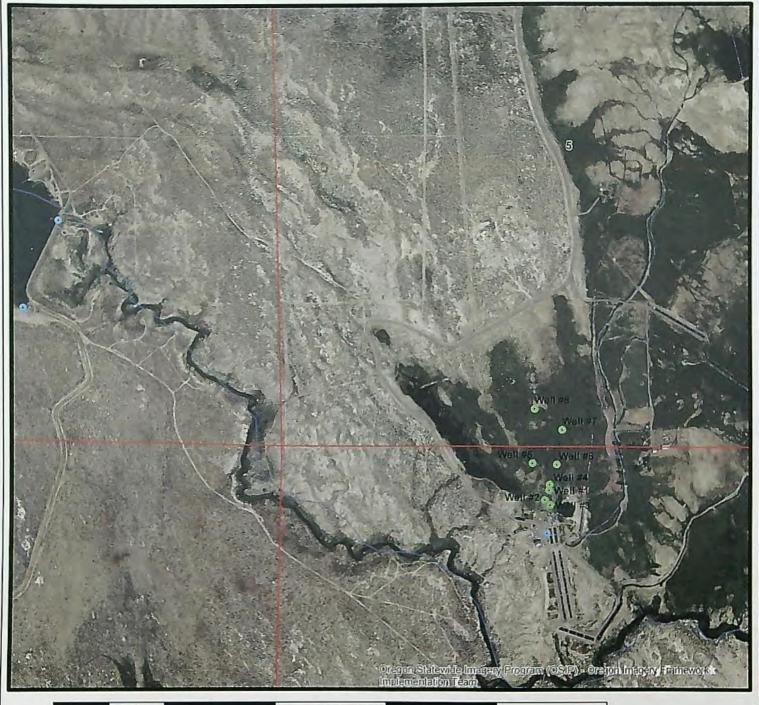
Green = Application Wells (1990 Permit) Red = Groundwater PODs & Obs Well Blue = Surface Water PODs



Map 2a
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald

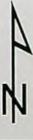


# Map 2b Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald

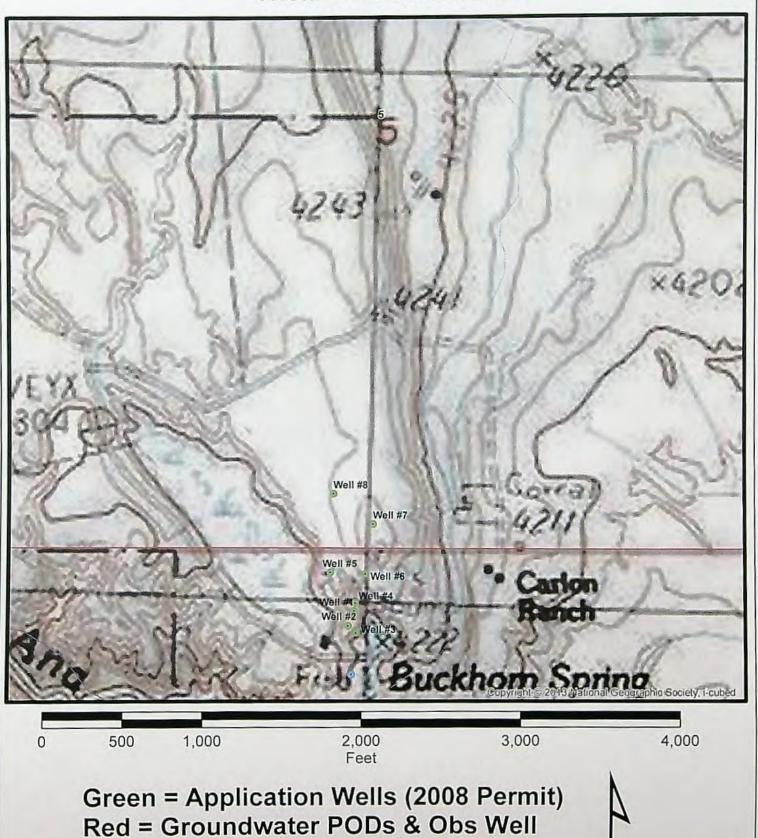


0 500 1,000 2,000 3,000 4,000 5,000 Feet

Green = Application Wells (2008 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs

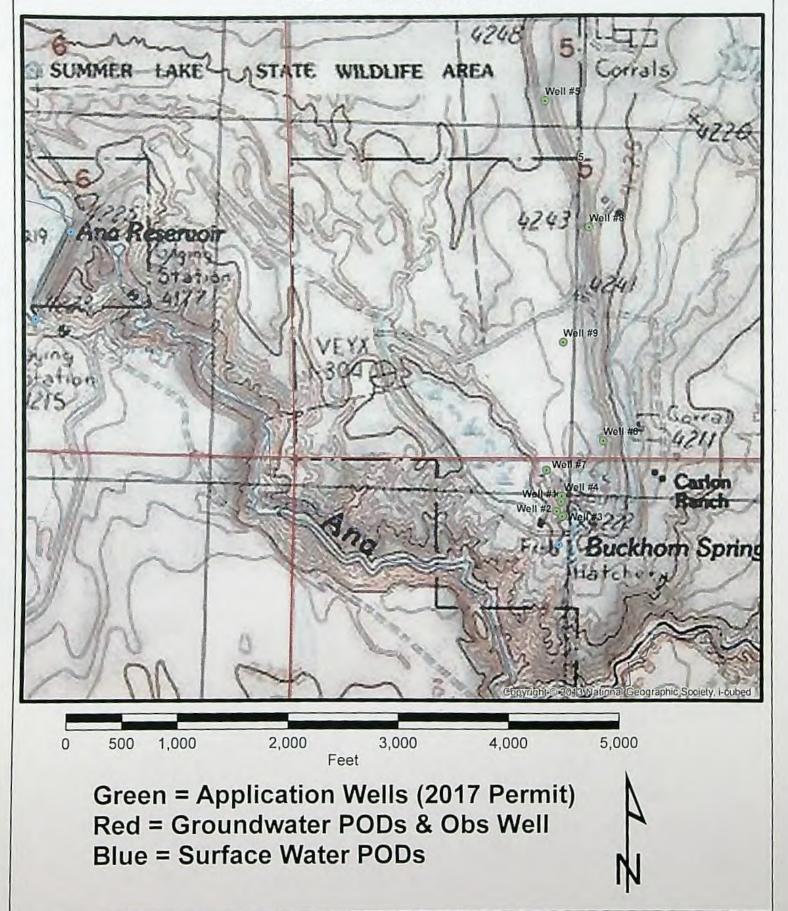


## Map 2c Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald



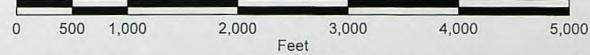
Blue = Surface Water PODs

## Map 3a Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald



## Map 3b Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald

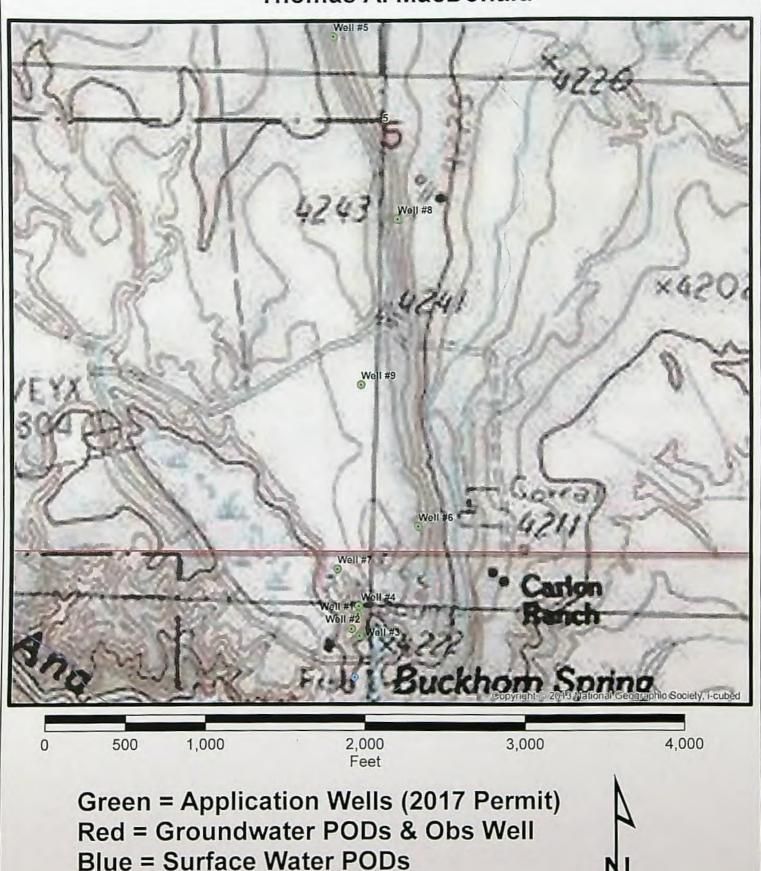




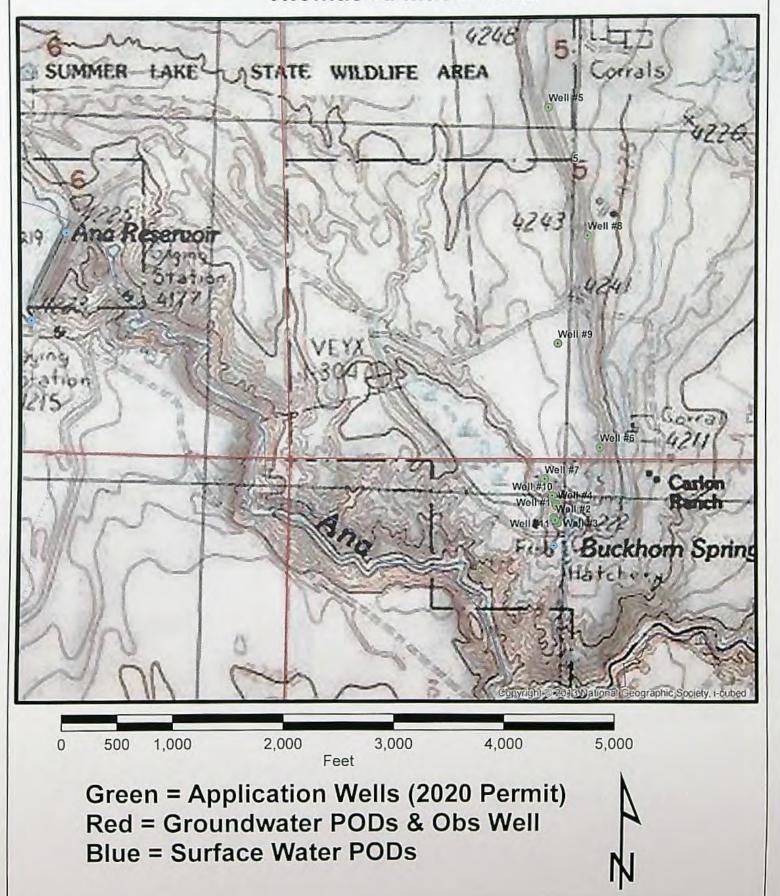
Green = Application Wells (2017 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



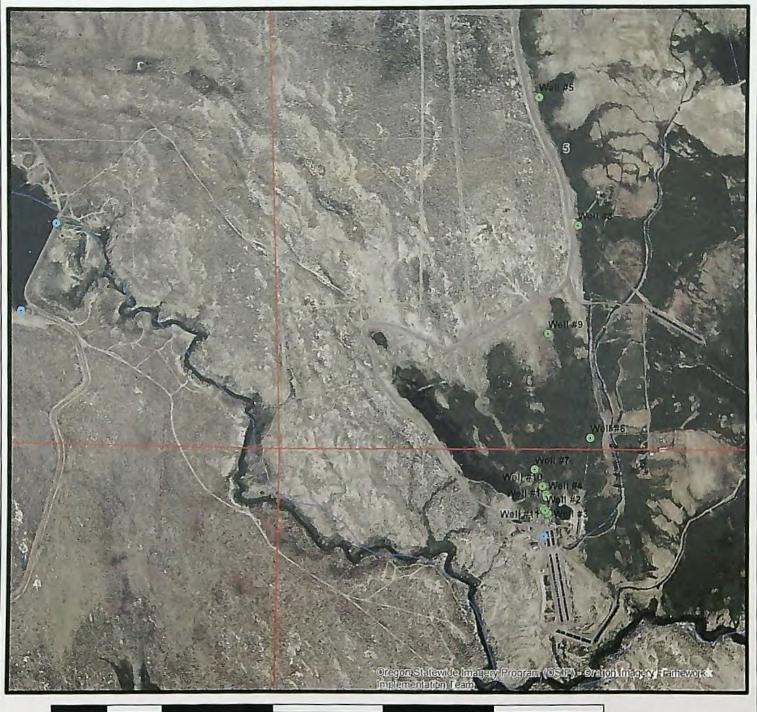
# Map 3c Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald

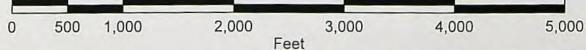


## Map 4a Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald



# Map 4b Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald

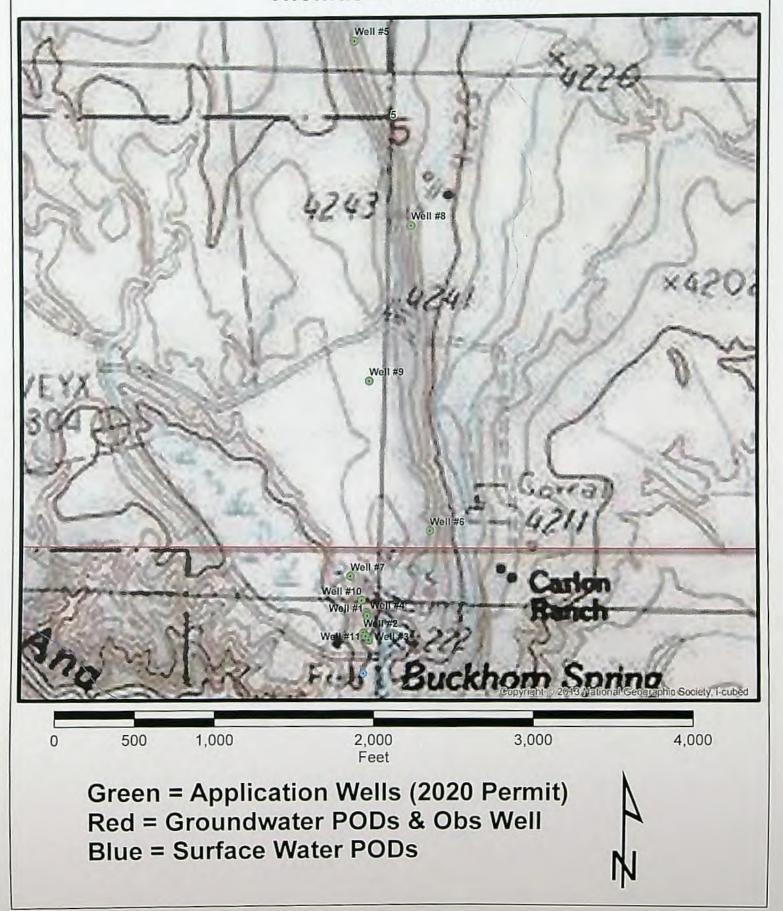




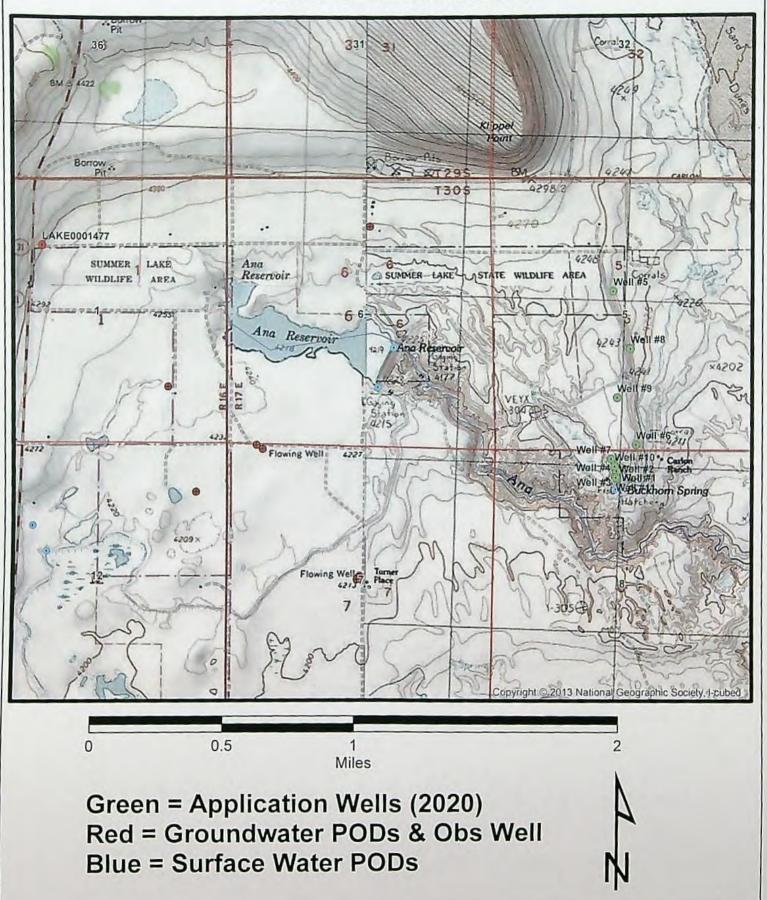
Green = Application Wells (2020 Permit)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs



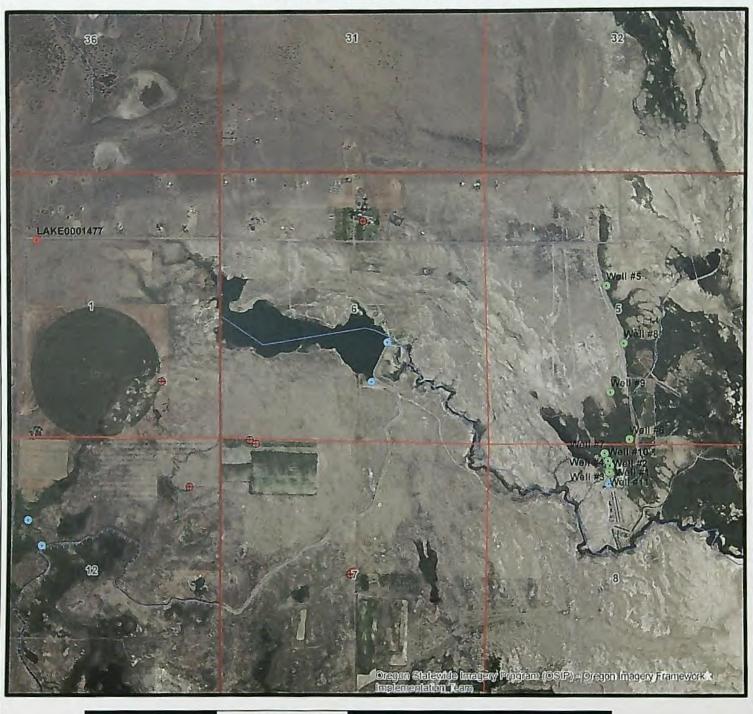
Map 4c
Groundwater Permit Amendment Application T-13337
Thomas A. MacDonald



## Map 5a Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald



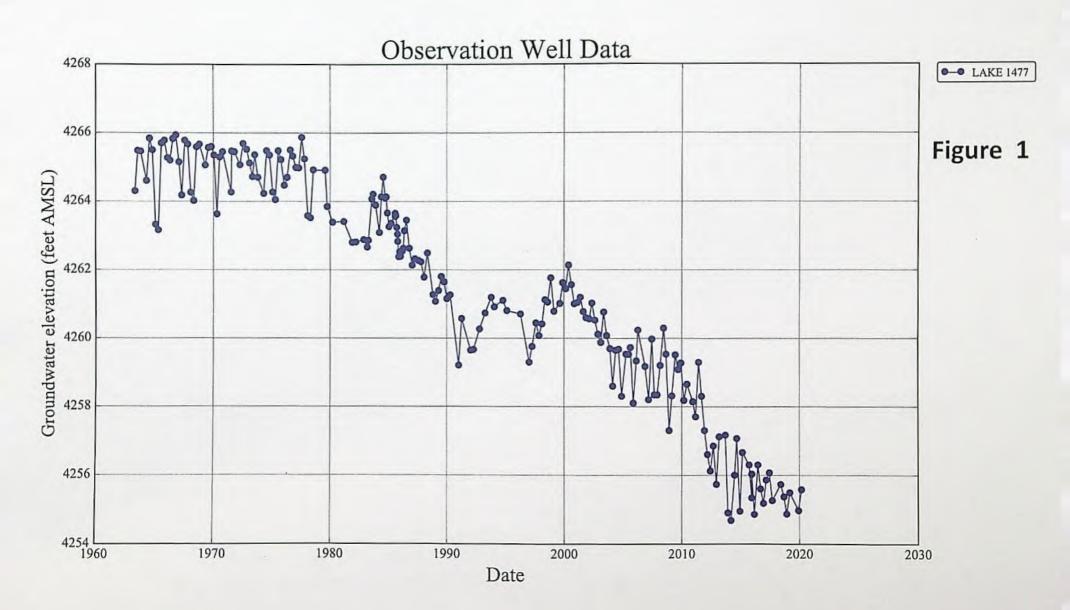
## Map 5b Groundwater Permit Amendment Application T-13337 Thomas A. MacDonald





Green = Application Wells (2020)
Red = Groundwater PODs & Obs Well
Blue = Surface Water PODs





T-13337 (MacDonald)
Groundwater Pumping Interference with Ana River at Ana Springs
Interference Calculation Based on Brown (1957) Data & Analyses

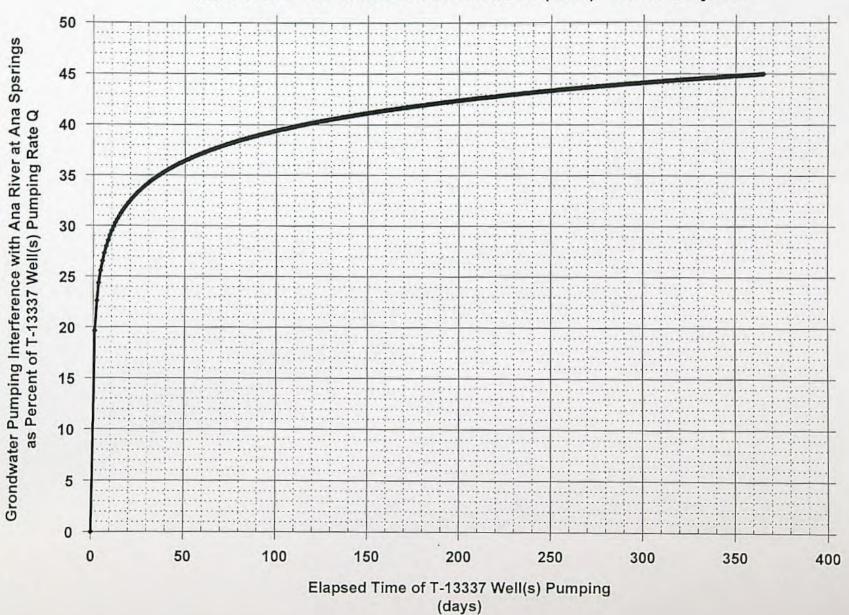


Table 1

Farmit Amendment Application T-13337

Owner = Thomas MacDenald

Chronology of Well POAs & APOAs ID and Location from Original Fermit (1990), Subsequent Parmit Amendments (2008, 2016, 2017), and Current Permit Amendment Application (2018, 2020)

					Well Log	ID and Water R	ight file Well Le	ecation from the	North Quarter	Curner at 1305	/X175-sec 03				Well inform	sation from V	Vater Well Re	ports		
Owner Well-ID	TOE-ID	Application G-11640 04/07/1987	Fermit G-11024 G4/30/1990	OWAD Log_ID	Application T-10716 09/30/2008	Amended Permit G-11024 12/10/2008	CWRD Leg_ID	Application T-11749 03/05/2014	Fermit G-17282 10/24/2016	Superseding Permit G-17743 01/17/2017	OWRD tag_ID	Original Application T-13137 12/24/2019	Updated Application T-13337 02/28/2020	Well Completion Date	Total Depth (m. bled)	Casing Interval (ft. blad)	Seal beterval (ft. bind)	Basse Fill (ft. bled)	Vulcanie Deposits (ft. blad)	Commant
*1	Not Drilled	530 h. s.	160 ft. W	LAKE 3030	190 ft. S.	150 ft. W	LAKE 1030	,	10 ft. S. 150 ft. W		LAKE 3030	190 h. s. 150 h. W	425 ft. 5, 145 ft. W	06/30/1985	296	+1.5 - 60	0-60	0-241	241 - 296	open to basin fill & volcanic deposits
42	Not Drilled	560 h. 5,	160 ft. W	LAKE 1507	460 ft. 5.	190 ft. W	LAFE 1507	4	10 h 2 110 h W	,	LAXE 1507	480 h. S. 190 h. W	530 h. S. 170 h. W	06/30/1985	296	+1+60	0-55	0-241	241-296	open to basin fill & volcanic deposits
#3	Not Drilled	590 h. s.	170 ft. W	LAFE 4444	525 ft 5.	140 h. W	LAKE 4141	5	25 h. S. 140 h. W	,	LAKE 4444	525 ft. 5. 140 ft. W	575 h. s. 135 h. W	10/20/1987	262	0-160	0-120	0-245	245 - 262	open to basin fill & volcanic deposits
**	Not Drilled	500 ft. S.	150 ft. W	LAKE 3029	340 h. s.	145 h. W	LAKE 9029	3	40 ft. S. 145 ft. V		LAKE 3029	340 h. S. 145 h. W	405 ft. 5, 150 ft. W	04/15/1988	910	0+160	0-120	0-245	245 - 310	open to basin fill & volcanic deposits open to basin fill only
#5	NA.	N.		Not Drilled	150 ft 5,	300 ft. W	Not Drilled says 2014 application	32	00 ft. N, 300 ft. 1	N	LAKE 52367	3155 h. N. 220 h. W	3155 ft. N, 220 ft. WL	09/25/2010 says well log	420	+1 - 215	0 - 219	0 - 420	none	Permit condition requires open to volcanic deposits only with continuous casing and sea through the basin fill
#6	N.A.	N.		Not Drilled	160 ft 5,	60 ft. W	LAKE 52365	1	55 h. N. 230 h. I		LAKE 52368	105 h. N. 250 h. E	105 H. N. 250 H. E	10/28/2010	260	+1 - 220	D-310	0-180	150 - 260	open to volcanic deposits only agen to volcanic deposits only
#7	N.A.	N		Not Drilled	150 h. N.	30 h W	LAKE 52569	1	10 h 1, 280 h w		LAKE 52369	160 ft. 5, 250 ft. W	160 ft. 5, 250 ft. W	01/05/2011	370	+1 - 220	0 - 720	0-220	220 - 570	Casing & seal to here of basin fill only, not into volcanic deposits
*5	NA	NA	4	Not Drilled	540 h N	260 ft. W	LAKE 52457	20	270 ft. ft., 100 ft.	£.	LAKE 52487	2010 h. N. 155 h. E	2010 h. N. 135 h. E	09/01/2013	260	+1 - 155	0+155	0-150	150 - 260	open to vulcanic deposits only
	NA.	N.		NA	N.	Α.	Not Onited says 2014 epplication	10	40 h. N. 130 h. I	v	reut Drilled says 2020 application update	835 N. N. 125 N. W	1040 ft. N, 130 ft. W	,	80777	+1 - 75	10 - 18 55 - 75	0 - 80	none	Possibly LARE 5 3062 & LARE 53078 open to least fill only with volcance "string or intersted. Permit condition requires open to volcanic deposits only with continuous casing a seal through the basin fill.
*10	NA.	N.		NA.	N.	A	NA		NA.		Not Drilled	NA.	330 h. 5, 160 h. W	N.A.	N.A.	N.A.	N.A.	NA.	NA	Needed to replace Wells #1, #2, #3, #4
#11	HA.	14.4		N.A.	14.	A	N.A.		NA.		Not Drilled	N.A.	550 h. S. 155 h. W	NA.	N.A.	N.A.	N.A.	NA	NA.	Needed to replace Wells #1, #2, #3, #4

Table 2

Permit G-11024 (1990)

Owner = Thomas MacDonald

Summary Chronology of Groundwater Rights in Vicinity of T-13337 & Ana Springs / Reservoir

						Permitted	Cumulative
File	Permit	Certificate	Transfer/PA	Owner	Priority	Rate	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																	
rawdown Calcula	itions Using Theis	Equation													nterference with Spring	Ana	nterference with Spring
	s = {Ci(4*T*p)}[Wit u = (***S)(4*T*t) Witu) = (-in u)-(0.57 s = drawdown (L) T = transmissivity () S = storage coeffici p = 3.141592654	72157)+(w11*11) L*L/T)			r = radial dis t = time (T) u = dimense W(u) = well	ordess								Delta Q = C x Delta h  Delta Q = spring dischars Delta h = s = drawdown x C = constant relating Delt C = 1 63 ft2/day derived f	at spring ta Q & Delta h	as Percent or W	ell Pumping Rate
fransmissivity	Transmissivity	Storage	Pumping Hate	Pumping Rate	Time	Distance	Di .	u	Wisi	Drawdown	Drawdown	Well	Comments	Ana 5	Spring	Delta Q (sp	ing) ( Q (well)
T	T	Coefficient	Q	Q	1				11/10/		Change s			Delta Q (spring)	Delta Q (spring)		
(gpd/ft)	(R2/day)	S	(gal/min)	(ft3/sec)	(days)	(feef)				(feet)	(feet)			(cfs)	(gpm)	percent of cfs	percent of gpm
								Note: W(u)	calculation	valid when u	7.1						
Moter	yellow grid areas	are where valu	as are calculated		_			7.0000	1.1545E-04				W(u) calculation test				
Hote.	yenow gno areas	are where valu	es are carculated			-		7,0000	I.IJ43E-04				erful carculation test				
990 Permit POA	well locations to A	na Reservoir (	Transmissivity an	d Storage Coeffic	ent from B	rown (1957))		,				-	1				
1,950,000 00	260,677.07	0 00029	7,989 20	17.60	1 00	5.130.00	314	0.0073	4 3473	2 0410		Closest	Contruous Pumping at Full Rate	3 3768	1,493.19	18 69%	18.09%
1,950,000 00	260,677 07	0 00029	7,989 20	17.80	1.00	5,160 00	314	0.0074	4 3358	2 0356		Furthest	Continuous Pumping at Full Rate	3 3150	1,489.21	18 64%	18.64%
1,950,000 00	260,677.07	0 00029	7.989.20	17.60	30 00	5.130.00	3.14	0.0002	7.7415	2.6345		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	314	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 60										7 5312		42.31%	
1,950,000,00	260.677.07	0 00029	7,989 29	17 80	245 00 245 00	5,130 00	314	0.0000	9 8413	4 6203		Cleanst Furthest	Continuous Pumping at Full Rate Continuous Pumping at Full Rate	7 5222	3,350 22 3,376 21	42 31%	42 31% 42 26%
ALL SELECTION			33777.35			2,100.00	- 17		1		1		Commission of the Commission o		20000		1
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 60	365 00	5,160.00	314	0.0000	10 22 83	4 8020		Furthest	Continuous Pumping at Full Rate	7 6273	3,513 13	43.97%	43 97%
20 Permit Amen	dment Application	POA well loca	tions to Ana Rese	rvoir (Transmiss	lvity and St	orage Coeffic	ent from Bri	OWT (1957))									
	200 077 07	0.00000	701050	47.00		· comme				22412		*******	attended a constant and a second		C Park Ser		
1,950,000 00	260,677 07	0 00029	7,989 20 7,989 20	17.60	100	5,230.00	314	0.0059	4 5683	2 1448 2 0230	0 1038 -0 0126	Furthest	Continuous Pumping at Full Rate Continuous Pumping at Full Rate	3 4960 3 2975	1,509.09	19 641L 18 53%	19 64%
						7,437.50		-	1	E. 02.00		7 41 11 11 11	See and the see and the see and the see	4.00.0	1,450 04	10.3310	10 33%
1,950,000.00	260,677 07	0.00029	7,059.20	17.80	30.00	4,590 00	3 14	0 0002	7.9639	3 7389	0 1044	Clusest	Continuous Pumping at Full Rate	6 0944	2,735.37	34.24%	34:24%
1,950,000 00	260,677 07	0.00029	7,659.20	17.60	30.00	5,230.00	3.14	0 0003	7 7029	3 6 164	-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	7.959 20	17.60	245 00	4,590.00	314	0 0000	10.0038	4 7248	0.1044	Clusest	Continuous Pumping at Full Hate	7 7014	3,450 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	9.6027	4 6022	-0 0127	Furthest	Centruous Pumping at Full Rate	7.5016	3,300.90	42.14%	42 14%
	200 077 07	0.00000	7440 44		200.00												
1,950,000,00	260,677 07	0 00029	7,989 20	17 80 17 80	365 00 365 00	5 230 00	3 14	0.0000	10 4624	4 7894	0 1044	Closest	Continuous Pumping at Full Rate	8 0064	3,593.54	44 98%	44,98%
1,920,000.00	200,011.01	2,00029	1,000.20	11 00	303 00	3,230.00	3.14	0.0000	10.5013	47894	-0 0127	Furthest	Continuous Pumping at Full Rate	7.8007	3,503.68	43.86%	43.66%

#### Table 4

Drawdown Calculations Using Theis Equation

s = drawdown (L) T = transmissivity (L\*L/T) S = storage coefficient (dimensionless) pi = 3,141592654

r = radial distance (L) t = time (T) u = dimensionless W(u) = well function

Transmissivity	Transmissivity	Storage	Pumping Rate	Pumping Rate	Time	Distance	pi	u	W(u)	Drawdown	Drawdown	Comments
T	T	Coefficient	Q	Q	1	r				5	Change s	
(gpd/ft)	(ft2/day)	S	(gal/min)	(ft3/sec)	(days)	(feet)	_			(feet)	(feet)	
7								Note: W(u	) calculation v	valid when u <	7.1	
Note:	yellow grid areas a	re where value	s are calculated					7,0000	1.1545E-04			W(u) calculation test
1990 Permit propo	sed POA well #4 lo	cation to certif	icate 90178 well (I	AKE 1503) (Trans	missivity ar	nd Storage Co	efficient fro	m Brown (19	(57))			
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 Rat
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 Rat
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 Rat
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 Rat
2020 Permit Amen	dment Application	POA well #5 (L	AKE 52367) locati	on to certificate 90	178 well (L	AKE 1503) (Tri	nsmissivit	y and Storag	e 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 Rat
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 Rai
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	4.6388	0.3103	Continuous Pumping at Full Ra
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 Ra



STATE OF OREGON

### INTEROFFICE MEMO

TO: File 6-11640

DATE: 4/10/89

FROM: Donn Miller

SUBJECT: Comments for Application Processing

I spoke to Donuis Glander, WM Dist 12, about this application. We recommend:

- i) Alenting Summan Lake I.D. of application
- 2) using special parmit conditions as found in a similar parmit in the area (see Permit 6-1388 ander VIO, p. 125 special conditions)
- 3) Alerting /requiring the applicant to install shot off values, there wells are strongly flowing

81-125-1379

#### BEFORE THE STATE ENGINEER OF OREGON

### Document #2

LAKE COUNTY

In The Matter of the Applications 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 (F 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 NWM NWM, 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 SEM SEM, Section 1, T. 30 S., R. 16 E., W. N. 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. Theordore 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 SEM NEM, and the NEM SEM of Section 1, T. 30 S., R. 16 E., W. M. and the SWA NEM and NEM SEM, 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	NWA SEA Sec. 6 T 30 S R17 E	Appropriation of 90 c.f.s. for the irrigation of 6941.2 acres.
4660	3479	3496	1915	William Kittredge	SE% SE% 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% SE% 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	NWA SWA Sec. 16 or NEW SEWA Sec. 17 T 30 S R 17 F	Appropriation not to exceed 4 c.f.s. for the irrigation of 320 acres.
13689	10981	11241	//-	J. C. WIlliams	NEW SEX Sec. 17 T 30 S R 17 E	Appropriation not to exceed 3.82 c.f.s. for the irrigation of 303.05 acres.
13918	10982	11242		F. R. Williams	NE% SE% 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 Fight
15510	11407	11974	1934	Imogene Turner	NEW SEW Sec. 17 or NWW SW Sec. 16 T 30 S R 17 E and Williams Ditch NWW NWW 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	NWA SWA 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	SWM SEM Sec. 6 T 30 S R 17 E	Application for 45.0 c.f.s. for trout hetchery.
24326	19131	22005	1949	Oregon State Game Commission	SEM SEM Sec. 24 T 30 S R 16 E and SEM SEM 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/4 NW/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 1 com 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 those findings.

Well No. 1 and 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.

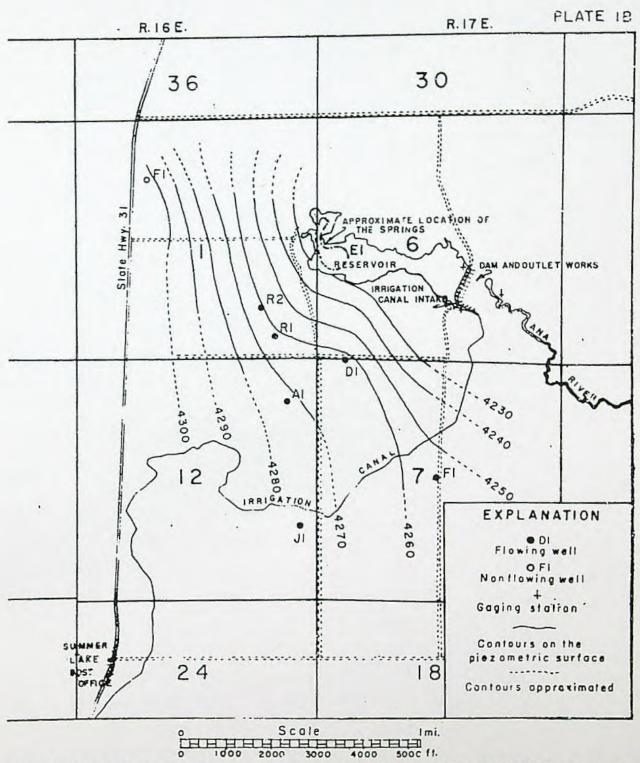
12. The Vancil A. Withers well No. 1 (R1) was drilled about 1953. It is a 209 foot well, cased with 8-inch casing to a depth of 182 feet. The drillers log of this well is as follows:

Materials	Thickness	Depth
Clay, gray	40	40
Not reported		130
Clay, black	40	170
Sand, black	10	180
Cinders, red and bla	ck29	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:

Material	s	Thickness	Depth
Clay,	Gray	30	30
	black		82
Unrepo	rted	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 S-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 arrasian 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.

- 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 Al 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.

Distance from Ana Springs (feet)	*Withdrawal rate (g.p.m.)	**Days of Operation	Calculated reduction of head at Ana Springs (feet)
2300	300	120	0.2
1800	550	120	0.3
2700	970	120	
	Ana Springs (feet) 2300 1800	Ana Springs rate (feet) (g.p.m.)  2300 300  1800 550	Ana Springs rate Operation (feet) (g.p.m.)  2300 300 120  1800 550 120

\* 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 minuta) 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 onefourth 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 Orogon 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.

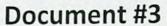
It is FURTHER ORDERED that Application No. G-72 in the name of Vancil A. Withers be approved to authorize appropriation of not to exceed 1.87 cubic feet per second of ground water for irrigation of 150 acres the rate of flow not to exceed 1/80 of one cubic foot per second for each acre irrigated and 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 Ara 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 . Stanley State Engineer





STATE OF OREGON

#### INTEROFFICE MEMO

TO

File G-11640

2/16/90 DATE

Donn Miller

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 groundsurface 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- to24-inch-diamter 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.

### Amended perLO

(1) OWNER:

New Well

Rotary Air

rmal

\_xplosives used

Backfill placed from \_\_\_\_

Final location of shoe(s)

☐ Perforations

☐ Screens

☐ Pump

Yield gal/min

Temperature of water \_60

Was a water analysis done?

Depth of strata: \_

2100

Gravel placed from \_

Liner:

rom

Diameter From

HOLE

60

(6) CASING/LINER: Diameter From

Other

WATER WELL REPORT (as required by ORS 537.765)

(2) TYPE OF WORK:

(3) DRILL METHOD

(4) PROPOSED USE:

rial Construction approval Yes

Yes No X

☐ Deepen

Rotary Mud

☐ Community

(5) BORE HOLE CONSTRUCTION:

Type

Material \_

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

\_ft. to \_

60

Method .

Number, Diameter

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

☐ Air

By whom

Drill stem at

Type

Y PERFORATIONS/SCREENS:

☐ Bailer

Drawdown

Row

☐ Injection

JUL - 1 1988

WATER SERVED With the On Brown

Other FISH HATCHER

Amount

☐ Abandon

Depth of Completed Well 296

☐ Recondition

☐ Industrial

A Cable

SEAL

From

Material

X

Size of gravel

To Gauge Steel Plastic Welded Threader

Material

Depth Artesian Flow Found 24

Tele/pipe

X

Casing

Flowing Artesian

Time

		Well #1	/	LAI	€ 30	030
I TE MARKE	(9) LOCATIO	ON OF WELL by	legal d	escrip	tion:	
	County LAK	Latitude No SRange_		Longitue	ie	
	Township 3	No SRange_	12	3	Ebr W	, WM.
97640	Section	3_NE	4 NE	- 4		
	Tax Lot	Lot B	ock	Subo	livision_	
1	Street Address o	f Well (or nearest address	70N	ME	RL	KE
	(10) STATIC	WATER LEVE	L:			
		ft. below land surface.		Date		
	Artesian pressur	e 17 lb. per s	quare inch.	Date	6-3	0-5
		BEARING ZON				
TERY	The second secon					
	Depth at which water	was first found				
1296 R	From	To		nated Flov	Rate	SWL
	241	296	210	20		T1.5
Amount ks or pounds						
60 SACK			1	_	_	
	(12) WELL L	OG: Ground elev	ation			
		Material		From	То	SWL
	501h -	SAMDY		C	3	3
	CLAY-			3	H5	3.
	SAND.	FINE BLAC	K	45	46	3'
		NAT		46	241	+1.
	CINDER	S-SAND R		241	243	71.5
	G AVA	QULDERS		243	245	41.5
d Threaded	CIND ERS	-3 AND RE-	<b>D</b>	295	296	41.5
_		*				
ng Liner						

standards. Materials used and information reported above are true to my best knowledge and belief.

