

Permit Amendment

RA

Name Bert & Terri Siddoway

Address PO Box 115
Durkee, OR 97905
bertsiddoway@gmail.com

Change in APOA

Date Filed 8-30-2021

Initial notice date 9-21-2021

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO _____ Vol _____ Page _____

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well

Trib. of Pritchard Creek Basin

Use Irrigation; Supplemental IR County Baker

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

Name of ditch _____

App# G-17213 Per # G-17588 Cert # — PR Date 5/11/2009

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

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

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

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

| FEES PAID | | |
|------------|------------|-----------|
| Date | Amount | Receipt # |
| 8-30-2021 | \$1,560.00 | 136310 |
| 8-30-2021 | \$280.00 | 136315 |
| 8-30-2021 | \$125.00 | 136292 |
| 10-15-2021 | \$1,069.14 | 136625 |

| FEES REFUNDED | | |
|---------------|--------|-----------|
| Date | Amount | Receipt # |
| | | |
| | | |
| | | |
| | | |

Assignments: _____

Irrigation District Burnt River Irrigation District

Agent Garvin Hydrogeo LLC - garvin.hydrogeo@gmail.com

CWRE _____

CC's list Baker County

- Oversized map - Location

Permit Amendment Checklist

Transfer: T- 13813

Transfer Specialist: *Arla*

Transfer Type: Permit Amendment

PA

| | | |
|---|--|---|
| Applicant Name/Address/email: BERT SIDOWAY PO BOX 115 DURKEE, OR 97905 | Agent Name/Address/email: PAUL GARVIN 1705 MAIN ST SUITE 101 BAKER CITY, OR 97814 | Rec Landowner Name/Address: |
| CWRE Name/Number: | Irr. District Name/Address: Burnt River Irrigation District | Affected Gov'ts Name/Address: Baker County |
| Commentor(s): Name/Address: | Current Landowner Name/Address (if different than applicant): | |

Permit(s) Affected

| Records Marked | Records Copied | App File No. or Decree Name | Permit No. | Superseding Permit No. |
|--------------------------|--------------------------|-----------------------------|------------|------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | G-17213 | G-17588 | |

Key Dates & Initial Actions

EXTENSION WAITING ON SW - 4/29/2022

| | | |
|--|---|----------------------------|
| Rec'd: August 30, 2021 | Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION | |
| Fees Pd: 1840.00 | WM District:8 | ODFW District: |
| Initial Notice: September 21, 2021 | WM Review sent: Done: | ODFW Review sent: Done: |
| Acknowledgement Letter Sent: <input checked="" type="checkbox"/> Date: | GW Review sent: Done: | |

Processing Dates & Actions

Deficiency Contact(s): _____

Newspaper: *Baker City Herald*

not required

Date quote requested: _____

Request for news \$ sent: _____

News \$ received: _____

Request to publish sent to newspaper: _____

Affidavit of publication received: _____

Dates of publication: _____

Draft Mailed: _____

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

ODFW contact sheet sent; need? Yes or No

WM measurement sheet sent; need?

Yes or No

Final Order

| | |
|--|--|
| <p>Draft Order & Superseding Permit Review (Optional)</p> <p>Reviewer: _____ Date: _____ Coordinator: _____ Date: _____ Signature Bin Date: _____</p> | <p>Final Order & Superseding Permit Review (Salem)</p> <p>Reviewer: <i>Scott</i> Date: <i>2-4-23</i> Coordinator: <i>PKS</i> Date: <i>6/14/23</i> Signature Bin Date: <i>6/14/23</i></p> |
| <p>Comments/Special Issues: _____</p> <p><i>Extension approved 1/6/2023</i></p> | |

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

Notice of FO e-mailed to processors: _____

Application
PR CW

- The type of change is clearly indicated.
- The application is appropriately signed.
- Appropriate fees were paid. N/A If overpayment, Refund Request submitted _____
- Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's) _____
- N/A Ditch company, district, and/or BOR, sent a copy of the application and map, if appropriate.
- All required attachments received.
- Check application file and WRIS for assignment(s) and/or extension(s). _____