WWC Number Signed \_ 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 Number 1352

PINK COPY - CUSTOMER

Signed Flata Bakes	Date _
FO .0 & O .	wwc.

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other .

Yes

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

-2H-88

#### **LAKE 3030**

May 15# 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 1 9 2014

SALEM. OF

#### **LAKE 3030**



OREGON 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

L OWNER INFORMATION	er Lake Trout Farm Attn: Ethan N	legus OWRD
	es Lake Hout Faith Auti. Etharin	legus.
PO Box 40  Mailing Address: Summer Lake, OR 97	7640	
City, State, Zip:	7040	
Mail Well ID to: SAME AS ABO	OVE In Care Of (C/O)	
Name & Address:		- A
City, State, Zip:		
II. WELL LOCATION INFORMATION (	Places fill out in controlataly as nowible)	
Township: 30 (North / South) Range:		NE 1/4 of the NW 1/4
		ake County
Fax Lot (usually last 3-5 numbers of Fax Map 42 59' 22.99" N 12	0 43' 55.70" W	
48320 Dese	ert Springs Rd Summer Lake	
Street Address of Well, City: 40020 Desc		
the property had a different etreat address in	the nact	
If the property had a different street address in	the past:	
III. GENERAL WELL INFORMATION (F	Please fill out as completely as possible, AND a	ttach copy of Well Report, if available)
II. GENERAL WELL INFORMATION (F	Please fill out as completely as possible, AND a lindustrial, monitoring): Fish culture & Irrig	gation
II. GENERAL WELL INFORMATION (F  Use of Well (domestic, irrigation, commercial)  Date Well Constructed (or property built): 6-5	Please fill out as completely as possible, AND a l, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296	gation  Casing Diameter: 12"
II. GENERAL WELL INFORMATION (F  Jse of Well (domestic, irrigation, commercial  Date Well Constructed (or property built): 6-5	Please fill out as completely as possible, AND a l, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296	gation
III. GENERAL WELL INFORMATION (Fundamental of Well (domestic, irrigation, commercial of Well Constructed (or property built): 6-50 Owner at time the well was constructed (if knowner at time the well was constructed (if knowner)	Please fill out as completely as possible, AND a l, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296	gation  Casing Diameter: 12"
II. GENERAL WELL INFORMATION (I  Jse of Well (domestic, irrigation, commercial  Date Well Constructed (or property built): 6-5  Dwner at time the well was constructed (if known the constructed)  Ethan No.	Please fill out as completely as possible, AND a l, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296' own): Robert Olson Well Rep	gation  Casing Diameter: 12"
II. GENERAL WELL INFORMATION (Fundamental of Well (domestic, irrigation, commercial of Well Constructed (or property built): 6-5 Owner at time the well was constructed (if know the Information:  Ethan New York (please print):	Please fill out as completely as possible, AND a  I, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296'  own): Robert Olson Well Rep	Casing Diameter: 12" ort # (if known): LAKE 3030
Use of Well (domestic, irrigation, commercial)  Date Well Constructed (or property built): 6-5  Owner at time the well was constructed (if known that the constructed is the constructed of the constructed in the constructed is the constructed in the constructed in the constructed is the constructed in the constructed	Please fill out as completely as possible, AND a l, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296' own): Robert Olson Well Representation	gation  Casing Diameter: 12"
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J. GENERAL WELL INFORMATION (In June 2014)  Jose of Well (domestic, irrigation, commercial plate Well Constructed (or property built): 6-5  Owner at time the well was constructed (if known that time th	Please fill out as completely as possible, AND a  I, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296'  own): Robert Olson Well Rep  egus  EMAIL &/or FAX: ethan.negus@c	Casing Diameter: 12"  ort # (if known): LAKE 3030  desertspringstroutfarm.com
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II. GENERAL WELL INFORMATION (I) Use of Well (domestic, irrigation, commercial, Date Well Constructed (or property built): 6-50 Owner at time the well was constructed (if know other Information:  UBMITTED BY (please print):  Ethan November (541) 943-3192  Cond application to: Oregon Water Resources Descriptions are processed in the order they are separated.	Please fill out as completely as possible, AND a  I, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296'  own): Robert Olson Well Rep  egus  EMAIL &/or FAX: ethan.negus@c  received, and Well ID Numbers are mailed within	Casing Diameter: 12"  ort # (if known): LAKE 3030  desertspringstroutfarm.com  regon 97301; or fax to (503) 986-0902.
Use of Well (domestic, irrigation, commercial Date Well Constructed (or property built): 6-50 Owner at time the well was constructed (if know Other Information:  SUBMITTED BY (please print): Ethan November 1943-3192  Send application to: Oregon Water Resources Descriptions are processed in the order they are a specific processed.	Please fill out as completely as possible, AND a  I, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296'  own): Robert Olson Well Rep  egus  EMAIL &/or FAX: ethan.negus@c  received, and Well ID Numbers are mailed within  Use Only by the Oregon Water Resources Dep	Casing Diameter: 12" ort # (if known): LAKE 3030  desertspringstroutfarm.com regon 97301; or fax to (503) 986-0902. 14-5 business days.
Use of Well (domestic, irrigation, commercial Date Well Constructed (or property built): 6-5  Owner at time the well was constructed (if known of the Information: Ethan No. 1998)  SUBMITTED BY (please print): Ethan No. 1999  PHONE: (541) 943-3192  Scnd application to: Oregon Water Resources De Applications are processed in the order they are the second of the o	Please fill out as completely as possible, AND a  I, industrial, monitoring): Fish culture & Irrig 30-85 Total Well Depth: 296'  own): Robert Olson Well Rep  egus  EMAIL &/or FAX: ethan.negus@c  received, and Well ID Numbers are mailed within	Casing Diameter: 12"  ort # (if known): LAKE 3030  desertspringstroutfarm.com  regon 97301; or fax to (503) 986-0902.

Last Update: 5/15/18

Well I.D. Number/2

WCC

### Amended

STATE OF OREGON

WATER WELL REPORT (as required by ORS 537.765)

## **LAKE 1507**

RECEIVED

: FEB 2 PISSE TYPE or PRINT IN INK

			_
(1) OWNER: WATER RESOURCES DEF	(10) LOCATION OF WELL by legal	description:	
Name ROBERT OLS MEN, CREGON	County LAKE NEW NAW WO		of
Address SUMMER LAKE	Township 3 (Township is North or South) Range		WM.
City State OR.		Range is East or West)	11 114-
(2) TYPE OF WORK (check):	MAILING ADDRESS OF WELL (or nearest address)	WER IN	F
	MAILING ADDRESS OF WELL (or hearest address)	The Put	
New Well Deepening Reconditioning Abandon If abandonment, describe material and procedure in Item 12.			
(3) TYPE OF WELL: (4) PROPOSED USE (check):	(11) WATER LEVEL of COMPLET	ED WELL:	
Rotary Air Driven Domestic Industrial Municipal D	Depth at which water was first found	55	ft.
Rotary Mud Dug Dirrigation Withdrawal Reinjection	Static level ft. below l	and surface. Date	
Other	Artesian pressure 5 lbs. per	square inch. Date 6-3	0-
Cohle Bored   Piezometric   Grounding   Test	(12) WELL LOG: Diameter of well below	casine 12"	
) CASING INSTALLED: Steel   Plastic		completed well 296	ft.
Threaded Welded	Formation: Describe color, texture, grain size and structure of		
12. Diam from + 1 ft. to 60 ft. Gauge 250	and nature of each stratum and aquifer penetrated, with at le formation. Report each change in position of Static Water		
Diam. fromft. toft. Gauge	water-bearing strata.	2 - 52 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 -	
LINER INSTALLED: Steel   Plastic   Threaded   Welded	MATERIAL	From To SWI	L
Threaded ☐ Welded ☐	SANDY SOIL	0 3	
Diam. Iroth	TAN CIAV	3 55 9	1
(6) PERFORATIONS: Perforated? □ Yes 🔏 No	SAND FINE	55 56	_
Size of perforations in. by in.		56 241 +	1
perforations from ft. to ft.		241296	-
perforations from ft. to ft.	POUROUS	271 276	_
perforations from ft. to ft.			_
Manufacturer's Name         Model No.           Type         Model No.           Diam.         Slot Size           Set from         ft. to           ft. to         ft.			=
(8) WELL TESTS: Drawdown is amount water level is lowered below static level			_
Was a pump test made?  Yes No If yes, by whom?			_
'd: 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 1960 g.p.m.			_
perature of water 60° Depth artesian flow encountered 244.1. ft			_
	Date work started 4-15-82/completed	6-30-8	5
(v) CONSTRUCTION: Special standards: Yes No X	Date well drilling machine moved off of well 7 - 15	195	2
Well seal - Material used CEMENI GROUT	(unbonded) Water Well Constructor Certifica	tion (if applicable).	
Well sealed from land surface to ft	This well was constructed under my direct supe		and
Diameter of well bore to bottom of sealin.	information reported above are true to my best know	And the latter of the late account to the private and the late of	and
Diameter of well bore below sealin.			
Amount of sealing materialsacks T pounds [	[Signed]	Dato, 19	
low was cement grout placed? POMPED	(bonded) Water Well Constructor Certificatio	n:	
	Bond 5 B 4 1670 Issued by: O. A.	I.C.	
	(number) (Sure	ty Company Name)	
Vas pump installed? NO Type HP Depth ft.	On behalf of	er Well Constructor)	_
Was a drive shoe used? Yes No Plugs Size: location ft.	The second of th	1.0	
Did any strata contain unusable water? Yes No	This well was drilled under my jurisdiction an best of my knowledge and belief:	d this report is true to	the
Type of Water? depth of strata	=0-11) Radio		
Method of sealing strata off	(Signed) (Water Well Constructo	r)	
Was well gravel packed? Yes No Size of gravel:	(Dated) 2-20-86		
Gravel placed from ft. to ft.			-

#### **LAKE 1507**

May 15# 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.

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Well 2	LAKE 1507	30 South, 17 East, Sec. 8 NE NW
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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 1 9 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

I. OWNER INFORMATION	mmer Lake Trout Farr	n Attn: Ethan	Negus OW	KD :
Current Owner Name (please print):	Illinoi Lano Ingari an			
Mating Address:	97640		A	
City, State, Zip: Summer Lake, On		1 15,		1
Mail Well ID to: SAME AS	ABOVE In (	Care Of (C/O)		
Name & Address:				
City, State, Zip:				
II. WELL LOCATION INFORMATIO	N /Please Gil out as comple	etaly as possible)		
			NE 1/4 of the NW	1/4
Fay Lot (usually last 3-5 numbers of Tay	Man #). 601	County	ake County	
Tax Lot (usually last 3-5 numbers of Tax 42 59' 21.51" N	120 43' 55.81" W			
GPS Coordinates: 48320 D Street Address of Well, City:	esert Springs Rd Sur	mmer Lake		
If the property had a different street addre	oo iii aic pion			
III. GENERAL WELL INFORMATIO	ON (Please fill out as comple	uely as possible, AND	attach copy of Well Report, if a	vailable)
III. GENERAL WELL INFORMATION Use of Well (domestic, irrigation, comme	ON (Please fill out as comple	etely as possible, AND	allach copy of Well Report, if a rigation	
III. GENERAL WELL INFORMATION Use of Well (domestic, irrigation, comme	ON (Please fill out as comple ercial, industrial, monitoring) 	uely as possible, AND Elish culture & Iri Well Depth: 296'	allach copy of Well Report, if a rigation  Casing Diameter: 12	2"
III. GENERAL WELL INFORMATION Use of Well (domestic, irrigation, commediate Well Constructed (or property built) Owner at time the well was constructed (	ON (Please fill out as comple ercial, industrial, monitoring) : 715-85 Tota if known): Robert Olson	uely as possible, AND Elish culture & Iri Well Depth: 296'	allach copy of Well Report, if a rigation  Casing Diameter: 12	2"
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III. GENERAL WELL INFORMATION Use of Well (domestic, irrigation, comme Date Well Constructed (or property built)	ON (Please fill out as comple ercial, industrial, monitoring) 	uely as possible, AND Elish culture & Iri Well Depth: 296'	allach copy of Well Report, if a rigation  Casing Diameter: 12	2"
Use of Well (domestic, irrigation, comme Date Well Constructed (or property built) Owner at time the well was constructed ( Other Information:	ON (Please fill out as comple ercial, industrial, monitoring) : 715-85 Tota if known): Robert Olson	uely as possible, AND Elish culture & Iri Well Depth: 296'	allach copy of Well Report, if a rigation  Casing Diameter: 12	2"
Use of Well (domestic, irrigation, comme Date Well Constructed (or property built) Owner at time the well was constructed ( Other Information:  Etha	ON (Please fill out as comple ercial, industrial, monitoring): 715-85 Tota if known): Robert Olson	gely as possible, AND  1: Fish culture & Iri  1: Well Depth: 296'  Well Re	allach copy of Well Report, if a rigation  Casing Diameter: 12	2"
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Use of Well (domestic, irrigation, comme Date Well Constructed (or property built) Owner at time the well was constructed (Other Information:  SUBMITTED BY (please print):  Ethal PHONE: (541) 943-3192	ON (Please fill out as comple ercial, industrial, monitoring) : 715-85 Tota if known): Robert Olson n Negus	tely as possible, AND This is culture & Iri Well Depth: 296' Well Re Well Re	allach copy of Well Report, if a rigation  Casing Diameter: 15 port # (if known): LAKE 1507	2" 7 com
Use of Well (domestic, irrigation, comme Date Well Constructed (or property built) Owner at time the well was constructed (or Differ Information:  SUBMITTED BY (please print): PHONE:  (541) 943-3192  Gend application to: Oregon Water Resource	ON (Please fill out as completerial, industrial, monitoring) 1: 715-85 Total 1: Robert Olson  In Negus  EMAIL &/or FAX  Total  The state of the st	ethan.negus@	callach copy of Well Report, if a rigation  Casing Diameter: 1:  port # (if known): LAKE 1507  desertspringstroutfarm.co	2" 7 com
Use of Well (domestic, irrigation, comme Date Well Constructed (or property built) Owner at time the well was constructed (or property built) Other Information:  SUBMITTED BY (please print): PHONE:  Send application to: Oregon Water Resource	ON (Please fill out as completerial, industrial, monitoring) 1: 715-85 Total 1: Robert Olson  In Negus  EMAIL &/or FAX  Total  The state of the st	ethan.negus@	callach copy of Well Report, if a rigation  Casing Diameter: 1:  port # (if known): LAKE 1507  desertspringstroutfarm.co	2" 7 com
Use of Well (domestic, irrigation, comme Date Well Constructed (or property built) Owner at time the well was constructed (or Differ Information:  SUBMITTED BY (please print): PHONE:  (541) 943-3192  Gend application to: Oregon Water Resource	ON (Please fill out as completerial, industrial, monitoring) 1: 715-85 Total 1: Robert Olson  In Negus  EMAIL &/or FAX  Total  The state of the st	ethan.negus@	callach copy of Well Report, if a rigation  Casing Diameter: 1:  port # (if known): LAKE 1507  desertspringstroutfarm.co	2" 7 com
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Use of Well (domestic, irrigation, comme Date Well Constructed (or property built) Owner at time the well was constructed ( Other Information:  SUBMITTED BY (please print):  Etha PHONE:  (541) 943-3192  Send application to: Oregon Water Resource Applications are processed in the order they	ON (Please fill out as completercial, industrial, monitoring):  715-85 Totalif known): Robert Olson  Negus EMAIL &/or FAX  Tes Department 725 Summer Sey are received, and Well ID Noticial Use Only by the Oregonical Use Only By the Oreg	tely as possible, AND  Fish culture & Iri  Well Depth: 296'  Well Re  than.negus@  to NE, Suite A, Salem, and with the mailed with	Casing Diameter: 12 port # (if known): LAKE 1507  desertspringstroutfarm.co  Oregon 97301; or fax to (503) 986 in 4-5 business days.	2" 7 com 5-0902.
Use of Well (domestic, irrigation, comme Date Well Constructed (or property built) Owner at time the well was constructed ( Other Information:  SUBMITTED BY (please print): PHONE:  (541) 943-3192  Send application to; Oregon Water Resource Applications are processed in the order they	ON (Please fill out as completercial, industrial, monitoring):  715-85 Totalif known): Robert Olson  Negus EMAIL &/or FAX  tes Department 725 Summer Sy are received, and Well ID Note in the complete in th	etly as possible, AND  Fish culture & Iri  Well Depth: 296'  Well Re  ethan.negus@  t NE, Suite A, Salem, umbers are mailed with	casing Diameter: 12 port # (if known): LAKE 1507  desertspringstroutfarm.co	2" 7 COM 5-0902.

Last Update: 5/15/18

Well I.D. Number/2

WCC

### Amended per LD STATE OF OREGON

LAKE 4444

Well #3 309

305/45E-8ac LAKE 4444

WATER WELL REPORT (as required by ORS 537.765) JUL - 1 1988

(as required by ORS 537.765)						
(1) OWNER: Well Number O SO W	(9) LOCATION					
Name ROBERT OLSON	County LAKE	Latitude		Longitud	de	
Address Plo BOX 40	Township 30	Nor Range	16		For W	, WM.
City SUMMER LAKE State OR Zip 976:40	Section 8	NE 4	NE	- 4		
(2) TYPE OF WORK:	Tax Lot	_ Lot Block	ĸ	Subo	livision_	
New Well Deepen Recondition Abandon	Street Address of W	ell (or nearest address)	Sur	MEI	RL	KE.
(3) DRILL METHOD						
☐ Rotary Air ☐ Rotary Mud 💢 Cable	(10) STATIC W	ATER LEVEL:				
Other	ft.1			Date		
(4) PROPOSED USE:		17 lb. per squ	are inch.	Date		
☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation	(11) WATER B					
rermal Injection Other FISH HATCHERY					-	
(5) BORE HOLE CONSTRUCTION:	Depth at which water was	first found	NE	100		
"ucial Construction approval Yes No Depth of Completed Well 262 ft.	From	To	Estin	nated Flov	Rate	SWL
140 110	1'	7-				1'
explosives used	245	262	2	100		+21
HOLE SEAL Amount Liameter From To Material From To sacks or pounds						
Lameter From To Material From To sacks or pounds						
2" 120 562	(12) WELL LO	G: Ground elevati	on			
		Material		From	То	SWL
		UDY BROW	M	0	٦	11
How was seal placed: Method □ A □ B 🗶 C □ D □ E		REEN		7	63	1'
Other	CLAV-T				-245	
Backfill placed from ft. to ft. Material	CINDERS.	SAND, RE	D	245		
Gravel placed from ft. to ft. Size of gravel		SAL, AVALLAS		246	261	+2
(6) CASING/LINER:	CINDERS -	SAND, RET	5	261	262	+2
Diameter From To Gauge Steel Plastic Welded Threaded						
Casing: 19 0 160 25c 🗵 🗆 🗷					-	
					-	
					_	_
Liner:				-		
Final location of shoe(s)				-		
						_
) PERFORATIONS/SCREENS:					-	
Perforations Method						
Screens Type Material						
Slot Tele/pipe "rom To size Number Diameter size Casing Liner						
	Date started 5 -	15-87 Com	pleted _	10 -	20-	87
	(unbonded) Water V	Vell Constructor Co.	rtificat	ione		
(8) WELL TESTS: Minimum testing time is 1 hour		work I performed on			on, alter	ation, or
☐ Pump ☐ Bailer ☐ Air ☒ Artesian	abandonment of this					
Yield gal/min Drawdown Drill stemat Time	standards. Materials u knowledge and belief.	sed and information r	eported	above ar	e true to	my best
	anovicago una ocitori		V	VWC Nu	mber	
2100 1hr.	Signed			ate		
	(handed) Weter Wel	Constructo-Cont				
Temperature of water 60 Depth Artesian Flow Found 2115	(bonded) Water Wel I accept responsi	bility for the construc			or aban	donment
	work performed on thi	is well during the cons	struction	dates re	ported a	bove. all
Was a water analysis done? Yes By whom	work performed duri construction standards	ng this time is in	to the b	ance wi	th Oreg	on well
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other	belief.					362
Depth of strata: ONE FORT	Signed Flagel	abotes		ate 6		
	THE RESERVE TO A PERSON NAMED IN COLUMN 2 IS NOT THE OWNER.					

#### **LAKE 4444**

May 15# 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 1 9 2014

SALEM. OR

# 2019-11-26 19:57:45 (GMT)

### **LAKE 4444**



O R E G O N 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

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

NOV 2 6 2019

OWNER INFORM	MATION				OWRE	
Current Owner Name	(please print)	Summer Lake	Trout Farm Attn: E	than Negus		
PC	J BOX 40					
lailing Address: Sur	nmer Lake,	OR 97640				
Mail Well ID to:	X SAM	E AS ABOVE	In Care Of (C/O)		*	
ame & Address:			4. 5	** + +	**	+1.11
ity, State, Zip:						
				*		
WELLLOCATI	ON INFORM	ATION (Please fill	out as completely as possible	e)		
			(East / West) Section: 8		1/4 of the NW	1/4
ax Lot (usually last	3-5 numbers of	fTax Man#). 601	Commission Co	ounty Lake Count	ty	
PS Coordinates: 4	2 59' 21.53	f Tax Map #): 601 " N 120 43' 5	5.60" W			
10 0001441111031						
treet Address of We	11 City: 4832	20 Desert Sprin	gs Rd Summer Lake			
the property had a	different street	address in the past:		·····		iilahle)
the property had a line.  I. GENERAL WE see of Well (domesti	LL INFORM.	ATION (Please fill ommercial, industria	out as completely as possible	z, AND attach copy re & Irrigation	of Well Report, if ava	
II. GENERAL WE Use of Well (domesti	LL INFORM  ic, irrigation, co	ATION (Please fill ommercial, industria built): 10-20-87	out as completely as possible al, monitoring): Fish culture Total Well Depth:	e, AND attach copy re & Irrigation	of Well Report, if ava Casing Diameter: 12"	
II. GENERAL WE less of Well (domesticate Well Constructed with the weak which is the weak was a supplied to the	LL INFORM ic, irrigation, co	ATION (Please fill ommercial, industrial built): 10-20-87	out as completely as possible al, monitoring): Fish cultur  Total Well Depth:	e, AND attach copy re & Irrigation	of Well Report, if ava Casing Diameter: 12"	
II. GENERAL WE Use of Well (domestivate Well Constructed Owner at time the weather Information:	LL INFORM.  ic, irrigation, conduction of the contraction of the construction of the c	ATION (Please fill ommercial, industria built): 10-20-87	out as completely as possible al, monitoring): Fish cultur  Total Well Depth:	e, AND attach copyre & Irrigation 262' C	of Well Report, if avo Casing Diameter: 12" own): LAKE 4444	
II. GENERAL WE lese of Well (domestivate Well Constructed when the weather Information:	LL INFORM.  ic, irrigation, conduction of the contraction of the construction of the c	ATION (Please fill ommercial, industria built): 10-20-87	out as completely as possible al, monitoring): Fish cultur  Total Well Depth:	e, AND attach copyre & Irrigation 262' C	of Well Report, if avo Casing Diameter: 12" own): LAKE 4444	
The property had a second with the property had a second well (domesticate Well Constructed when at time the weather Information:	LL INFORM.  ic, irrigation, conduction of the contraction of the construction of the c	ATION (Please fill ommercial, industria built): 10-20-87	out as completely as possible al, monitoring): Fish cultur  Total Well Depth:	e, AND attach copyre & Irrigation 262' C	of Well Report, if avo Casing Diameter: 12" own): LAKE 4444	
The property had a second with the property had a second well (domesticate Well Constructed when at time the weather Information:	LL INFORM.  ic, irrigation, conduction of the contraction of the construction of the c	ATION (Please fill ommercial, industria built): 10-20-87	out as completely as possible al, monitoring): Fish cultur  Total Well Depth:	e, AND attach copyre & Irrigation 262' C	of Well Report, if avo Casing Diameter: 12" own): LAKE 4444	
the property had a second will describe the Well (domesticate Well Constructed where at time the weather Information:  UBMITTED BY (public Medium) 1944  HONE: (541) 94	LL INFORM ic, irrigation, condition of the construction of the con	ATION (Please fill ommercial, industrial built): 10-20-87 cted (if known): Rolethan Negus	out as completely as possible al, monitoring): Fish cultur  Total Well Depth: fighter Olson  LL &/or FAX: ethan.ne	e & Irrigation  262' C  Well Report # (if known)	of Well Report, if avoidable of Well Report, if avoidable of the Casing Diameter: 12" own): LAKE 4444	om
I. GENERAL WE se of Well (domesti ate Well Constructe wher at time the we ther Information:  UBMITTED BY (pure 1941) 94  HONE: (541) 94	ic, irrigation, conduction of the construction	ATION (Please fill ontmercial, industrial built): 10-20-87 eted (if known): Rolethan Negus  Ethan Negus	out as completely as possible al, monitoring): Fish cultur  Total Well Depth:	e, AND attach copyre & Irrigation  262' C  Well Report # (if known or the continuous management)  Salem, Oregon 9730	of Well Report, if avoidable of Well Report, if avoidable of Well Report, if avoidable of the Casing Diameter: 12"  LAKE 4444  ringstroutfarm.com	om
the property had a second with the property had a second well (domesticate Well Constructed where at time the weather Information:  UBMITTED BY (purple)  HONE: (541) 94	ic, irrigation, conduction of the construction	ATION (Please fill ontmercial, industrial built): 10-20-87 eted (if known): Rolethan Negus  Ethan Negus	out as completely as possible al, monitoring): Fish culture Total Well Depth: bert Olson  IL &/or FAX: ethan.ne	e, AND attach copyre & Irrigation  262' C  Well Report # (if known or the continuous management)  Salem, Oregon 9730	of Well Report, if avoidable of Well Report, if avoidable of Well Report, if avoidable of the Casing Diameter: 12"  LAKE 4444  ringstroutfarm.com	om ·
the property had a second with the property had a second well (domesticate Well Constructed where at time the weather Information:  UBMITTED BY (purple)  HONE: (541) 94	ic, irrigation, conduction of the construction	ATION (Please fill ontmercial, industrial built): 10-20-87 eted (if known): Rolethan Negus  Ethan Negus	out as completely as possible al, monitoring): Fish culture Total Well Depth: bert Olson  IL &/or FAX: ethan.ne	e, AND attach copyre & Irrigation  262' C  Well Report # (if known or the continuous management)  Salem, Oregon 9730	of Well Report, if avoidable of Well Report, if avoidable of Well Report, if avoidable of the Casing Diameter: 12"  LAKE 4444  ringstroutfarm.com	om ·
II. GENERAL WE see of Well (domestivate Well Constructe where at time the weather Information:  UBMITTED BY (1944)  HONE: (541) 94	ic, irrigation, conduction of the construction	ATION (Please fill ommercial, industrial built): 10-20-87 eted (if known): Rolethan Negus  Ethan Negus  EMA esources Department or they are received, a	out as completely as possible al, monitoring): Fish cultur  Total Well Depth: fish cultur  bert Olson  IL &/or FAX: ethan.ne  725 Summer St NE, Suite A, and Well ID Numbers are mail	gus@desertspr	of Well Report, if avoidable of Well Report, if avoidable of Well Report, if avoidable of the Casing Diameter: 12"  LAKE 4444  ringstroutfarm.com	om
II. GENERAL WE Use of Well (domestivate Well Constructed	LL INFORM  ic, irrigation, cond (or property  ell was construct  please print):  13-3192  regon Water Resissed in the order	ATION (Please fill ommercial, industrial built): 10-20-87 eted (if known): Rolethan Negus  Ethan Negus  EMA esources Department or they are received, a	out as completely as possible al, monitoring): Fish culture Total Well Depth: bert Olson  IL &/or FAX: ethan.ne	gus@desertspr	of Well Report, if avoidable of Well Report, if avoidable of Well Report, if avoidable of the Casing Diameter: 12"  LAKE 4444  ringstroutfarm.com	DM

Last Update: 5/15/18

Well I.D. Number/2

WCC

#### Amendedperto

STATE OF OREGON WATER WELL REPORT

**LAKE 3029** 

Well #4

WATER WELL REPORT JUL - 1 1988 (as required by ORS 537.765)	We	#4	1	LAKE	30	29
	(9) LOCATION County LAKE Township 3 C Section 8 Tax Lot Street Address of V  (10) STATIC V	NOF WELL by  Latitude No S Range	legal d	Longitud  Longitud  Subd  E R  Date	tion: le Dor W	. wm.
al Construction approval Yes No Depth of Completed Well 10 ft.	From	То	Esti	mated Flow	Rate	SWL
Yes No 🗵 🗆	7.	81				3'
Explosives used	245	310	e.	7100	)	+2
Liameter From To Material From To sacks or pounds 16" O 190 E MENT O 190 2105 MCK	(10) WELL TO	0.		-		
1 2 243	(12) WELL LO	Ground eleve	ition			
マップの 205 510		Material		From	То	SWL
How was seal placed: Method		THY S WIT	Y	C	7	7'
Other	CLAY . S		-	57	53	7.
Backfill placed fromft. toft. Material	CLAY T		ET		2740	+2
Gravel placed from ft. to ft. Size of gravel	LAVA POUL	-SAND, R DERS, LA	D.E.	5H6		
(6) CASING/LINER:	CINDERS		A114		310	
Casing: 12" 0 160.25d 20   20   20   20   20   20   20   20						
Final location of shoe(s)						
) PERFORATIONS/SCREENS:						
Perforations Method Material						
rom To size Number Diameter size Casing Liner						
	Date started 1 -	10-87	mulet a d	41 - 16	>	3
					3-0	
(8) WELL TESTS: Minimum testing time is 1 hour  Pump Bailer Air Artesian  Yield gal/min Drawdown Drill stem at Time  1 hr.	abandonment of this standards. Materials knowledge and belief.	e work I performed well is in complian	on the conce with reported	onstructio Oregon w	vell cons true to nber	struction my best
Temperature of water	(bonded) Water We I accept respons work performed on the work performed dur construction standard belief. Signed Floryl	ibility for the construis well during the con- ing this time is its. This report is true	nstruction n comple to the	teration, n dates re liance with best of my	ported a th Oreg y knowle	bove. all on well edge and

May 15# 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
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Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,

Thomas MacDonald

Desert Springs Trout Farm

RECEIVED BY OWRD

MAY 1 9 2014

SALEM. OR



O R E G O N Oregon Water Resources Department 725 Summer Street NE, Suite A Salem Oregon 97301 (503) 986-0900

# Application for Well ID Number

RECEIVED

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

NOV 2 6 2019

OWNER INFORMATION		OWRD
Current Owner Name (please print):	ummer Lake Trout Farm Attn: Ethan Negu	ıs
Mailing Address: PO Box 40		
City, State, Zip: Summer Lake, Of	R 97640	
Mail Well ID to: SAME A	S ABOVE In Care Of (C/O)	
Name & Address:		
Fownship: 30 (North Soum) I Fax Lot (usually last 3-5 numbers of Tax 42 59' 23.24" N		NE 1/4 of the NW 1/4 County
f the property had a different street add		CW.U.D
f the property had a different street addi  II. GENERAL WELL INFORMATI  Jse of Well (domestic, irrigation, comm	ON (Please fill out as completely as possible, AND attack percial, industrial, monitoring): Fish culture & Irrigation	on
f the property had a different street addi  II. GENERAL WELL INFORMATI  Jse of Well (domestic, irrigation, commonte Well (constructed (or property built	ON (Please fill out as completely as possible, AND attack nercial, industrial, monitoring): Fish culture & Irrigation; 4-15-88 Total Well Depth: 310'	Casing Diameter: 12"
f the property had a different street additional street. II. GENERAL WELL INFORMATION of Well (domestic, irrigation, communicate Well Constructed (or property build owner at time the well was constructed)	ON (Please fill out as completely as possible, AND attack neroial, industrial, monitoring): Fish culture & Irrigation; 4-15-88 Total Well Depth: 310' (if known): Robert Olson Well Report #	on
f the property had a different street addi  II. GENERAL WELL INFORMATI  Use of Well (domestic, irrigation, common ate Well Constructed (or property build)  Owner at time the well was constructed  Other Information:	ON (Please fill out as completely as possible, AND attack neroial, industrial, monitoring): Fish culture & Irrigation i): 4-15-88 Total Well Depth: 310' (if known): Robert Olson Well Report #	Casing Diameter: 12" (ifknown): LAKE 3029
f the property had a different street addi  II. GENERAL WELL INFORMATI  Use of Well (domestic, irrigation, common ate Well Constructed (or property build)  Owner at time the well was constructed  Other Information:	ON (Please fill out as completely as possible, AND attack neroial, industrial, monitoring): Fish culture & Irrigation i): 4-15-88 Total Well Depth: 310' (if known): Robert Olson Well Report #	Casing Diameter: 12" (ifknown): LAKE 3029
f the property had a different street additional	ON (Please fill out as completely as possible, AND attack neroial, industrial, monitoring): Fish culture & Irrigation i): 4-15-88 Total Well Depth: 310' (if known): Robert Olson Well Report #	Casing Diameter: 12" (ifknown): LAKE 3029
f the property had a different street additional of the property had been at time the well was constructed other information:  [UBMITTED BY (please print): Ethat (541) 943-3192  [HONE: (541) 943-3192	ON (Please fill out as completely as possible, AND attack neroial, industrial, monitoring): Fish culture & Irrigation; 4-15-88 Total Well Depth: 310' (if known): Robert Olson Well Report #	Casing Diameter: 12"  (if known): LAKE 3029  ertspringstroutfarm.com
f the property had a different street addition of the property had a different street addition.  II. GENERAL WELL INFORMATI Use of Well (domestic, irrigation, common of the Well Constructed (or property build owner at time the well was constructed other Information:  Ether (SUBMITTED BY (please print):  PHONE: (541) 943-3192  end application to: Oregon Water Resourt, pplications are processed in the order the	ON (Please fill out as completely as possible, AND attack neroial, industrial, monitoring):  Fish culture & Irrigation in the street of the st	Casing Diameter: 12"  (if known): LAKE 3029  ertspringstroutfarm.com  197301; or fax to (503) 986-0902. business days.
If the property had a different street addition of the property had a different street addition.  III. GENERAL WELL INFORMATI Use of Well (domestic, irrigation, common on the Well Constructed (or property build owner at time the well was constructed other Information:  Ether Information:  Ether PHONE: (541) 943-3192  Send application to: Oregon Water Resourt applications are processed in the order the	ON (Please fill out as completely as possible, AND attack nercial, industrial, monitoring):  Fish culture & Irrigation (1):  4-15-88 Total Well Depth:  (if known): Robert Olson Well Report #  an Negus  EMAIL &/or FAX:  ethan.negus@dese	Casing Diameter: 12"  (if known): LAKE 3029  ertspringstroutfarm.com  197301; or fax to (503) 986-0902. business days.

Last Update: 5/15/18

Well I.D. Number/2

WCC

# LAKE 52367# 1

STATE OF OREGON WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

Well #5

WELL LABEL # L 10 3896
START CARD # 206 438

(1) LANDOWNER Owner Well I.D.	(9) LOCATION OF WELL (legal description)
First Name TIC Mus Last Name AIG Danale of State Address Po Dox 87	County Laye Twp 30 N or S Range 17 E or W W.M. See 5 SE 1/4 of the WW 1/4 Tax Lot 600
City Summers Loke State DR Tip 976910	See S 1/4 of the 1/4 Tax Lot 600
(2) TYPE OF WORK New Conversion Decepting	Tax Map Number Lot DMS or DD
Alteration (complete Sections 2n & 10) Abandonment (complete Section 5a)	lang o or DMS or DD
(2a) PRE-ALTERATION: Well Depth 1.	Street Address of Well (or nearest address) 48412 Dessert 5611195 No Summer Lake of 97640
Seal Material	
Casing Type: Steel Plustic Other Casing Gauge Casing Diameter	(10) STATIC WATER LEVEL   Date   SWL(psi)   +   SWL(ft)
	Existing Well/Pre-Alteration 9-25-10 Land
(3) DRILL METHOD	Completed Well Support
(4) PROPOSED USE. Domestic Trigation Community	WATER REARING ZONES Depth water was first found . 6.0
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection	SWL Date From To Est Flow   SWL (psi)   SWL (ft)   SWL (ft)
[5] BORE HOLE CONSTRUCTION	223 230 10001-
Depth of Completed Well 420 n. Special Standard: Yes (attach copy)	
BORE HOLE SEAL	
Diy From To Material From To Amount Scks/lbs	(11) WELL LOG Ground Elevation
211 214 120	Material From Tu
	Top Soily
How was seal placed. Method   A   B   XC   D   E	Black Clay 100 120
Other	1/2 (10)
Backfill placed from A. to A. Material	Mackelan 169 195
ilter pack from ft. to ft. Material Size	Sand gravel UD 225 250
	10/1 Clay 230 290
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	13/4 Clar 1990 300
Calculated Amount Proposed to be Used:	Black Clay 380 380
Actual Amount Osca.	Blue Clay 340 395
(6) CASING/LINER	
Cang Linr Dia + From To Gauge Steel Plastic Welded Thrd	
	N = 1 / 15
	Date Started 8-31-16 Completed 9-25-10
Slice   Inside   Outside   Other Location of shoc(s)	(unbonded) Water Well Constructor Certification
Temporary casing Yes Diameter From To To	I certify that the work I performed on the construction, deepening, alterntion, or ahandonment of this well is in compliance with Oregon water supply well
(7) PERFORATIONS/SCREENS	construction standards. Materials used and information reported above are true to
Perforations Method	the best of my knowledge and belief.
Screens Typo Material	License Number Date
	Signed
Peri Sem Cang Linr Dia Prom To width length slots size	(bonded) Water Well Constructor Cortification
	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
(8) WELL TESTS: Minimum testing time is I hour	and belief.
□ Punip □ Bailer ☑ Air □ Flowing Artesian	License Number 163 Date 10-10-11
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	License Number 1654 Date 10-10-11  Signed 18 0 5
emperature 5/ °F Lab analysis  Yes By	Cuntact Info. (optional)
Water quality concerns? Yes (describe below) TOSppm	Search drilling INC SEARCH TOM Search 2189
From To Description Amount	TOM Seases 2189回最 50
KEPCIAED	541-5/60 210 100 - 1
ORIGINAL - WATER RESOURCES DEPARTMENT ONE C SUBMITTED TO THE WATER AROUND ARTIN	OPY FOR CONSTRUCTOR ONE COPY FOR CLATOMER NO
SUBMITTED TO THE WATER TO PRESENT ARTA	ILAT WITHIN 30 DAYS OF COMPLETION OF WORK S

Well #6

- IAVE well	1 #2 Well #6 L 137024
WATER SUPPLY WELL REPORT 52368  LAKE 52  JORS 537.765 & OAR 690-205-0210)  Instructions for completing this report are on the last page of this form.	WELL LABEL # L 10 3597 TAG LOST START CARD # 30 6439 ORIGINAL LOG#
(1) LANDOWNER First Name Thomas Last Name Well LD.  Ompany Address Po Box 87	(9) LOCATION OF WELL (legal description)  County Lake
City Schools Land State Of Zip 47640	Tax Map Nuruber Lot DMS or DD
(2) TYPE OF WORK   New   Conversion   Deepening   Alteration (complete Sections 2a & 10)   Abandonment (complete Section Su)   (2a) PRE-ALTERATION:   Well Depth   ft.   Seal Material	Lang or DMS or DD  Street Address of Well for nearest address) 48413 DESERT  SPIRE AU SU MMER LANC ON 97440
Casing Gauge Casing Diameter	(10) STATIC WATER LEVEL Date SWL(psi) + SWL(fi)
(3) DRILL METHOD	Existing Well/Pre-Alteration /6: 2y- (0   2 /25/   Completed Well   Flowing Artesian?   Yes Dry Hole?   Yes   /
(4) PROPOSED USE Domestic Dringation Community Injection Dewatering Injection    Thermal Other   Domestic Dewatering Injection   Thermal   Other   Dewatering   D	Flowing Artesian?   Yes Dry Hole?   Yes / WATER BEARING ZONES Depth water was first found 28 / SWL Date   From   To   Est Flow   SWL (psi)   4   SWL (fi)
Depth of Completed Well 260 is Special Standard: Yes (attach copy)  BORE HOLE SEAL	
Dia From To Maierial From To Amount Scks/lbs  34 0 34 Coment 0 39 60 SCK  1611 39 210 Cement 40 210 150 SCK	(11) WELL LOG Ground Elevation
μ* 2/0 260	BIACK Clay 2
How was seal placed: Method □ A □ B 💆 C □ D □ E	BIVE CIAY 120 180
Other fi to fi Material	Cot = 1 Basalt 180 225
ilter pack from ft_to ft_Material Size	Red'Cipel 225 260
(5a) ABANDONMENT USING UNHYDRATED BENTONITE: Calculated Amount Proposed to be Used:	RECEIVED REGEIVED BY OWND
Actual Amount Used:	MAR 1 3 2012 JUL 1 2 2012
Cang Linr Dig   From Io Gauge Steel Plastic Welded Thed	SALEM: OREGON SALEM, OR
y 12° - 3 220 .150 y	Date Started 9-28-10 Completed 10-28-10
Shoc   Inside   Outside   Other Location of shoc(s)	(unboaded) 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
Perforations Method Screens Type Material	License Number Date
Perf Sem Cang Line Dia Fram To width length slots size	Signed
	(bonded) Water Well Constructor Certification   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
(8) WELL TESTS: Minimum testing time is I hour Pump Bailer Air Arbowing Artesian	supply well construction standards. This report is true to the hest of my knowledge and belief  License Number 1654 Date 10-12-11
Yield gal/min   Drawdown   Drill stein/Pump depth   Duration (hr)	Signed M. S.
water quality concerns? Yes (describe below) TDS	Search drilling INC
From To Description Amount Units	70m Scarch Sul-5/6-211