Application Map

PR CW

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

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

PR CW

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

Permit Ownership

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

Evaluation Materials

- Application complete Permit Land Use form N/A Plat card
- Amendment Map Permit Map Fees paid N/A Well logs

Reviews/comments/conditions received? Watermaster N/A ODFW N/A GW
 N/A Headgate When in the judgment Prior to diverting Existing and maintain
 N/A Measuring Devices When in the judgment Prior to diverting Existing and maintain

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

Injury: Yes No

Enlargement: Yes No

Conditions to avoid enlargement/injury -

ODFW conditions: _____

GW Conditions: _____

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.

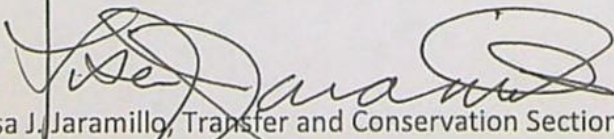
Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-13813 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-13813 is approved.
2. Permit G-18855, in the name of BERT AND TERRI SIDDOWNAY, is issued to replace Permit G-17588, and incorporates the amendments approved by this order, the extensions of time. Permit G-17588, in the name of BERT AND TERRI SIDDOWNAY, is no longer of any force or effect.
3. The combined quantity of water diverted at the new additional point of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
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.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
5. Water shall be acquired from the same aquifer as the original point of appropriation.
6. All other terms and conditions of Permit G-18855 remain the same.

Dated in Salem, Oregon on



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

Mailing Date: JUN 29 2023



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

June 28, 2023

BERT SIDDOWNAY
PO BOX 115
DURKEE, OR 97905

REFERENCE: Permit Amendment Application T-13813

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.L.Davis, by telephone at (503) 979-3511 or by e-mail at Arla.L.Davis@water.oregon.gov.

Sincerely,

Flor Peña
Water Rights Services Support
Transfers and Conservation Section

cc: Marcy J. Osborn, Watermaster Dist. # 8 (via email)
Paul Garvin, Agent
Baker County

Enclosure

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140572

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

INVOICE # _____

RECEIVED FROM: Bert Siddoway
BY: Terry Siddoway
APPLICATION _____
PERMIT _____
TRANSFER T-13813

CASH: CHECK: # 2731 OTHER: (IDENTIFY)
TOTAL REC'D \$ 107.40

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notices \$ 107.40

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: 140572 DATED: 4-24-73 BY: ym. Colaf

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140572

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

INVOICE # _____

RECEIVED FROM: Bert Siddoway
BY: Terry Siddoway
APPLICATION _____
PERMIT _____
TRANSFER T-13813

CASH: CHECK: # 2731 OTHER: (IDENTIFY)
TOTAL REC'D \$ 107.40

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notices \$ 107.40

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

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

TREASURY OTHER / RDX

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

RECEIPT: 140572 DATED: 4-24-73 BY: ym. Colaf

IN THE CIRCUIT COURT OF
THE STATE OF OREGON
FOR UNION/BAKER COUNTY

}AFFIDAVIT OF PUBLICATION
STATE OF OREGON
County of Union/Baker} ss

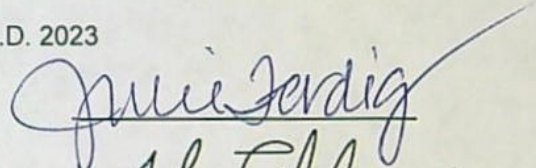
I, Julie Ferdig being duly sworn, depose and say that I am the principal clerk of the publisher of the La Grande Observer, Baker City Herald, lagrandeobserver.com; bakercityherald.com, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; that the

NOTICE OF PERMIT AMENDMENT T-13813 T-13813 FILED BY BERT AND TERRI SIDDOWAY PO BOX 115 DURKEE OR 97905 PROPOSES AN ADDITIONAL POINT OF APPROPRIATION UNDER PERMIT G-17588 THE PERMIT ALLOWS THE USE OF

a printed copy of which is hereto annexed; was published in the entire issue of said newspaper for 2 successive and consecutive issues in the following issues:

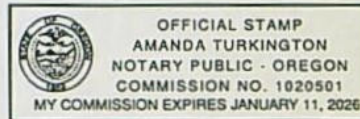
5/02/23, 5/09/23

Subscribed and sworn to before me on this 9th day of May, A.D. 2023



Notary Public of Oregon

Add: 373725
PO:
Tagline: T-13813 Notice of Permit Amendment



RECEIVED
MAY 26 2023
OWRD
SALEM, OREGON

**Notice of Permit
Amendment T-13813**

T-13813 filed by Bert and Terri Siddoway, PO Box 115, Durkee, OR 97905, proposes an additional point of appropriation under Permit G-17588. The permit allows the use of 3.34 cubic feet per second from two wells in Sec. 19, T11S, R43E, WM for primary irrigation and supplemental irrigation in Sects. 17, 18, and 19, T11S, R43E, WM. The applicant proposes an additional of appropriation in Sec. 18, T11S, R43E, 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 May 9, 2023.

Legal No. 373725
Published: May 2, 9, 2023



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BERT AND TERRI SIDDOWAY
PO BOX 115
DURKEE, OR 97905

This superseding permit is issued to describe an amendment for a change in points of appropriation proposed under Permit Amendment Application T-12219 and approved by Special Order Vol. 100, Page 56, entered April 5, 2016, and to describe an extension of time for complete application of water approved August 14, 2015. This permit supersedes Permit G-16783.

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

APPLICATION FILE NUMBER: G-17213

SOURCE OF WATER: TWO WELLS IN PRITCHARD CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 88.3 AND SUPPLEMENTAL IRRIGATION OF 304.1 ACRES

MAXIMUM RATE: 3.34 CUBIC FEET PER SECOND, FURTHER LIMITED TO 1.1 CFS FOR PRIMARY IRRIGATION

PERIOD OF USE: SEE TABLE BELOW

DATE OF PRIORITY: MAY 11, 2009

THE POINTS OF APPROPRIATION ARE LOCATED AS FOLLOWS:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 11 S | 43 E | WM | 19 | NE NE | 37 FEET SOUTH AND 325 FEET WEST FROM THE NE CORNER OF SECTION 19 |
| 11 S | 43 E | WM | 19 | NE NE | 466 FEET SOUTH AND 295 FEET WEST FROM THE NE CORNER OF SECTION 19 |

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

Application G-17213

Water Resources Department

PERMIT G-17588

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| Twp | Rng | Mer | Sec | Q-Q | Acres | Supp. Irrigation Season | Primary Irrigation Season |
|--------|------|-----|-----|-------|-------|-------------------------|---------------------------|
| 11 S | 43 E | WM | 17 | SW SW | 4.00 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 18 | NE SW | 2.20 | 4/1 through 10/1 | 10/2 through 10/31 |
| 11 S | 43 E | WM | 18 | SE SW | 6.10 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 18 | NE SE | 6.00 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 18 | NW SE | 20.30 | 4/1 through 10/1 | 10/2 through 10/31 |
| 11 S | 43 E | WM | 18 | SW SE | 21.40 | 4/1 through 10/1 | 10/2 through 10/31 |
| 11 S | 43 E | WM | 18 | SE SE | 4.10 | 4/1 through 10/1 | |
| 11 S | 43 E | WM | 18 | SE SE | 24.40 | 4/1 through 10/1 | 10/2 through 10/31 |
| 11 S | 43 E | WM | 19 | NE NE | 18.1 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 19 | NE NE | 15.50 | 4/1 through 10/1 | 10/2 through 10/31 |
| 11 S | 43 E | WM | 19 | NW NE | 40.00 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 19 | SW NE | 34.30 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 19 | SE NE | 27.00 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 19 | SE NE | 4.50 | 4/1 through 10/1 | 10/2 through 10/31 |
| 11 S | 43 E | WM | 19 | NE NW | 21.30 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 19 | SE NW | 1.30 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 19 | NE SE | 26.80 | 4/1 through 10/31 | |
| 11 S | 43 E | WM | 19 | NW SE | 26.80 | 4/1 through 10/31 | |
| Total: | | | | | 304.1 | | |

PERMIT AMENDMENT T-12219 CONDITIONS

1. The combined quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. Prior to water use from the proposed points of appropriation, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter(s) or measuring device(s) in good working order.