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

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

LAKE 52368

LAKE 52368,

L	137024	
VELL LABEL # L 10	3897	TAG LOST
	1. 20	

START CARD# 304439
ORIGINAL LOG#

		_		
-	-		-	

instructions for completing this report are on the last page of this torm.	7
(1) LANDOWNER First Name   LOIMES   Last Name   MC DONIED	(9) LOCATION OF WELL (legal description)
ompany Last Name Last Name	County Laure Twp 30 Nors Range 1/ E or W W.M.
-ddress VA Box 87	Sec 5 1/4 1/4 of the 1/4 Tax Lot 600
City Schooler Land State ON Zip 97640	Tax Map Number Lot DMS or DD
	Lat OMS or DD
(2) TYPE OF WORK New Conversion Deepening	Long or DD or DD
Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)	Street Address of Well for nearest address) 48413 DESSETT SPIND AU SU MMET LAKE ON 97490
(2a) PRE-ALTERATION: Well Depthft.	cernal AU SU mmer Lake on 97840
Seal Material	Silvery Me section 1
Casing Type: Steel Plastic Other	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Date SWL(psi) + SWL (ft)
	Existing Well/Pre-Alteration /C 2y-10 2 /25/
(3) DRILL METHOD   ☐ Rotary Air ☐ Rotary Mud ☐ Auger	Completed Well
Cable Cable Mud Reverse Rotary Other	Flowing Artesian? Yes Dry Hole? Yes
Cable Cable Midd Reverse Rolary Collet	WATER BEARING ZONES Depth water was first found 23
(4) PROPOSED USE Domestic Irrigation Community	
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection	SWL Date From To Est Flow SWL (psi) + SWL (ft)
☐ Thermal ☐ Other	20 25 259-1
(5) BORE HOLE CONSTRUCTION	
Depth of Completed Well 260 it. Special Standard: Yes (attach copy)	
BORE HOLE SEAL	
Dia From To Material From To Amount Scks/lb 24" O 39 Coment O 39 80 SCK	(11) WELL LOG Ground Elevation
1811 34 210 Cement 40 210 150 SCK	
R" 210 260	TOP 5012 0 2
How was seal placed: Method □ A □ B XC □ D □ E	an can 10 120
Other	BIVE CIAY 120 180
Backfill placed from ft. to ft. Material	6/2/ BasnIT 180 235
ilter pack fromft. toft. MaterialSize	Red Cipel 225 260
The poor from To	BESELVES .
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED RECEIVED BY OWRI
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED REGEIVED BY OWR
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:sacks/lbs	WAD 4 9 2012
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:sacks/lbs	MAR 1 3 2012 JUL 1 2 2012
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012 JUL 1 2 2012
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012 JUL 1 2 2012 WATER RESOURCES DEPT
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012 JUL 1 2 2012
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT SALEM. OREGON  SALEM, OR
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012 JUL 1 2 2012 WATER RESOURCES DEPT
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9. 28-10 Completed 10-28-10
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT SALEM. OREGON  Date Started 9.28-10 Completed 10-28-10  (unbonded) Water Well Constructor Certification
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9.29-10 Completed 10-28-10  (unbonded) Water Well Constructor Certification  I certify that the work I performed on the construction, deepening, alteration, or
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9.29-10 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON SALEM, OR  Date Started 9-29-10 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.
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9.29-10 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9-29-10 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON SALEM, OR  Date Started 9-29-10 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.
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(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9-29-10 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9-29-10 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9-29-10 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9-29-10 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON SALEM, OR  Date Started 9. 29-10 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.
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(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9-29-10 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
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9-29-10 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  Date  Date
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9-29-10 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  Date  Date
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9-29-10 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  Date  Date
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  Date Started 9-29-10 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  Date  Date
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	WATER RESOURCES DEPT SALEM. OREGON  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 16 54 Date 10-12-11  Signed 20-12-11

#### STATE OF OREGON WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

Formation of which

Amended 52368

LAKE 52368 L 137024

WELL LABEL # L	10	3	89	7	TAG	LOST
START CARD#						

START CARD # 306439
ORIGINAL LOG #

DRAFT

mistractions for completing this report are on the ast page of this serial	DNA
(1) LANDOWNER First Name Thomas  Last Name  Owner Well I.D.  Last Name	(9) LOCATION OF WELL (legal description)
First Name 160mg Last Name	County Laure Twp 30 Nors Range / Eor W W.M.
ompany Address Pu Box 87	Sec _ LL _ LW 1/4 of the 1/4 Tax Lot _ 600
City Summer Land State Of Zip 97610	Tax Man Number Lot
City Johnster En 114 State City The Trans	lat ° "or DMS or DD
(2) TYPE OF WORK New Conversion Deepening	
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)	Long N (Cart
(2a) PRE-ALTERATION: Well Depth ft.	Street Address of Well (or nearest address) 484/13 Dr55erT
	Sping Ad Summer Lake on 9740
Seal Material	
Casing Type:	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Date SWL(psi) + SWL (ft)
	Existing Well/Pre-Alteration 10 25 10 275
(3) DRILL METHOD XRotary Air Rotary Mud Auger	Completed Well
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other	Flowing Artesian? Yes Dry Hole? Yes
Cable   Cable Mad   Revelac Roady   Cable	WATER.BEARING ZONES Depth water was first found
(4) PROPOSED USE Domestic Pringation Community	WATER.BEARING ZOTTES Department was manifested
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection	SWL Date From To Bst Flow SWL (psi) + SWL (ft)
☐ Thermal ☐ Other	20 25 259-1
(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	(11) WELL LOG Ground Elevation
24" 0 39 Crmen 0 39 80 SCK	
16" 39 210 Ciment 140 210 150 SCK	
12" 210 200	
	Black Clay to 120
How was seal placed: Method □ A □ B 💇 C □ D □ E	Blue (14) 120 180
Other	6121 Pasmit 80 225
Backfill placed fromft. toft. Material	Red Cipel 225 260
ilter pack from ft. to ft. Material Size	13.0 - 11/4.
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:  Calculated Amount Proposed to be Used:	
(6) CASING/LINER	
Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd	
Y 15" 1 39 .250 Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	
X 15" 1 39 .250 Y Y Y Y 12" - 3 220 .150 X X	
	Date Started 9- 28-10 Completed 10- 25-10
Shoe Inside Outside Other Location of shoe(s)	(unbonded) Water Well Constructor Certification
Temporary easing Yes Diameter From To	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 standed and an activation reported above are true to
(7) PERFORATIONS/SCREENS	construction standing and the part of the best of my knowledge and belief.
Perforations Method	
Screens TypeMaterial	License Number APR C 5 2012 Date
Screen   Screen   Tele/   Screen   slot   Slot   # of   pipe	Signed WATER RESOURCES DEPT
Perf Sern Csng Linr Dia From To width length slots size	(bonded) Water VSALEMSTOREGON tiffcation
Tell betti esing Elin Dia 110m 10 misur lengur sites	l 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.
(8) WELL TESTS: Minimum testing time is 1 hour	1/54 - 1/2-11-11
□ Pump □ Bailer □ Air □ Flowing Artesian	License Number 1654 Date 10-12-11
Yield gal/min   Drawdown   Drill stem/Pump depth   Duration (hr)	
	11
1000.	11
1000	11
emperature 60° F Lab analysis  Yes By	11
emperature 60° F Lab analysis Yes By Water quality concerns? Yes (describe below) TDS ppm	11
emperature 60° F Lab analysis  Yes By	Signed M.

#### STATE OF OREGON WATER SUPPLY WELL REPORT

## We 11 #12 LAKE 52368

	L 137024	
WELL LABEL # L.	103897	TAG LOST
START CARD#	106439	

(ORS 537.765 & OAR 690-205-0210) Instructions for completing this report are on the last page of this form.	START CARD # 304439	
(1) LANDOWNER Owner Well LD.  First Name Thomas Last Name Seath	(9) LOCATION OF WELL (legal description) County Lake Twp 70 Nor S Ronge 17	DRAFT
umpany Po Box 87	Sec 5 14 14 of the 1/4 Tax Lot 60	00
City Schmer Labe State ON Zip 47640	Tex Mep NumberLot	
(2) TYPE OF WORK Sow □ Conversion □ Despening	Lut or	DMS or DD
Alicention (complete Sections 2a & 10) Ahandonment (complete Section 5a)	Long "or "or	DMS or DD
(2a) PRE-ALTERATION: Well Depth II.	Street Address of Well for nearest address) 48413 DES! SETING RUSU MMET LAKE ON 97	STI
Scal Material	Spring AU SU MMET LAKE ON 471	40
Casing Type: Steel Plastic Other	(10) STATIC WATER LEVEL	
Casing Gauge Casing Diameter	Date   SWL(psi)   +	SWL (ft)
(3) DRILL METHOD Rotary Air Rotary Mud Auger	Existing Well/Pre-Alteration /C 24-10 2 PS/	
Cable Cable Mud Reverse Rotary Other	Flowing Artesian? Yes Dry Hole? Y	CB
(A) PRODOCED USE Cloude Mr	WATER BEARING ZONES Depth water was first found_	
(4) PROPOSED USE Domestic Irrigation Community Industrial/Commercial Dewatering Injection	SWL Date From To Est Flow SWL (psi) +	SWL (ft)
(5) BORE HOLE CONSTRUCTION		
Depth of Completed Well ft. Special Standard: Yes (attach copy)		
BORE HOLE SEAL  Dia From To Meterial From To Amount Seks/lt	N L	
2411 0 39 Coment 0 39 50 5CX	(11) WELL LOG Ground Elevation	
		To
12 2/0 260		10
How was seal placed: Method A B MC D E	and clay	20
Other	1310e Clay 120	180
Backfill placed from ft. to ft. Material	61-1 BasnIT 180	245
ilter pack from It. to ft. Material Size	Ad Cipel 225	260
	RECEIVED	
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	HEGETYED	
Calculated Amount Proposed to be Used:	MAR 1 9.2012	
Acoust Amount Ofed:	MAR 1 2 2012	
(6) CASING/LINER	WATER RESOURCES DEPT	
Canul Line Din 1+ From To Gauge Steel Plastic Welder Thrd		
X 15" + 31 37 :250 X X	SALEM, OREGON	
Y 124 = 3 220 .150 Y	Date Started 9. 29-10 Completed 10-25	1-10
Shoe Inside Outside Other Location of shoe(s)	(unbonded) Water Well Constructor Certification  I certify that the work I performed on the construction, deepening.	ulteration or
Temporary casing Yes Diameter From To	abandonment of this well is in compliance with Oregon water supply	well
A PRINCIPAL PROPERTY OF THE PR	construction standards. Materials used and information reported above	
(7) PERFORATIONS/SCREENS Perforations Method	the best of my knowledge and belief.	
Screens Type Material	License Number Date	
Serven Slot Slot Hof pipe	1 Signed	
Perf Sem Cang Line Dia From To width length alots size		
	I accept responsibility for the construction, deepening, alteration,	
	abandonment work performed in this well during the construction dat above. All work performed during this time is in compliance with Or	
	supply well construction standards. This report is true to the best of it	
an annual morno, and the state of the state of	and belief.	
(8) WELL TESTS: Minimum testing time is 1 hour Pump	License Number / 654 Dute /0-12-1	1/
Yiald gal/min Drawdown Drill steat/Pump depth Duration (hr)	Signed Scarch drilling INC Search drilling Sul-576-2  70M Scarch Sul-576-2	
.amporature 60 °F Lab analysis  Yes By	Contact Info, (optional)	
Water quality concerns?  Yes (describe below) TDSppm	Search drilling I'm	1189
From To Description Amount Units	701. C 11. Sul-576-A	(1)
	I IOM SEARIN	

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

May 15# 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 1 9 2014

SALEM. OR



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

# Application for Well ID Numbered

DEC 1 0 2019

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

OWRD

Current Owner Name (please print): VI	Vestern Development Group, LP - Attention:	Bernie Burknolder
Mailing Address: PO Box 40		
City, State, Zip: Summer Lake, O	PR 97640	
Mail Well ID to: SAME	AS ABOVE In Care Of (C/O)	
Name & Address:		
City, State, Zip:		
II WELL LOCATION INFORMAT	YION (Please fill out as completely as possible)	
	Range: 17 E (Est/West) Section: 5	SW 1/4 of the SE 1/4
Tax Lot (usually last 3-5 numbers of Tax	Man #1: 600 County Lake	SW 1/4 of the _SE 1/4
GPS Coordinates: 42 59' 28.27" N	N 120 43' 50.53" W	
Street Address of Well City 48413	Desert Springs Rd Summer Lake	
If the property had a different street add		
III. GENERAL WELL INFORMAT	ION (Please fill out as completely as possible, AND attac	
III. GENERAL WELL INFORMAT  Use of Well (domestic, irrigation, common to the Well Constructed (or property built)  Owner at time the well was constructed	nercial, industrial, monitoring): Fish culture and Irr	igation  Casing Diameter: 12"  (if known): Lake 52368
III. GENERAL WELL INFORMAT  Use of Well (domestic, irrigation, common to the Well Constructed (or property built)  Owner at time the well was constructed	PION (Please fill out as completely as possible, AND attachmercial, industrial, monitoring): Fish culture and Irrult): 10-28-10 Total Well Depth: 260'	igation  Casing Diameter: 12"  (if known): Lake 52368
III. GENERAL WELL INFORMAT Use of Well (domestic, irrigation, commonted Well Constructed (or property build Owner at time the well was constructed Other Information: Previously ass	HON (Please fill out as completely as possible, AND attackmercial, industrial, monitoring): Fish culture and Irrult): 10-28-10 Total Well Depth: 260'  I (if known): Well Report # igned Well I.D. Label # L103897 has been less than the complete of the comp	igation  Casing Diameter: 12"  (if known): Lake 52368
III. GENERAL WELL INFORMAT Use of Well (domestic, irrigation, common to the Well Constructed (or property build Owner at time the well was constructed Other Information: Previously associated of the Previously associated the Well Was constructed Other Information: Previously associated the Well Well of the Well Well of the Well Well of the Well of the Well was constructed to the Well of	neroial, industrial, monitoring): Fish culture and Irreliti; 10-28-10 Total Well Depth: 260'  I (if known): Well Report # Ligned Well I.D. Label # L103897 has been learn Negus	rigation  Casing Diameter: 12"  (if known): Lake 52368 ost
III. GENERAL WELL INFORMAT Use of Well (domestic, irrigation, common to the Well Constructed (or property build Owner at time the well was constructed Other Information: Previously associated of the Previously associated the Well Was constructed Other Information: Previously associated the Well Well of the Well Well of the Well Well of the Well of the Well was constructed to the Well of	HON (Please fill out as completely as possible, AND attackmercial, industrial, monitoring): Fish culture and Irrult): 10-28-10 Total Well Depth: 260'  I (if known): Well Report # igned Well I.D. Label # L103897 has been less than the complete of the comp	rigation  Casing Diameter: 12"  (if known): Lake 52368 ost
III. GENERAL WELL INFORMAT  Use of Well (domestic, irrigation, common to the Well Constructed (or property build Owner at time the well was constructed Other Information: Previously associated BY (please print): Ether PHONE: (541) 943-3192  Gend application to: Oregon Water Resources	neroial, industrial, monitoring): Fish culture and Irreliti; 10-28-10 Total Well Depth: 260'  I (if known): Well Report # Ligned Well I.D. Label # L103897 has been learn Negus	Casing Diameter: 12"  (if known): Lake 52368  ost  ertspringstroutfarm.com
III. GENERAL WELL INFORMAT  Use of Well (domestic, irrigation, common to the Well Constructed (or property build Owner at time the well was constructed Other Information: Previously associated BY (please print): Ether PHONE: (541) 943-3192  Gend application to: Oregon Water Resources	nercial, industrial, monitoring): Fish culture and Irrelative 10-28-10 Total Well Depth: 260'  I (if known): Well Report # 15 igned Well I.D. Label # L103897 has been less an Negus  EMAIL &/or FAX: ethan.negus@descretes Department 725 Summer St NE, Suite A, Salem, Oregoney are received, and Well ID Numbers are mailed within 4-5 interested in the summer of the summ	Casing Diameter: 12"  (if known): Lake 52368  ost  ertspringstroutfarm.com
III. GENERAL WELL INFORMAT Use of Well (domestic, irrigation, come Date Well Constructed (or property bui Owner at time the well was constructed Other Information: Previously ass SUBMITTED BY (please print): Eth PHONE: (541) 943-3192  Send application to: Oregon Water Reson Applications are processed in the order th	nercial, industrial, monitoring): Fish culture and Irrelative 10-28-10 Total Well Depth: 260'  I (if known): Well Report # 15 igned Well I.D. Label # L103897 has been less an Negus  EMAIL &/or FAX: ethan.negus@descretes Department 725 Summer St NE, Suite A, Salem, Oregoney are received, and Well ID Numbers are mailed within 4-5 interested in the summer of the summ	Casing Diameter: 12"  (if known): Lake 52368  cost  ertspringstroutfarm.com  an 97301; or fax to (503) 986-0902, business days.
III. GENERAL WELL INFORMAT Use of Well (domestic, irrigation, come Date Well Constructed (or property bui Owner at time the well was constructed Other Information: Previously ass SUBMITTED BY (please print): Eth PHONE: (541) 943-3192  Send application to: Oregon Water Reson Applications are processed in the order th	AND attack mercial, industrial, monitoring):  Fish culture and Irr  Total Well Depth:  Well Report #  Signed Well I.D. Label # L103897 has been less  Than Negus  EMAIL &/or FAX: _ethan.negus@descretes Department 725 Summer St NE, Suite A, Salem, Oregoney are received, and Well ID Numbers are mailed within 4-5	Casing Diameter: 12"  (if known): Lake 52368  cost  ertspringstroutfarm.com  an 97301; or fax to (503) 986-0902. business days.

Last Update: 5/15/18

Well I.D. Number/2

WCC

Amendel

Well #7

# Well #7

LAKE 52369 WELL LABEL # L 10 3898 STATE OF OREGON WATER SUPPLY WELL REPORT START CARD # 206440 (ORS 537.765 & OAR 690-205-0210) ORIGINAL LOC & er are an the last page of this form lastractions for completing this repe (1) LANDOWNER FIRE Nume Thomas Last Name MAC DEMET (9) LOCATION OF WELL (legal description)
County Le M. Twp 30 Nor S Range 17 Eur W W.M. city Summer Lake 50 5 ... 1/4 of the \_\_\_\_ 1/4 Tax Lot 600 Sett OK In 97640 Lat DMS or DO Lat (2) TYPE OF WORK New Conversion Deepening well Depth Street Address of Wellfor Dennest address) 48413 Dr.55erT 5Pring No Staner Lake DY 97640 Seal Material ... Casing Type: Steel □ Other (10) STATIC WATER LEVEL Casing Dameter Casing Change Date SWL(mi) 1 Existing Well/Te-Aheration 2.5 // 4 PSI (3) DRILL METHOD KNUTY AU ROUTY MIN Augus Completed Well Flowing Artesian? Tes Dry Hole? Yes WATER BEARING ZONES Depth water was first found (4) PROPOSED USE Donnelie | Imigation | Community | Industriat/Commercial | (Livestock | Dewstering | Injection Frum ! In Est Flow SWL Dute | SWL (pri) | + | SWL (A) ☐ Thurst Other . 15) BORE HOLE CONSTRUCTION
Depth of Completed Well 370 a. Special Standard: Yes (attach copy) DORE HOLE SEAL Dia Frim Tu Maicrial
20" O 200 (Smrs.)
12.4 220 370 From To Amount Schaffer (11) WELL, LOC Ground Floration Material Black How was seed placed ... Method DA DB &C DD DE Ruica Dackfill placed from \_\_\_\_\_ 0. lo \_\_\_ IL Matrial Clan iller pack from \_\_\_\_ ft. to \_ () Motorial Basal (54) ABANDONMENT USING UNITYDRATED BENTONITE: Calculated Amount Proposed to be Used: sucks/fba Acqual America Usual. sackwithe (6) CASING/LINER 720 250 Stoel Plastic Worked Thed Date Started 10 - 30-10 Completed 3- 5- 11 (anbunded) Water Well Constructor Certification Shoe I Inside Dutside I (Aher Location of shoe(s) I certify that the work I performed on the construction, desponing, ulteration, or Temporary casing Yes Diameter \_ abandonment of this well is in compliance with Origins water supply well epadruction standards. Materials used and information reported above are true to (7) PERFORATIONS/SCREENS the best of my knowledge and helief Ciconse Number\_ Screens Material Date Serecu Tele Signed Flox Sky PAPE Perf Sum Care Line Din stute (headed) Water Well Constructor Certification I water temporaribility for the construction, despending, alteration, or and amounted 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 (8) WEI, L'TESTS: Minimum testing time is I hour D Baiker □ Ar Yield gal/tain | Deawdown | Drill stour/Panty slepth | Deastion (b) Search drilling INC SMEH RESO emperature 60 "F Lab analysis [] Yes By Water quality concerns? [] Yes (describe below) TDS ppm Description Tom Search From Ta Anzwint Unin 541 576. 2189

F.1.4

P82839922821:UT

ORIGINAL - WATER RESOURCES DEPARTMENT

S4129/S183

NAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTUMES SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORKER MER-1412012 12:34 FROM: TOM

APR 2 4 2016

YOWRD

STATE OF OREGON LAKE 52	2369 AKE 1/2 35:48
WATER SUPPLY WELL REPORT	52361 START CARD# 206440
ompany Address PO 50X 87	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
(2) TYPE OF WORK New Conversion Deepening  Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)  (2a) PRE-ALTERATION: Well Depth ft.	Tax Map Number         Lot           Lat         " or
Casing Type: Steel Plastic Other  Casing Gauge Casing Diameter	(10) STATIC WATER LEVEL    Date   SWL(psi)   +   SWL (ft)
(3) DRILL METHOD	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)
Industrial Commercial   Livestock   Dewatering   Injection     Thermal   Other     (5) BORE HOLE CONSTRUCTION     Depth of Completed Well   300   ft. Special Standard:   Yes (attach copy)	140 200 Sou 94 77
BORE HOLE Dia From To Material From To Amount Scks/lb  20 0 20 Center O 20 5c K	Material From To
How was seal placed: Method A B C D E Other Backfill placed from ft. to ft. Material ilter pack from ft. to ft. Material Size  (5a) ABANDONMENT USING UNHYDRATED BENTONITE:	Black (10-/ with 10 35 Rmi Ge 35 Green (10-/ with 10 35 Green (10-/ 105 105 Love Rock 120 940 Black Lave Rock 120 360
Calculated Amount Proposed to be Used:sacks/lbs Actual Amount Used:sacks/lbs	Red Cider 300 340
(6) CASING/LINER Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd  X 124 + 1 220 250 × 1	Date Started 10 - 30-10 Completed 3 - 5- 11
Shoe  Inside  Outside Other Location of shoe(s) Temporary easing  Yes Diameter From To  (7) PERFORATIONS/SCREENS	(unbonded) Water Well Constructor Certification I certif RECEIVED BY COMPEnstruction, 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
Perforations Method	the best of my knowledge 11/2/2012 RECEIVED License Number Date
Perf Scrn Csng Linr Dia From To Screen/ slot Slot # of pipe width length slots size	Signed SALEM, OR MAR 1 3 2012  (bonded) Water Well Constructor Certification (days and property of the construction, days are the construction of the c
	I accept responsibility for the construction, destruction destruction 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.
(8) WELL TESTS: Minimum testing time is 1 hour  Pump Bailer Air Flowing Artesian  Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	License Number 1654 Date 10-12-11 Signed Land
emperature 60° °F Lab analysis  Yes By Water quality concerns? Yes (describe below) TDS ppm From To Description Amount Units	Contact Info. (optional) Search drilling INC Tom Search Sul \$76.2189

STATE OF WATER S DRAFT

WELL LABEL # L 10 38 9 8 START CARD # 206440

(ORS 537.76	START CARD # 206440
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	(9) LOCATION OF WELL (legal description)
ompany address PO BOX 87	County Lake Twp 30 Nors Range 17 Eur W W.M.
City Summer Lake State Of Zip 97640	Sec 5 1/4 of the 1/4 Tax Lot 600
City JUMMEN LANK State OF ZIP 11040	Tax Map Number
(2) TYPE OF WORK W New Conversion Deepening	Lat Of DMS of DD
Alteration (complete Sections 2a & 10) Ahandonment (complete Section 5a)	
(2a) PRE-ALTERATION: Well Depthit.	Street Address of Wellyfor nearest address) 48413 DresserT
Seal Material	spring Ad SUMMER LANE BY 97640
Casing Type: Stoel Plastic Other	
	(10) STATIC WATER LEVEL
Casing Dauge Casing Diameter	Date SWL(psi) + SWL(ft)
	Existing WelVPre-Alteration 2-5- 11 4 PS1
(3) DRILL METHOD Kotary Air Rotary Mud Auger	Completed Well
Cable Cable Mud Reverse Rotary Other	Flowing Artesian? Yes Dry Hole! Yes
(4) PROPOSED USE Domestic Irrigation Community	WATER BEARING ZONES Depth water was first found 60
Industrial/Commercial   Livestock   Dewatering   Injection	SWL Dute   From   To   Est Flow   SWL (pst)   + SWL (ft)
	180 200 500 51
(5) BORE HOLE CONSTRUCTION	
Depth of Completed Well 360 ft. Special Standard: Yes (attach copy)	
BORE HOLE SEAL	
Dia From To Material From To Amount Seks/lbs	(11) WELL, LOG Ground Elevation
12" 220 310 Cement O 220 100 5cK	
12 220 3.0	Tol SolC Prom To.
	100 100
How was seal placed: Method	BIGCK ClayLIN 20 35
Other	12.161
Backfill placed from (l. to ft. Material	Green Clary 65 65
"ilter pack from ft. to the Material Size	Gray Clay 105 220
The part from	Tarie Rock 220 940
(50) ABANDONMENT USING UNITYDRATED BENTONITE:	Black Lava Rock 200 360
Calculated Amount Proposed to be Used:sucks/lbs	Rad Ciden 300 310
Actual Amount Used: suckedba	
(6) CASING/LINER	
Cang Linr Din + From To Gauge Steel Plastic Wolded Thrd	
X 14" + 1 720 ,250 x X	
	Date Started _ 10 - 30-10 Completed 3-5-11
	Date Started 10 - 30-10 Completed 30-17
Shoe I Inside Outside Other Location of shoe(s)	(unbunded) Water Well Constructor Certification
	I certify that the work I performed on the construction, deeponing, ulteration, or
Temporary easing Yes Diameter From To	abandonment of this well is in compliance with Oregon water supply well
(7) PERFORATIONS/SCREENS	construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Perforations Method	art are as my anormouge and money.
Screens Type Material	License Number Date
Screen slot Slot # of pipe	Signed
Perf Sem Cang Line Dia From To width length alots size	(bunded) 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.
(8) WELL TESTS: Minimum testing time is I hour	1/61/
Pump Bailer Air Flowing Artesian	License Number 4/654 Date 10-11-11
Yield gal/min Drawdown Drill stem/Pump depth Danation (In)	Signed The Same &
10' 511 11 51	Contact Info. (optional)
emperature 60° °F Lab analysis  Yes By	Search drilling INC
Water quality concerns? ☐ Yes (describe below) TDSppm	Tom Search 1/ 1/89
From To Description Amount Units	76m Search 576. 2189 188
	76m Search 516. 2189 MAR 1
ORIGINAL - WATER RESOURCES DEPARTMENT ONE	COPY FOR CONSTRUCTOR ONE CUPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPART	MENT WITHIN 30 DAYS OF COMPLETION OF WORK

May 15# 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
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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 1 9 2014

SALEM, OR

mended

## Well #8

Well #8

**LAKE 52487** 

LAKE 52487

STATE OF OREGON WELL LABEL # L 10 4458 WATER SUPPLY WELL REPORT START CARD# 206041 (ORS 537.765 & DAR 690 205-0210) ORIGINAL LOG # Instructions for completing this report are on the last page of this form. (I) LANDOWNER First Name Thomas Owner Well I D. (9) LOCATION OF WELL (legal description)
County La Mel Twp 3 O Nor S. Range 1 7 For W W.M.
See 15 M44 of the Str4 Tax Lax 6 OC? Last Name Mac DOAler address Pr Dey 5-! State an Zip 97640 Tax Map Number \_\_\_\_\_\_ Lot \_\_\_\_ DMS or DD Lat (2) TYPE OF WORK New Conversion Despening DMS or DD ☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

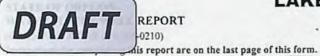
(2a) PRE-ALTERATION: Well Depth ft. Street Address of Well (or gearest address) 48413 0+582 Well Depth \_ Seal Material Casing Type: Steel Plastic Other (10) STATIC WATER LEVEL \_\_ Casing Diameter Casing Gauge SWL(nsi) | + Existing WelVPre-Aheration 7-1-13 4.751 Completed Well (3) DRILL METHOD K Rotary Air Rotary Mud Auger Flowing Artesian? Yes Dry Hole? Cable Cable Mud Reverse Rotary Other\_\_\_ Depth water was first found 260 WATER BEARING ZONES (4) PROPOSED USE Domestac Imigation Commun Community 1500 SWL (pst) 1 SWL (ii) SWL Date | From | To 4-7-15 | 270 | 260 [] Thermal ☐ Other (5) BORE HOLE CONSTRUCTION Depth of Completed Well 260 ft. Special Standard: Yes (attach copy) From To
0 70
90 /55
/55 200 From To Amount Schalles

O 60 /00 Sx

90 /35 /00 Sx Dia 74" Material (II) WELL LOG Cent Ground Elevation 15" 90 150 10" 200 260 11:000 0/2 Black heta 150 Med Lasa Lock 120 Other\_ 10 Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft Material \_ ilter pack from \_\_\_\_\_ ft to \_\_\_\_\_ ft. Material \_\_\_\_\_ Size RECEIVED BY OWND (5a) ABANDONMENT USING UNHYDRATED BENTONITE: RECEIVED BY OWRD Calculated Amount Proposed to be Used: sacks/lbs Actual Amount Used: NOV 18 5013 UCF 1 0 2013-(6) CASING/LINER Csng Linr Dia + From SALEM, OR 90 ,750 X 155 ,250 X 18" + SALEM, OR Date Started 8- 15- 13 Completed 9- 1-13 (unbonded) Water Well Constructor Certification Shoe I Inside Outside Other Location of shoe(s) I certify that the work I performed on the construction, deepening, alteration, or Temporary casing Yes Diameter \_\_ abandonment of this well is in compliance with Orogon water supply well construction standards. Materials used and information reported above are true to (7) PERFORATIONS/SCREENS the best of my knowledge and belief Perforations Method \_ Type \_\_\_ Material License Number \_\_\_\_\_ Date \_\_\_\_\_ Screens Signed Screen slot Slot w of Dia Perf Sem Csng Lint From width length slots (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. (8) WELL TESTS: Minimum testing time is I hour Date 10-6-13 Flowing Artesian ☐ Bailer ☐ Air Pump Yield gal/min | Drawdown | Drill stead/Pump depth | Duration there Contact Info (optional) emperature 60' oF Lab analysis Yes By Water quality concerns? Yes (describe below) TDS \_ppm Io Description Anwant Units ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR COPY FOR

SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

APR 2 4 2014



LAKE 52487

WELL LABEL # L 10 4458 START CARD # 206041 ORIGINAL LOG#

(1) LANDOWNER Owner Well I.D. Last Name Hac Dowles ompany	(9) LOCATION OF WELL (legal description)  County La Ma Twp JO Nor S Range 17 E or W W.M.
Address Po Boy 87	Sec 35 56 1/4 of the 12 1/4 Tax Lot 600
City Summer Lake State CM Zip 97640	Tax Map Number Lot Lat DMS or DD
(2) TYPE OF WORK New Conversion Deepening	Lat or DMS or DD
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)	Long or or
(2a) PRE-ALTERATION: Well Depthft.	Street Address of Well (or gearest address) 78 413 07550
Seal Material	Siring no summer lake
Casing Type:	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Date   SWL(psi)   +   SWL (ft)
	Existing Well/Pre-Alteration 9-1-13 4 pri
(3) DRILL METHOD	Completed Well  Flowing Artesian? Yes Dry Hole? Yes
(A) PROPOSED HER CIP Print Cip	WATER BEARING ZONES Depth water was first found 260
(4) PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Community ☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection	SWL Date   From   To   Est Flow   SWL (psi)   + SWL (ft)
☐ Thermal ☐ Other	9-1-13 220 260 1500 4 951
(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/I	bs
24" 0 90 Cemm 0 90/00 Sx	(11) WELL LOG Ground Elevation
14" 90 155 Campi 90 155/00 50	Material From To
1611 183 200	170 P Soil 0 2
	Black Leta Neck 150 165
How was seal placed: Method ☐ A ☐ B ☑ C ☐ D ☐ E ☐ Other	Hed Laka ROCK 165 220
Backfill placed from ft. to ft. Material	Broken Lavaker 220 200
"ilter pack fromft. toft. MaterialSize	
	RECEIVED BY OVIRD
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED BY OWRD
Calculated Amount Proposed to be Used:sacks/lbs	
Actual Amount Used:sacks/lbs	HOY
(6) CASING/LINER	001 1 0 2013
Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd	SALEM, OR
x 18" + 1 90,250 x X	SALEM, OR
x 14" + 1 155,250 Y	
	Date Started 8-15-13 Completed 9-1-13
St. Divide Double Dotter Leaving of the (s)	(unbonded) Water Well Constructor Certification
Shoe Inside Outside Other Location of shoe(s)  Temporary casing Yes Diameter From To To	I certify that the work I performed on the construction, deepening, alteration, or
Temporary casing Tes Dianicles From To	abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to
(7) PERFORATIONS/SCREENS	the best of my knowledge and belief.
Perforations Method	Lim Notes
Screens · Type Material	License Number Date
Perf Scrn Csng Linr Dia From To width length slots size	e
Pett Schreshig Link Dia 110m 10 width leagur 3005 312	(bonded) Water Well Constructor Certification Laccept 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.
(8) WELL TESTS: Minimum testing time is 1 hour	
☐ Pump ☐ Bailer ☐ Air ☒ Flowing Artesian	License Number 1 6 5 6 Date 10 - 6 - 13
Yield gal/min   Drawdown   Drill stem/Pump depth   Duration (hr)	l el l
1500 hcl	
.emperature 60' °F Lab analysis  Yes By	Contact Info. (optional)
Water quality concerns? Yes (describe below) TDSppm	
From To Description Amount Units	

May 15 1 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 1 9 2014

SALEM. OR

AMENDED 4/17/2020 WELL I.D. LABEL# 1 13/4 STATE OF OREGO START CARD # WATER SUPPLY WELL REPORT ORIGINAL LOG# (as required by ORS 537.765 & OAR 690-205-0210) (1) LAND OWNER Owner Well LD. Last Name MC Donolo First Name Thomas (9) LOCATION OF WELL (legal description) County Lake Twp 30 \_\_N/S Range 1 Company E/W WM Sec 5 NW 1/4 of the M 1/4 Tax Lot 600 Address State OR SU WIMCY I Tax Map Number New Well Deepening Conversion (2) TYPE OF WORK DMS or DD Alteration (complete 2a & 10) Abandonment(complete 5a) or or DMS or DD (2a) PRE-ALTERATION Nearest address C Street address of well Casing: (10) STATIC WATER LEVEL (3) DRILL METHOD SWL(psi) SWL(ft) Rotary Air Rotary Mud Cable Auger Cable Mud Existing Well / Pre-Alteration \_\_Reverse Rotary \_\_Other Completed Well Dry Hole? Flowing Artesian? Domestic Irrigation Community (4) PROPOSED USE Industrial/ Commercial Livestock Dewatering Depth water was first found \_ WATER BEARING ZONES Thermal Injection Other Est Flow SWL(psi) + SWL(ft) SWL Date To From 546 (5) BORE HOLE CONSTRUCTION Special Standard (Attach copy) Depth of Completed Well 80 ft. 2021 80 10 BORE HOLE sacks To Amt lbs Material 80 Calculated (11) WELL LOG Calculated Ground Elevation Method A B C D How was seal placed: Other Backfill placed from \_ ft. to\_ ft. Material. Size Filter pack from \_ ft. to ft. Material Explosives used: Yes Type\_ Amount (5a) ABANDONMENT USING UNHYDRATED BENTONITE 80 Proposed Amount Actual Amount (6) CASING/LINER Dia From voie This IN FORMATION THAT becaus 4+11 inish for andon Shoe Inside Outside Other Location of shoe(s) Con Hota Oute Temp easing Yes Dia\_ \_ From \_ De To Land (7) PERFORATIONS/SCREENS Perforations Method Date Started 9-8-116 Completed Screens Type Material. Perf/S Casing/ Screen Scm/slot Slot # of Tele/ (unbonded) Water Well Constructor Certification Liner width length slots creen pipe size 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 RECEIVED construction standards. Materials used and information reported above are true to the best of my knowledge and belief. License Number FEB 1 3 2028 (8) WELL TESTS: Minimum testing time is 1 hour

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.

Signed License Number 1654 Date 2-7-2020

Contact Info (optional)

OWRD CONTROL ORIGINAL - WATER RESOURCES DEPARTMENT

Flowing Artesian

O Bailer

Drawdown

O Air

°F Lab analysis Yes By

Drill stem/Pump dept OWROur)

RECEIVED

Yes (describe below) (116 a2021) Amount

O Pump

Yield gal/min

Temperature 60

Water quality concerns?

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

# Well #9

WELL I.D. LABEL# L	3300	3	
START CARD#	2125	31	
ORIGINAL LOG#		* ,	

(1) LAND OWNER Owner Well LD.		
First Name Thomas Last Name MC Do noto	(9) LOCATION OF WELL (legal description)	110.1
Address PO 13° Y B1 n	County (a he Twp 30 N/S Range 17 E/W Sec 5 NW 1/4 of the NW 1/4 Tax Lot 600	WM
City Summer Lave State OR Zip 97640	Tax Map Number Lot	
(2) TYPE OF WORK New Well Deepening Conversion	Lat "or DMS or	DD
Alteration (complete 2a & 10)   Abandonment(complete 5a)	Long _ c ' ' or _ DMS or	DD
(2a) PRE-ALTERATION Dia + From To Gauge Stl Plstc Wld Thrd	Street address of well Nearest address	_
Casing:	48413 DYSENT SPring Rd	
Material From To Amt sacks/lbs Seal:	Suprime total	
(3) DRILL METHOD	(10) STATIC WATER LEVEL	
Rotary Air Rotary Mud Cable Auger Cable Mud	Date SWL(psi) + SWL(ft)	
Reverse Rotary Other	Completed Well	
(4) PROPOSED USE Domestic Irrigation Community	Flowing Artesian? Dry Hole?	
Industrial/ Commercial Livestock Dewatering	WATER BEARING ZONES Depth water was first found 60	_
Thermal Injection Other	SWL Date From To Est Flow SWL(psi) + SWL(ft)	)
(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)	60 65 5 xl 6"	
Depth of Completed Well ft.	30 80 2038 611	-
BORE HOLE         SEAL         sacks/           Dia         From         To         Material         From         To         Amt         lbs		7
20" 0 80		
Calculated		_
Calculated	(11) WELL LOG Ground Elevation	
How was seal placed: Method A B C D E	Material From To	
Other	Black Clay 5 45	
Backfill placed from ft. to ft. Material Size	Blue Claus 45 60'	
Explosives used: Yes Type Amount	From with yawland 65 70	-
(5a) ABANDONMENT USING UNHYDRATED BENTONITE	Smil	
Proposed Amount Pounds Actual Amount Pounds	Black Chy 70 80	
(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plste Wld Thrd	01	-
Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd	Prege vote This is all The	
	The yell because land owner	_
	This yell because land outer	
8 9 H H H H H H	ME TO FINISH POPOLICET DV	
Shoe Inside Outside Other Location of shoe(s)	Abandan well	0
Temp casing Yes Dia From To	Please Noje Their is no conflicted	DuTE
(7) PERFORATIONS/SCREENS	Da TO Land Comme Tell Inc TO	
Perforations Method	17600	
Screens Type Material Perf/S Casing/ Screen Scrn/slot Slot # of Tele/	Date Started 9-8-116 Completed	_
Perf/S Casing/ Screen Scm/slot Slot # of Tele/ creen Liner Dia From To width length slots pipe size	(unbonded) Water Well Constructor Certification	
	I certify that the work I performed on the construction, deepening, alterationabandonment of this well is in compliance with Oregon water supply	n, or
RECEIVED	construction standards. Materials used and information reported above are tr	ue to
	the best of my knowledge and belief.	
FEB 1 8 2026	License Number Date	_
(8) WELL TESTS: Minimum testing time is 1 hour	Signed	
Pump Bailer Air Flowing Artesian Yield gal/min Drawdown Drill stem/Pump depth WHSt Chr)	(bonded) Water Well Constructor Certification	
Yield gal/min Drawdown Drill stem/Pump depth (hr)	I accept responsibility for the construction, deepening, alteration, or abando	nment
	work performed on this well during the construction dates reported above. Al	l work
	performed during this time is in compliance with Oregon water supply construction standards. This report is true to the best of my knowledge and be	lief
Temperature 60 °F Lab analysis Yes By	License Number 1654 Date 2-7- 2070	
Water quality concerns? Yes (describe below) TDS amount Units	License Number 1654 Date 2 - 7 - 2020 Signed \$1.54 \cdot \cd	-
	Signed The	
	Contact Info (optional)	_

Amended 4/17/2020

STATE OF OREGON

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

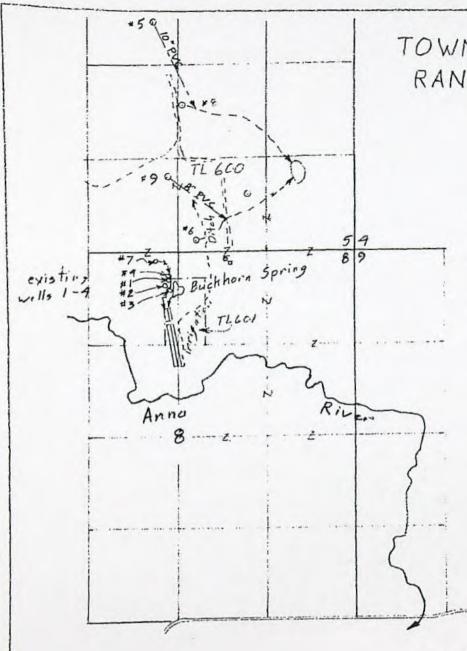
### **LAKE 53078**

Well #9

WELL I.D. LABEL# L 13145 START CARD# 1046678 ORIGINAL LOG#

(1) LAND OWNER Owner Well LD.	
First Name Last Name	(9) LOCATION OF WELL (legal description),
Company WYSTERN DEVELEPMENT GYOUPLA	County Lake Twp 30 N/S Range 17 E/W WM
Address 2012 Bayon La PORTE OR	Sec 5 Niv 1/4 of the W 1/4 Tax Lot 600
CityState Zip	
(2) TYPE OF WORK New Well Deepening Conversion	Tax Map Number Lot
Alteration (complete 2a & 10) Abandonment(complete 5a)	Lat° or DMS or DD
(2a) PRE-ALTERATION	Long or DMS or DD
Dia + From To Gauge Stl Plsts Wld Thrd	C Street address of well . Nearest address
Casing:	The Transport
Material From To Amt sacks/lbs	VS 413 115-en SITTING 100
Seal:	47-17-2-17-
(3) DRILL METHOD	(10) STATIC WATER LEVEL
Rotary Air Rotary Mud Cable Auger Cable Mud	Date SWL(psi) + SWL(ft)
Reverse Rotary Other	Existing Well / Pre-Alteration
	Completed Well 3-27-26t 7,64
(4) PROPOSED USE Domestic Irrigation Community	Flowing Artesian? Dry Hole?
☐ Industrial/ Commercial ☑ Livestock ☐ Dewatering	WATER BEARING ZONES Depth water was first found
	WATER DESIGNATION OF THE STATE
Thermal Injection Other	SWL Date From To Est Flow SWL(psi) + SWL(ft)
(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)	3.27-220 60 65 590 7,6
Depth of Completed Well 60 ft.	3.30-284 79 80 10914 7.50
BORE HOLE SEAL sacks	
Dia From To Material From To Amt lbs	
36" 0 18 CONVER 0 18 8 YEAR	
2011 14 75 Calculated 5	
Cement 3 55 75 15	
Calculated 6	(11) WELL LOG Ground Elevation
How was seal placed: Method A B C D E	Material From To
Other	
Backfill placed from 55 ft. to 18 ft. Material Concrete	D PUT 201 645144
Filter pack from ft. to ft. Material Size	Fe/M 18-7020 and
	Sentel 1841 Form
Explosives used: Yes Type Amount	1 o GEOCE
(5a) ABANDONMENT USING UNHYDRATED BENTONITE	Drill of Dail Hold TO
Proposed Amount Pounds Actual Amount Pounds	Or the 20 Hotel
	75 PUT 12" CUSING
(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Piste Wid Thrd	to 15 64/5 rat well
	20 / ) 4/15/16/16
8 0 20' E 0 75 250 80 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 8 0 0 0 8 0 0 0 8 0 0 0 8 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	doi: Office les
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RALLE HARALL	APR 0 6 2020
	131 14 A 4056
Shoe Inside Outside Other Location of shoe(s)	
Temp casing Yes Dia From To	OWDD
(7) PERFORATIONS/SCREENS	OWRD
Perforations Method	
Screens Type Material	Date Started 3-19-2020 Completed 3-30-2020
Perf/S Casing/Screen Scm/slot Slot # of Tele/	Date Started 3-4 7 22 Completed 3-2
creen Liner Dia From To width length slots pipe size	(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
ON MENT TREETS AS: A STATE OF THE	
(8) WELL TESTS: Minimum testing time is 1 hour	Signed
Pump Bailer Air Flowing Artesian	
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	(bonded) Water Well Constructor Certification
10 gu 11 80 30m	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
Temperature 60 °F Lab analysis Yes By	construction standards. This report is true to the best of my knowledge and belief.
30/	License Number 1654 Date 3-31-2000 Signed
Water quality concerns? Yes (describe below) TDS amount 496 From To Description Amount Units	0 10 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
	Signed A
	Contact Info (optional)
	The state of the s

			WELL LD LABELS L 137457
STATE OF OREGON	MALON	600	START CARD# 104678
WATER STREET WILL REPORT	Well	#3	ORIGINAL LOGS
(as required by ORS 533.755 & OAR 690-265-3214)			
(I) LAND OWNER OF WELD		(9) LOCATION	OF WELL (legal description)
WILLIAM V DEVELOPMENTUS	NEIP		- (// US Easter / DW Hotel
2012 Payou Infokte OR	-	5 45	e sacron M sa Textor Con
City Man State Company	caversion .	Tax Map Number	. 100 DMS or DD
(2) TYPE OF WORK	sometra (st	Let	for DMS or DO
(24) PRE-ALTERATION to Count St. Piec Will The	4		Mrcu of well C Newton address
Carrie I O O O D		100112 1	Men spring pu
Mercial from To Ant make the		A CONTRACTOR OF THE PARTY OF TH	
(3) DRIFT METHOD		(10) STATIC W	ATER LEVEL Dur SWL(ps) + SWL(ff)
Kinkey AV Rolary Mud LOole LAuger LOole Ma	al.	Exame well/	Per Abresian
Denies Rossy ( Obst		Completed We	7-27-114 17,6"
(4) PROPOSED USE Dennis Dinguin Commo		A STATE OF THE PARTY OF THE PAR	Flowing Artesian? Dry Hole? U
Industrial Commercial   Thomas   Decisioning	10000	WATER BEARING	TOTAL STATE OF THE PARTY OF THE
Denial Dipotos Cobr			on to Entire SWL(pi) + SWL(b)
(5) BORE HOLE CONSTRUCTION Special Standard Doubt of Completed Well 80 at	J(Albuh copy)	1.30-000	19 80 1090 7.5
BORE HOLE SEAL	with	3. 2-0-1	100
The Fries To Milital From To	A 15		
34 0 18 Condite 0 19	2 x 2		
(Cemin) 55 75		11) WELL LOC	
Blow was seed placed. Method CA Ca XC Co	-		Ottomic Artist and a commence of the commence
DNs	2.5	Mai	
Backett placed trees \$5 t. to 18 t. Meteral CONC	and .	F Pul	29 605194
Filter pack from dt. to dt. Material Size		ferm 1	9 1020 and
Excessed Yes Type Among		300170	engeral-e
(5a) ABANDONMENT USING UNHYDRATED BENTON		Drille	2011 41014 TO
	unds	75'0	T 12" Coging
(6) CASING-LINER Casing Liner Day 4 From To Gauge St Pain	WM Whed	10 4	3 Entract well
8 0 201 4 1 14 9 150 8 C	KU	-	
8 75 75 75	X		
8 8 1 1 8 8	H	-	
0.000000000			
Not Inde Outside Other Lecture of deeds)			
Imposed he has to	-	-	
(7) PERFORATIONS SCREENS			
Screen Type Mannai		Date Street 2	- 19-2029 completed 7-30-2020
Person Screen Screen Screen Service Stor Act		The second line was a second line of the last line of the	
Terms of the same of	PERMIT	Lord for	Well Constructor Certification
	- American B	NUMBER OF THE OWNER OWNER OF THE OWNER OF THE OWNER OWNE	re I performed on the construction, deepening, alteration, or is well in an compliance with Origin water supply well
X	The second secon	DESCRIPTION OF REAL PROPERTY.	23. Materials used and influencing constal above on an
	1	the best of my know. Linease Number	Rigg and Notes.
(8) WELL TESTS: Minimum testing time is 1 hour		11-100	Dete
OFFICE OBART SEAT OFFICE	Anneila	Served	
10 guill Dinting Dellar Pare Acco Dance	20_ [	Donded) Water W.	Il Constructor Certification
10 Jan 200 30hr		ACCOR FORWARD	N Sy the source and American American
		work performed on a	in well during the construction dates reported above. All we
Improved 60 'F Lab analysis I'ves By		construction manufact	in time in in compliance with Oregon water supply we in. This report is true to the best of my knowledge and belief
Water goal of concept. [No identification) TOS amount 39	6		the state of the second state of the state of the second second
Domestia Asia		- 12 1	674, = 3-31-2020
	-	Signal J.	
		Contact Into represent	A STATE OF THE PARTY OF THE PAR
THIS REPORT MUST BE SUBMETTED TO THE WATER WATER AND	SAYLES DE	ARTMENT	
THIS REPORT MUST BE SUBMETTED TO THE WATER RESOURCE	DEPARTME	NT WITHIN 30 DA	S OF COMPLETION OF WORK S
			TOTAL TOTAL TOTAL 0.95



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

Wells located from Vacorner between sections 5 & B:

# 1 390'5 £ 150'W

# 2 480'5 & 190'W No change

# 3 525 5 E 145' W

Proposed Additional POA's

# 6 155'N & 230'E

#7 110'S \$ 280' W

# 4 2070'N & 100'E

#5 3200'N \$ 300'W

# 9 1040'N & 130'W

Authorized POA's under T-10716 to be deleted

#5 150'S & 300'W

#6 160'S E 80'W

#7 190'5 & 30' LW

#8 340'5 \$ 280'W

Scale 1"= 1320'
RECEIVED (4"= 1 mile)

FEB 2 8 2020

Permit Amendment Map for Tom Moc Donald (Desert Springs Trout Form)

App G-11640 Per G-11024

RECEIVED TO VAND

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

OWRD



# ESTES SURVEYS, LLC

PO Box 17618 Salom, OR 97886-7513 (603) 545-7598 80382 Arnold Rd Bend, OR 97702 (641) 382-7391

13337

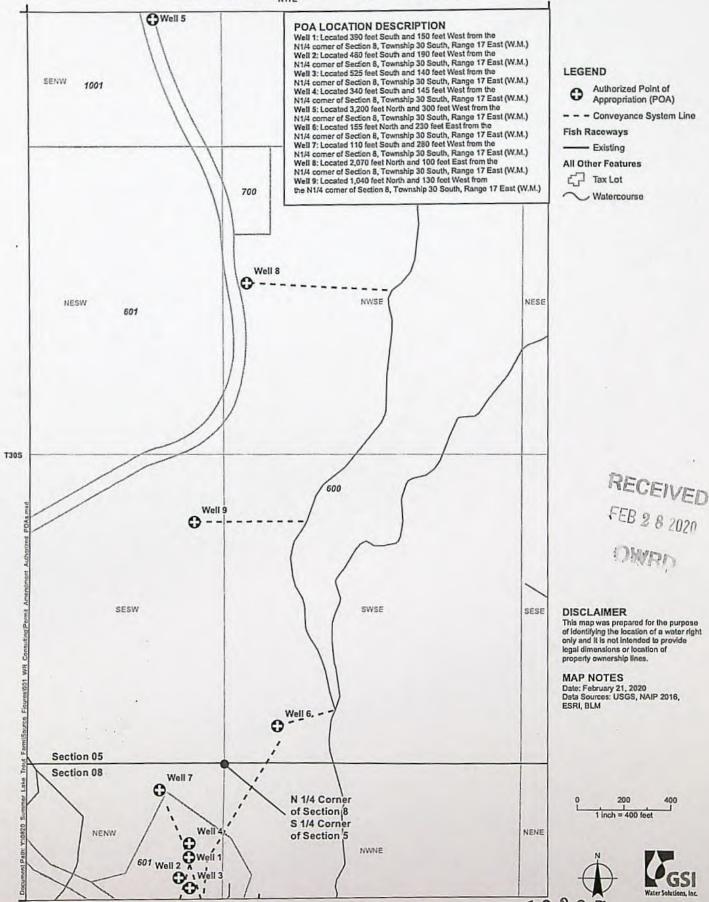
MAR 05 2014

RECEIVED FEB 2 8 2020

Permit Amendment Application POA & POU Maps

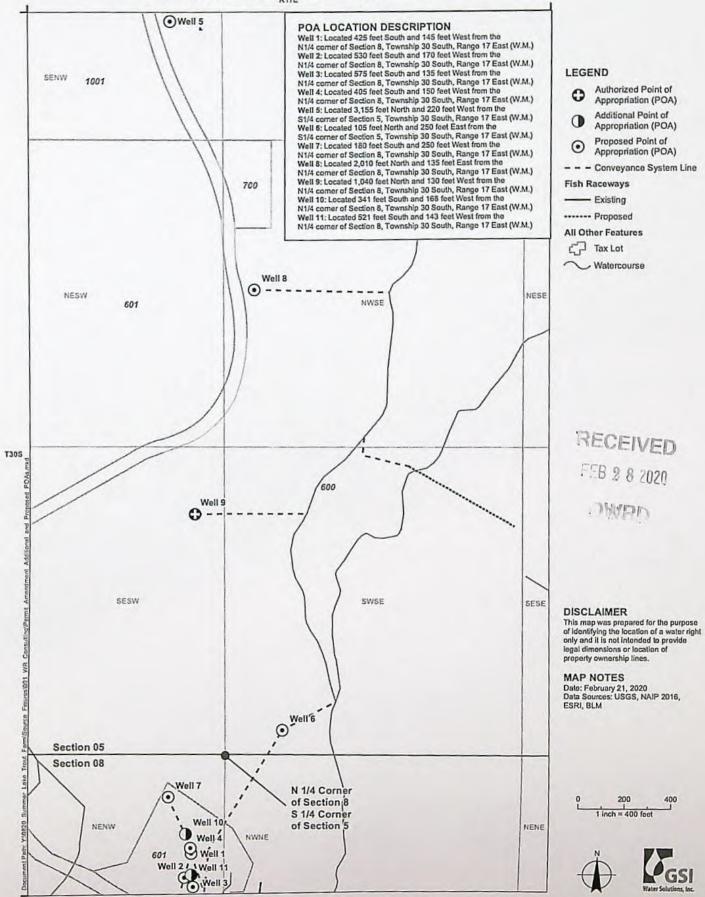
#### Permit Amendment Application Permit G-17749, Application G-11640 Authorized Points of Appropriation

Lake County, Township 30 South, Range 17 East (W.M.)



#### 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.)

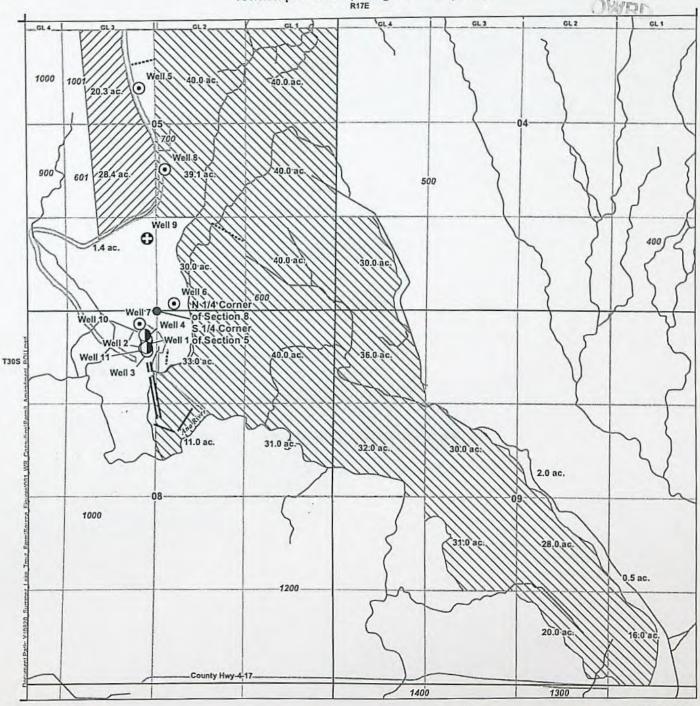


#### Permit Amendment Application Permit G-17749, Application G-11640 Place of Use

RECEIVED FEB 2 8 2020

Lake County

Township 30 South, Range 17 East (W.M.)



#### LEGEND

Authorized Point of Appropriation (POA) All Other Features

Additional Point of Appropriation (POA) [ \_\_ Government Lot (GL)

Proposed Point of Appropriation (POA)
 Tax Lot

Watercourse

Place of Use (POU)

Primary Irrigation, (50.1 ac.)

Supplemental Irrigation, (569.6 ac.)

Existing (Fish Culture)

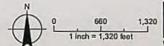
----- Proposed (Fish Culture)

#### 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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FEB 2 8 7020

OWIDE

ATTACHMENT C

**OWRD Land Use Information Form** 

FEB 2 8 2020

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)	Tw	P	Ri	ng	Sec	3/4	14	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1		LAKE 3030	30	s	17	E	8	NE	NW	601	390 feet South and 150 feet West from the North 1/2 corner of Section 8
Well 1	☐ Authorized ☐ Proposed	LAKE 3030	30	s	17	E	8	NE	NW	601	*425 feet South and 145 feet West from the North 1/2 corner of Section 8
Well 2		LAKE 1507	30	s	17	E	8	NE	NW	601	480 feet South and 190 feet West from the North 1/2 corner of Section 8
Well 2	☐ Authorized ☐ Proposed	LAKE 1507	30	s	17	E	8	NE	NW	601	*530 feet South and 170 feet West from the North 1/2 corner of Section 8
Well 3	□ Authorized     □ Proposed	LAKE 4444	30	s	17	E	8	NE	NW	601	525 feet South and 140 feet West from the North 1/2 corner of Section 8
Well 3	☐ Authorized ☐ Proposed	LAKE 4444	30	s	17	E	8	NE	NW	601	*575 feet South and 135 feet West from the North 1/2 corner of Section 8
Well 4		LAKE 3029	30	s	17	E	8	NE	NW	601	340 feet South and 145 feet West from the North 1/2 corner of Section 8
Well 4	☐ Authorized ☐ Proposed	LAKE 3029	30	s	17	E	8	NE	NW	601	*405 feet South and 150 feet West from the North 1/2 corner of Section 8
Well 5		LAKE 52764	30	s	17	E	5	SE	NW	600	3200 feet North and 300 feet West from the North 1/4 corner of Section 8
Well 5	☐ Authorized ☐ Proposed	LAKE 52764	30	s	17	E	5	SE	NW	600	*3,155 feet North and 22 feet West from the South 1/2 corner of Section 5
Well 6		LAKE 52368	30	s	17	E	5	sw	SE	600	155 feet North and 230 feet East from the North 1/2 corner of Section 8
Well 6	☐ Authorized ☐ Proposed	LAKE 52368	30	s	17	E	5	sw	SE	600	*105 feet North and 250 feet East from the South 1/2 corner of Section 5
Well 7		LAKE 52369	30	s	17	E	8	NE	NW	601	110 feet South and 280 feet West from the North 1/4 corner of Section 8
Well 7	☐ Authorized ☐ Proposed	LAKE 52369	30	S	17	E	8	NE	NW	601	*180 feet South and 250 feet West from the North 1/2 corner of Section 8
Well 8		LAKE 52487	30	s	17	E	5	NW	SE	600	2070 feet North and 100 feet East from the North 1/4 corner of Section 8

Well 8	☐ Authorized ☐ Proposed	LAKE 52487	30	s	17	E	5	NW	SE	600	*2,010 feet North and 135 feet East from the South 1/4 corner of Section 5
Well 9	☐ Authorized☐ Proposed	not drilled yet	30	s	17	E	5	SE	sw	600	1,040 feet North and 130 feet West from the North '4 corner of Section 8
Well 10	☐ Authorized ☐ Proposed	not drilled yet	30	s	17	E	8	NE	NW	601	330 feet South and 180 feet West from the North 1/4 corner of Section 8
Well 11	☐ Authorized ☐ Proposed	not drilled yet	30	s	17	E	8	NE	NW	601	550 feet South and 155 feet West from the North 1/2 corner of Section 8

<sup>\*</sup>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.

$\boxtimes$	Plac	e of Use (POU) - Fish Culture only	$\boxtimes$	Point of Appropriation/Well (POA)
	Poin	t of Diversion (POD)	$\boxtimes$	Additional Point of Appropriation (APOA)
	Add	itional Point of Diversion (APOD)		Surface water POD to Ground Water POA (SW/GW)
Will al	l of the	e proposed changes affect the entire	wate	er use permit?
	Yes	Complete only the proposed ("to" la "CODES" listed above to describe t		section of Table 2 on the next page. Use the posed changes.
$\boxtimes$	No	Complete all of Table 2 to describe	the po	rtion of the permit to be changed.
For a chang Does the per			and T	O which the place of use is being moved?
			T bne	O which the place of use is being moved?
				completed on a parallel track to this application)
as a permi	t hold			s being moved must be assigned to the permit quest for Assignment form and the required
Is the propo	sed pla	ace of use contiguous to the authori	zed p	lace of use? 🛛 Yes 🔲 No
unless the of for the purp 496.192 or listing agen	change coses of the fed acy. Co	to non-contiguous lands is in further of benefiting a species listed as sensiti deral Endangered Species Act of 1973 contiguous land being either adjacent	ve, the land o	of mitigation or conservation efforts undertaken reatened, or endangered under ORS 496.171 to U.S.C. 1531 to 1544), as determined by the r land separated from the land to which a these 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	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Т	wp	Rr		Sec		4	Tax Lot	Gvt Lot or	Acres	POD(s) or POA(s) (name or	Priority Date	"CODES" from previous page)	Tv	vp	Rn	ng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
												EXAME	LE						1					
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	
ш	"	u	и	ш	и	и	16	"	EXAMPLE	4		u	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		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	1 1	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	- 10	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	POA/APOA	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
-		-		-			_						_				_			_			DECEN	-

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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	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Tv	vp	Rı	ng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	T	wp	R	ng	Sec	1/4	4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
												EXAMI	LE											
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		
и	"	u	cc	66	и	66	"	"	EXAMPLE	ш		u	2	S	9	E	15	sw	NW	200		5.0		
30	S	17	E	8	sw	NE	600/60	1	11.0 - IS	Wells #1-9	4/7/1987		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	POA/APOA	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	1	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
					Т	OTA	L ACR	ES	50.1 –IR 569.6 – IS										тот	AL ACR	ES	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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	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"														
Twp			Sec		4 14	Tax Lot	Gut	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	from previous page)	T	wp	Rn	g	Sec	1/4	1/4	Tax Lot		Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
											EXAME	LE											
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	
" "	4	и	44	66	"	46	и	EXAMPLE	a a		ш	2	S	9	E	15	sw	NW	200		5.0	POD #6	
												30	S	17	E	8	sw	NE	601		N/A	Wells #1-11	
											F 1 2 1	30	S	17	E	8	NE	NW	601		N/A	Wells #1-11	
											POA/APOA	30	S	17	E	8	SE	NW	601		N/A	Wells #1-11	4/7/1987
		Т									/POU		S		E	8	NW	NE	600		N/A	Wells #1-11	& 6/14/1989
	1	T									12.5	30	S	17	E	5	sw	SE	600		N/A	Wells #1-11	
		Т										30	S	17	E	5	SE	NW	600		N/A	Wells #1-11	
	-			TC	TAL	ACF	RES											тот	AL ACE	ES	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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ATITHORIZED (the "from" or "off" lands)

#### 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: 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: <a href="http://apps.wrd.state.or.us/apps/gw/well-log/Default.aspx">http://apps.wrd.state.or.us/apps/gw/well-log/Default.aspx</a>) (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)	Scal 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

<sup>\*-</sup> 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** 

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#### 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 RECEIVED FEB 2 8 2020

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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	NENW	WELL#3 - 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E .	WM	8	NENW	WELL#4 - 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 8
30 S	17 E	WM	5	SENW	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	NENW	WELL#7 - 110 FEET SOUTH AND 280 FEET WEST FROM THE NORTH 1/4 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	CULTUR	Œ	
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NENW
30 S	17 E	WM	8	SENW

		IRRI	GATIC	N	
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
		Tota	1		50.10

	SUPPLEN	MENTAL	IRRIC	GATION	
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SWSW	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	NENE	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	SENE	31.00
30 S	17 E	WM	9	SW NE	2.00

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**PERMIT G-17749** 

Application G-11640/T-11749. jms

Water Resources Department

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	9	NWNW	36.00
30 S	17 E	WM	9	SWNW	32.00
30 S	17 E	WM	9	SENW	30.00
30 S	17 E	WM	9	NESW	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 and 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 landuse goals and any local acknowledged land-use plan.

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**PERMIT G-17749** 

Application G-11640/T-11749. jms

Water Resources Department

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

Appli	cant Name: Thomas Macdonald
Prop	osed Changes: POU POD POA USE OTHER
Revie	ewer(s): Brian Mayer  Date of Review: 03/09/2020
1.	Do you have <u>evidence</u> that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2.	Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes Vo 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 Vo 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
	For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:
8.	N/A  For instream transfers that propose protection of a reach beyond the mouth of the source stream:  N/A Would the quantity be measureable into the receiving stream consistent with  OAR 690-077-0015(8)?  Yes  No
9.	For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? Yes No If "Yes", explain:
10.	For POU or USE changes: N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?  Yes No If "Yes", explain:
11.	<ul> <li>For POU changes that involve micro-irrigation:  N/A</li> <li>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?</li> <li>Yes No If "Yes", explain:</li> </ul>

Watermaster Review Form Transfer Application

	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 Vo If "Yes", answer the following:
	<ul> <li>i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain</li> </ul>
	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
	<ul><li>ii. "Enlargement" of the water right being transferred will occur?</li><li>Yes ✓ No If "Yes", explain:</li></ul>

Watermaster Review Form	Transfer Application
12. Are there other issues not identified through the aborderermining whether the change "can be effected wi	ve questions that should be considered in thout injury to other rights"?
Yes No If "Yes", explain:	
13. What alternatives may be available for addressing ar	ny issues identified above:
Remove well 9 from transfer,	
14. Do conditions need to be included in the transfer order other rights? No Ves, as checked and pro	
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 diverti	ng water.
Measurement Devices for POD or POA: (if this sections of Page 4)	
or, with prior approval of the Director, another diversion/appropriation (new and existing)	der, the water user shall install a <u>totalizing flow meter</u> *, er suitable measuring device, at each point of R at each new point of diversion/appropriation used to the Bureau of Reclamation or an irrigation is condition.
	or measuring devices in good working order.
c. The water user shall allow the Watermass	ter access to the meters or measuring devices; provided ices are located within a private structure, the
Reservoir water use measurement: (if this cond of Page 4)	dition is selected, also fill in the top sections
	der, the water user shall install staff gages*, suitable measuring devices, that measure the entire ach reservoir. Staff gages shall be United States
suitable measuring devices must be installed adjustable outlet valve must be installed. The order. A written waiver may be obtained, if in	der, if the reservoir is located in channel, weirs or other upstream and downstream of the reservoir, and, an water user shall maintain such devices in good working in the judgment of the Director, the installation of weirs or stable outlet valve, will provide no public benefit.
* The following alternative device(s) should be subst	tituted for the bold, underlined device in the above
✓ Weir ✓ Submerged	Orifice
Parshall Flume Flow Restric	tor
Other: Ramp Flume	

# **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 <u>prior to diversion of water</u> , as a condition of this transfer:  at each point of diversion/appropriation (new and existing) OR  at each new point of diversion/appropriation.
For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:
Watermaster name: Brian Mayer
District: 12
Address: 513 Center St.
City/State/Zip: Lakeview OR 97630
Phone: 541.947.6038
Email: brian.m.mayer@oregon.gov
<b>Note</b> : 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

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.



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 3255691.1

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
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:  b) Date water use development first initiated:  C) Name of party who initiated development:  Author  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 ♥/S, Range 17 E/  ■ 17 E/  ■ 17 E/  ■ 18 E/  ■ 1
Sections, Township N/S, Range E/W:  (Attach additional pages if necessary)
7. Usual period of use: 4 / 1 to 9 / 30 month day

8. Remarks: <u>Sec</u>	ATTached	Information
9. Total fees submitted wi	th claim:	0
depose and say that I, an water right described her to the best of my knowle are true and correct.	(50 ~, having been duly so d being the claimant of the erein, have read the contents odge all of the matters stated    Robert   Signature of Claimant	nt  December 19 92  or the State of Oregon
	ACCOMPANIED BY A MAIGHT EXAMINER (CWRE	
	Certified Water Right Exam	niner
	Telephone: <u>503 947</u> Fax 947	232)

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

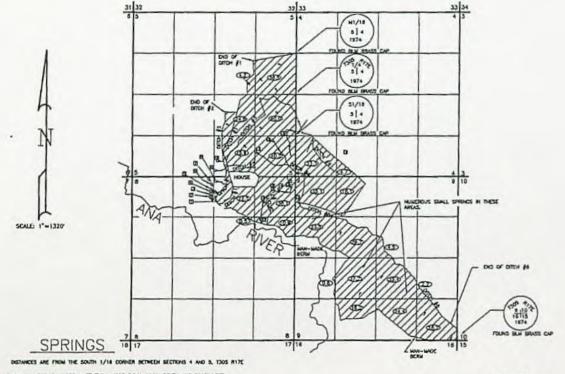
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LOCATED IN SECTIONS 4,5,8 AND 9 TOWNSHIP 30 SOUTH RANGE 17 EAST RECEIVED

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NOTES:



LEGEND

- SECTION LINE

- 1/4 SECTION LINE

- 1/10 SECTION LINE

WHICHTED MEA

HOTE: PREPARATION OF THIS MAP IS FOR EXEMPTING PROPOSED WATER ROCATS ONLY. IT HAS NO PITENT TO PROVIDE LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDRIES.

3 SCHOOLDIN EPHNOL APPROXIMATE FLOW, COOR D.M. 1907 SOUTH AND \$15' MIST.

3 ARTISSAN WILL, APPROXIMATE FLOW, 2000 G.P.M., 1977 SOUTH AND \$73' WIST.

4 ARTISSAN WILL, APPROXIMATE FLOW, 2000 G.P.M., 1907 SOUTH AND \$73' WIST.

5 ARTISSAN WILL, APPROXIMATE FLOW, 2000 G.P.M., 1907 SOUTH AND \$73' WIST.

6 STREAM, APPROXIMATE FLOW, 2000 G.P.M., 1907 SOUTH AND \$73' WIST.

7 STREAM, APPROXIMATE FLOW, 20 G.P.M. 130'S SOUTH AND \$25' WIST.

8 STREAM, APPROXIMATE FLOW, 20 G.P.M. 130'S SOUTH AND \$25' WIST.

9 STREAM, APPROXIMATE FLOW, 20 G.P.M. 112'S SOUTH AND \$21'S WIST.

10 STREAM, APPROXIMATE FLOW, 20 G.P.M. 112'S SOUTH AND \$21'S WIST.

11 STREAM, APPROXIMATE FLOW, 20 G.P.M. 131'S SOUTH AND \$11'S WIST.

12 STREAM, APPROXIMATE FLOW, 20 G.P.M. 131'S SOUTH AND \$11'S WIST.

13 STREAM, APPROXIMATE FLOW, 30 G.P.M. 131'S SOUTH AND \$21'S WIST.

14 STREAM, APPROXIMATE FLOW, 30 G.P.M. 131'S SOUTH AND \$21'S WIST.

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16 STREAM, APPROXIMATE FLOW, 30 G.P.M. 131'S SOUTH AND \$21'S WIST.

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MAP REVISED B/49/95

PREPARED FOR:

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

PRICIPARED (TY:

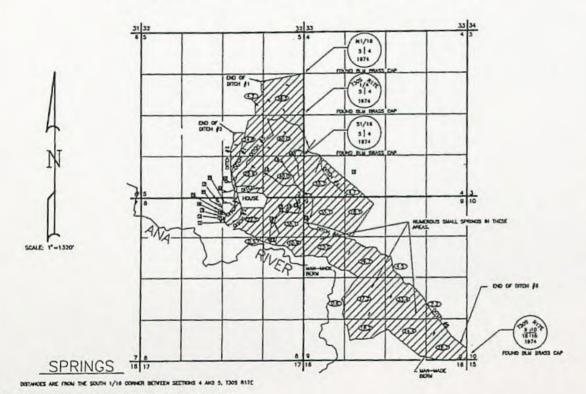
ANDERSON ENGLETERING AND SURVEYING 618 SOUTH FRIST STREET F.O. BOX 3 LAVEYIEW, ORECON 87630 (503) 847-4407 FAX 847-2321 SOUTH 1992 SHEET 1 OF 1

DECEMBER 1992 SHEET 1 OF 1 REVISED ON AUGUST 5, 1993

Supra suspano

# 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



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HOTE: PREPARATION OF THIS WAP IS FOR IDENTIFYING PROPOSED WATER ROCHTS ONLY, IT HAS NO INTENT TO PROVIDE LOCATIONS ON DIMENSIONS OF PROPERTY BOUNDRIESS.



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

PREPARED UY:
ANGESSON DIGNETING AND SURVEYING
BIS SOUTH FIRST STREET
P.O. BOX 28
LAKENEW, DRECON 87630
(203) \$47-4407 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 NORTHWEST FARM CREDIT SERVICES FLCA/PCA

PO BOX 148

SUMMER LAKE OR 97640

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	NENW	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 appurenant is as follows:

Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17E	WM	8	NENW
30 S	17 E	WM	8	SENW

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.

Application S-61505.jme

Page 1 of 2

Certificate 83065

Phillip C Ward, Director Water Resources Department

#### STATE OF OREGON

#### COUNTY OF LAKE

#### CERTIFICATE OF WATER RIGHT

#### THIS CERTIFICATE ISSUED TO

THOMAS A MACDONALD

NORTHWEST FARM CREDIT SERVICES FLCA/PCA

PO BOX 87

PO BOX 148

SUMMER LAKE OR 97640

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	NWSW	2.60
30 S	17 E	WM	4	SWSW	21.20
30 S	17 E	WM	4	SESW	0.50
30 S	17 E	WM	5	SWINE	8.50
30 S	17 E	WM	5	SE NE	22.80
30 S	17 E	WM	5	SENW	9.60
30 S	17 E	WM	5	NESW	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	SWNE	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	NENW	10.80
30 S	17 E	WM	9	NW NW	39.50
30 S	17 E	WM	9	SWNW	32.00
30 S	17 E	WM	9	SENW	27.30
30 S	17 E	WM	9	NESW	40.00
30 S	17 E	WM	9	NWSW	15.60
30 S	17 E	WM	9	SWSW	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 Busquiress Diseases officed	JAN 2 6 2007	
WITNESS the signature of the Water Resources Director, affixed		

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 ½ CORNER OF SECTION 8
30 S	17 E	WM	8	NENW	WELL#3 - 525 FEET SOUTH AND 140 FEET WEST FROM THE NORTH 1/2 CORNER OF SECTION 8
30 S	17 E	WM	8	NENW	WELL#4 - 340 FEET SOUTH AND 145 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	SENW	WELL#5 - 3200 FEET NORTH AND 300 FEET WEST FROM THE NORTH 1/4 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	NENW	WELL#7 - 110 FEET SOUTH AND 280 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL#8 - 2070 FEET NORTH AND 100 FEET EAST FROM THE NORTH 1/4 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 (	CULTUR	Œ	
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NENW
30 S	17 E	WM	8	SE NW

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
30 S	17 E	WM	5	SENW	20.30	
30 S	17 E	WM	5	NESW	28.40	
30 S	17 E	WM	5	SESW	1.40	
		Tota	1		50.10	

	SUPPLEN	MENTAL	IRRI	GATION	
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SWSW	30.00
30 S	17 E	WM	5	SWNE	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	NENE	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

~	SUPPLEN	_			Anna
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	9	NWNW	36.00
30 S	17 E	WM	9	SWNW	32.00
30 S	17 E	WM	9	SENW	30.00
30 S	17 E	WM	9	NESW	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 and 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 landuse goals and any local acknowledged land-use plan. The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

# 10/19/2018 12:32 PM 18CV47457

1	DI MUD CID CUIT COLIDE OF	THE CTATE OF OBECON							
2	IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LAKE								
3	FOR THE COUN	TY OF LAKE							
4	SUMMER LAKE TROUT FARM, INC., an Oregon corporation; BERNARD BURKHOLDER, individually and in his	Case No.							
5	capacity as limited partner of WESTERN DEVELOPMENT GROUP, LP and as manager								
6	of WESTERN DEVELOPMENT GROUP GP, LLC; and ETHAN NEGUS,	COMPLAINT (Declaratory Judgment; Quiet Title; Trover, Conversion, Detinue;							
7 8	Plaintiffs,	Unjust Enrichment; Breach of Fiduciary Duty; Financial Abuse; Specific Performance)							
9	v.								
10	THOMAS A. MACDONALD; KAREN MACDONALD; MEGAN MACDONALD; and	CLAIMS NOT SUBJECT TO MANDATORY ARBITRATION							
11	EDWARD MACDONALD,	Amount Claimed: \$12 Million							
12	Defendants,	Fee Authority: ORS 21.135(1), (2)(g)							
13	And								
14	WESTERN DEVELOPMENT GROUP, LP; and WESTERN DEVELOPMENT GROUP								
15	GP, LLC,								
16	Nominal Defendants.								
17									
18	For their complaint, plaintiffs Summer Lak	ce Trout Farm, Inc. ("SLTF"); Ethan Negus							
19	("Negus"); and Bernard Burkholder, individually	("Burkholder"), and in his capacity as a limited							
20	partner of Western Development Group, LP (the	Partnership") and as manager of Western							
21	Development Group GP, LLC (the "General Partn	ner") allege as follows:							
22									
23	<u>Ven</u>	u <u>e</u>							
24	1.								
25	This case involves several claims seeking	determinations concerning the ownership and							
26	recovery of both real property and personal prope	rty located exclusively in Lake County,							

Page 1 - COMPLAINT

#### AFTER RECORDING RETURN TO:

William F. Buchanan Schmid Malone Buchanan LLC 937 N.W. Newport Avenue, Suite 220 Bend, Oregon 97703 LAKE COUNTY, OREGON 2018-002083
D-LISPEN 10/24/2018 09:53:28 AM \$15.00 \$11.00 \$60.00 \$10.00 Total:\$96.00

I, Stacle Geaney, County Clerk for Lake County, Oregon certify that the instrument identified herein was recorded in the Clerk records.

Stacle Geaney - County Clerk

## NOTICE OF PENDENCY OF AN ACTION (LIS PENDENS)

Pursuant to ORS 93.740, the undersigned states:

- 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.
- 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.
- The description of the real property involved or affected is set forth in Exhibit A.
- 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 p541 388 1107 f 541 388 7370 Of Attorneys for Plaintiff

STATE OF OREGON	)	
County of Donahutas	)	SS.
County of Deschutes	)	

The foregoing instrument was acknowledged before me this 22 day of October, 2018 by William F. Buchanan.

OFFICIAL STAMP
BLAKE B VAUGHN
NOTARY PUBLIC-OREGON
COMMISSION NO. 979180
MY COMMISSION EXPIRES SEPTEMBER 12, 2022

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 or 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 1/4 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.

### 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; SW4 SW4

Section 5: That portion of the SE% NW% lying east of County Road 4-16B; that portion of the NE% SW% lying east of County Road 4-16B; that portion of the SW% SW% lying east of County Road 4-16B; that portion of the SE% SW% lying south and east of County Road 4-16B; S% NE%; N% SE% EXCEPTING. THEREPROM beginning at the Northwest corner of the SE% 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% SE%.

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% NW% 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 rightof-way line N73°11'23"B 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"B 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"B a distance of 279.53 feet to a 5/8" iron pin, thence · \$49°23'39"E a distance of 533.48 feet to a 5/8" iron pin, thence \$50°01'04"E a distance of 102,66 feet to a 5/8" iron pin, thence \$85°39'58"B a distance of 26.81 feet to a 5/8" iron pin, thence S45°38'45"B a distance of 210,58 feet to a 5/8" iron pin on the north bank of Ana River, thence S45 38 45 B 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' NB' said Section 8, thence Northerly along the east line of said Section 8 to the NE corner of the NE' NE', thence Westerly along the north line of said Section 8 to the point of beginning. BXCEPTING THEREFROM any portion lying within the county road right-of-way....

Section 9: NW% NW%; that portion of the SW% NW% lying north and east of the center line of Ana Reservoir; SB% NW%; SW% NE%; NB% SW%; NW% SE%; S% SB%.

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.

### 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 0 6 2020

OWRD



360 SW Bond St., Ste. 510 Bend, OR 97702 Tel. (541) 550-7900 Fax (503) 598-7373 www.iordanramis.com Steven L. Shropshire

Admitted in Oregon and Washington

steve.shropshire@jordanramis.com

OR Direct Dial: (541) 647-2979

· illi

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 FEB 0 6 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:

- 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.
- 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

- 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.
- 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.
- 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.
- Table 2 on page 10 of the Application identifies the incorrect Section and Quarter-Quarters for two proposed aquaculture POUs.
- 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

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FEB 0 6 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.

Che	ck all items included with this application. (N/A = Not Applicable)
$\boxtimes$	Part 1 - Completed Minimum Requirements Checklist.
$\boxtimes$	Part 2 - Completed Application Map Checklist.
$\boxtimes$	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: <a href="http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator">http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator</a> . If you have questions, call Customer Service at (503) 986-0801.
$\boxtimes$	Part 4 - Completed Applicant Information and Signature.
	Part 5 – Information about Permits to be Amended: Number of permits to be amended: <u>1</u> List the Permits here: <u>G-17749 (Attachment A)</u> Please include a separate Part 5 for each permit. (See instructions on page 6)
$\boxtimes$	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 <b>not</b> the permit holder of record and needs to be assigned to the permit; <b>or</b> the landowner of the proposed place of use is <b>not</b> the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <a href="https://www.oregon.gov/OWRD/Forms/Pages/default.aspx">https://www.oregon.gov/OWRD/Forms/Pages/default.aspx</a> ). 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.
$\boxtimes$	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)
X	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: // DECEMBER

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.
$\boxtimes$		Permanent quality printed with dark ink on good quality paper.
$\boxtimes$		The size of the map can be $8\frac{1}{2} \times 11$ inches, $8\frac{1}{2} \times 14$ inches, $11 \times 17$ inches, or up to $30 \times 30$ inches. For $30 \times 30$ inch maps, one extra copy is required.
$\boxtimes$		A north arrow, a legend, and scale.
		The scale of the map must be: $1 \text{ inch} = 400 \text{ feet}$ , $1 \text{ inch} = 1,320 \text{ feet}$ , the scale of the county assessor map if the scale is not smaller than $1 \text{ inch} = 1,320 \text{ feet}$ , or a scale that has been preapproved by the Department.
$\boxtimes$		Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
$\boxtimes$		Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
$\boxtimes$		Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
$\boxtimes$		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.
$\boxtimes$		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.
$\boxtimes$	□ N/A	If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

RECEIVED

	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:  Place of Use Point of Diversion/Appropriation  Number of above boxes checked = 2 (2a)  Subtract 1 from the number in line 2a = 1 (2b) If only one change, this will be 0  Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » » »	2	\$930
3	Number of permits included in Permit Amendment 1 (3a) Subtract 1 from the number in 3a: 0 (3b) 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?  No: enter 0 »» » » » » » » » » » » » » » » » » »	4	410
5	Do you propose to change the place of use?  No: enter 0 on line 5 » » » » » » » » » » » » » » » » » »	5	\$5,950
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	\$8,450
7	Is this permit amendment:  necessary to complete a project funded by the Oregon Watershed	7	0
8	Subtract line 7 from line 6 » » » » » » » » Permit Amendment Fee:	8	\$8,450

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

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

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## Part 4 of 5 - Applicant Information and Signature

A		TC	
Ann	licant	Intormo	mont
TUD	псань	Informa	шон

APPLICANT/BUSINESS NAM	Œ		PHONE NO.	ADDITIONAL CONTACT NO.				
Western Development G	roup LP		541-943-3192					
Thomas A. MacDonald			541-943-3104					
ADDRESS				FAX NO.				
PO Box 40 (Western De	velopment Group	LP)						
PO Box 87 (Thomas Ma	cDonald)							
СПУ	STATE	ZIP	E-MAIL					
Summer Lake	OR	97640						
BY PROVIDING AN E-M	MAIL ADDRESS,	CONSENT IS G	IVEN TO RECEIVE ALL O	CORRESPONDENCE FROM THE				
DEPARTMENT ELECT	RONICALLY. CO	PIES OF THE I	FINAL ORDER DOCUME	NTS WILL ALSO BE MAILED.				

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

	T/BUSINESS NAME ter Solutions, Inc. Attn	. Bruce B	rody-Heine	PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS					FAX NO.
CITY		STATE	ZIP	E-MAIL	
Bend		OR	97702	bbheine@gsiws.co	om
CO-AGEN	T/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
	RAMIS PC ATTN. STEV	VE SHROPS	SHIRE	PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		- Dimore			FAX NO.
360 SW	Bond St, Suite #510				
CITY		STATE	ZIP	E-MAIL	
Bend		OR	97702	Steve.Shropshire(	@jordanramis.com
00 / 00				Tanana	
	T/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
	ts Engineering & Surve	eying, Inc.		541-548-5833	
Attn. Sco	ott D Montgomery				FLYNG
PO Box					FAX NO.
CITY	707	STATE	ZIP	E-MAIL	
Terrebor	nne	OR	97760	scott@apeands.co	m
The pern reflect th	nit amendment update ne location of these we ent Wells #1 through #	es the well ells; and a	description loc dds two new PC	As that are intended to	rough #8 to more accurately o serve as replacement wells for fish raceways to the permitted
•		tinue on a	separate piece of	paper and attach to the ap	oplication as "Attachment 1".
	ck this box if this projectal stimulus dollars)	ect is fully	y or partially fur	nded by the American	Recovery and Reinvestment Act.
Is the ap	plicant the permit h	older of r	ecord? Ye	s 🛭 No	
IfNO	O, include either:				
	A completed assig permit to the appli	nment for cant(s),	rm (with require (an assignment track to this ap	form is being submitte	t fee), assigning all or a portion o ed that will be completed on a pa
	An affidavit of con amend the permit.	nsent fron	the permit hole	der(s) of record that gi	ves permission for the applicant t
					EED 0 0 2020
					FFR 2 8 2020

## 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: <u>Lake County Examiner</u>.



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

Applicant Signature

Print Name (and Title if applicable)

2/11/2020

Western Development Group LP

Applicant Signature

Print Name (and 1)

11/202

Thomas A. MacDonald

or completion of change(s). I licant.	Notices and correspondence should
d will be responsible for com f notices and correspondence	pleting the proposed change(s) after e should be sent to the permit holder
icable:	
	re or will be located within or served
ADDRESS	
STATE	ZIP
STATE	ZIP
	all local governments (each county, prisdiction water will be diverted,
STATE	ZIP 97630
UR	97030
ADDRESS	
STATE	ZIP
ADDRESS	
	d will be responsible for come of notices and correspondence icable:  s proposed for amendment and district. N/A  ADDRESS  STATE  the permits supplied under a variety federal agency or other entity ADDRESS  STATE  Requirements, you must list government) within whose just ADDRESS  513 Center Street STATE  OR  ADDRESS  ADDRESS  ADDRESS  513 Center Street  STATE  OR

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Well 8	☐ Authorized ☐ Proposed	LAKE 52487	30	s	17	E	5	NW	SE	600	*2,010 feet North and 135 feet East from the South 1/4 corner of Section 5
Well 9	☐ Authorized☐ Proposed	not drilled yet	30	s	17	E	5	SE	sw	600	1,040 feet North and 130 feet West from the North 1/4 corner of Section 8
Well 10	☐ Authorized ☐ Proposed	not drilled yet	30	s	17	E	8	NE	NW	601	330 feet South and 180 feet West from the North 1/2 corner of Section 8
Well 11	☐ Authorized ☐ Proposed	not drilled yet	30	s	17	E	8	NE	NW	601	550 feet South and 155 feet West from the North 1/2 corner of Section 8

<sup>\*</sup>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 typ	e(s) of change(s) proposed below (	chang	e "CODES" are provided in parentheses):
	Place	e of Use (POU) - Fish Culture only	$\boxtimes$	Point of Appropriation/Well (POA)
	Poin	t of Diversion (POD)	$\boxtimes$	Additional Point of Appropriation (APOA)
	Addi	tional Point of Diversion (APOD)		Surface water POD to Ground Water POA (SW/GW)
Will all	of the	proposed changes affect the entire	e wate	er use permit?
	Yes	Complete only the proposed ("to" la "CODES" listed above to describe t		section of Table 2 on the next page. Use the oposed changes.
	No	Complete all of Table 2 to describe	the po	ortion of the permit to be changed.
For a change			nd T	O which the place of use is being moved?
				completed on a parallel track to this application)
as a permit	holde			is being moved must be assigned to the permit quest for Assignment form and the required
Is the propos	ed pla	ce of use contiguous to the authori	zed p	lace of use? ⊠ Yes □ No
for the purp 496.192 or the listing agent	change oses of the fed cy. Co	to non-contiguous lands is in further f benefiting a species listed as sensiti eral Endangered Species Act of 1973 ontiguous land being either adjacent	ance of the stand	of mitigation or conservation efforts undertaken reatened, or endangered under ORS 496.171 to U.S.C. 1531 to 1544), as determined by the r land separated from the land to which a ches or publicly owned rights of way.

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

#### PERMIT # G-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)	Tw	/p	Rı	ıg	Sec	1/4	. 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1		LAKE 3030	30	s	17	E	8	NE	NW	601	390 feet South and 150 feet West from the North 1/4 corner of Section 8
Well 1	☐ Authorized ☐ Proposed	LAKE 3030	30	s	17	E	8	NE	NW	601	*425 feet South and 145 feet West from the North 1/4 corner of Section 8
Well 2		LAKE 1507	30	s	17	E	8	NE	NW	601	480 feet South and 190 feet West from the North 1/4 corner of Section 8
Well 2	☐ Authorized ☐ Proposed	LAKE 1507	30	s	17	E	8	NE	NW	601	*530 feet South and 170 feet West from the North 1/4 corner of Section 8
Well 3		LAKE 4444	30	s	17	E	8	NE	NW	601	525 feet South and 140 feet West from the North 1/2 corner of Section 8
Well 3	☐ Authorized ☐ Proposed	LAKE 4444	30	s	17	E	8	NE	NW	601	*575 feet South and 135 feet West from the North 1/4 corner of Section 8
Well 4		LAKE 3029	30	s	17	E	8	NE	NW	601	340 feet South and 145 feet West from the North 1/4 corner of Section 8
Well 4	☐ Authorized ☐ Proposed	LAKE 3029	30	s	17	E	8	NE	NW	601	*405 feet South and 150 feet West from the North 1/4 corner of Section 8
Well 5		LAKE 52764	30	s	17	E	5	SE	NW	600	3200 feet North and 300 feet West from the North 1/4 corner of Section 8
Well 5	☐ Authorized ☐ Proposed	LAKE 52764	30	s	17	E	5	SE	NW	600	*3,155 feet North and 220 feet West from the South 1/4 corner of Section 5
Well 6		LAKE 52368	30	s	17	E	5	sw	SE	600	155 feet North and 230 feet East from the North 1/4 corner of Section 8
Well 6	☐ Authorized ☐ Proposed	LAKE 52368	30	s	17	E	5	sw	SE	600	*105 feet North and 250 feet East from the South 1/4 corner of Section 5
Well 7		LAKE 52369	30	s	17	E	8	NE	NW	601	110 feet South and 280 feet West from the North 1/4 corner of Section 8
Well 7	☐ Authorized ☐ Proposed	LAKE 52369	30	S	17	E	8	NE	NW	601	*180 feet South and 250 feet West from the North 1/2 corner of Section 8
Well 8		LAKE 52487	30	s	17	E	5	NW	SE	600	2070 feet North and 100 feet East from the North 1/2 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.

1			ing	that	appe	ars o	n the c	ertific NGES		lands) RE PROPO will be char		Proposed Changes (see			The	e lis	sting			appear			nds) OSED CHAN	NGES
T	wp	R	ng	Sec	1/4	i ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Tv	wp	Rı	ng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
												EXAMP	LE											
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	
44	"	66	"	"	"	"	"	"	EXAMPLE	и		"	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		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	POA/APOA	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		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	- 3	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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			ing	that	appe	ars or	the c	ertific NGES		lands) RE PROPO		Proposed Changes (see			Th	e lis	sting			l appear			nds) SED CHAN	IGES
Tw		Rı		Sec		1/4	Tax Lot	Gvt Lot or	Acres	POD(s) or POA(s) (name or	Priority Date	"CODES" from previous page)	T	wp	Ri	ng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
												EXAMI	PLE											
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		
"	"	"	"	"	"	"	и	"	EXAMPLE	u		"	2	S	9	E	15	sw	NW	200		5.0		
30	S	17	E	8	sw	NE	600/601	1	11.0 - IS	Wells #1-9	4/7/1987		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	POA/APOA	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
					T	OTAI	L ACR	ES	50.1 –IR 569.6 – IS										тот	AL ACR	ES	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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							C	HAN	GES	FORE PROP		Proposed Changes (see "CODES"			The	e lis	ting			appear			SED CHAN	IGES
Tv	νp	Rı	ng	Sec	<i>y</i>	4 1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	from previous page)	Tv	wp	Rr	ng	Sec	1/4	1/4	Tax Lot		Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
												EXAMP	LE											
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	
"	"	"	"	66	66	"	66	"	EXAMPLE	"		"	2	S	9	E	15	sw	NW	200		5.0	POD #6	
													30	S	17	E	8	sw	NE	601		N/A	Wells #1-11	
													30	S	17	E	8	NE	NW	601		N/A	Wells #1-11	
												POA/APOA	30	S	17	E	8	SE	NW	601		N/A	Wells #1-11	4/7/1987
												/POU	30	S	17	E	8	NW	NE	600		N/A	Wells #1-11	& 6/14/1989
													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	
					TO	TAL	ACR	ES											TOT	AL ACR	ES	N/A		

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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AUTHORIZED (the "from" or "off" lands)

PROPOSED (the "to" or "on" lands)

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: <u>SWR 170; Certs. 83065 & 83069</u>

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

<sup>\*-</sup> will be constructed in a similar fashion to existing wells 3 and 4 that are beginning to fail

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## 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 RECEIVED

FEB 2 8 2020

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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 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 - 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 1/4 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

ATTACHMENT A

**Permit G-17749** 

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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 (	CULTUR	Œ	
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SWNE
30 S	17 E	WM	8	NENW
30 S	17 E	WM	8	SENW

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SE NW	20.30
30 S	17 E	WM	5	NESW	28.40
30 S	17 E	WM	5	SE SW	1.40
		Tota	1		50.10

	SUPPLEN	<b>IENTAI</b>	IRRI	GATION	
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SWSW	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	NENE	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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Application G-11640/T-11749. jms

Water Resources Department

**PERMIT G-17749** 

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	9	NW NW	36.00
30 S	17 E	WM	9	SWNW	32.00
30 S	17 E	WM	9	SENW	30.00
30 S	17 E	WM	9	NESW	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

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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 and 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 landuse goals and any local acknowledged land-use plan.

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PERMIT G-17749

Application G-11640/T-11749. jms

Water Resources Department

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

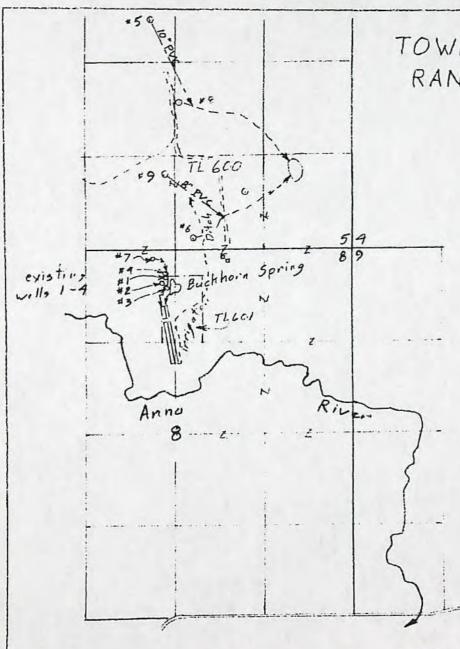
Oregon Department of Water Resources

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ATTACHMENT B

Permit Amendment Application POA & POU Maps



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

Wells located from Vaccine. between sections 588:

# 1 390'5 £ 150'W

# 2 480'5 8 190' W No change

# 3 525'S & 140'W

Proposed Additional POA's
46 155'N & 230'E

#7 110'S 4 280' W

# \$ 2070'N E 100'E

# 5 3200'N \$ 300'W

# 9 1040'N & 130'W

Authorized POA's under T-10716 to be deleted

#5 150'5 & 300'W

#6 160'S & 80'W

#7 150'5 € 30' LW

#8 340'5 \$ 280'W

Scale 1"= 1320'
(4"= 1 mile)

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Permit Amendment Map for Tom Moc Donald (Desent Springs Trout Form)

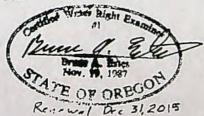
App G-11640 Per G-11024

E-REGETVESVENVANDRD

MAR :0:5: 2014

This map is for the purcour in locating a water right or and has no latent to provide legal dimensions or the location of property lines.





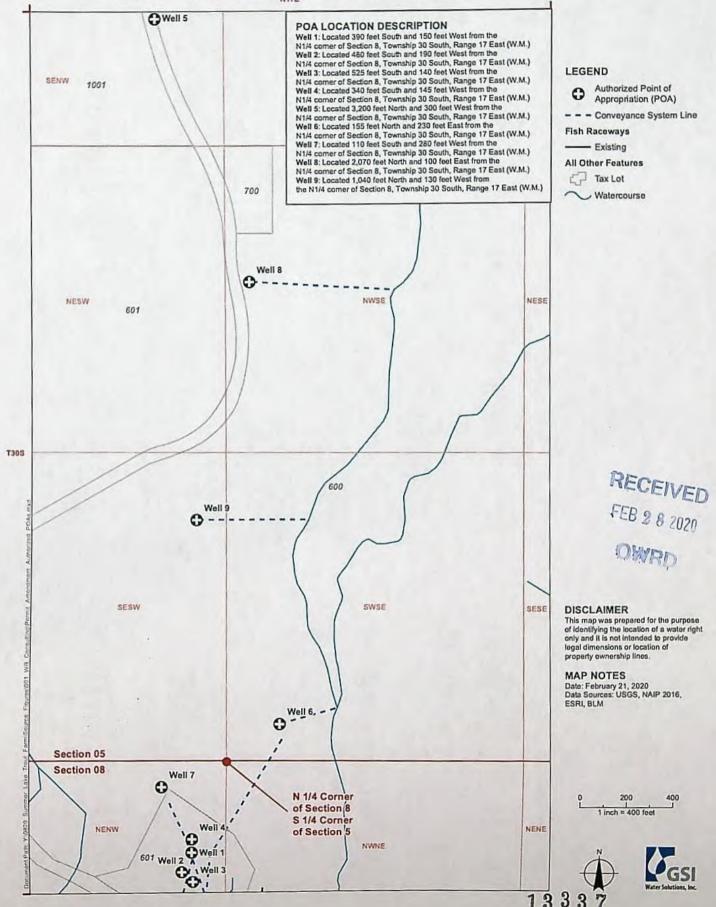
## ESTES SURVEYS, LLC

PO Box 17619 Salom, OR 97806 7518 (643) 566 7500 80362 Arnold Rd Bend, OR 97702 (541) 382-7391

13337

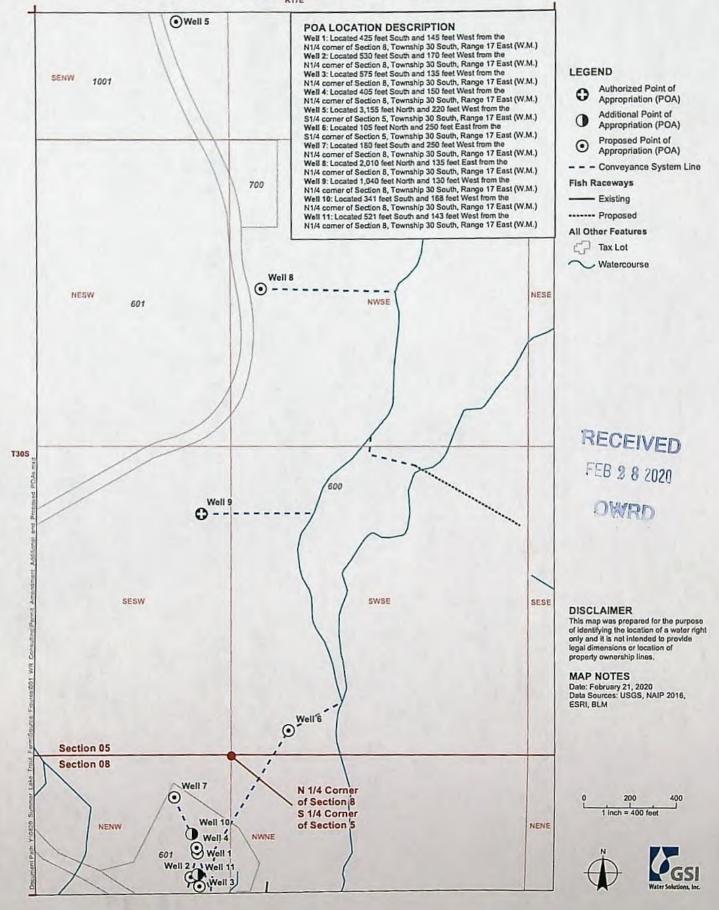
# Permit Amendment Application Permit G-17749, Application G-11640 Authorized Points of Appropriation

Lake County, Township 30 South, Range 17 East (W.M.)



### 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.)

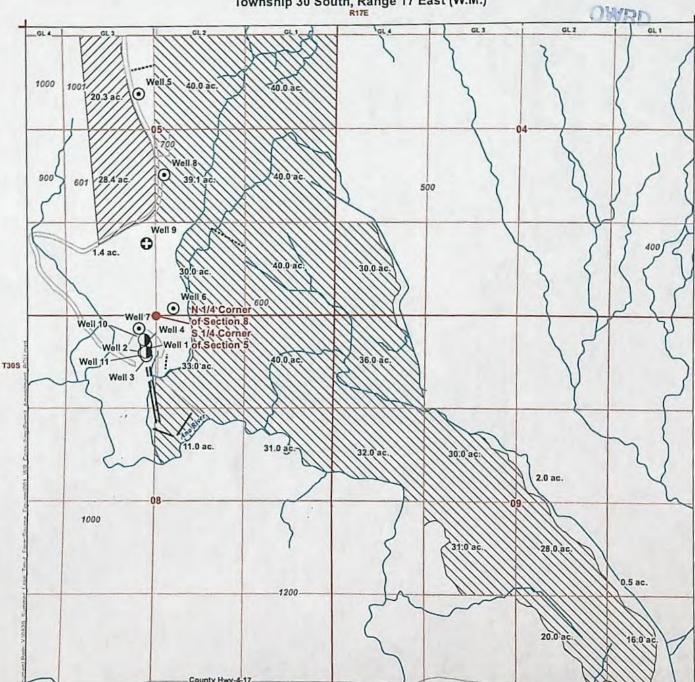


## **Permit Amendment Application** Permit G-17749, Application G-11640

Place of Use

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Lake County Township 30 South, Range 17 East (W.M.)



1400

#### LEGEND

- Authorized Point of Appropriation (POA) All Other Features
- Additional Point of Appropriation (POA)

  Proposed Point of Appropriation (POA)

  Tax Lot

#### Place of Use (POU)

Primary Irrigation, (50.1 ac.)

Supplemental Irrigation, (569.6 ac.)

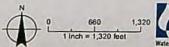
- Existing (Fish Culture)

· · · Proposed (Fish Culture)

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

SUBJECT: Revised Application for T-13337

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

NAMED



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 REGEIVED

OWNED

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
- 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 BE

Steven L. Shropshire

**Enclosures** 

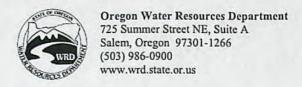
cc: Client (via email w/ encl.)

John Young (via email w/ encl.)

Scott Montgomery (via email w/ encl.)

13337

## Land Use **Information Form**



## 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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13337

## 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): Western Development Group LP & Thomas A. MacDonald

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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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
30 S	17 E	4		600	<u>A-2</u>	Diverted	☑ Conveyed	<b>⊠</b> Used	Irrigation
<u>30 S</u>	<u>17 E</u>	<u>5</u>		600	<u>A-2</u>	☑ Diverted	⊠ Conveyed	☑ Used	Irrigation, Fish Culture
<u>30 S</u>	17 E	8		600 & 601	<u>A-2</u>	☑ Diverted	⊠ Conveyed	☑ Used	Irrigation, Fish Culture
30 S	<u>17 E</u>	9		600	<u>A-2</u>	☐ Diverted	☐ Conveyed	☑ Used	Irrigation

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 a cubic feet per second gallons per minute acre-feet Intended use of water: Commercial Industrial Domestic for \_\_\_\_\_ household(s) Other Fish Culture Municipal Ouasi-Municipal Instream 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 bo	below and provide	the requested information
---------------------------------	-------------------	---------------------------

your comprehensive plan. Cite applicable ordi  Land uses to be served by the proposed water listed in the table below. (Please attach docum Record of Action/land-use decision and accomperiods have not ended, check "Being pursu	uses (including proposed construction) involventation of applicable land-use approvals white approvals approval findings are sufficient.) If approval	e discretionary ich have alread	land-use approvals a y been obtained.
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval:
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	land-use concerns or make recommendations a separate sheet.	to the Water R	esources Department
agarding this proposed use of water below, or on 30-17-600 30-17-601	a separate sheet.		
30-17-600 30-17-601  Name: Dasaw Thinsen	a separate sheet.		
Signature: Law Jilwer	Title: 7		
So-17-600 30-17-600 30-17-600 30-17-600 Same: Dacuw Thinsen Sovernment Entity: Lake Courty Planty I Stote to local government representative: Pleasing the receipt, you will have 30 days from the V	Phone: 541-947-603.  Phone: 541-947-603.  See complete this form or sign the receipt below vater Resources Department's notice date to receipt below.	Date: 1	to the applicant. If yo leted Land Use Inforomprehensive plans.
Jame: Date W. Three Courts Range I gote to local government representative: Pleasing the receipt, you will have 30 days from the Vorm or WRD may presume the land use associated	Phone: 541-947-603.  Phone: 541-947-603.  See complete this form or sign the receipt below vater Resources Department's notice date to receipt below.	Date: Manual Compose with local	TEB 2020  to the applicant. If you leted Land Use Information
Name: Day W. Three Courty Romy I Note to local government representative: Pleasing the receipt, you will have 30 days from the Vorm or WRD may presume the land use associated to the receipt of the rece	Phone: 541-947-603.  Phone: 541-947-603.  See complete this form or sign the receipt below Vater Resources Department's notice date to receive with the proposed use of water is compatite.	Date: Manual Compose with local	to the applicant. If yo leted Land Use Inforomprehensive plans.
Name: Dasww Threer  Signature: Lake Courty Ramy I  Note to local government representative: Pleasing the receipt, you will have 30 days from the V  Torm or WRD may presume the land use associated	Phone: 541-947-603.  Phone: 541-947-603.  See complete this form or sign the receipt below Vater Resources Department's notice date to receive with the proposed use of water is compatible.  Preserved with the proposed use of water is compatible.	Date: A Date: Manual Compose with local contion	to the applicant. If you leted Land Use Information of the applicant of the comprehensive plans.

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WR/FS

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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



ATTACHMENT D
OWRD Well Logs

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## **LAKE 52487**

Well #8

**LAKE 52487** STATE OF OREGON WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

LAKE 52487

WELL LABEL # L / C 4458 START CARD# 206041

Instructions for completing this report are on the last page of this form.	ORIGINAL LUG#
(1) LANDOWNER Owner Well I D.  First Name Thomas S Last Name Hac Dowler	(9) LOCATION OF WELL (legal description) County 46 H4 Twp 30 N or S. Range 17 For W. W.M.
ompany siddress P. D. V 5-1	See 5 MA of the Stra Tax Lot 6002
City Sommal Lake State at Zip 97640	See 15 1 200 11 100 100 100 100 100 100 100 10
City Semant Lake State at Zip 97640	Tax Map Number Lot Lot DMS or DD
(2) TYPE OF WORK New Conversion Despening	Long On DMS or DD
Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)	
(2a) PRE-ALTERATION: Well Depth ft.	Street Address of Well (or gearest address) 48413 0+541
Seal Material	sping no summerlike
Casing Type: Steel Plastic Other	AND AND THE PERSON OF THE PERS
Casing Gauge Casing Diameter	(10) STATIC WATER LEVEL
Could outlier	Date SWL(psi) + SWL (fi)
(3) DRILL METHOD K Rotary Air Rotary Mud Auger	Existing Well/Pre-Alteration 7-1-13 4 pri
	Completed Well
Cuble Cable Mud Reverse Rotary Other	Flowing Artesian? A Yes Dry Hole! Yes
(4) PROPOSED USE Domestic Trigation Community	WATER BEARING ZONES Depth water was first found 260
☐ Indostrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection	SWL Date   From   To   Est Flow   SWL (psi)   + SWL (II)
Thermal Other	9-1-15 270 260 1500 4 PSi
(5) BORE HOLE CONSTRUCTION	
Depth of Completed Well 260 ft. Special Standard: Yes (attach copy)	
BORE HOLE SEAL	
Dia From To Material From To Amenin Schelbs  24" O 90 Cerma O 90/00 Sex	(11) WELL LOG Ground Elevation
14" 0 90 Lean 0 90 100 Sa 15" 90 185 Cempi 90 155 100 50	
1411 1/55 1200	Material From To
10 11 200 200	150
	Black Lata NOCH 150 165
How was scal placed: Method □ A □ B ☑ C □ D □ E	I Mad Lake Aces 1/15
Control Charles of Company Control Charles of Charle	112 Km L- Va Ker 120 200
Backfill placed from R. to ft Material	
filter pack from ft. Material Size	DE LA COMPANIA DEL COMPANIA DE LA COMPANIA DEL COMPANIA DE LA COMP
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED BY OWND
Calculated Amount Proposed to be Used:	RECEIVED BY OWRD
Actual Amount Used: sacks/lbs	NOV 1 8 2013
ANY ALTON	
(6) CASING/LINER	2CT 1 0 2013
Csng Lint Dia + From To Gauge   Steel   Plastic   Welded Thrd	SALEM, OR
x 18" + 1 90 , 750 x	SALEM, OR
x 14" + 1 155 . 250 Y	
	Date Started 8-15-13 Completed 9-1-13
Shoe I Inside I Outside Other Location of shoe(s)	(unbonded) Water Well Constructor Certification  I certify that the work I performed on the construction, deepening, alteration, or
Temperary casing Yes Diameter From To	abandonment of this well is in compliance with Orogon water supply well
	construction standards. Materials used and information reported above are true to
(7) PERFORATIONS/SCREENS	the best of my knowledge and belief
Perforations Method	Maria No. Co.
Screens · TypeMaterial	License Number Date
	Cinned
Screen skx Slot # at pipe	Signed
Perf Sem Cang Lint Dia From To width length slots size	(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
8) WELL TESTS: Minimum testing time is I hour	and belief
Pump Bailer Air Flowing Artesian	1. isomer Number 1 6 5 1 Date 10 - 6 - 13
	01
Yield galdmin Drawdown Drill stens/Pump depth Duration thri	Siened M ( L
1300 hr!	Contact Info (optional)
emperature 60' °F Lab analysis [] Yes By	Course tine (chartern)
Vater quality concerns? Yes (describe below) TDSppm	
From To Description Animal Units	

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

Amendal

Well #7

LAKE 52369

WATER SUPPLY WELL REPORT	WELL LADEL # 1 10 34 9 8	
(ORS 537.765 & OAR 690-205-0210)	START CARD # 206440	
lastructions for campleting this report are on the last page of this form.	ORIGINAL LÓC d	
(I) LANDOWNEK First Name Thomas Last Name MAC Dangly	(9) LOCATION OF WELL (legal description)	
OGENTY	County La Me Twp 30 Nor's Range 17 Eur W W.M	
City Summer Lake Sets OK In 97640	See . 5. 1/4 of the 1/4 Tex Lot 600	
	Tax Map Number Let UMS or DD	
(2) TYPE OF WORK New Conversion Despering	Lone " of OMS of DD	
☐ Alicrotion (complete Sections 2a & 10) ☐ Alandourrent (camplete Section 5a)  (2a) PRE-ALTERATION: Well Depth	Street Address of Wellyor pearest address 48413 Dr. 550-T 581114 Ad St. MINEY LANE BY 97640	
Seal Material	String Ad Schmer Lane DY 97640	
Casing Type: Steel Placin Coner		10.00
Casing Oatege Casing Diameter	(10) STATIC WATER LEVEL   Duic   SWU(psi)   +   SWL(ft)	7 7
(3) DRILL METHOD KNING AND AND AND	Conjunted that	
Cable Cable Mud Revenue Rosary Other		NO ITT
(4) PROPOSED USE Monade   Irrigation   Community	WATER BEARING ZONES Depth water was first found (eQ	2 8 202
(4) PROPOSED USF, Manualic Infiguing Community Disdutinal/Commercial Universale Deviation Injection	SWL Date From To Est Flow SWL (psi) + SWL (ft)	2021
Thermal Other	190 200 500 51	20
(5) BORE HOLE CONSTRUCTION  Depth of Completed Well 300 A. Special Standard: Yes (attach copy)		
Dia   From   Tu   Malerial   From   To   Amount   Sckellist		
20" 0 200 Cenent 0 20 500 5ck	(11) WEI,I, I,OG Divend Elevation	
12 7 220 376	TOP SOLL O	
	The fine of the	
How was seed placed_ Method DA DB DC DD DB	BIECK CLAYUN 10 35	
Dadefill placed from 0. lo N. Mmerial	Great City and a los	
"iller pack from ft. 10 11 Moverial Size	Gra 105 270	
(5a) ABANDONMENT USING UNITY HEATED BENTONITE: Calculated Amount Segment to be Used:	Islack Lava Nock 260 360	
Acqual Agreems Used	Am Cid-1 300 310	
(6) CASING/LINER		
Cang Line Dia + From To Gauge Steel Plastic Wested Tard		
	10 30 19 3 6 11	
	Daie Started 10 - 30-10 Completed 3 - 5-11	
Shoc   Inside   Outside   Other Location of Akoc(4)	(anbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, at	
Temporary casing   Yes Diameter Finds 10	abandonment of this well is in compliance with Oregon water supply well	
(7) PERFORATIONS/SCREENS	construction standards. Materials used and information reported above are true to the best of my knowledge and helief	
Perforations Method		
Screens Type Meterial	Lioinse Number Detc	
	Signed	
Perf Sum Cong Line Din From 10 width length slots size	(beaded) Water Well Constructor Certification	
	I sought responsibility for the construction, despending, alterature, or	
	abundanment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Orcean water	
	supply well construction stradurds. This report is true to the best of my knowledge	
(8) WELL TESTS; Minimum testing time is 1 hour	and belief.	
Pump Bailer Ar SFlewing Anssion	Lieconec Number of 6 54 Date 10-11	
Yield gallisia   Drawdown   Dritt stear/Pentp skyth   Destin (b)	Signed The a Lamber =	
10:		
emperature 60. "F Lab analysis  Yes By  Water quality concerns? Yes (describe below) 10% point	Search drilling the	
From Tu Description Amount Units	Tom Search	
	76m Search 516. 2189 28 1	
ORIGINAL - WATER RESUURCES DEPARTMENT ONE	COPY FOR CONSTRUCTOR UNE CUPY FUR CUSTOM B	
SUBMITTED TO THE WATER RESOURCES DEPART	MENT WITHIN 30 DAYS OF COMPLETION OF WORK	OWR
5 t.9 P55359668969 P.1.3	20 20	
D. G. Veodasseda - Cir.		
	APR 2 4 20	114

13337

Well #6

tructions for completing this report are on the last page of this form.  LANDOWNER Owner Well LD.	START CARD# 704439 ORIGINAL LOG#
Name Thomas Last Name MC DONILLY	(9) LOCATION OF WELL (legal description)  County Lake
ripany  Oress PO Box 87  Oress PO Box 87  State ON Tip 97440	Sec 5 1/4 1/4 of the 1/4 Tax Lut 600
Schools Lake State Of Tip 47640	Tax Map Number Lot
	Tax Map NumberLotDMS or DD
TYPE OF WORK New Conversion Deepening	Lone o or DMS or DD
Alteration (complete Sections 2a & 10) Abandooment (complete Section 5a)	Street Address of Well for nearest address) 48413 DESSET SPIND AU SU MMET LANE ON 9740
n) PRE-ALTERATION: Well Depth R.	SPINS AU SU MMET LANE ON 97640
al Materialsing Type: Steel Plastic Other	
	(10) STATIC WATER LEVEL   Date   SWL(psi)   +   SWL(fi)
sing Gauge Casing Diameter	Existing Well/Pre-Alteration V(-27-10 2 P.51
DRILL METHOD Rotary Air Rotary Mud Auger	Completed Well
Cable Cable Mud Reverse Rotary Other	Flowing Artesian? Yes Dry Hole? Yes /
	WATER BEARING ZONES Depth water was first found 25
PROPOSED USE	SWL Date   From   To   Est Flow   SWL (psi)   + SWL (ft)
Industrial/Commercial Livestock Dewatering Injection Thermal Other	20 25 259-1 SWE(18)
BORE HOLE CONSTRUCTION	
oth of Completed Well 260 it Special Standard: Yes (attach copy)	
BORE HOLE SEAL	
Dia From To Maserial From To Amount Seks/lb	*
10 0 34 Coment 0 39 50 SCK	(11) WELL LOG Ground Elevation
11 39 210 Cement 140 210 150 SCK	Material   From   10
R/C ACC	Black Clay 2 60
w was seal placed: Method	10 10 10 10
Other	1310E LIAN 120 180
ckfill placed from ft to ft Material	Red Cinch 225 260
er pack from ft to ft. Material Size	120
A DANIE OF THE PROPERTY OF THE	RECEIVED RECEIVED BY OWR
ABANDONMENT USING UNHYDRATED BENTONITE:  culated Amount Proposed to be Used:	TILULIVLD TILULIVLD BY OWN
ual Amount Used: Sacks/bs	MAR 1 3 2012
	MAR 1-3 2012 JUL 1 2 2012
CASING/LINER	WATER RESOURCES DEPT
ng Linr Dia 1 From To Gauge Steel Plastic Welded Thrd	SALEM. OREGON SALEM, OR
15" + 10 1 27 .250 X X	STEEM, OILLOST SALLINI, ON
14 13 14 15 1	Date Started 9- 28-10 Completed 10-28-10
c   Inside   Outside   Other Location of shoc(s)	(unboaded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or
porary casing Yes Diameter From To	abandonment of this well is in compliance with Oregon water supply well
PERFORATIONS/SCREENS	construction standards Materials used and information reported above are true to
fontions Method	the best of my knowledge and belief
rens Type Material	License Number Date
Scrown slot Slot # of pipe	
Sem Cang Line Dia Fram To width length slots size	(bonded) Water Well Constructor Certification
	l 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 hest of my knowledge
	and belief
AVELL TESTS. Minimum trained in 1.1 hours	
	Livense Number /654 Date 10-12-1/
WELL TESTS: Minimum testing time is I hour Pump Bailer Al Air Africain Arexian Vidd nature Desember Dell stemPump death Desember (he)	License Number 1654 Date 10-12-11
Pump Bailer Air African Anexian  Yield gal/min Drawdown Drill stein/Pump depth Duration (hr)	License Number 1654 Date 10-12-11 Signed M. S.
Pump Bailer Air Africain Anexian  Yield gal/min Drawdown Drill stein/Pump depth Duration (hr)	License Number 1654 Date 10-12-11 Signed Scontact info (optional)
Pump Bailer Air Africain  Yield gal/min Drawdown Drill stein/Pump depth Duration (hr)    Drawdown Drill stein/Pump depth Duration (hr)	Livense Number 1654 Date 10-12-11  Signed S  Contact into (optional)  Search drillary INC
Pump Bailer Air Afrowing Artesian (field gal/min Drawdown Drill stein/Pump depth Duration (hr)	Signed M. S.

APR-2 4 2014

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

### **LAKE 52764**

WELL I.D. LABEL# L	822	299	
START CARD#	212.	531	
ORIGINAL LOG#			

1) LAND OWNER Owner Well LD.	Lake stry
First Name Month S Last Name MC Do he D	(9) LOCATION OF WELL (legal description)
Company Last Name 17 (1967)	County Le HC Twp 3 C7 N/S Range 17 E/W W
Address Per Boy 87	County Let IV Taylor CO
City Si'm my / 1 a les State CA 7in G -7640	Sec 5 1/4 of the Lu 1/4 Tax Lot 600
2) TYPE OF WORK New Well Deepening Conversion	Tax Map Number Lot DMS or DD
Alteration (complete 2a & 10) Abandonment(complete 5a)	
2a) PRE-ALTERATION	
Dia + From To Gauge Stl Plste Wid Thrd	Street address of well Nearest address
Casing: Material From To Amt sacks/lbs	48413 DYSEIT STILL RY
Seal:	Summer Laure 9769
3) DRILL METHOD	(10) STATIC WATER LEVEL  Date SWL(psi) + SWL(R)
Rotary Air Rotary Mud Cable Auger Cable Mud	Existing Well / Pre-Alteration
Reverse RotaryOther	Completed Well 4/8F 4/85
4) PROPOSED USE Domestic Irrigation Community	Flowing Artesian? Dry Hole?
Industrial/ Commercial Livestock Dewatering	WATER BEARING ZONES Depth water was first found 60
Thermal Other	SWL Date From To Est Flow SWL(psi) + SWL(ft)
5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)	500 540 June 4131
Depth of Completed Well 5'10 ft.	
BORE HOLE SEAL sacks/	
Dia From To Material From To Amt lbs	
24" C 13L (+ment 0 /3 300 500	
14" 131 540 Calculated 00 3er 5ert	
Calculated 100	PILL WELL LOC
	Ground Elevation
How was seal placed: Method A B C D E	Material From To
Other	Blum Clay Sant 2 120
Backfill placed from ft. to ft. Material	travi) ped bara places 1200 500
Filter pack from ft. to ft. Material Size	Ptv 1:0-1 500 \$1000
Explosives used: Yes Type Amount	7-10 /, 5-20
5a) ABANDONMENT USING UNHYDRATED BENTONITE	
Proposed Amount Pounds Actual Amount Pounds	REOF.
	RECEIVED BY OWRD
6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plste Wld Thrd	- DI OWAD
Ø 0 77" #1 131 178 Ø 0 Ø	DECENTED.
6 AMA MONTH ON THE	RECEIVEAN 2 0 201RECEIVED BY OW
	TO DO DOOD
	FFB 2 8 2020
	SALEM, OR MAR 0 5 2017
Shoe Inside Outside Other Location of shoe(s)	MAR U O ZUIT
	SALESS OF
PERFORATIONS/SCREENS	5 25-16 SALEM, OR
Perforations Method	Date Started FFF Completed 9-1-16
Screens Type Material Perf/S Casing/ Screen Scrm/slot Slot # of Tele/	Date Started — Completed — 1-16
Perf/S Casing/ Screen Scm/slot Slot # of Tele/ creen Liner Dia From To width length slots pipe size	
creen enter the Figure 10 winds length store pipe size	I certify that the work I performed on the construction, deepening, alteration, of
	abandonment of this well is in compliance with Oregon water supply we
	construction standards. Materials used and information reported above are true to
	the best of my knowledge and belief.
	License Number Date
) WELL TESTS: Minimum testing time is 1 hour	
	Signed
○ Pump ○ Bailer ⊗ Air ○ Flowing Artesian	d three who is a did d
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	(bonded) Water Well Constructor Certification
21:00 gal Atom 540 7hm	I accept responsibility for the construction, deepening, alteration, or abandonme
	work performed on this well during the construction dates reported above. All we
	I nestowned during this time is in governous with Organia
	performed during this time is in compliance with Oregon water supply w
Temperature & of Lab analysis Yes By	construction standards. This report is true to the best of my knowledge and belief
Temperature 60' °F Lab analysis Yes By	performed during this time is in compliance with Oregon water supply we construction standards. This report is true to the best of my knowledge and belief.  License Number 1654 Date 1255
Temperature & of Lab analysis Yes By	construction standards. This report is true to the best of my knowledge and belief.  License Number 1654 Date 1255
Temperature 60' °F Lab analysis Yes By	construction standards. This report is true to the best of my knowledge and belief.  License Number 1654 Date 12. 25-65
Temperature 60' °F Lab analysis Yes By	construction standards. This report is true to the best of my knowledge and belief.  License Number 1654 Date 12. 25-65  Signed Contact Info (optional)

RECEIVED

Well #4

· · · · · · · · · · · · · · · · · · ·		OWRD		
negiven /	exe a		30/166-	8
WATER WELL REPORT JUL = 1 1988	oxegg		19150	Jaa
(as required by 0125 637.766)		N OF WELL by le	gal description	
MAN ROBERT OLSOMEN OREGON		E_ Latitude		
Address Plo Box 40	Township 30	No Range	16 Bor	W,WM
CENSUMMER LAKE SUIL OR 2097640		NE W		
(2) TYPE OF WORK:	Tax Lot	Well (or pearest address)	UMMER	AKE
New Well   Deepes   Recondition   Abandon				
☐ Rotary Air ☐ Rotary Med ☐ Cable	(10) STATIC	WATER LEVEL:		
0 Other			Date	11 30
(4) PROPOSED USE:  Domestic Community Ladastrial. Irrigation		b. per squ		-15-8
Domestic Community Lindustrial Lirigation  Linguistica Community Lindustrial Lirigation  Description Community Lindustrial Lirigation		BEARING ZONE		
(5) BORE HOLE CONSTRUCTION:	Depth at which water w	Branch Branch	FT	
Special Construction approved Yes No Depth of Completed West 10 st.	From 7 '	76 Y	Estimated Flow Rate	3'
Explosives used  Type Amount	245	310	2100	+2
HOLE SEAL Amount				
Themeter From To CHARTENT From To sacks or pounds 16" 0 120 CT MENT 0 120 2105 ACK				
172" 120 AUS GROUT	(12) WELLLO	Ground elevan		==
3" 3TZ ,210	= - 0 -	Material	From T	-
How was sent placed: Method	CLAY-6	BEEN SAND	7 5	
Other	CLAV.	LAT	539	
Buckfill placed fromft. toft. Material		S-SAMD, RE		
(6) CASING/LINER:	CINDER	LDERS, IAR	CF 346 3	Section 1
Diameter Prom To Gauge Steel Plastic Welded Threaded	CHOPER		1223	
Cesing 19" 0 160.25d &   10				
	-			
Liner.	-			
Final location of shoe(s)				-
(7) PERFORATIONS/SCREENS:				
Perforations Method				-
Screens Type Material	-			-
From To size Number Dismeter size Casing Liner		49.00		
	Date started 1 -	-10-87 com	niered 14-15-	88
(8) WELL TESTS: Minimum testing time is 1 bour		Well Constructor Ce		
Pump Bailer Air S Artesian	abendonment of th	the work I performed on is well is in compliant	e with Oregon well	construction
Yieldgal/min Drawdown Drillstemat Time	standerds. Materials knowledge and belie	s used and information : f.	eported above are tru	e to my best
2100 l lhr.			WWC Number	
	Signed		Date	
	Contract water, Spinsterman State	Tell Constructor Certificalibility for the construction		handon
Temperature of water 60 Depth Artesian Flow Found 2.45	work performed on	this well during the con-	struction dates report	ed above. all
Did any strate contain water not suitable for intended use?   Too little	construction stands	uring this time is in ards. This report is true		
Saky   Mixely   Odor   Colored   Other	belief =0	la bake	WWC Number	
Depth of strate:	Oigate III		2_ Date 6-9	
WHITE COPIES - WATER RESOURCES DEPARTMENT YELLOW	COPY - CONSTRUCTOR	PINK COP	Y-CUSTOMER	DRING VOVER

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				ell#	
STATE OF OREGON . JUL - 1 1988	Lake 144		30\$168	8	aa
WATER WELL REPORT	0 441)				
1) OWNER: SWINDS SOL	S (9) LOCATION	OF WELL by le	gal descript	tion:	
and ROBERT OF SON	County LAKE	Latitude	Longitud	le	
tires P/O BOX 40	Township 3 C	Nor Range	16	_⊕or W.	WM.
INSUMMER LAKE Suit OR ZOPTEL	Section 8	NE W			
2) TYPE OF WORK:	Tax Lot	Lot Block	SUMME	R L	KE
New Well Deepen Recondition Abandon  3) DRILL METHOD	Surect Address of the	en (un nestestadores) =			
Rotary Air Rotary Mud & Cable	(10) STATIC V	VATER LEVEL:			
Other			Duta		
4) PROPOSED USE:	Artesian pressure	17_ lb persqu	are inch Date		
Domestic Community Industrial Irrigation	(11) WATERE	EARING ZONE	S:		
permal Injection Other FISH HATCHERY	Depth at which water wa	s first foundO	NE FOOT	Γ	
5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No Depth of Completed Well 9.62		To	Estimated Flow		SWL
Yes No A L	1'	7-			1,
Explosives used	245	262	2100		+2
HOLE SEAL Amount					
16 0 120 68007 0 120 165	(12) WELLLO	G:			
2" 120 262	- (22) 112222	CHOOME BIEVAL	From	То	SWL
	Soil SA	Material NDY BROW		7	11
fow was seal placed: Method	CLAVIG	BEEN	7	63	11
Other	- CLAY-T	NN	63	245	+8
Backfill placed from ft. to ft. Material  Gravel placed from ft. to ft. Size of gravel		-SAND, RE	1000	246	+3
Gravel placed from tt. to ft. Size of gravel		S, LANA, LAS		261	T &
Diameter, From , To ,Gauge Steel Plastic Welded Thres	aded	131510121 105	100	Non	1.0
Diameter From To Gauge Steel Plastic Welded Threa		The Assessment of the Assessme			
				-	-
Liner.					
	1				-
inal location of shoe(s)	=				
(7) PERFORATIONS/SCREENS:					
Screens Type Material					
Slot Tele/pipe					
From To size Number Diameter size Casing Line					
		15.37	10	20-	27
	] Date started	Line to the	apleted 10 -	40-	91
(8) WELL TESTS: Minimum testing time is 1 hour		Well Constructor Co		ion, alter	ration o
□ Pump □ Bailer □ Air 🔯 Artesian	abandonment of thu	well is in compliant used and information	ce with Oregon	well con	atruction
Yield gal/min Drawdown Drill stemat Time	knowledge and belief.	and movimation			
2100 lbr.	CI		WWC No		
	Signed		Date		•
200		ell Constructor Certi sibility for the constru		on abou	dan
Compensature of water 6.0 Depth Artesian Flow Found 2.11.5	work performed on ti	his well during the con	struction dates r	eported i	above, al
Didany strata contain water not suitable for intended use? A Too little	construction standar	ring this time is in ds. This report is true	to the best of n	nth Ore	gon wel
Salty Muddy Odor Colored Other	belief.		WWC No	mber _	1365
Pepth of streta: ONE FCDT		abotes	The second second	- 24	-88
WHITE COPIES - WATER RESOURCES DEPARTMENT YELL	LOW COPY - CONSTRUCTOR		PY-CUSTOMER		SHONE TO/S
	RECEIVE	1	RECEN	ED (	34 0

FEB 2 8 2020

APR 2 4 7014

OWRD

## RECEIVED

- EB 2 8 2020

Well #2

	OWRD			
STATE OF OREGON WATER WELL REPORT (se required by ORS 537.765) RECEIVED		/ (for effic	cial tive o	
(1) OWNER: WATER RESOURCES DEPT Name ROBERT OLS ENEM, CREGON Address SUMMER LAKE Gly State OR.	(10) LOCATION OF WELL by legs County LAKE AF WW. Township A North or South) Tax Let Block Subdivision MAILING ADDRESS OF WELL (or marred address)	(Range is East	S West	of
(2) TYPE OF WORK (check):  New Wet  Deepening  Reconditioning  Abandon   If abandon count, describe material and procedure in Rem 12.			_	
(3) TYPE OF WELL:  (4) PROPOSED USE (check):    Control   Deliver   Demoir   Industrial   Mandaged   Decay   Demoir   Industrial   Mandaged   Decay   Deliver   Deliver   Demoir   Demo	(11) WATER LEVEL of COMPLETED WELL:  Depth at which water was first found \$5.5.0.  Static level n. below land surface. Date  Artesian pressore Ba. per square inch. Data 6-30-8  (12) WELL LOG: Discreter of well below casing 12"  Depth drilled \$9.5.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.			
LINER INSTALLED: Sted   Phatic   Threaded   Welded	SANDY SOLL	From	70	SWL
(6) PERFORATIONS: Perforated?  Yes No in.	TAN CLAY	55	5.5 5.6 3.41	91
perforations from	LOUL DERS, RED,	241		
(7) SCREENS: Well screen installed?				
Type         Model No.           Diam         Slot Size         Set fram         ft. to         ft.           Diam         Slot Size         Set from         ft. to         ft.				
(8) WELL TESTS: below static level  Was a pump test made?   O Yes No Wyes, by whom?				
pal/min. with ft. drawdown after hrs.  Air test gal/min, with drill stem at ft. hrs.				
Bailer tend gol/adn. with ft. drawdown after has.  Artesian flow 1960 g.p.m.				
Depth artesian flow encountered 244 ft.  (9) CONSTRUCTION: Special standards: Yes 1 No. 12  Well seal-Material used CEMEN 1 GROUT	Date work started 4-15-85/completed 5-3-0-85  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			28°et i(ald sused and
Diameter of well bore below seal 12 in.  Amount of sealine material 18 accept pounds D.  How was cament grout placed? PUMPED.	information reported above are true to my best k	_ Date		
Was pump installed? NO Type HP Depth it. Was a drive abor used? Yes No Yupa Size location it. Did any strate contain unusable water? Yes No	(bonded) Water Well Constructor Certifica  Bond SP 11670 Jassed by O. A.  On behalf of FLOYD SA  Atype or prisal name of  This well was drilled under my jurisdiction	Water Well Com	Name) Marketon) Dort is	true to the
Type of Water? depth of strata  Method of scaling strata off  Was well grevel preked?   Yes No Size of gravel	best of my knowledge and belief: (Signed). Flood Program Wed Coosin (Dated). 2-20-86	2		

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

APR 2 4 2014

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SP-4/345-490

WATER RESOURCES DEPARTMENT, SALEM, ORECON 97210 within 30 days from the date of well completion.

### **LAKE 3030**

			M	ell#	1
RECEIVED	Jako 3080)		/		-
WILE CLUB CON CONTRACTOR OF CO	latter D		300/18	E-	Sac
WATER WELL REPORT	2008/		200710		
(as required by ORS 537.765) JUL = 1 1989	30/	-		_	
1) OWNER: WATER RESULTAGE ON SON HOUSE PLOS BOX HO		N OF WELL by	legal descrip	tion:	
HIME POBERT OLSOMALES ARTEON	County LAK	E_ Latitude	Longitu	de	
	Township 3	O_NoSRange_	18	_(E)br W	.ww.
STY WIMER LAKE SLOPE OR ZEQUELLO	Section	Lot Bit	4	ulliminloss	
2) TYPE OF WORK:	Tar Lot	Well (or nearest address)	SUMME	BL	KE
A New Well Despen Recondition Abandon  3) DRILL METHOD	Stires Address of	West for meaning admitted			
Rotery Air Rotery Mud A Cobbe	(10) STATIC	WATER LEVE	L:		
Other	The state of the s	ft. below land surface.	Date		
4) PROPOSED USE:	Artesian pressur		quare inch. Date	6-3	0-8
Domestic Community Industrial Irrigation	(11) WATER	BEARING ZON	ES:		
mmal Dinjection Other FISH HATCHERY	Depth at which water	res first found	S FT.		
(5) BORE HOLE CONSTRUCTION:  Special Construction approval Yes No Depth of Completed Well 296_h.	From	To	Estimated Plo	w Rate	SWL
Yes No L A	241	296	2100		+1.5
Explosives used					
HOLE SEAL Amount  Othereter From To Material From To sacks or pounds			-		-
16" 0 60 CEMENT 0 60 160 EACH	S (10) VICTOR V. V	00	1.	_	_
	(12) WELLL	Oldand elek			
12" 60 296		Material	From	-	SWL 3'
fow was seal placed: Method	SOIL .		- 3	45	3'
Other		FINE BLAC		_	3'
lockfill placed fromft. toft. Material	CLAV -		46	241	+1.
iravel placed from ft. to ft. Size of gravel		5-SAND P			-
6) CASING/LINER:		QULDERS		295	_
Diameter From To Gauge Steel Plastic Welded Threaded Casing 19."   41.5 60', 250 8 0 8 0	CIMPERS	-3 AND RET	295	396	7-1-5
				1	-
Lines D. D. D. D.	-			-	-
Uner.				-	-
Final location of shoe(s)					
(7) PERFORATIONS/SCREENS:					
Perforations Method			-	-	-
Screens Type Material				+	+-
From To size Number Diameter size Casing Liner				1	
	-			-	-
				-	-
	Date started # -	15-85 0	empleted 6 -	30 -	85
		r Well Constructor			
8) WELL TESTS: Minimum testing time is 1 hour		the work I performed		tion, alte	ration, o
□ Pump □ Bailer □ Air ☒ Artesian	standards Materia	his well is in complia is used and information	nce with Oregon	well con	atructio
Yield gal/min Drawdown Drill stemat Time	knowledge and belie		i reported gloove	are noe v	о шу ос
2100 lhr.				umber _	
	Signed		Date		
		Vell Constructor Cer			
Pemperature of water 60 Depth Artesian Plow Found 241	work performed on	nsibility for the const this well during the or	onstruction dates	reported	above. a
Was a water analysis done? Yos By whom		huring this time is ards. This report is tr			
Salty Muddy Odor Colored Other	halief			Carlo Color .	200
epth of strate:	Signed EQual	labake	2 Date _6	-21	1-83
	OPY CONSTRUCTOR	PHAS	CEIVED E		9809C 10/1
	TOPE	HE	PLIVEDE	BY OV	VRD
	RECEIVE				
			APR 2 4	2014	
	FEB 2 8 2021	1	7111 20 7	r, U14	

OWRD

SALEM, OF 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

Appli	cant Name: Thomas Macdonald
Prop	osed Changes: POU POD POA USE OTHER
Revie	ewer(s): Brian Mayer  Date of Review: 03/09/2020
1.	Do you have <u>evidence</u> that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2.	Is there a history of regulation on the source that 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 V 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
0	For POU above and I N/A. In it likely the original place of use would continue to receive water
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:
	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:
	L 163 L 163 , explain.

	emporary transfer of this nature been previously filed and approved on the same lands ions thereof) as those lands involved in this transfer?
	es V 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:

Watermaster Review Form	Transfer Application
12. Are there other issues not identified determining whether the change "cal	through the above questions that should be considered in n be effected without injury to other rights"?
Yes Vo If "Yes", explain:	
13. What alternatives may be available f	or addressing any issues identified above:
Remove well 9 from transfer,	
14. Do conditions need to be included in other rights? No V Yes, as c	the transfer order to avoid enlargement of the right or injury to hecked and provided below:
For POU changes that involve necessary to prevent injury/en	nicro-irrigation, provide the monitoring and reporting conditions largement:
A Headgate should be required	I prior to diverting water.
Measurement Devices for POD sections of Page 4)	or POA: (if this condition is selected, also fill in the top
or, with prior approval of the diversion/appropriation (new with the exception that	gin under this order, the water user shall install a <u>totalizing flow meter</u> *, e Director, another suitable measuring device, at each point of w and existing) OR at each new point of diversion/appropriation at water rights issued to the Bureau of Reclamation or an irrigation e not subject to this condition.
b. The water user shall mai	ntain the meters or measuring devices in good working order.
however, where the meters	w the Watermaster access to the meters or measuring devices; provided or measuring devices are located within a private structure, the access upon reasonable notice.
Reservoir water use measurem of Page 4)	ent: (if this condition is selected, also fill in the top sections
or, with prior approval of the	gin under this order, the water user shall install staff gages*, e Director, other suitable measuring devices, that measure the entire apply and full in each reservoir. Staff gages shall be United States
suitable measuring devices i adjustable outlet valve must order. A written waiver may	gin under this order, if the reservoir is located in channel, weirs or other must be installed upstream and downstream of the reservoir, and, an be installed. The water user shall maintain such devices in good working be obtained, if in the judgment of the Director, the installation of weirs or vices, or the adjustable outlet valve, will provide no public benefit.
* The following alternative device(s) selected condition:	should be substituted for the bold, underlined device in the above
✓ Weir	Submerged Orifice
Parshall Flume	Flow Restrictor
Other: Ramp Flume	

#### **Oregon Water Resources Department**

#### Measurement Condition Information for the Applicant

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

Transfer #	: 1- 13337
V	n 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.
	onal information, or to obtain approval of a different type of measurement device, the applicant ntact the area Watermaster:
Watermas	ster name: Brian Mayer
District: 1	2
Address: 5	513 Center St.
City/State,	/Zip: Lakeview OR 97630
Phone: 5	541.947.6038
Email: Ł	orian.m.mayer@oregon.gov
	device other than the one specified in the Preliminary Determination or Final Order is approve 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:

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

Watermaster signature

District

Date



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.

Che	eck all it	ems included with this application. (N/A = Not Applicable)	DEC 26 2019
		Part 1 - Completed Minimum Requirements Checklist.	
$\boxtimes$		Part 2 - Completed Application Map Checklist.	OWRD
$\boxtimes$		Part 3 – Application Fee, payable by check to the Oregon Water Rescompleted Fee Worksheet, page 3. Try the new online fee calculator <a href="http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator">http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator</a> . If you have Service at (503) 986-0801.	at:
$\boxtimes$		Part 4 - Completed Applicant Information and Signature.	
$\boxtimes$		Part 5 – Information about Permits to be Amended: Number of perm List the Permits here: <u>G-17749</u> Please include a separate Part 5 for each permit. (See instructions on	
$\boxtimes$		Completed Permit Amendment Application Map (Does not have to b Water Right Examiner).	
	⊠ N/A	Request for Assignment Form and statutory fee. The request for assignment form and statutory fee. The request for assignment is <b>not</b> the permit holder of record and need permit; <b>or</b> the landowner of the proposed place of use is <b>not</b> the permit needs to be assigned to the permit (the Request for Assignment Form <a href="https://www.oregon.gov/OWRD/Forms/Pages/default.aspx">https://www.oregon.gov/OWRD/Forms/Pages/default.aspx</a> ). Assignment is the permit holder of record.	Is to be assigned to the nit holder of record and is available online at
	⊠ N/A	Affidavit(s) of Consent are required from all permit holder(s) of reco to the applicant or other permit holders of record that are not listed as	
	□ N/A	Oregon Water Resources Department's Land Use Information Form (or signed land use form receipt stub) from each local land use author diverted, conveyed, and/or used. Not required if water is to be diverted only on federal lands or if all of the following apply: a) a change in p structural changes, c) the use of water is for irrigation only, and d) the irrigation district or an exclusive farm use zone.	rity in which water is to be ed, conveyed, and/or used lace of use only, b) no
$\boxtimes$	□ N/A	Water Well Report/Well Log for changes in point(s) of appropriation point(s) of appropriation.	(well(s)) or additional
	⊠ N/A	Geologist Report for a change from a surface water point of diversion appropriation (well), if the proposed well is more than 500 feet from more than 1000 feet upstream or downstream from the point of diversions.	the surface water source and
		(For Staff Use Only)	
		WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING  Application fee not enclosed/insufficient Land Use Form not enclosed or incomplete Additional signature(s) required Part is incomp	ncomplete
		Other/Explanation	/

Revised 2/11/2019

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

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

	⊠ N/A	If more than three permits are involved, separate maps for each permit.	DEC 26 2019
$\boxtimes$		Permanent quality printed with dark ink on good quality paper.	OWRD
		The size of the map can be $8\frac{1}{2} \times 11$ inches, $8\frac{1}{2} \times 14$ inches, $11 \times 17$ inches, or inches. For 30 x 30 inch maps, one extra copy is required.	r up to 30 x 30
$\boxtimes$		A north arrow, a legend, and scale.	
$\boxtimes$		The scale of the map must be: $1 \text{ inch} = 400 \text{ feet}$ , $1 \text{ inch} = 1,320 \text{ feet}$ , the scale assessor map if the scale is not smaller than $1 \text{ inch} = 1,320 \text{ feet}$ , or a scale tha approved by the Department.	
$\boxtimes$		Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized survey lines.	d public land
$\boxtimes$		Tax lot boundaries (property lines) are required. Tax lot numbers are recomm	nended.
$\boxtimes$		Major physical features including rivers and creeks showing direction of flow reservoirs, roads, and railroads.	, lakes and
$\boxtimes$		Major water delivery system features from the point(s) of diversion/appropria main pipelines, canals, and ditches.	tion such as
		Existing place of use that includes separate hachuring for each water use permit date, and use including number of acres in each quarter-quarter section, gover in each quarter-quarter section as projected within government lots, donation other recognized public land survey subdivisions. If less than the entirety of the being changed, a separate hachuring is needed for the portion of the permit left	nment lot, or land claims, or ne permit is
$\boxtimes$	□ N/A	If you are proposing a change in place of use, show the proposed place of use hachuring that includes separate hachuring for each permit, priority date, and 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 recognition public land survey subdivisions.	use including arter-quarter
$\boxtimes$		Existing point(s) of diversion or well(s) with distance and bearing or coordina recognized survey corner. This information can be found in your water use pe	
$\boxtimes$	□ N/A	If you are proposing a change in point(s) of diversion or well(s), show the prolocation and label it clearly with distance and bearing or coordinates. If GPS care used, latitude-longitude coordinates may be expressed as either degrees-me with at least one digit after the decimal (example – 42°32'15.5") or degrees-defive or more digits after the decimal (example – 42.53764°).	oordinates inutes-seconds

	FEE WORKSHEET for PERMIT AMENDMENT		
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,160
		ECEI	VED
	☐ Place of Use	-000	2010
	Z	EC 26	2019
	Number of above boxes checked = $\frac{1}{2}$	OWF	2D
	Subtract 1 from the number in line $2a = 0$ (2b) If only one change, this will be 0 Multiply line 2b by \$930 and enter $y = y = y = y = y$	0,00	
2	Within the 20 by \$950 and enter " " " " " " " " " " " " " " " " " " "	2	\$930
	Number of permits included in Permit Amendment 1 (3a)		
	Subtract 1 from the number in 3a: 0 (3b) If only one permit this will be 0		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD		
	to a well?		
4	No: enter 0 »» » » » » » » » » » » » » » » » » »	4	\$410
4	Yes: enter \$410 » » » » » » » » » » » » » » » » » » »	7	5410
	No: enter 0 on line 5 » » » » » » » » » » » » » » » » » »	-	#2000
5	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:  necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?  If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »  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  $\div$ 100 ac); then multiply by the number of acres to be changed to get the application cfs (x 45 ac = 0.56 cfs).
  - b. If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
- 2. Add cfs for the portions of permits on all the land included in the application; however do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land. The fee should be assessed only once for each "on the ground" acre included in the application. (In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

AI	go	licant	Infor	mation
----	----	--------	-------	--------

PHONE NO. ADDITIONAL CONT 541-943-3104 541-815-4070		
	FAX NO.	
E-MAIL		
	E-MAIL O RECEIVE ALL C	

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

AGENT/BU	SINESS NAME			PHONE NO.	ADDITIONAL CONTAC	T NO.
Scott D Montgomery			541-548-5833	541-420-0401		
ADDRESS					FAX NO.	
PO Box 7	67					
CITY		STATE	ZIP	E-MAIL		
Terrebon		OR	97760	scott@apeands.co		NA MILE
					CORRESPONDENCE FRO	
DEPART	MENT ELECTRONICA	ALLY. CC	OPIES OF THE F	INAL ORDER DOCUME	NTS WILL ALSO BE MAI	LED.
Explain	in your own words	what you	propose to ac	complish with this pe	ermit amendment; and	why:
				f the POA's and POU		
A STATE OF THE PARTY OF THE PAR			ully or partiall	y funded by the Ame	rican Recovery and Re	einvestment
Act.	(Federal stimulus d	ollars)				
Is the ap	oplicant the permit	holder	of record?	Yes No		
If NO	O, include either:					
	A completed assi	ignment	form (with red	uired statutory assign	ment fee), assigning a	ıll or a
	portion of the per			The state of the s	,, 5 5	
	An affidavit of co	onsent fr	om the permit	holder(s) of record th	at gives permission for	or the
	applicant to amer			noider(s) of record to	at gives permission to	n the
Has the (	Completion ("C") Da	ate of the	permit(s) in th	nis application expired	? ☐ Yes ☒ No	RECEIVE
If YES	s, this application wil	I not be a	ccepted by the I	Department.		250 9.6 00

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 -

D

DEC 26 2019

I (we) affirm that the information contain	the first and the first of the	id accurate.
Applicant Signature	Thomas A. MacDonald Print Name (and Title if applicable)	13/23/2019

Applicant Signature

Print Name (and Title if applicable)

Date

DEC 26 2019 OWRD

Check one of the following:		
The applicant is responsible continue to be sent to the		Notices and correspondence should
The permit holder(s) of re final order is issued. Copi of record.	ecord will be responsible for com les of notices and correspondence	pleting the proposed change(s) after to e should be sent to the permit holder(s
Check the appropriate box, if a	pplicable:	
Check here if any of the per by an irrigation or other was		e or will be located within or served
by an irrigation or other was IRRIGATION DISTRICT NAME		e or will be located within or served
by an irrigation or other was	ter district.	e or will be located within or served
by an irrigation or other water IRRIGATION DISTRICT NAME  NA  CITY  Check here if water for any	ter district.  ADDRESS	zıp vater service agreement or other
by an irrigation or other water IRRIGATION DISTRICT NAME  NA  CITY  Check here if water for any	ADDRESS STATE  of the permits supplied under a v	zıp vater service agreement or other



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	ADDRESS	
Lake County	515 Center St	
CITY	STATE	ZIP
Lakeview	OR	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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
#1	□ Authorized	LAKE	30 S	17 E	8	NE NW	800	390' S & 150' W from

	Propo	sed	3030									the N 1/4 cor, Sec 8
#2	⊠ Autho		LAKE 1507	30	S	17	E	8	NE	NW	800	480' S & 190' W from the N ¼ cor, Sec 8
#3	⊠ Autho		LAKE 4444	30	S	17	E	8	NE	NW	800	525' S & 140' W from the N ¼ cor, Sec 8
#4	Autho		LAKE 3029	30	S	17	E	8	NE	NW	800	340' S & 145' W from the N ¼ cor, Sec 8
#5	☐ Autho		LAKE 52367	30	s	17	E	5	SE	NW	800	3155' N & 220' W from the S ¼ cor, Sec 5
#6	☐ Autho		LAKE 52368	30	s	17	E	5	sw	SE	800	105' N & 250' E from the S 1/4 cor, Sec 5
#7	☐ Autho		LAKE 52369	30	s	17	E	8	NE	NW	800	180' S & 250' W from the N ¼ cor, Sec 8
#8	☐ Autho		LAKE 52487	30	S	17	E	5	NW	SE	800	2010' N & 135' E from the S ¼ cor, Sec 5
#9	☐ Autho		NOT BUILT	30	s	17	E	5	SE	sw	800	835' N & 125' W from the S ¼ cor, Sec 5
		of Diversion	of Diversion (	APOI	0)		Sı		water			priation (APOA) und Water POA
Wil	l all of the	proposed cl	nanges affect	the e	ntir	e wa						
	⊠ Yes	Complete or		ed ("t	o" la	ands)	sect	ion o	f Table		the nex	ct page. Use the
[	□ No	Complete al	l of Table 2 to	desc	ribe	the p	ortic	on of	the per	mit to	be cha	inged.
or a cha	nge in pla	ce of use:										
es the		der of reco	d own or cor	itrol	the l	and	то	which	the p	lace o	f use is	s being moved?
as a per	mit holder	er of the lan of record b assignment.	y submitting	he pla a con	ice o	f use	is be	eing r	noved Assig	must nment	be ass form a	igned to the permit and the required
the pro	posed plac	e of use con	tiguous to th	e aut	hori	zed	place	e of u	se? ⊠	Yes	□No	
The perrunders the	nitted place ne change t	e of use can o non-contig	be moved onl guous lands is	y to la	ands rther	that	are of n	contig	uous t	o the a	uthori	zed place of use n efforts undertaken ler ORS 496.171 to

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 undertaker 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 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	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	Acres	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Т	wp	Ri	ng	Sec	1/4	1/4	Tax Lot		Acres (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		28.4IR	#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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TACS

	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								тот	AL ACRES	50.1 IR 569.6 IS		

Additional remarks: IR & IS uses shown.

DEC 26 2019
OWRD

	AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.				Proposed Changes (see	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or	Acres	POD(s) or POA(s) (name or	Priority Date	"CODES" from previous page)	Twp	Rng	Sec	1/4 1/4	Tax Lot		Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
									POU/POA	30 S	17 E	5	SE NV	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
			TOTA	L ACR	ES								то	TAL ACE	RES			

Additional remarks: Fish harvest uses shown.

13337 -

DEC 26 2019

OWRD

DEC 26 2019 OWRD

Permit # G-17749

For a	change	in point(s) of a	appropr	iation (we	ll(s)) or a	dditional p	point(s) of a	ppropriat	ion:	
	Well lo associa map. (	g(s) are attache ted with the co Tip: You may pps.wrd.state.co	ed for ea crespond search fo	ch authoriz ling well(s or well log	zed and property of the proper	roposed we 1 above ar epartment	ell(s) that are and on the ac	e clearly lal companyin	beled and	n
ANI	D/OR									
	ne ea li	escribe the cor ot have a well a ach requested i censed well dra aformation nec	log. For n formati iller, geo	proposed von elemen logist, or c	wells not y t in the tal ertified w	et construction. The De	<i>ted or built</i> epartment re	, provide "a commends	a best estima you consul	ate" for t a
An the tra the (P	ny well(s e accomp ansfer app e propose	ction of Point( ) in this listing panying application until ited well(s) will be Department if fer	must be ation ma it is rece access th	clearly tie p. Failure t ived. The ine same so	ed to corre to provide nformatio urce aquif	the inform in is necess fer as the au	ation will d ary for the outhorized po	elay the pro department pint(s) of ap	to assess with the proprietion	your hether
roposed 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								
	Revised 2/11/	2019		Permit Amend	ment Applicat	ion – Page 11 of	12	1333	7 - TACS	

Are there other water rights certificates, water use permits or ground water registrations associated

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

If YES, list the other certificate, permit, or ground water registration numbers:

application or ground water registration modification application, respectively.

with the "from" or "to" lands? ☐ Yes ⊠ No

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

DEC 26 2019 OWRD

#### 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

## Permit Amendment Application Checklist

Checked by

Revised 3/14/19.pts

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)
<b>1</b>	. 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,
4	b) A completed Request for Assignment form (and statutory fee) to move all (or portion) of the permit into the Permit Amendment applicant's name.
	If not, what is missing?
→ □ 2	Page 1 of application: Are all attachments that have been checked actually included?  If not, what is missing?
3	Are fees included and correct? Fee Paid: 5700
,	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 2000  If the Permit completion date has expired, we CANNOT accept the application.
The state of the s	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.
1	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	MIDED. POU MROA'S
direct to	DIDPVI
M	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

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 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 1/2 CORNER OF SECTION 8
30 S	17 E	WM	5	SE NW	WELL#5 - 3200 FEET NORTH AND 300 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 8
30 S	17 E	WM	5	SW SE	WELL#6 - 155 FEET NORTH AND 230 FEET EAST FROM THE NORTH 1/4 CORNER OF SECTION 8
30 S	17 E	WM	8	NENW	WELL#7 - 110 FEET SOUTH AND 280 FEET WEST FROM THE NORTH 1/2 CORNER OF SECTION 8
30 S	17 E	WM	5	NW SE	WELL#8 - 2070 FEET NORTH AND 100 FEET EAST FROM THE NORTH 1/2 CORNER OF SECTION 8
30 S	17 E	WM	5	SE SW	WELL#9 - 1040 FEET NORTH AND 130 FEET WEST FROM THE NORTH 1/4 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.

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

	FISH (	CULTUR	RE	
Twp	Rng	Mer	Sec	Q-Q
30 S	17 E	WM	8	SW NE
30 S	17 E	WM	8	NENW
30 S	17 E	WM	8	SE NW

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	5	SENW	20.30
30 S	17 E	WM	5	NESW	28.40
30 S	17 E	WM	5	SE SW	1.40
		Tota	1		50.10

	SUPPLEN	MENTAL	IRRIC	GATION	
Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	4	SWSW	30.00
30 S	17 E	WM	5	SWNE	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	NENE	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

Application G-11640/T-11749. jms

Water Resources Department

**PERMIT G-17749** 

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	17 E	WM	9	NW NW	36.00
30 S	17 E	WM	9	SWNW	32.00
30 S	17 E	WM	9	SENW	30.00
30 S	17 E	WM	9	NESW	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 and 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 landuse goals and any local acknowledged land-use plan. The use of water shall be limited when it interferes with any prior surface or ground water rights.

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 15# 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

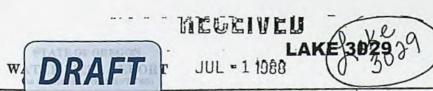
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ANATES DECOUDES DEDT 4.	I to y a g t myony on when y 1 1 1 and 1 and 1 days
(1) OWNER: WATER RESOLUTES DEET, #1	
Name ROBERI OLSONECON	County LAKE Latitude Longitude Township 30 No Range 16 Bor W, WM.
Address P/O BOX 40	Township 30 No Range O Oor W, WM.
City SUMMER LAKE State OR ZIPG 7640	Oction ————
(2) TYPE OF WORK:	Tax Lot Lot Block Subdivision
New Well Deepen Recondition Abandon	Street Address of Well (or nearest address) SUMMER LAKE
(3) DRILL METHOD	
☐ Rotary Air ☐ Rotary Mud ☐ Cable	(10) STATIC WATER LEVEL:
Other	
(4) PROPOSED USE:	Artesian pressure 17 lb. per square inch. Date 4-15-8
□ Domestic □ Community □ Industrial □ Irrigation	
hermal   Injection   Other FISH HATCAERY	(11) WATER BEARING ZONES:
	Depth at which water was first found
(5) BORE HOLE CONSTRUCTION:	
Special Construction approval Yes No Depth of Completed Well 10 ft	7' 8' 3'
Explosives used  Type Amount Amount	245 310 2100 +2
HOLE SEAL Amount	
Drameter From To Material From To sacks or pounds 16" 0 120 CEMENT 0 120 2105 KG	
16" 0 130 CREAT 0 120 31054	T (19) WWT L L COC
172 120 243	(12) WELLIOG. Ground elevation
8" 245 510	Material From To SWL
	SOIL, BROWN SANDY O 7 7'
How was seal placed: Method	CLAY-GREEN 7 53 7'
Other	CLAV - TAN 53 245 + 2
Backfill placed fromft. toft. Material	CINDERS-SAND RED SUSSIK +2
Gravel placed fromft. toft. Size of gravel	LAVA POULDERS, LARGE DUG 308 +2
(6) CASING/LINER:	CINDERS RED 308 310+2
Diameter From To Gauge Steel Plastic Welded Threaded	
Casing: 12" 0 160,250 KI . KI .	
Liner:	
Final location of ahoe(s)	
(7) PERFORATIONS/SCREENS:	
Perforations Method	
Screens Type Material	
Slot Tele/pipe	
From To size Number Diameter size Casing Liner	
	Date started 11 - 10 - 8 7 Completed 4 - 15 - 88
	(unbonded) Water Well Constructor Certification:
(8) WELL TESTS: Minimum testing time is 1 hour Flowing	(unbonded) Water Well Constructor Certification:  I certify that the work I performed on the construction, alteration, or
□ Pump □ Bailer □ Air ☒ Artesian	abandonment of this well is in compliance with Oregon well construction
Yield gal/min Drawdown Drill stemat Time	standards. Materials used and information reported above and rue to my best knowledge and belief.
	WWC Number
2100 1hr.	Signed Peter RD
	(bonded) Water Well Constructor Certification:
Temperature of water 60 Depth Artesian Flow Found 245	I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all
Was a water analysis done?	work performed during this time is in compliance with Oregon well
Did any strata contain water not suitable for intended use? X Too little	construction standards. This report is true to the best of my knowledge and
Salty Muddy Odor Ocolored Other	Signed Francis Date 6-24-88
Depth of strata:	Signed Turple Dake 6-24-88
	CONTRACTOR STATE OF THE CONTRA

#### **LAKE 3029**

Well #4

STATE OF OREGON WATER WELL REPORT JUL = 1 1989	300	166-8	
(LA PERMITTED IN CONTROL OF THE CONT	(9) LOCATION OF WELL by legal desc	ription:	
KOBERT OLSO MAIN OFFICE OF	County LAKE Latitude Lo	Bor W. W	M
SUMMER LAKE SLADE OR ZOGTOLIO	Township 30 No Range 6		M.
2) TYPE OF WORK:	marter let Rheli	Subdivision	
New Well Deepen Recondition Abandon	Street Address of Well (or pearest address) SUMM	ER LAK	E
B) DRILL METHOD			_
Rotary Air Rotary Med Cable	(10) STATIC WATER LEVEL:		
Other	. A below land surface.	Date	_
1) PROPOSED USE:	Artesian pressure 17 lb. per square ioch.	Date Lt-13	>
Domestic Community Industrial Irrigation	(11) WATER BEARING ZONES:		
hermal   Injection   Other FISH HATCAERY	Depth at which water was first found		
5) BORE HOLE CONSTRUCTION: perial Construction approved Yes No Depth of Completed West 10 ft.		ed Flow Rate	SWL
Yes No X L	7' 8'		3'
epiosives used 🛛 🕱 Type Amount			12
HOLE SEAL Amoust			
Manuster From To Charles From To sacks or pounds			_
2" 120 245 5 1001	(12) WELL LOG: Ground elevation		_
3" 2US 510			5WL
5 5 5 5	SOIL BROWN SAMEY		7
owwasseel placed: Method	7 PHY - 13 DE - 14	7 53	7
Other ft. to ft. Material		17 3 7 7 7	- 3
rewel placed from ft. to ft. Sine of gravel		The second name of the second	12
6) CASING/LINER:		08 310 4	_
Diameter From To Gange Steel Plastic Welded Threaded	3,70,000,000		_
			_
			-
		-	-
Aner.			
inal location of shoe(s)			
7) PERFORATIONS/SCREENS:			
Perforations Method			_
Screens Type Material			_
Slot Number Diameter, size Casing Liner			
ALOIS TO RITE MUNICIPAL DIRECTAL BIES CRITICAL FUNCTION			
0.0			
0 0			
	Date started 11-10-87 Completed 14	-15-88	۷_
	(unbonded) Water Well Constructor Certification		
B) WELL TESTS: Minimum testing time is 1 hour	I certify that the work I performed on the cora abandonment of this well is in compliance with On	truction, alterat	ion,
Pump Bailer Air 20 Artesian	standards. Materials used and information reported ab	ove are true to r	ny be
Yield gal/min Drawdown Drill stem at Time	knowledge and belief.	/C Number	-
\$100 1hr.	Signed Dat		
10	(bonded) Water Well Constructor Certification:  I accept responsibility for the construction, alter	stion or sharely	nme
mperature of water 60 . Depth Artesian Flow Found 2.45	work performed on this well during the construction d	ates reported ab	QVE.
at a water analysis done? LIYes By whom	work performed during this time is in complian construction standards. This report is true to the best	t of my knowled	ec at
Saity   Mixidy   Odor   Colored   Other	belief	IC Number 1	16
phofsints 7	Signed Fungue Dakes Date	6-24-	85
	OPY-CONSTRUCTOR PINK COPY-CONT	MER ' SW	nc vo
THITE COPIES - WATER HISOURCES DEPARTMENT YELLOW	Di I - Chi Ci in Con I - God La	All the same of the	The state of the s

OWARD 4 2014

#### **LAKE 4444**

May 15 1 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 1 9 2014

SALEM, OR

RECEIVED

DEC 3 0 2019

OWRD

WAT DRAFT JUL - 1 1988

30\$ 16 E.	- Saa

WATER DECOURCES (	1981
(1) OWNER: SWEINING CASE	(9) LOCATION OF WELL by legal description:
Name KOBERT OLSON	C LAVE Tetitude Longitude
Address Plo Box 40	Township 3 Q Nor Range 16 For W, WM.
City SUMMER LAKE State OR Zip 976	Section 8 NE W NE W
(2) TYPE OF WORK:	Tax Lot Lot Block Subdivision
New Well Deepen Recondition Abandon	Street Address of Well (or nearest address) 50MMER LAKE
(3) DRILL METHOD	
Rotary Air Rotary Mud Cable	(10) STATIC WATER LEVEL:
Other	ft. below land surface. Date
(4) PROPOSED USE:	Artesian pressure 17 lb. per square inch. Date
Domestic Community Industrial Irrigation	
Domestic Community Industrial Infragation    Domestic Community Industrial Infragation   Infragation   Other FISH HATCHER	(11) WATER BEARING ZONES:
	Depth at which water was first found ONE FOOT
(5) BORE HOLE CONSTRUCTION:	
Special Construction approval Yes No Depth of Completed Well 26	1' 7- 1'
Explosives used Amount Amount	245 262 2100 +2
A HOLE SEAL Amou	
Drameter From To   Material From To sacks or p	ounds
16 3 120 GROOT 0 120 165	
12" 120 862	Otoqua elevation
	Material From To SWL
	- SOIL, SANDY BROWN 8 7 1'
How was seal placed: Method	CLAVIGREEN 7 63 1
Other	CLAY-TAN 63 245 + 8
Backfill placed fromft. toft. Material	CINDERS-SAND, RED 245 246 +X
Gravel placed fromft. toft. Size of gravel	BOULDERS, LAVA, LARGE 246261 +2
(6) CASING/LINER:	CINDERS-SAND, RED 261 360 +2
Diameter From To Gauge Steel Plastic Welded The	
Final location of shoe(s)	
(7) PERFORATIONS/SCREENS:	
Perforations Method	
Screens Type Material	
From To size Number Diameter size Casing I	Aner
Trong I size frametri sino	
	□ Date started 5-15-87 Completed 10-20-87
(8) WELL TESTS: Minimum testing time is 1 hour	(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or
Flowing	abandonment of this well is in compliance with Oregon, well-construction
	standards. Materials used and information reported above are true to my best
Yield gal/min Drawdown Drill stem at Time	knowledge and belief.
9100 1hr.	DE Conditional des
	Signed Date
	(bonded) Water Well Constructor Certification;
Temperature of water 60 Depth Artesian Flow Found 214	I accept responsibility for the construction, alteration, or abandonment
Was a water analysis done? Yes By whom	work performed during this time is in compliance with Oregon well
Did any strata contain water not suitable for intended use? 🔀 Too little	construction standards. This report is true to the best of my knowledge and
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other	belief. WWC Number 1365
Depth of strata: ONE FOOT	Signed Flore Bokes Date 6-24-88
	LLOW COPY - CONSTRUCTOR PINK COPY - CUSTOMER 9809C 10/86

### **LAKE 4444**

				W	ell#	3
DIRECTIAPE	Louis		70	1,		aa
STATE OF OREGON JUL - 1 1988	10K4444	-	309	160	-8	aa
(as required by ORS 537.765) WATER DECOURCES DEC	1		114		ioni	_
OWNER: SWINDSON	(9) LOCATION	Latitude		Longitud	le	
Kiros Plo Box 40	Township 3.5	NorS Range_	16		Bor W	WM.
TYSUMMER LAKE State OR Zip 97640	Section 8	NE	_	MY		
2) TYPE OF WORK:	Tarl of	Let Ble	ck	Subd	livision_	-
New Well Deepen Recondition Abandon	Street Address of V	Vell (or nearest address)	200	JWE !	R had	AKE
3) DRILL METHOD						
Rotary Air Rotary Mud & Cable	(10) STATIC V	VATER LEVE	J:			
Other	n.	below land surface.		Dute		
4) PROPOSED USE:		17_ Ih pers		Date	_	
Domestic Community Industrial Irrigation	(11) WATER E	EARING ZON	ES:			
permal Injection I Other FISH HATCHERY	Depth at which water wa	a first found	NE	FOOT	7	
5) BORE HOLE CONSTRUCTION:	From	To		mated Flow		SWL
Special Construction approval Yes No Depth of Completed Well 262 ft Yes No Depth of Completed Well 262 ft	1,	7-	-			1,
Explosives used Amount	245	262	9	100		+21
HOLE SEAL Amount	- FIRE					
mameter From To Material From To sucks or pounds						
2" 120 262 1 120 165	(12) WELLLO	G: Ground elev	tion			
		Material		From	To	SWL
	SOILISA	NDY BROW	14.14	8	٦	1'
fow was seal placed: Method 🛛 A 🗎 B 🕱 C 🗎 D 🗀 E.	CLAVIG	REEN		7	63	1'
Other	CLAY - T		1	63	245	+8
Backfill placed fromft. toft. Material	CINDERS	-SAND, RI			8246	XX
Gravel placed fromft. to ft Size of gravel	BOULDER.				361	+3
(6) CASING/LINER:	CINDERS	- 247ND KE	D	561	260	75
Diameter From To Gauge Steel Plastic Welded Threaded Casing 12 0 160 250 🗵 🗆 🗵				-	_	
				1	-	
Liner.				-		
	-			-	-	
Pinal location of shoe(s)	-			-		-
(7) PERFORATIONS/SCREENS:				+	-	-
Perfontions Method Material				1		
Screens Type Material						
From To size Number Diameter size Casing Liner						
				-	-	-
				+	-	-
	Date started 5-	15-870	males d	10 -	20-	27
		and the second	V 100 100 100 100 100 100 100 100 100 10			
8) WELL TESTS: Minimum testing time is 1 hour	(unbonded) Water	Well Constructor ( ne work I performed			ion alte	ration or
□ Pump □ Bailer □ Air ☒ Artesian	abandonment of thi	s well is in complia	nce with	Oregon	well cor	struction
	standards. Materials knowledge and belief.		reporte	d above a	re true t	my best
				WWC No	mber .	
1100 lbr.	Signed			Date		
	(bonded) Water We	ell Constructor Cer	tification	n:		
Compensature of water 60 Depth Artesian Flow Found 2.45	I accept respons	sibility for the const	ruction, a	dteration,		
Was a water analysis done? Yes By whom	work performed on the					
Didany strata contain water not suitable for intended use? 📓 Too little	construction standar	ds. This report is to	ie to the	best of m	y know	ledge and
Solty Modely Odor Colored Other	belief.	- 0 - 0		WWC No	mber _	1365
Depth of streta: Q NE FCOT	Signed Floyel			Date _6	- 724	-88
WHITE COPIES - WATER RESOURCES DEPARTMENT . YELLOW C	COPY - CONSTRUCTOR	PINK	ter Cot	TOWER	n	9609C 10/84
121-1			DI	GEN	FP	2
\$ 31 ± 1		D	EC 3	0 201	ED 1	9Y O



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

## Application for Well ID Numbered

DEC 1 0 2019

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

OWRD

I. OWNER INFORMATION		
Current Owner Name (please print): West	tern Development Group, LP - Attention	n: Bernie Burkholder
Mailing Address: PO Box 40		
City, State, Zip: Summer Lake, OR S	97640	
Mail Well ID to: SAME AS A	BOVE 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 / Smith) Ran	ge: 17 E (West) Section: 5	SW 1/4 of the SE
Tax Lot (usually last 3-5 numbers of Tax M	(ap #); 600 County Lak	e
GPS Coordinates: 42 59' 28.27" N 1	(ap #): 600 County Lak	
Street Address of Well, City: 48413 Des	sert Springs Rd Summer Lake	
If the property had a different street address		
	(Please fill out as completely as possible, AND atta	
Use of Well (domestic, irrigation, commerci Date Well Constructed (or property built):	ial, industrial, monitoring): Fish culture and I 10-28-10 Total Well Depth: 260'	rrigation  Casing Diameter: 12"
Use of Well (domestic, irrigation, commercion Date Well Constructed (or property built): _  Owner at time the well was constructed (if keeping see the	ial, industrial, monitoring): Fish culture and I 10-28-10 Total Well Depth: 260'  Well Report	rrigation  Casing Diameter: 12"  # (if known): Lake 52368
Use of Well (domestic, irrigation, commercion Date Well Constructed (or property built): _  Owner at time the well was constructed (if keeping see the	ial, industrial, monitoring): Fish culture and I 10-28-10 Total Well Depth: 260'	rrigation  Casing Diameter: 12"  # (if known): Lake 52368
Use of Well (domestic, irrigation, commerced Date Well Constructed (or property built): _  Owner at time the well was constructed (if keep to the Information: Previously assigned)	ial, industrial, monitoring): Fish culture and I 10-28-10 Total Well Depth: 260' known): Well Reported Well I.D. Label # L103897 has been	rrigation  Casing Diameter: 12"  # (if known): Lake 52368
Use of Well (domestic, irrigation, commercing Date Well Constructed (or property built): _  Owner at time the well was constructed (if keep to the Information: Previously assigned SUBMITTED BY (please print): Ethan	ial, industrial, monitoring): Fish culture and I 10-28-10 Total Well Depth: 260'  known): Well Report ed Well I.D. Label # L103897 has been	Casing Diameter: 12" # (if known): Lake 52368 lost
Use of Well (domestic, irrigation, commerced Date Well Constructed (or property built):	ial, industrial, monitoring): Fish culture and I 10-28-10 Total Well Depth: 260'  Known): Well Report ed Well I.D. Label # L103897 has been Negus EMAIL &/or FAX: ethan.negus@de Department 725 Summer St NE, Suite A, Salem, Oreger received, and Well ID Numbers are mailed within 4	Casing Diameter: 12" # (if known): Lake 52368 lost sertspringstroutfarm.com con 97301; or fax to (503) 986-0902 5 business days.
Use of Well (domestic, irrigation, commercing Date Well Constructed (or property built):	ial, industrial, monitoring): Fish culture and I 10-28-10 Total Well Depth: 260'  known): Well Report ed Well I.D. Label # L103897 has been Negus EMAIL &/or FAX: ethan.negus@de Department 725 Summer St NE, Suite A, Salem, Oregre received, and Well ID Numbers are mailed within 4	Casing Diameter: 12" # (if known): Lake 52368 lost sertspringstroutfarm.com on 97301; or fax to (503) 986-0902 business days.
Use of Well (domestic, irrigation, commercing Date Well Constructed (or property built):	ial, industrial, monitoring): Fish culture and I 10-28-10 Total Well Depth: 260'  Known): Well Report ed Well I.D. Label # L103897 has been Negus EMAIL &/or FAX: ethan.negus@de Department 725 Summer St NE, Suite A, Salem, Oreger received, and Well ID Numbers are mailed within 4	Casing Diameter: 12" # (if known): Lake 52368 lost sertspringstroutfarm.com con 97301; or fax to (503) 986-0902 -5 business days.

Last Update: 5/15/18

Well I.D. Number/2

WCC

#### **LAKE 52368**

May 15 1 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.

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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 3 0 2019

OWRD

RECEIVED BY OWRD

MAY 1 9 2014

SALEM, OR

#### STATE OF OREGON WATER SUPPLY WELL REPORT (ORS 537,765 & DAR 690-205-0210)

## Well #2 LAKE 52368

WELL LABEL# L 10 3897 TAG LOST!
START CARD # 304439

Instructions for completing this report are on the last page of this form.	ORIGINAL LOG #
(1) LANDOWNER Owner Well LD. First Name Thomas Last Name Searth.	(9) LOCATION OF WELL (legal description)
ршбар	County Lake Twp 30 Nor's Range 17, E or W W.M.
address PO Box 87 City Schopper La Box State Ols Zip 97440	Sec 5 14 1/4 of the 1/4 Tex Lot 600
City Schieter Letter State CITS Zip 47690	Tax Map Number Lnt
(2) TYPE OF WORK New Conversion Deepening	Tax Map Number
Alicration (complete Sections 2a & 10) Ahradonment (complete Section 5a)	Long Of OMS or DD
(2a) PRE-ALTERATION: Well Depth it.	Street Address of Well (or nearest address) 48 9/13 0755277
Scal Material	Street Address w Well for nearest address) 48413 DESSETT STIND RUSUMMET LAND ON 97490
	The same of the sa
Casing Type: Steel Plantic Other	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Dute SWL(psi) + SWL(ft)
	Existing Well/Pre-Alteration VC-24-10 2 PSI
(3) DRILL METHOD Rotary Air Rotary Mud Augur	Completed Well
Cable Cable Mud Reverse Rutary Other	Flowing Artesian? Yes Dry Hole? Yes
(4) PROPOSED USE Domestic Dirrigation Community	WATER BEARING ZONES Depth water was first found
☐ Industrial/Commercial ☐ Livestnek ☐ Downtaring ☐ Injection	SWL Date   From   To   Est Flow,   SWL (psi)   + SWL (R)
Thermal Other	70 23 259
(5) BORE HOLE CONSTRUCTION	
Depth of Completed Wellth_ Special Standard:  Yes (attach copy)	
BORE HOLE SEAL Dia From To Material From To Amount Seks/Jbs	
1941 0 39 Comme 1 0 139 80 SCK	(11) WELL LOG Ground Elevation
HI 39 210 CEMENT 20 210 150 SCK	Meterial   From   To
124 210 260	TOP 5011 0
	RIZCK Clay
How was seal placed: Method A B MC D D	Bive clay 120 150
T orker	1310e Clar 120 180
Backfill placed fromft. toft, Material	Red 5/00th 125 260
liter pack from it. to ft. Material Sizo	IN STUSIE
and the contract of the contra	RECEIVED
(50) ABANDONMENT USUNG UNHYDRATED BENTONITE:	HEOLIVED
Calculated Amount Proposed to be Used:nucks/lbs	
Actual Amount Used:	MAR 1 2 2012
	INTER PRODUCTION OF THE PRODUC
(6) CASING/LINER Cong Line   Dig   +   From   To   Gauge   Steel   Plastic   Welsel   Thrd	WATER RESOURCES DEPIT
Ching Line Din + From 10 Gauge Steel Faller Wallet	SALEM, OREGON
X 16" ± 37 .250 X X	
	Date Started 9. 28-10 Completed 10-28-10
	(unbonded) Water Well Constructor Certification
Shoe Inside Outside Other Location of shoc(s)	I certify that the work I performed on the construction, desponing, ulteration, or
Temporary easing Tes Diameter From To	abandonment of this well is in compliance with Oregon water supply well
	construction standards. Materials used and information reported above are true to
(7) PERFORATIONS/SCREENS	the heat of my knowledge and belief.
Perforations Method Material	License Number Date
Traction 17/10	
	Signed
Perf Sem Cang Lint Dia From To width length alots size	
Perf Sem Cang Linr Dia From To width length alots size	(bonded) Water Well Constructor Certification  I accept responsibility for the construction, deepening, alteration, or
	ahandonment work performed on this well during the construction dates reported
	above. All work performed during this time is in compliance willi Oregon water
شدة والأن والأن والمراجع والمراجع والمراجع والمراجع	supply well construction standards. This report is true to the best of my knowledge
was a second at the standard base	and belief.
(8) WELL TESTS: Minimum testing time is 1 hour	License Number 1654 Dute 10-12-11
	1) O TOPICED
Yield gal/min Drawdown Drill stent/Pump depth Duration (hr)	Signed A DECLIVE
1000	Contact Info. (optional) T 400 2019
amporature 60° °F Lab unalysis [] Yes By	Sauch drilling period Luis
Water quality concerns? Yes (describe below) TDSppm	3621-576-2187
From To Description Amount Units	70M Search Salano
	Signed Continue Info. (optional)  Search drilling FMQ 2019  TOM Search Sul-576-2189  COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
ORIGINAL - WATER RESOURCES DEPARTMENT ONE	COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPART	MENT WITHIN 30 DAYS OF COMPLETION OF WORK 01/02/2009

#### STATE OF OREGON WATER SUPPLY WELL REPORT

LAKE 52368 L 137024 WELL LABEL #L +0 3847 TAG LOST!

(ORS 537.765 & OAR 690-205-0210) Instructions for completing this report are on the last page of this form.	ORIGINAL LOG#
(1) LANDOWNER  First Name Thomas  Last Name Condition	(9) LOCATION OF WELL (legal description)  County / GHE Twp 70 Nor S Range 17 E or W W.M.
ompany Holdress PU Box 87	Sec 2 LL LW 1/4 of the 1/4 Tax Lot 600
City Summer Land State OR Zip 97610	Tax Map Number Lot DMS or DD
(2) TYPE OF WORK New Conversion Deepening	. I I DMS OF DD
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)	Long IISCUS Nesselt
(2a) PRE-ALTERATION: Well Depthft.  Seal Material	Street Address of Well (or nearest address) 487/13 Dr55e/T SPIIND AU SU MMER LAHE ON 9740
Casing Type: Steel Plastic Other Casing Gauge Casing Diameter	(10) STATIC WATER LEVEL   Date   SWL(psi)   +   SWL (ft)
	Existing Well/Pre-Alteration 10 24 10 2 15
(3) DRILL METHOD Rotary Air Rotary Mud Auger	Completed Well  Flowing Artesian? Yes Dry Hole? Yes
Cable Cable Mud Reverse Rotary Other	WATER.BEARING ZONES Depth water was first found
(4) PROPOSED USE ☐ Domestic ☐ Trigation ☐ Community ☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection ☐ Thermal ☐ Other ☐ Other ☐ Dewatering ☐ Injection ☐ Dewatering ☐ Injection ☐ Other ☐ Dewatering ☐ Injection ☐ Other ☐ Other ☐ Dewatering ☐ Injection ☐ Other ☐ Othe	SWL Date From To Bst Flow SWL (psi) + SWL (ft)
(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/lb	(11) WELL LOG Ground Elevation
24" 0 39 Crmint 0 39 80 SCK	
12" 210 260	TOP 5016 0 2
	Black Clay 2 60
How was seal placed: Method □ A □ B ②C □ D □ E	Bive (10) 120 150
Other ft. to ft. Material	617/ 1965 1T 180 225
ilter pack from ft. to ft. Material Size	Red Ciner 225 260
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	
Calculated Amount Proposed to be Used:sacks/lbs Actual Amount Used:sacks/lbs	
7101001 7111/0011 0.000	
(6) CASING/LINER	
Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd	
X 15" + 39 . 250 X X X Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	
	Date Started 9- 28-10 Completed 10- 28-10
Shoe Inside Outside Other Location of shoe(s)	(unbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or
Temporary casing Yes Diameter From To	abandonment of this well is in compliance with Oregon water supply well
(7) PERFORATIONS/SCREENS Perforations Method	construction stand to the less of my knowledge and belief.
Screens Type Material	License Number APR C 5 2012 Date
	Signed PEOCUPICES DEPT
Screen slot Slot # of pipe	WATER RESOURCES DET
Perf Scrn Csng Linr Dia From To width length slots size	(bonded) Water VSAUCHARDEGON tilication 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.
(8) WELL TESTS: Minimum testing time is 1 hour  □ Pump □ Bailer □ Air ▼ Flowing Artesian	License Number 1654 Date 10-12-11
Yield gal/min   Drawdown   Drill stem/Pump depth   Duration (hr)	A COECEIVED
emperature 60° F Lab analysis  Yes By	Scarce Scarce Sul Company Scarce Sul Company Scarce Sul Company Scarce Sul Company Sul Com
Water quality concerns? Yes (describe below) TDSppm	500000000000000000000000000000000000000
From To Description Amount Units	10m Scarch Sul

## STATE OF OREGON WATER SUPPLY WELL REPORT 52

LAKE 52368 LAKE 52368, AM TUTE WELL LABEL #L 10 3897 TAG LOST!
START CARD# 304939

Instructions for completing this report are on the last page of this form.	ORIGINAL LOG#
(D.L.I.) OWNERD OWNERD	(9) LOCATION OF WELL (legal description)
First Name Thomas Last Name Mc DONIEU	County Lake Twp 30 Nor S Range 17 E or W W.M.
ompany PO Box 87	Sec 5 1/4 1/4 of the 1/4 Tax Lot 600
City Summer Land State On Zip 97640	Tax Map NumberLot
	Tax Map Number Lot DMS or DD
(2) TYPE OF WORK New Conversion Deepening	Lang o ' "or DMS or DD
Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)	Street Address of Well for nearest address) 48413 DESSETT SPINS RUSU MMET LAKE ON 97440
(2a) PRE-ALTERATION: Well Depthft.	CPring AU SU mmer Lake on 97640
Seal Material	Silvery Mr Section
Casing Type:	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Date SWL(psi) + SWL (ft)
	Existing Well/Pre-Alteration /C 2y-10 2 1.51
(3) DRILL METHOD ☐ Rotary Air ☐ Rotary Mud ☐ Auger	Completed Well
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other	Flowing Artesian? Yes Dry Hole? Yes WATER BEARING ZONES Depth water was first found
	WATER BEARING ZONES Depth water was first found
(4) PROPOSED USE Domestic Industrial/Commercial Livestock Dewatering Injection	SWL Date   From   To   Est Flow   SWL (psi)   + SWL (ft)
	30 25 25gal
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	(11) WELL LOG Ground Elevation
74" 0 39 CEMENT 0 39 80 SCK	Muterial From To
124 210 260	TOP 5012 0
	RIACK Clay 2 60
How was seal placed: Method □ A □ B XC □ D □ E	an can 10 120
Other	Bive clay 120 180
Backfill placed fromft. toft. Material	Gr-1 BasnIT 180 225
ilter pack from ft. to ft. Material Size	Ad cine 225 260
	THE RESERVE OF THE PARTY OF THE
	DECEIVED DECEIVED BY OWED
(58) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED REGEIVED BY OWND
Calculated Amount Proposed to be Used:sacks/lbs	1115 \$ 0.2012
	1115 \$ 0.2012
Calculated Amount Proposed to be Used:sacks/lbs Actual Amount Used:sacks/lbs	MAR 1 3 2012 JUL 1 2 2012
Calculated Amount Proposed to be Used:	MAR 1 3 2012 JUL 1 2 2012 WATER RESOURCES DEPT
Calculated Amount Proposed to be Used:	MAR 1 3 2012 JUL 1 2 2012
Calculated Amount Proposed to be Used:sacks/lbs Actual Amount Used:sacks/lbs	MAR 1 3 2012  WATER RESOURCES DEPT SALEM. OREGON SALEM, OR
Calculated Amount Proposed to be Used:  Actual Amount Used:  (6) CASING/LINER  Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd	MAR 1 3 2012 JUL 1 2 2012 WATER RESOURCES DEPT
Calculated Amount Proposed to be Used:  Actual Amount Used:  (6) CASING/LINER  Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd	MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9. 28-10   Completed 10-28-10
Calculated Amount Proposed to be Used:  Actual Amount Used:  Sacks/lbs  (6) CASING/LINER  Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd  X	MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9. 28-10 Completed 10-28-10  (unbonded) Water Well Constructor Certification
Calculated Amount Proposed to be Used:  Actual Amount Used:  Sacks/lbs  (6) CASING/LINER  Csng Linr Dia + From To Gauge Steel Plastic Welded Thrd  X / X - 3 220 .150 X	MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9. 29-10 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
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## Well #6

estructions for completing this report are on the last page of this form.	T
I) LANDOWNER Owner Well I.D.  Last Name MC DEATED  LOS NAME DEATED  AC DEATED	(9) LOCATION OF WELL (legal description)  County C. H. Twp 30 Nor S Range 17 E or W W.M.
ompany ddress PO Box 87	Sec 5 1 14 of the 1/4 Tax Lut 600
ity Schmark Land State Of Zip 97640	Tax Map NuruberLot
	Tax Map Nurriber Lot DMS or DD
2) TYPE OF WORK Solver Conversion Deepening  Alteration (complete Sections 2a & 10) Abandooment (complete Section Sa)	I mar DMS or DD
Theration (complete sections 23 & 10) Abarbaconient (complete section 36)  PRE-ALTERATION: Well Depth	Street Address of Well for nearest address) 48413 DESSETT SPIND AU SUMMER LANE ON 97490
eal Material	SPING AU SUMMER LAKE ON 4/140
Casing Type: Steel Plastic Other	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Date   SWL(psi)   +   SWL(ft)
	Existing Well/Pre-Alteration VC 27-10 2 PS/
(3) DRILL METHOD Rotary Air Rotary Mud Auger	Completed Well
Cable Cable Misd Ceverse Rotary Other	Flowing Artesian? Yes Dry Hale? Yes
(4) PROPOSED USE Domestic Definication Community	WATER BEARING ZONES Depth water was first found 23
(4) PROPOSED USE Domestic Pringation Community Industrial/Commercial Livestock Dewatering Injection	SWL Date From To Est Flow, SWL (psi) + SWL (fi)
Thermal Other	70 23 2541
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   Seks/lb	bs
144 0 34 Coment 0 39 80 50K	(11) WELL LOG Ground Elevation
11 39 210 Cement 10 210 150 SCK	
2 270 220	Black Clay 2
low was seal placed: Method	any clay 60 120
Other	131Ve Clay 120 180
Backfill placed from fi to ft Material	Red CiDel 225 260
ilter pack from ft to ft Material Size	
5a) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED RECEIVED BY OWN
5a) ABANDONMENT USING UNHYDRATED BENTONITE:  *alculated Amount Proposed to be Used:	RECEIVED RECEIVED BY OWN
5a) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED RECEIVED BY OWN
Sa) ABANDONMENT USING UNHYDRATED BENTONITE:  *alculated Amount Proposed to be Used:	MAR 1 3 2012 JUL 1 2 2012
Sa) ABANDONMENT USING UNHYDRATED BENTONITE:    alculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT  RECEIVED BY OWR  JUL 1 2 2012  WATER RESOURCES DEPT
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Sa) ABANDONMENT USING UNHYDRATED BENTONITE:    alculated Amount Proposed to be Used:	MAR 1 3 2012  WATER RESOURCES DEPT SALEM: OREGON  SALEM, OR
Sa) ABANDONMENT USING UNHYDRATED BENTONITE:	MAR 1 3 2012  WATER RESOURCES DEPT  RECEIVED BY OWR  JUL 1 2 2012  WATER RESOURCES DEPT
Sa) ABANDONMENT USING UNHYDRATED BENTONITE:	MAR 1 3 2012  MAR 1 3 2012  WATER RESOURCES DEPT  SALEM. OREGON  Date Started 9. 29-10 Completed 10-28-10 (unboaded) Water Well Constructor Certification
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APR-2 4 2014

May 15# 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 1 9 2014

SALEM. OR

RECEIVED

DEC 3 0 2019

OWRD

13337 -

LAKE 52487

WELL LABEL # L 10 4458 START CARD# 106041

#### 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.	ORIGINAL LOG#
(1) I ANDOWNER Owner Well I D	(9) LOCATION OF WELL (legal description)
First Name Thomas Last Name Mac Danler	County La Me Twp 30 Nors Range 17 Eor W W.M.
ompany Address Pa Buy 8-1	See # 5 (6 1/4 of the 4.7 1/4 Tay Lot 6 00)
City Summar Like State at Zip 97640	Tax Man Number Lot
	Tax Map Number Lot  Lat o or DMS or DD  Long o or DMS or DD
(2) TYPE OF WORK New Conversion Deepening	Long ° ' or DMS or DD
Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)	Street Address of Well (or pearest address) 48413 D-554
(2a) PRE-ALTERATION: Well Depthft.	Sitted Address of Well for dealess undiess,
Seal Material	31.1
Casing Type:	(10) STATIC WATER LEVEL
Casing Gauge Casing Diameter	Date SWL(psi) + SWL (ft)
	Existing Well/Pre-Alteration 7-1-13 4 771
(3) DRILL METHOD Rotary Air Rotary Mud Auger	Completed Well
☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other	Flowing Artesian? Yes Dry Hole? Yes
(4) PROPOSED USE Domestic Trrigation Community	WATER BEARING ZONES Depth water was first found 260
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection	SWL Date   From   To   Est Flow   SWL (psi)   + SWL (ft)
☐ Thermal ☐ Other	9-1-13 220 260 1500 4 PSi
(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	
74" 0 90 Lemm 0 90/00 SK	(11) WELL LOG Ground Elevation
1411 90 155 Cement 90 155 100 Set	Material From To
10" 200 200	101 Soil 0 2 150
How was seal placed: Method	Black Luta nech 150 165
Other	ned taka nock 165 226
Backfill placed fromft. toft. Material	113 Km Lavard 220 260
'ilter pack from ft. to ft. Material Size	
	RECEIVED BY OWRD
(5a) ABANDONMENT USING UNHYDRATED BENTONITE:	RECEIVED BY OWRD
Calculated Amount Proposed to be Used:sacks/lbs	
Actual Amount Used:sacks/lbs	NOV 1 8 2013
40 CACINICA INED	OCT 1 0 2013
(6) CASING/LINER  Csng   Linr   Dia   +   From   To   Gauge   Steel   Plastic   Welded   Thrd	SALEM, OR
x 18" + 1 90 , 250 X X	SALEM, OR
x 14" + 1 155 , 250 Y	
	Date Started 8-15-13 Completed 9-1-13
	(unbonded) Water Well Constructor Certification
Shoe Inside Outside Other Location of shoe(s)	I certify that the work I performed on the construction, deepening, alteration, or
Temporary casing Yes Diameter From To	abandonment of this well is in compliance with Oregon water supply well
(7) PERFORATIONS/SCREENS	construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Perforations Method	
Screens · TypeMaterial	License Number Date
	6:
Screen slot Slot # of pipe	Signed
Perf Scm Csng Linr Dia From To width length slots size	(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 compilance with Oregon water
	supply well construction standards this teport is true to the best of my knowledge
	and belief
(8) WELL TESTS: Minimum testing time is 1 hour	License Number 1 6 5 6 DEC 30 20 6 - 6 - 13 Signed Signed ONTRD
□ Pump □ Bailer □ Air ☑ Flowing Artesian	Of Discourse Marines
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	Signed A CARPO
1500 hr!	Contact Info. (optional)
.emperature 60' °F Lab analysis  Yes By	
Water quality concerns?  Yes (describe below) TDS ppm	
From To Description Amount Units	

mended

Well #8

**LAKE 52487** 

LAKE 52487

STATE OF OREGON WELL LABEL # L 10 4458 WATER SUPPLY WELL REPORT START CARD# 206041 (ORS 537.765 & OAR 690-205-0210) Instructions for completing this report are on the last page of this form. (I) LANDOWNER Owner Well I D. (9) LOCATION OF WELL (legal description)

County 4 He Twp 3 O Nor S, Range 7 For W W.M. First Name Thomas Last Name Mac DOAles County La He ompany
Address Pr Doy 5-1
City Semant Le Me See \$ 5 MAA of the SETA Tax Lot 600 -Zip 97640 State Tax Map Number \_\_ (2) TYPE OF WORK New Conversion Deepening DMS or DD ☐ Alternion (complete Sections 2s & 10) ☐ Abandonment (complete Section 5s (2s) PRE-ALTERATION: Well Depth ft. Street Address of Well (or gearest address) 48413 0-545 Well Depth\_ spling no summerlike Seal Material (10) STATIC WATER LEVEL SWL(psi) | + Casing Diameter\_ Casing Gauge Existing WelVPre-Alteration 7-1-13 4. 151 .. (3) DRILL METHOD K Rolary Air Robry Mud Auger Completed Well Flowing Artesian? So Yes Dry Hole? Yes Cable Cable Mud Reverse Rotary Other\_\_\_ WATER BEARING ZONES (4) PROPOSED USE Domestie Infrigation Community Industrial/Commercial Livestock Dewatering Injection Est Flow SWL (psi) 1500 4 95. 9-1-13 220 260 Other Thermal (5) BORE HOLE CONSTRUCTION
Depth of Completed Well 260 ft. Special Standard: Yes (attach copy) BORE HOLE Dia From To

34" O 70

15" 90 /55

4" /55 200

70 1 20 7 20 From To Amount Scks/lbs
0 90/00 5 x
90/55/60 5 Material (II) WELL LOG Ground Elevation Levan 1 50 L 150 Black Leta 165 How was scal placed: Method A B DC D DE Art Lara Lara Racio Hec H 120 Other 10 210 ft Material Backfill placed from \_ ft. 10 \_\_ ilter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_ BECEIVED BY OWND (5a) ABANDONMENT USING UNHYDRATED BENTONITE: RECEIVED BY OWRD Calculated Amount Proposed to be Used: sacks/lbs NOV 1 8 2013 Actual Amount Used: racks/lbs OCT 1 0 2013 (6) CASING/LINER Csng Linr Dia + From SALEM, OR 90 , 150 X SALEM, OR Date Started \_ 8 - 15 - 13 Completed 9- L 13 (unbended) Water Well Constructor Certification Shoe I Inside Outside Other Location of shoe(s) I certify that the work I performed on the construction, deepening, alteration, or abandoniment of this well in in compliance with Orogon water supply well construction standards. Materials used and information reported above are true to Temporary casing Yes Diameter \_ (7) PERFORATIONS/SCREENS the best of my knowledge and belief. Method Perforations " License Number Screens Material Tele Scream Signed Slot # of pipe Perf Sem Cong Lint Dia From width length (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 (8) WELL TESTS: Minimum testing time is I hour ☐ Bailer □ Air Plowing Artesian Drawdown | Drill sten/Pump depth Contact Info (optional) emperature 60' °F Lab analysis Yes By Water quality concerns? Yes (describe below) TDS ppm To Description Amount Units NAI. - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY VINDE TOWER BY OWNED SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK DEVELOPMENT ORIGINAL - WATER RESOURCES DEPARTMENT

13337 -

DEEP\$ \$ 202914

May 15 1 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.

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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 1 9 2014

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STATE OF OREGON
WATER SUPPLY WELL REPORT

ORS 517 765 & OAR 690-205-02101

WELL LABEL # L 10 38 9 8 START CARD # 206440 ORIGINAL LOC#

Instructions for completing this report are on the last page of this form.	ORIGINAL LOC#
	(9) LOCATION OF WELL (legal description)
(I) LANDOWNER Owner Well I.D. First Name Thomas Last Name MAC Donald	County Lake Twp 30 Nor S Range 17 Eur W W.M.
ompany Po Bay 67	Soc 5 1/4 of the 1/4 Tax Lot 600
onipany Address PO DOX 87 City Summer Lake State ON zip 97640	Tax Man Number
	Tax Map Number Lot DMS or DD
(2) TYPE OF WORK New Conversion Deepening	Long OMS of DD
Alteration (complete Sections 2a & 10) Ahandonment (complete Section 5a)	LIMILIA DISCUT
(2a) I'RE-ALTERATION: Well Depthtt.	Street Address of Wellyor nearest address) 48 413 Desser
Seal Material  Casing Type: Steel Plastic Other  Casing Gauge Casing Diameter	spring Ad SUMMEN Lake BY 97640
Casing Type: Stoel Plastic Cother	(10) STATIC WATER LEVEL
Casing Clauge Casing Diameter	Date   SWL(psi)   +   SWL(R)
	Existing Well/re-Alteration 2.5. 11 4 PS1
(3) DRILL METHOD Kolery Air Robary Mud Augus	Completed Well
Cable Cable Mud Reverse Rotary Other	Flowing Artesian? Yes Dry Hole? Yes,
	WATER BEARING ZONES Depth water was first found 60
(4) PROPOSED USE Domestic Dirigation D Community	
Industrial/Commercial   Livestock   Dewatering   Injection	SWL Date   From   To   Est Flow   SWL (psi)   + SWL (ft)
Thermal Other	100
(5) BURE HOLE CONSTRUCTION	
Depth of Completed Well 340 ft. Special Standard: Yes (attach copy)	
BORE HOLE SEAL	
Dia Frum Tu Material From To Amount Scke/lbs	(11) WELL, LOG Ground Elevation
12" 120 310 Cement O 20 300 5cK	Material From To.
12 120 310	701 5016
	Act Mal
How was seal placed: Method	Black clay with 20 35
Dackfill placed from 11. to 12. Material Size	Green Clary 65 165 Gray Clary 165 220 Lava Rock 220 940
"iller pack from ft. to ft. Material Size	Tore nech 220 240
	(for Clay 105 200 1 ave Rock 210 240 100 BASSIT 240 360
(5a) ATIANDONMENT USING UNITYURA TED BENTONITE:	131ack Lava Rock 260 360 Red Clock 300 360
Calculated Amount Proposed to be Used:	Red CIDOL 300 360
Acqual Amount Used: secke/lbs	
CO CONTROL INDD	
(6) CASING/LINER Cang Linr Din + From To Gauge Steel Plastia Wolded Thrd	
X 12" + 1 720 250 x X	
أجد المدا المدار المدار المدارة المدارة المدارة المدارة	
	Date Started_ 10-30-10 Completed 3-5-11
	(unbunded) Water Well Constructor Certification
Shoe Inside Outside Other Location of shoe(s)	I certify that the work I performed on the construction, deepdning, alteration, or
Temporary easing Yes Diameter From Yo	abandonment of this well is in compliance with Oregon water supply well
O BERTON TONCE CREEKE	construction standards. Materials used and Information reported above are true to
(7) PERFORATIONS/SCRIENS Perforations Method	the best of my knowledge and helief.
Screens Type Material	License Number Date
Screen Stot # of pipe	Signed
Perf Sum Cong Lin Dia From To width length slots size	(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.
(8) WELL TESTS: Minimum testing time is 1 hour	1/6/1 /4 12 1/
Pump Bailer Air Flowing Anesian	License Number 1654 Dute 10-11-11
Yield gal/min   Drawdown   Drill stem/Pump depth   Duration (ht)	W / Di
·	Signed Signed
emperature 60° T Lab analysis  Yes By	Contact Info. (optional)
Water quality concerns? Tyes (describe below) TOS ppm	Search drilling INC
From To Description Amount Units	TOM Search 2189
	Sul 576. 2187 F8
	OPY FOR CONSTRUCTOR UNE CUPY FOR CUSTOMER
ORIGINAL - WATER RESOURCES DEPARTMENT ONE C	MENT WITHIN AS DAYS OF COMPLETION OF WORK
SUBMITTED TO THE WATER RESOURCES DELICATE	MENT WITHIN 3 13 YOU COMPLETION OF WORK SE OF

## LAKE 52367# 1

STATE OF OREGON LAKE 52	2367#1
STATE OF OREGON WATER SUPPLY WELL REPORT	WELL LABEL # L / C
(ORS 537.765 & OAR 690-205-0210)	START CARD# XCAD 7.3 0
Instructions for completing this report are on the last page of this form.	ORIGINAL LOG #
(1) LANDOWNER Owner Well LD.	(9) LOCATION OF WELL (logal description)
First Name THO MUS Last Name AMG Danald	County Laure Two 30 Nors Rango / Borw W.M
ompeny Po Doy 87	Sec 5 5E 1/4 of the WW 1/4 Tax Lot 600
City SUMMERS LOKE State DR 7in 47640	Tax Map Number Lot
(2) TYPE OF WORK New Conversion Deepening	fat or DMS or DD
Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)	long DMS or DD
(2a) PRE-ALTERATION: Well Depth 1.	Street Address of Well (or nearest address) 48412 Dessart
***************************************	strings he summer lake at 97640
Seal Muterial	
Casing Type: Steel Plastic Other	(10) STATIC WATER LEVEL   Date   SWL(psi)   +   SWL(fi)
Casing Gauge Casing Diameter	
The boundary with the second second	The state of the s
(3) DRILL METHOD Rotary Air Rotary Mud Auger	Completed Well  Flowing Artesian?  Yes Dry Hole? Yes
Cable Cable Mud Reverse Rotary Other	
(4) PROPOSED USE Domestic Trigation Community	
(4) PROPOSED USE. Domestic Trigation Community Industrial/Commercial Livestock Dewatering Injection	SWL Date From To Est Flow   SWL (psi)   SWL (ft)
Thermal Other	225 250 100094
(5) BORE HOLE CONSTRUCTION	
Depth of Completed Well 420 1. Special Standard: Yes (attach copy)	
BORE HOLE SEAL	
Dig   From   To   Material   From   To   Amount   Scks/lb	(11) WELL I,OG Ground Elevation
20" 0 219 Cement 0 219 200 SEK	
21/2/4 120	Material From To
	Black Clar 2 100
How was seal played. Method DA DB MC DD DE	Blue 6/04 100 120
Other	GOV C/OY 120 165
Backfill placed from ft. to ft. Material	Blue 8195 195
ilter pack from 0. to 0. Material Size	
	Sand 3/avel v D 223 250
(5a) ABANDONMENT USING UNHYDRATED HENTONITE:	Blue Clay 190 300
Calculated Amount Proposed to be Used:auks/lbs Actual Amount Used:auks/lbs	Black Clay 380 380
Actual Amount Used:sucks/lbs	Black Clay 380 395 Blue Clay 395 410
(6) CASING/LINER	313. 420
Cang Line Dia + From To Gauge Stee Plastic Welded The	The second secon
121 + 1 219 , 250 X X	, , , , , , , , , , , , , , , , , , , ,
	0 5/1/2
	Date Started 8-31-16 Completed 9-25-10
	(unbonded) Waler Well Constructor Certification
Shoe I luside Outside Other Location of shoc(s)	I certify that the work I performed on the construction, deepening, alteration, or
Temporary casing Ves Diameter From To	abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to
(7) PERFORA'TIONS/SCREENS	the best of my knowledge and belief.
Perforations Method	
Screens Type Material	License Number Date
	01
Screen   slot Slot # of pipe	Signed
Perf Sem Cang Line Dia Prom To width length slots size	(bonded) Water Well Constructor Certification
	I accept responsibility for the construction, deepening, alterntion, 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
(A) (A) (A) I demonder. Adjustine a mineral in the land	and belief.
(8) WELL TESTS; Minimum testing time is 1 hour  □ Punip □ Bailer ☑ Air □ Flowing Artesian	License Number 1654 Date 10-10-11
	1
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	Signed 5
1000	Cuntact Info. (optional)
emperature 5/ °F Lab analysis  Yes By	Search drilling RECTION
Water quality concerns? Yes (describe below) TDSppm	TOW South TOPE TO
From To Description Amount	TOM Seaffle 2688里面192 品
MEULITED	DE =
ORIGINAL - WATER RESOURCES DEPARTMENT 012 ONE	COPY FOR CONSTRUCTOR ONE COPY FOR CITED OF FR PO
SUBMITTED TO THE WATER OUR ENDER ART	MENT WITHIN 30 DAYS UF COMPLETION OF WURDEN OF WILLIAM

May 15# 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.

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Well 1	LAKE 3030	30 South, 17 East, Sec. 8 NE NW
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Well 8	LAKE 52487	30 South, 17 East, Sec. 5 NW SE

Sincerely,

Thomas MacDonald

**Desert Springs Trout Farm** 

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MAY 1 9 2014

SALEM, OF

RECEIVED

DEC 3 0 2019

OWRD

RECEIVED ORT JUL = 1 1988 WATER RESULTING BANKET LOCATION OF WELL by legal description: Longitude . SO MAI EM ARECON County LAKE Latitude \_ 40 Township 30 No SRange Bor W. WM. (C) BOX City JUMMER Zip 97640 ME W NE W (2) TYPE OF WORK: \_\_ Block \_ \_\_Subdivision. \_ Lot\_\_\_\_ Street Address of Well (or nearest address) SUNWER L New Well ☐ Deepen ☐ Recondition ☐ Abandon (3) DRILL METHOD (10) STATIC WATER LEVEL: - A Cable Rotary Mud ft. below land surface. Artesian pressure \_\_\_\_\_ lb. per square inch. Date 6-30-8 (4) PROPOSED USE: ☐ Domestic - ☐ Community ☐ Industrial ☐ Irrigation (11) WATER BEARING ZONES: Other FISH HATCHER ☐ Injection FT. Depth at which water was first found . (5) BORE HOLE CONSTRUCTION: Estimated Flow Rate SWL Special Construction approval Yes No Yes No 🗆 🗵 Depth of Completed Well 296 From 296 241 2100 +1-5 X Explosives used Type . Amount HOLE SEAL Amount sacks or pounds meter From Material \_ From 0 60 160 SACK 60 GROOT (12) WELL LOG: Ground elevation 60 296 SWL Material From To 0 5016 - SANDY How was seal placed: Method A B B C D B E GLAY-GREEN Other \_ JAND . FINE BLACK 46 Backfill placed from \_\_\_\_\_ft. to \_ 241 MAT- VA Gravel placed from \_\_\_\_ \_ft. to \_\_ ft. Size of gravel CINDERS - SAND RED 243 (6) CASING/LINER: LAVA BOULDERS 243 295 Diameter , From , To Gauge Steel Plastic Welded Threaded CINDERS-SAND RED 295 296 41 60 250 X X □.. □. Liner: П Final location of shoe(s) \_ (7) PERFORATIONS/SCREENS: ☐ Perforations Method \_ ☐ Screens Material Type . Slot Tele/pipe Number Diameter From size size Casing Liner Date started 4 - 15 - 85 \_ Completed \_ (unbonded) Water Well Constructor Certification: (8) WELL TESTS: Minimum testing time is 1 hour I certify that the work I performed on the construction, alteration, or Riowing Artesian abandonment of this well is in compliance with Oregon well-construction standards. Materials used and information reported above are true to my best ☐ Pump ☐ Bailer ☐ Air Yield gal/min Drill stem at knowledge and belief. Drawdown Time WWC Number 2100 1 hr. Signed \_ (bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment Temperature of water \_60\_\_\_ \_ Depth Artesian Flow Found 24 work performed on this well during the construction dates reported above. all Yes By whom \_\_ Was a water analysis done? work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and Did any strata contain water not suitable for intended use? X Too little ☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_ WWC Number 136 2

Depth of strata: .

Date 6-24-88

			W	ell#1
RECEIVED	Jako 3030)	*	20/10	E-800
STATE OF OREGON	10000)		24/18	0.0a0
WATER WELL REPORT (as required by ORS 537.765)  JUL = 1 1983	300/	-		
	(9) LOCATION	OF WELL by	legal descrip	tion:
deres PO BOX HO		Latitude		_Cor W, WM.
STOUMMER WAKE SLIN OR ZIPGYGHO	Township 80	No SRange N.E		
2) TYPE OF WORK:	Texto	Lot Bi	ockSub	division
New Well Deepen Recondition Abandon	Street Address of Wo	ell (or nearest address)	JUMME	RLAKE
3) DRILL METHOD				
Rotery Alr Rotery Mod & Coble	(10) STATIC W		L: Date	
4) PROPOSED USE:		pelow land surface.		6-30-8
Domestic . Community   Industrial   Irrigation	(11) WATER BI			
ermal   Injection   Other FISH HATCHERY	Depth at which water was	_	3 FT.	
(5) BORE HOLE CONSTRUCTION:  Special Construction approval Yes No Depth of Completed Well 296. ft.	Prom	To	Estimated Plo	Rate SWL
Yes No L X	241	296	2100	+1.5
Explosives used  Type Amount				-
HOLE SEAL Amount Diameter From To Material From To sacks or pounds			1	
16" 0 60' CEMENT 0 60 160 EACK	(12) WELLILO	G: Ground elev	ration	
12" 60 296		Material	From	To SWL
	501L . 5	ANDY	0	3' 3'
Towwas seal placed: Method	GLAY-G		3	NS 3'
lackfill placed from (t. to ft. Material	SAUD. FI		45	HE 3'
iravel placed fromft. toft. Size of gravel	CINDERS.	- SAND . P		243 +1.5
6) CASING/LINER:	LAVA BO			295+1.5
Diameter From To Gauge Steel Plastic Welded Threaded Casing 9" +1-5 60' 250 8 0 8	CIND EDS-3	SAND, RET	295	396 41.5
	1			
Uner				
inal location of shoe(s) 7) PERFORATIONS/SCREENS:				-
Perforations Method				
Screens Type Material				
From To size Number Dismeter size Casing Liner	-			
0 0	Date started H - 15	5-85 c	empleted 6-	30-85
	(unbonded) Water W	Vell Constructor	Certification:	
(8) WELL TESTS: Minimum testing time is 1 hour    Pump	I certify that the abandonment of this	work I performed	on the construct	ion, alteration, or
	standards. Materials us	sed and informatio	n reported above a	re true to my best
Yield gal/min Drawdown Drill stem at Time	knowledge and belief.		WWCN	ımber
2100 lhr.	Signed		Date	
	(bonded) Water Well			
Emperature of water 60 Depth Artesian Flow Found 241	I accept responsible work performed on this	bility for the const is well during the co	ruction, alteration onstruction dates	or abandonment
Was a water analysis done? You By whom	work performed duri construction standards	ing this time is	in compliance w	rith Oregon well
VI	halief			
old any strain contain water not suitable for intended use? 😿 Too little  Salty 🗌 Moddy 🗍 Odor 🖟 Colored 🗍 Other				
	Signed F. Doople	Bake	Date 6 OPY CUSTOMER CEIVED 8	

APR 2 4 2014

May 15# 2014

Oregon Water Resources Department Attn: Buffy Gillis 725 Summer Street NE, Suite A Salem, OR 97301

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Sincerely,

Thomas MacDonald

**Desert Springs Trout Farm** 

RECEIVED BY OWRD

MAY 1 9 2014

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13337 -

OWRD

## RECEIVES 1507

FFF 9 PURAS TYPE or PRINT IN INK ON W

	(lot official use only)
(1) OWNER: WATER RESOURCES DEPT	(10) LOCATION OF WELL by legal description:
Address SUMMER LAKE	Thomashin Range WM.
City State OR.	(Township is North or South) (Range is East or West)  Tax Lot Lot Block Subdivision
(2) TYPE OF WORK (check):	MAILING ADDRESS OF WELL (or nearest address) SUMMER LAKE
New Well Deepening Reconditioning Abandon If abandonment, describe material and procedure in Item 12.	
(3) TYPE OF WELL: (4) PROPOSED USE (check):	(11) WATER LEVEL of COMPLETED WELL:
Rotary Air Driven Domestic Dindustrial Municipal D.	Depth at which water was first found 55 ft.
_ Thermal: _	Static level ft. below land surface. Date
Other	Artesian pressure 5 lbs. per square inch. Date 6-30-
Cable Bored   Piezometric   Grounding   Test	(12) WELL LOG: Diameter of well below casing 12"
(5) CASING INSTALLED: Steel Plastic Threaded Welded	Depth drilled 296 ft. Depth of completed well 296 ft.
19. Diam. from +1 ft. to 60 ft. Gauge 250	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.
LINER INSTALLED: Steel   Plastic   Threaded   Welded	MATERIAL From To SWL
	SANDY SOIL 0 3
" Diam. from	TAN CLAY 3 55 2'
(6) PERFORATIONS: Perforated? □ Yes No	130
Size of perforations in. by in.	
perforations from	LAY GREEN SEAUTT
perforations from	Paurous
perforations from	1001003
(7) SCREENS: Well screen installed?	
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 1960 g.p.m.	
perature of water 60° Depth artesian flow encountered D.L.L. ft.	Date work started H = 15-8 2/completed 6-3-0-85
(9) CONSTRUCTION: Special standards: Yes \( \subseteq \) No \( \subseteq \)	Date work started 4-15-82/completed 6-3-0-82  Date well drilling machine moved off of well 7-15-1986
Well seal—Material used CEMENT GROUT	
Well sealed from land surface toft.	(unbonded) Water Well Constructor Certification (if applicable):
Diameter of well bore to bottom of sealin.	This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
Diameter of well bore below seal in.	mormation reported above are true to my beat anomicuge and benefit.
Amount of sealing material sacks to pounds □	[Signed], 19
How was cement grout placed?	(bonded) Water Well Constructor Certification:
	Bond 3B 41670 Issued by: O. A. T. C.
transparation and transparation to the state of the state	(number) (Surety Company Name)
Was pump installed? NO Type HP Depth ft.	On bohalf of (type or phil sands of Walet Wall Constructor)
Was a drive shoe used? Yes No Plugs Size: location ft.  Did any strata contain unusable water? Yes No	This well was drilled under my jurisdiction and this report is true to the
Type of Water? depth of strata	best of my knowledge and belief: DEC 3 0 2019
Method of sealing strata off	(Signed) Flood Dakes
Was well gravel packed? ☐ Yes 🗶 No Size of gravel:	(Dated) 2-20-86WRD
Gravel placed from ft. to ft.	

Well #2

STATE OF OREGON WATER WELL REPORT (se required by ORS 537.765) RECEIVED	or PRINT IN INK Per Win. T, R. S. T. (for efficial use only)
WATER RESOURCES DEP	(10) LOCATION OF WELL by legal description:
Name ROBERT OLS ONEM, CHEGON	County LAKE NE NW N of Section 8 of
MITTER LAKE	Township (Range is Keet or West) WM.
City State OR	m 1. Lat Black Subdivision
(2) TYPE OF WORK (check):	MAILONG ADDRESS OF WELL for manned address SVMMER LAKE
New Well Desponing D Reconditioning D Abondon D	
	(11) WATER LEVEL of COMPLETED WELL:
(3) TYPE OF WELL: (4) PROPOSED USE (check): Relaty Als   Demonic   Industrial   Mucaleipal   Demonic   Industrial   Mucaleipal   Demonic   Industrial   Mucaleipal   Industrial   Industrial   Mucaleipal   Industrial   Industrial   Mucaleipal   Industrial   Industrial   Mucaleipal   Industrial    Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industrial   Industri	Depth at which wester was first found 55 ft.
Thermal: C	Static level ft. below land surface. Dote
Other:	Artesian pressure 5 lbs. per square inch. Data 6-30-8
Bord D Presentific U Greending LI Test LI	(12) WELL LOG: Diameter of well below casing 1.2"
(5) CASING INSTALLED: Steel   Plastic   Threaded   Welkel   A.A. Diam from + 1 - 11 to 60. 1. Gauge 250	Depth drill ed 296 ft. Depth of completed well 296 ft. Formation Describe color, texture, prain size and structure of meterials; and show thickness and nature of sach structure and aquifor paretraized, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal
Diem from ft. toft. Gauge	water-bearing strata
LINER INSTALLED: Steel   Plattic   Thrended   Welded	MATERIAL From To SWL
* Diam. from ft. to ft. Gauge	SAMOY SOIL O DO
(6) PERFORATIONS: Perforsted? Tyes No	TAN CLAY
Size of perforations in by in.	SAND FINE SSSS
perforations from n. to n.	The state of the s
perforations from ft. to ft.	
performitions from it to it.	100,0003
(7) COPPENS.	
(7) SCREENS: Well screen lastalled?   Yes No	
Manufacturer's Name	
Diam Slot Size Set from h. to h.	
Diam. Slot Size Set from ft. to ft.	
(8) WELL TESTS: Drawdown is amount water level is lowered	
Was a pump test made? Yes No Hyes, by whom?  pal/min. with n. drawdown after hr.	
BEL/HEIT, WILD IL CHANGON ALTER HILL	
Air test gal/mia. with drill stem at ft. hru	
Bailer test cal/min. with it. drawdown after him.	
Artesian flow 1960 g.p.m.	
perature of water 600 Depth artesian flow encountered 244 ft	11 15 35 55 55
(9) CONSTRUCTION: Special standards: Yes   No.	Data work started 4 - 15-85/completed 5-3-0-85
Well seal-Material used CEMENT GROUT	Date well drilling macking moved off of well 7-15 - 1985
Well araked from land surface toS.S	(unbonded) Water Well Constructor Certification (if applicable):
Dienseter of well bore to hoctors of seal in	This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
Diameter of well bore below seal 1 2 in	
Amount of sealing material for sector pounds [	[Signed], 19
How wos rement grout placed? PUMPED	(bonded) Water Well Constructor Certification:
many processing were the company of the selection for the parameters of the throughout the selection will be selected as well as rest on a selection of the sel	Bond 3 B 11670 Issued by: O. A. T. Gurety Company Name
Was pump installed? NO Type HP Depth ft.	On behalf of FLOV D BAKER
Was a drive shoe used! X Yes No Plup Size location A.	Atype or print mann of Water Well Countractor)
Did any strata contain unusable water? D Yes A No	This well was drilled under my jurisdiction and this report is true to the
Type of Water? depth of strata	best of my knowledge and belief:
Method of scaling strate off	(Signed) Furaful Dake
Was well graved packed?   Yes No. Size of gravel:	(Dated) 2-20-86
Cravel placed from ft. to ft.	
NOTICE TO WATER WELL CONSTRUCTOR The original and first copy of this report part to be field with the	WATER RESOURCES DEPARTMENT. 6P-46405-490 SALEM, ORECON 17210 within 30 days from the date of well completion.
	RECEIVE FREIM
	LECEIVED BYCOM

DEC 3 0 2019 APR 2 4 2014

1117

Amenhal

Well #7

LAKE 52369

ILANDONNOMINES   Lon None   Mark   Description	TRATE OF OREGON  VATER SUPPLY WELL REPORT  ORS 537.765 & OAR 690-205-0210;  ustructions for completing this report are on the last page of this form.	WELL LABEL # L 10 34 9 8 START CARD # 206440 ORIGINAL LOCA
A compared   Compared   Description   Desc		County LANC Two 30 Nors Range / Ear W W.M
ONE CONTROLLED   ONE   Convertise   Description   Descri	dilma PO Box 81	Sec 5 1/4 of the 1/4 Tax Lot 600 Tax Map Number Lot
Setting Polyet   Steel   Placing   Chairing District   Chairing Polyet   Steel   Placing   Chairing District   Chairing Dist	Alteration (complete Sections 2a & 10) Abandonment (complete Section Sa)	Long DMS or DD
SPATILL METHOD   Structy Air   Restry Med   Augo   Could Cable   Colk Med   Revers Restry   Color   Completed Well   Parents   V ST   V ST   Completed Well   Parents   V ST   V ST   Completed Well   Parents   V ST   V	eel Material	Street Address of Wellifor peacets address) 48413 De 5541 String Ad Stranger Lake DY 97640
ORALL METROD   Steary Air   Reary Mal   Ango   Cable   Cable Md   Revere Rosery   Other		Date SWL(psl) + SWL(ft)
APPROPOSED USE   Depth water was vier 10 found   One   Develoring   Institution   One   Develoring   One   One   Develoring   One   One   Develoring   One   One   Develoring   One		Completed Well
Thermal	4) PROPOSED USE Deposite Imagelian Community	WATER BEARING ZONES Depth water was first found 60
DATE HOLE    Description   Des	Thermal Other  5) BURE HOLE CONSTRUCTION	
Da Frem Tu Material From To Append Seckler  (II) WEIL, LOC Oronal Elevation  Material From To Append Seckler  (III) WEIL, LOC Oronal Elevation  Material From To Material  Dotter  Sakfill placed fivou	epih of Corupleted Well 370 n. Special Standard: Yes (attach copy)	
Tow was sead placed Michod   A   B   BC   D   B	- 1 - 1 - 1 1 1 - 1 - 1 - 101 0	(11) WEI,I, LOC Oreand Elevation
Other   Othe		701 5014
The pack fromR toR Moscrid	Other	Green Clay 65 65
Screen   Proposed   Description   Descript	iller pack from ft. to ft. Mexerial Size	105 105 270 105 270
Date Started   Dot   Free   To   Gauge   Stock   Plottie   Worklook   Tard	clouland Amount Proposed to be Used:	Mack Lava Neck 760 360 Red Civer 300 340
Date Starad   D - 30-10 Compiled   Secretarian of shocks   Start   Secretarian standards   Secretari	6) CASING/LINER  ang Line Dia + From To Gauge Stock Plastic Worklood Tan	
Canonidad   Outside   Ou	14. H ( 720 3250 X	Die Strand 10 - 30-10 Completed 2 - 5- 11
PERFORATIONS/SCREENS		(anbonded) Water Well Constructor Certification
Method   M		abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to
Sum Ching Lies   Date   Proper   10   while   lengths above size	rinrations Method	
Description	Sureen   Aloi Skot Waf pape	
WEI, L'TESTS; Minimum testing time is 1 hour   Description   Descripti	1 Sch Carl Fan Carl Line Line And Lines 10 month schiller and 2 month	I worst responsibility for the construction, deepening, ake sting, or abundances work performed on this well during the construction dates reported
WEI/L/TESTS: Minimum testing time is 1 hour   Delta hour   Description		supply well construction standards. This report is true to the best of my knowledge
Apperature 60° "F Lab analysis   Yes By Conset Info. (optional) Sended drilling ± NC Sended d		1/611 10 12-11
Sente drilling Inc.  Sente dri		
S41 576. X1.1 1821	ster quality concerns? Tyes (describe below) TOSppm	Senich drilling Inc 29 = 3
	Lifer in Sections Server Onto	10M SERVI 576. 2189 19 20 E
	E>1.9 P000300000000000 0015372	
		QMB:

#### STATE OF OREGON WATER SUPPLY WELL REPORT

WY LAKE 52369 AKE 52369

WELL LABEL # L 10 38.48
START CARD # 206440

(ORS 537.765 & OAR 690-205-0210) ORIGINAL LOG# Instructions for completing this report are on the last page of this form. (I) LANDOWNER Owner Well I.D. (9) LOCATION OF WELL (legal description) Last Name Mac Donald County Lake Twp 30 Nors Range 17 Eor W W.M. First Name Thomas ompany\_ 1/4 of the 1/4 Tax Lot 600 Address PO BOX 81 City Summer Lake State OA Zip 97640 Tax Map Number\_ DMS or DD (2) TYPE OF WORK New Conversion Deepening \_.\_\_" or \_\_\_ DMS or DD ☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a) Street Address of Welly(or nearest address) 48413 Dresser T (2a) PRE-ALTERATION: Well Depth \_\_ spring Ad Summer Lake 80% Seal Material ☐ Steel Other\_ Casing Type: ☐ Plastic (10) STATIC WATER LEVEL Date SWL(psi) | + SWL (ft) Casing Gauge Casing Diameter\_ Existing Well/Pre-Alteration 7-5-11 4 PSI Completed Well (3) DRILL METHOD Rotary Air Rotary Mud Auger Flowing Artesian? Yes Dry Hole? Yes Cable Cable Mud Reverse Rotary Other Depth water was first found 60 WATER BEARING ZONES (4) PROPOSED USE

Industrial/Commercial Domestic Livestock ☐ Community ☐ Irrigation Est Flow | SWL (psi) | + SWL (ft) ☐ Dewatering ☐ Injection From 180 200 500 501 ☐ Thermal Other\_ (5) BORE HOLE CONSTRUCTION Depth of Completed Well 370 ft. Special Standard: Yes (attach copy) BORE HOLE Dia Material From Amount | Scks/lbs From (11) WELL LOG Ground Elevation 20 100 Sck (cmen) Material From To clay with X C DD DE How was seal placed: Method A □В Other\_ Backfill placed from\_ ft. Material 'ilter pack from \_ ft. to \_ ft. Material Ba5711 (5a) ABANDONMENT USING UNHYDRATED BENTONITE: MACH Calculated Amount Proposed to be Used: sacks/lbs sacks/lbs Actual Amount Used: (6) CASING/LINER Gauge | Steel | Plastic | Welded | Thrd Csng Linr Dia + From To 720 1250 10 - 30-10 Completed Date Started (unbonded) Water Well Constructor Certification Shoe Inside Outside Other Location of shoe(s) I certif AEOFIVED BYOUWAD struction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well Temporary casing Yes Diameter To construction standards. Materials used and information reported above are true to (7) PERFORATIONS/SCREENS the best of my knowledge and petion 2 Perforations Method\_ License Number Date Screens Type Material MAR 1 3 2012 Tele/ Screen/ SALEM, OR Signed\_ Screen slot Slot # of pipe (bonded) Water Well Constructor Certification RESOURCES DEPT Perf Scm Csng Linr Dia width length slots From size I accept responsibility for the construction, described 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. (8) WELL TESTS: Minimum testing time is 1 hour License Number 1654 Pump ☐ Bailer Air Air Flowing Artesian Yield gal/min Drill stem/Rump depth Drawdown Duration (hr) Signed January Local Scarch drilling INC 370 3000. RECEIVED emperature 60 °F Lab analysis Yes By\_ Water quality concerns? Yes (describe below) TDS ppm 76m Search 516. 218 DEC 30 2019 Description Units Amount From

#### 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 Flagged

Flag Status:

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



## **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

[X] 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: Leuise Mont comy

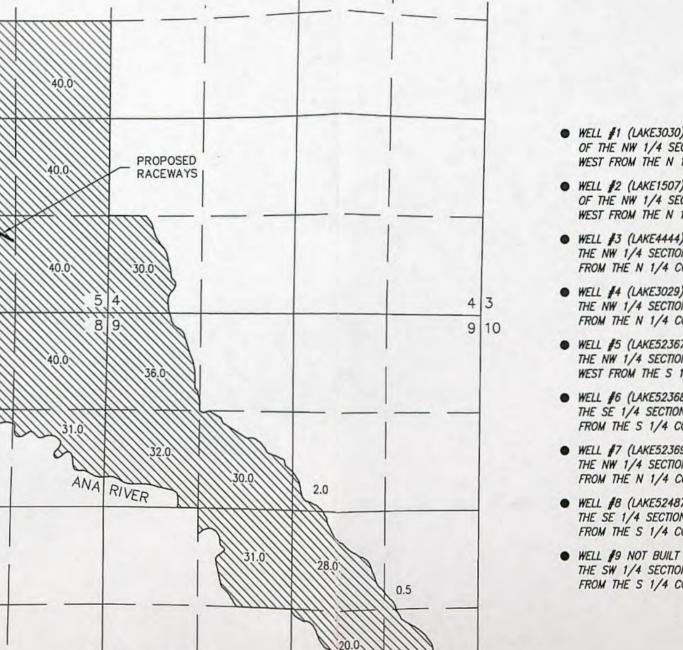
Copies	No.	Description	
1	1	App for Permit Amendment (12 pages letter bond)	
1	2	Final Proof Map (1 page bond)	
1	3	Invoice	

# 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

DEC 26 2019
OWRD



- 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.

PREPARED AT THE REQUEST OF:
TOM MACDONALD
P.O. BOX 87
SUMMER LAKE, OR 97640

19-

No.

PROJECT

50.1 PRIMARY ACRES IRRIGATION, AS SHOWN

PROPOSED

PROPOSED RACEWAY

6 5

7 8



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

## 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 A. Land and Location State: OR

Zip Code: 97640

Daytime Phone: 541-815-4070

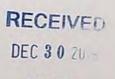
Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for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

Township	Range	Section	NN	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
30S	17E	4	<u>sw sw</u>	600	A-2 Ag Use	Diverted	☐ Conveyed	⊠ Used	FARMING
		5	SW NE			Diverted	☐ Conveyed	☑ Used	
			SENE			Diverted	☐ Conveyed	⊠ Used	
			SENW			☑ Diverted	☐ Conveyed	☑ Used	
			NESW			Diverted	☐ Conveyed	<b>⊠</b> Used	
			SE SW			☑ Diverted	☐ Conveyed	☑ Used	
			NE SE			Diverted	☐ Conveyed	☑ Used	
			NW SE			☑ Diverted	☐ Conveyed	⊠ Used	
			SW SE			☑ Diverted	☐ Conveyed	☑ Used	
			SE SE			Diverted	☐ Conveyed	⊠ Uscd	
		8	NE NE			☐ Diverted	☐ Conveyed	☑ Used	
			NW NE			☐ Diverted	☐ Conveyed	⊠ Used	
			SW NE			Diverted	☐ Conveyed	☑ Used	
			SE NE			☐ Diverted	☐ Conveyed	☑ Used	
		2	SW NE			Diverted	☐ Conveyed	☑ Used	
			NE NW			☑ Diverted	☐ Conveyed	☐ Used	
			NWNW			☐ Diverted	☐ Conveyed	☑ Used	
			SWNW			Diverted	☐ Conveyed	☑ Used	
			SENW			☐ Diverted	☐ Conveyed	<b>⊠</b> Used	
			NESW			☐ Diverted	☐ Conveyed	☑ Used	
			NE SE			☐ Diverted	☐ Conveyed	☑ Used	
			NW SE			☐ Diverted	☐ Conveyed	⊠ Used	
			SW SE			☐ Diverted	☐ Conveyed	⊠ Used	
			SE SE			☐ Diverted	☐ Conveyed	⊠ Used	RECEIVE

13337 - DEC 30 2019

B. Description of F	Proposed Use
Type of application to b Permit to Use or Sto Limited Water Use	경기에 가는 경프 경기에 가져가 있다면 하는 것이 되었다면 가는 그들은 사람들이 되었다면 하는데
Source of water: Re	servoir/Pond
Estimated quantity of w	ater needed: 17.80 🔀 cubic feet per second 🔲 gallons per minute 🗀 acre-feet
ntended use of water:	<ul> <li>☑ Irrigation</li> <li>☑ Commercial</li> <li>☑ Industrial</li> <li>☑ Domestic for household(s)</li> <li>☑ Municipal</li> <li>☑ Instream</li> <li>☑ Other fish culture</li> </ul>
Briefly describe:	
Water user propos	es to correct the locations of POAs 5 to 9 and POU for fish culture.

See bottom of Page 3.  $\longrightarrow$ 



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.

Land uses to be served by the proposed water	dinance section(s): Kake County Zony Oca r uses (including proposed construction) invo	live discretionar	y land-use approvals a
Record of Action/land-use decision and accorderiods have not ended, check "Being pur	mentation of applicable land-use approvals wompanying findings are sufficient.) If approve sued."	als have been o	obtained but all appea
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval:
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		2 3	
James I DAD AN JEHNSON	Title	France Orde	SUTOP
lame: Dalum Jehrson	Phone: 541-947-60	Harring Dine	30 Dec 2019
ignature: A John Source Pormer	Phone: <u>541-947-60</u> D OPENTATION	Karring Dille 36 Date:	30 Dec 2019
lote to local government representative: Pleasing the receipt, you will have 30 days from the form or WRD may presume the land use associated	ase complete this form or sign the receipt belowater Resources Department's notice date to ated with the proposed use of water is compatible.	ow and return it return the com ible with local	to the applicant. If you pleted Land Use Inforr comprehensive plans.
tovernment Entity: Lower Porner Porne	ase complete this form or sign the receipt belowater Resources Department's notice date to	ow and return it return the com ible with local	to the applicant. If you pleted Land Use Inforr comprehensive plans.
lote to local government representative: Pleasing the receipt, you will have 30 days from the form or WRD may presume the land use associated the land	ase complete this form or sign the receipt belowater Resources Department's notice date to ated with the proposed use of water is compated to the company or Request for Land Use Information	ow and return it return the com ible with local	to the applicant. If you pleted Land Use Inform comprehensive plans.
lote to local government representative: Please or the receipt, you will have 30 days from the form or WRD may presume the land use associated the receipt form the land use associated the land use a	ase complete this form or sign the receipt belowater Resources Department's notice date to atted with the proposed use of water is compated to the company or Request for Land Use Information	ow and return it return the com ible with local	to the applicant. If you pleted Land Use Information comprehensive plans.
Note to local government representative: Pleign the receipt, you will have 30 days from the Form or WRD may presume the land use associated	ase complete this form or sign the receipt belowater Resources Department's notice date to ated with the proposed use of water is compated or Request for Land Use Information Staff contact:	ow and return it return the com ible with local ation	to the applicant. If yo pleted Land Use Inforcemprehensive plans.

#### 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:

				PRIM	ARY	SUPP	LEMENTAL
SW	1/4	SW	1/4	SECT	ION 4	30.0	ACRES
SW	1/4	NE	1/4			40.0	ACRES
	1/4						ACRES
				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
	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		
	1/4						ACRES		
SW	1/4	NW	1/4		•	32.0	ACRES		
SE	1/4	NW	1/4			30.0	ACRES		
	1/4					31.0	ACRES		
	1/4					0.5	ACRE		
	1/4					28.0	ACRES		
	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

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

Thank you, Steve

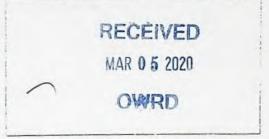
> STEVE SHROPSHIRE | Shareholder Jordan Ramis PC | Attorneys at Law

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.





Date Received (Date Stamp Here)

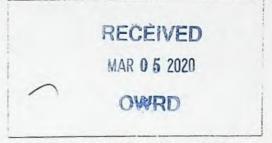
## **OWRD Over-the-Counter Submission Receipt**

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 °C
□ Cash   © Check: Check No. 2582
Name(s) on Check: Summer Lake Trout Farm Inc
Address on Check: PO Bay 40 48320 Desert Springs R  Summer Lake OR 97140  Thank you for your submission. Oregon Water Resources Department (Department) staff will
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 comp
If determined to be incomplete, your submission and the an explanation of deficiencies that must be addressed in c
If you have any questions, please feel free to contact the E at 503-986-0801 or 503-986-0810.
Sincerely, OWRD Customer Service Staff  And Davis
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).
- · 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:	omer Lake Trout Farm Inc
PO Box 40 48320 Des	ert Springs Rd Summer Lake OR 97640
Transaction Type: Permit Ar	
Fees Received: \$ 350 🗪	
☐ Cash	Check No. 2582
1	Name(s) on Check: Summer Lake Trout Farm Inc
Thank you for your submission. Oreg review your submittal as soon as poss	Address on Check: POBay 40 48320 Desert Springs Roummer Lake OR 97640 on Water Resources Department (Department) staff will sible.
If your submission is determined to be an acknowledgement letter stating you	e complete, you will receive a receipt for the fees paid and our submittal is complete.
	submission and the accompanying fees will be returned with ust be addressed in order for the submittal to be accepted.
If you have any questions, please feel at 503-986-0801 or 503-986-0810.	free to contact the Department's Customer Service staff
Sincerely, OWRD Customer Service Staff	
Submission received by:	(Name of OWRD staff)
Instructions for OWRD staff:	

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RECEIVED MAR 0 5 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 97240
	Amendment T-13337
Fees Received: \$ 350	<u>&amp;</u>
☐ Cash	: Check No. 2582
	Name(s) on Check: Summer Lake Trout Farm Inc
Thank you for your submission. review your submittal as soon a	Address on Check: POBay 40 48320 Desert Springs Ro Summer Lake OR 971, 40 Oregon Water Resources Department (Department) staff will as possible.
	ed to be complete, you will receive a receipt for the fees paid and ting your submittal is complete.
	e, your submission and the accompanying fees will be returned with that must be addressed in order for the submittal to be accepted.
If you have any questions, plea at 503-986-0801 or 503-986-08	se feel free to contact the Department's Customer Service staff 310.
Sincerely, OWRD Customer Service Staff	
Submission received by:	(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
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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



Phone: (541) 943-3192 Fax: 888-389-9037 email: desertsprings16@hotmail.com



P.O. Box 40 48,320 Desert Springs Road Summer Lake, Oregon 97640

RECEIVED

MAR 0 5 2020

OWRD

Oregon Water Resources Department Attn: Arla Davis 725 Summer St. NE #A Salem, OR 971301



#### 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

MAR 0 3 2020 OWAD

Phone: (541) 943-3192 Fax: 888-389-9037 email: desertsprings16@hotmail.com





**OWRD Over-the-Counter Submission Receipt** 

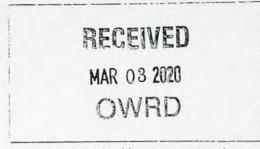
Applicant Name(s) & Address:	Summer Lake Trout Farm, Inc.
Po Box 40, 4832	20 Desert Springs Road. Summer La
Transaction Type: Supplement	Hal Fee for Application T-13337
Fees Received: \$ 2800. <sup>™</sup>	
☐ Cash ☐ Check:	Check No. 2574
	Name(s) on Check: SAME
	Address on Check: SAME
review your submittal as soon as p	o be complete, you will receive a receipt for the fees paid and
If determined to be incomplete, ye	our submission and the accompanying fees will be returned with the must be addressed in order for the submittal to be accepted.
If you have any questions, please at 503-986-0801 or 503-986-0810	feel free to contact the Department's Customer, Service staff
Sincerely, OWRD Customer Service Staff	
Submission received by:	(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.

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





Date Received (Date Stamp Here)

## **OWRD Over-the-Counter Submission Receipt**

Applicant Name(s)	& Address:	Summer Lake Trout Farm, Inc.  10 Desert Spring, Road. Summer Lake that Fee for Application T-13337	٤,
Transaction Type:	Supplement	Hal Fee for Application T-13337	OF 9764
Fees Received: \$_			
☐ Cash	☐ Check:	Check No. 2574	
		Name(s) on Check: SAME	
		Address on Check: SAME	
Thank you for your review your submi		regon Water Resources Department (Department) staff will cossible.	
		o be complete, you will receive a receipt for the fees paid and gyour submittal is complete.	
		our submission and the accompanying fees will be returned with timust be addressed in order for the submittal to be accepted.	
If you have any qu at 503-986-0801 o		feel free to contact the Department's Customer Service staff	
Sincerely, OWRD Customer S	Service Staff		
Submission receiv	red by: Com	(Name of OWRD staff)	
Instructions for O	WDD staff.		

#### Instructions for OWRD staff:

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



PO. Box 40 48320 Desert Springs Road Summer Lake, Oregon 97640

RECEIVED

MAR 0 3 2020

OWRD

Oregon Water Resources Department Attn: Arla Davis 725 Summer St. NE #A Salem, OR 97301

#### STATE OF OREGON

#### WATER RESOURCES DEPARTMENT

RECEIPT #	SALEM, O	r St. N.E. Ste. A R 97301-4172 (503) 986-0904 (fax)	INVOICE #	
RECEIVED FRO	Makaren III Maci	Sonald,	APPLICATION	
BY:	Thomas A ma	Donald	PERMIT	
0.00	1.11.11		TRANSFER	1-13337
CASH: (	CHECK:# 9658 OTHER: (IDENTIFY		TOTAL REC'D	5,3000
1083	TREASURY 4170 WRD	MISC CASH AC	CT	
0407	COPIES			\$
	OTHER: (IDENTIFY)			\$
0243 I/S L	ease 0244 Muni Water Mgmt.	Plan 0245	Cons. Water	_
	4270 WRD	OPERATING A	CCT	
	MISCELLANEOUS	46110		
0407	COPY & TAPE FEES	10110		\$
0410	RESEARCH FEES			\$
0408	MISC REVENUE: (IDENTIFY)			\$
TC162	DEPOSIT LIAB. (IDENTIFY)			\$
0240	EXTENSION OF TIME			\$

	0203	GHOUND WATER			To the second	OLO T	
	0205	TRANSFER			\$5,500.00		
		WELL CONSTRUC	CTION		EXAM FEE		LICENSE FEE
	0218	WELL DRILL CON	STRUCTO	R	\$	0219	\$
		LANDOWNER'S P	ERMIT			0220	\$
		OTHER	(IDENTI	FY)			
-	0536	TREASURY	0437	WELL	CONST. START	FEE	
	0211	WELL CONST STA	RTFEE		\$	CARD	
	0210	MONITORING WE	LLS		\$	CARD	
		OTHER	(IDENTI	FY)			
	0607	TDEACHDY	0467	HVDD	O ACTIVITY I	IC NUMBER	

\$

EXAM FEE

0607	TREASURY	0467	HYDRO ACTIVITY	LIC NUMBER	
0233	POWER LICENSE	FEE (FW/	WRD)		\$
0231	HYDRO LICENSE	HYDRO LICENSE FEE (FW/WRD)			\$
	HYDRO APPLICATION				\$

0231	HYDRO LICENSE FEE	\$		
	_ HYDRO APPLICATION	٧		\$
	TREASURY	OTHER / RDX		

FUND	TITLE
OR L CORE	VENDOR #

DESCRIPTION

WATER RIGHTS:

SURFACE WATER

0201

RECEIPT: 131629 DATED: 12 26 19v.

RECORD FEE

\$

0202

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



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

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

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

If you have any questions, please contact the Transfer Section at (503) 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

#### **Application Received**

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

Injury Review forms sent to Watermaster, and Groundwater staff

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

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

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

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

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

#### STATE OF OREGON

#### WATER RESOURCES DEPARTMENT

	Inc. DBA	Desert Sp.	rings Trout	APPLICATION	
1083		July .		PERMIT	
1083			J Farm	TRANSFER	T-13337
	/	OTHER: (IDENTIFY		TOTAL REC'D	\$350.00
0407	TREASURY	4170 WRD	MISC CASH AC	СТ	
0407	COPIES				S
	OTHER: (I	DENTIFY)	4		\$
0243 I/S L	ease 0244	Muni Water Mgmt.	Plan 0245	Cons. Water	_
		4270 WRD	OPERATING AC	CT	
	MISCELLANEOUS		46110		
0407	COPY & TAPE FEE	S	14.1		\$
0410	RESEARCH FEES				\$
0408	MISC REVENUE:	(IDENTIFY)			\$
TC162	DEPOSIT LIAB. (II	DENTIFY)			\$
0240	EXTENSION OF T	ME			\$
	WATER RIGHTS:		EXAM FEE		RECORD FEE
0201	SURFACE WATER		\$	0202	\$
0203	GROUND WATER		S	0204	\$
0205	TRANSFER		\$350.00		
	WELL CONSTRUC	CTION	EXAM FEE		LICENSE FEE
0218	WELL DRILL CON	STRUCTOR	S	0219	\$
	LANDOWNER'S P	ERMIT		0220	\$
	OTHER	(IDENTIFY)			4
0536	TREASURY	0437 WEL	L CONST. STAR	FEE	
0211	WELL CONST STA	ART FEE	S	CARD	*
0210	MONITORING WE	LLS	S	CARD	,
	OTHER	(IDENTIFY)			
0607	TREASURY	0467 HYDI	RO ACTIVITY	LIC NUMBER	
0233	POWER LICENSE	FEE (FW/WRD)			\$
0231	HYDRO LICENSE	FEE (FW/WRD)			\$
	HYDRO APPLICAT	ION			\$
	TREASURY		R / RDX		
			RECE		
OBJ. COD	E	VENDOR #	OVER THE	COUNT	B
DESCRIPT	TION			1	3

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## STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIPT # 132057

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

INVO	CE #	
11440	UL W	

			(503) 986-09007	(503) 986-0904 (18X)				
REC	EIVED FRO	OM: Dumme	r Lake 11	out Farm	APPLICATION			
BY: Inc. DBA NEAT Springs PERMI								
		711	out Fara	M J	TRANSFER	7-13337		
CAS	SH: (	CHECK# 7 - 7 LI	OTHER: (IDENTIFY)		TOTAL REC'D	67 800 B		
L		1 2017			TOTAL REC D	\$2,800.0		
-	1083	TREASURY	4170 WRD	MISC CASH AC	CT			
		COPIES				S		
	0407	_ OTHER:	(IDENTIEY)			\$		
	0243 I/S L	ease 024		Plan 0245				
			4270 WRD	OPERATING AC	CT			
		MISCELLANEOU	S	46110		6		
	0407	COPY & TAPE FE	ES			\$		
	0410	RESEARCH FEES				S		
	0408	MISC REVENUE:	(IDENTIFY)					
	TC162	DEPOSIT LIAB. (	IDENTIFY)			\$		
	0240	EXTENSION OF 1	TIME					
		WATER RIGHTS:		EXAM FEE		RECORD FEE		
	0201	SURFACE WATER	3	\$	0202	S		
	0203	GROUND WATER		\$	0204	\$		
	0205	TRANSFER		\$ 2,800.00				
		WELL CONSTRU	CTION	EXAM FEE		LICENSE FEE		
	0218	WELL DRILL CON	ISTRUCTOR	\$	0219	\$		
		LANDOWNER'S F	PERMIT		0220	\$		
		OTHER	(IDENTIFY)					
	0536	TREASURY	0437 WELL	CONST. STAR	TFEE			
	0211	WELL CONST ST	ART FEE	\$	CARD#			
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_	11							

RECEIPT: 132057 DATED 3-3-10

DATED 2 2 What Plant

#### STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIPT # 132075

RECEIPT: 132075

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

INVOICE #

-	DENIED CO.	Juman	Labe 1	rout Form	APPLICATION		
		OM: Junal	2 Dota the	rings Trout	PERMIT		
3Y:		(110))	2000	J.Farm	TRANSFER	7-13337	
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L		12007	-		TOTAL REC'D	\$ 350.00	
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			11.10			S	
	0407	COPIES  OTHER:	(IDENITIES)			S	
	10100140						
	0243 I/S L	.ease 024		Plan 0245			
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÷	0407	COPY & TAPE FE				S	
	0410	RESEARCH FEES				\$	
	0408	MISC REVENUE:				S	
	TC162	DEPOSIT LIAB. (				\$	
	0240				1	RECORD FEE	
	- 1	WATER RIGHTS:		EXAM FEE		\$	
	0201	SURFACE WATER		\$	0202	\$	
	0203	GROUND WATER	ł.	\$	0204		
	0205	TRANSFER		\$ 350.00		LIOTNOT FEE	
		WELL CONSTRU	CTION	EXAM FEE		LICENSE FEE	
	0218	WELL DRILL CON	STRUCTOR	\$	0219	\$	
		LANDOWNER'S F	PERMIT		0220	Φ	
		OTHER	(IDENTIFY)				
-	0536	TDEACHDY	0427 WELL	CONST. STAR	rece		
			Control Manager		I FEE		
	0211	WELL CONST ST		S	CARD#		
	0210	MONITORING WE	ELLS	S	CARD#		
		OTHER	(IDENTIFY)				
	0607	TREASURY	0467 HYDR	O ACTIVITY	LIC NUMBER		
	0233	POWER LICENSE	FEE (FW/WRD)			\$	
	0231	HYDRO LICENSE	FEE (FW/WRD)			\$	
		HYDRO APPLICA	TION			\$	
_	1	TREASURY	OTHE	D / DDV			
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OBJ. CODE VENDOR #							
	DESCRIP	TION			7	\$	
					1/-	7	
	9	22075	7.	5-7070	trail	4-	
EC	EIPT:	JEUIJ	DATED:	BY:	111		

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