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

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



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Ste A

Page 3 OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

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The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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

EXTENSION CONDITIONS

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020**.

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

EXISTING CONDITIONS

Measurement, recording and reporting conditions:

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

- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

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http://www.gov/OWRD

- C. Annual water-level measurements reveal a water-level decline of 25 or more feet;
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

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

The well(s) shall be continuously cased and continuously sealed to a minimum depth of 150.0 feet below land surface. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the permittee can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, the requested modification will not be approved. If approved, the new well depth and construction specifications will be incorporated into any certificate issued for this permit.

At the time of perfection, the permittee may request that the use be certificated as primary irrigation, if water has been used beneficially according to the terms and conditions of this permit, and if underlying primary water rights are simultaneously diminished or canceled.

STANDARD CONDITIONS

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

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

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

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

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

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

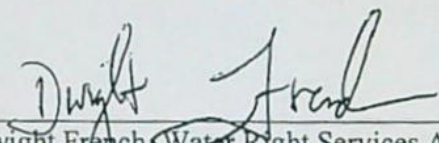
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

The original permit was issued September 9, 2010. Completion of construction and application of the water shall be made on or before October 1, 2021. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued April 5, 2016



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



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

Oregon Water Resources Department Water Right Services Division

Water Rights Application
Number G-17213

FINAL ORDER

Extension of Time for Permit Number G-16783
Permit Holder: Bert and Terri Siddoway

Permit Information

| | |
|-------------------|---|
| Application: | G-17213 |
| Permit: | G-16783 |
| Basin: | 9 – Powder / Watermaster District 8 |
| Date of Priority: | May 11, 2009 |
| Source of Water: | A well in Pritchard Creek Basin |
| Purpose of Use: | Primary Irrigation of 88.3 and Supplemental Irrigation of 304.1 Acres |
| Maximum Rate: | 3.34 cubic feet per second (cfs), further limited to 1.1 cfs for primary irrigation |

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-16783 was issued by the Department on September 9, 2010. The permit called for completion of construction by September 9, 2015 and complete application of water to beneficial use by September 9, 2015. On May 14, 2015, Bert and Terri Siddoway submitted to the Department an Application for Extension of Time for Permit G-16783. In accordance with OAR 690-315-0050(2), on June 23, 2015, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2021, and the time to fully apply water to beneficial use to October 1, 2021. The protest period closed August 7, 2015, 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 June 23, 2015.

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. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020**. *A form is enclosed with this Final Order.*

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

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).



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

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ORDER

The extension of time for Application G-17213, Permit G-16783, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to from September 9, 2015 to October 1, 2021. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from September 9, 2015 to October 1, 2021.

DATED: August 14, 2015

Dwight French

Water Right Services Division Administrator, for

Thomas W. Byler, Director

Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0825.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



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

In the Matter of Permit Amendment) FINAL ORDER
T-12219, Baker County) APPROVING A CHANGE IN POINT
) OF APPROPRIATION

Authority

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

Applicants

BERT AND TERRI SIDDOWNAY
PO BOX 115
DURKEE, OR 97905

Findings of Fact

1. On December 21, 2015, BERT AND TERRI SIDDOWNAY filed an application to change the point of appropriation and for an additional point of appropriation under Permit G-16783. The Department assigned the application number T-12219.
2. On August 14, 2015, the Department approved an extension of time for complete application of water to October 1, 2021.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on December 29, 2015, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
4. On March 18, 2016, the Department contacted the applicant's agent by telephone and email to resolve deficiencies in the application. The deficiencies being clarification of the type of change requested, the authorized point of appropriation was missing from the map and there was a small portion of the map that is incorrectly hatchured for the type of use.
5. On March 23, 2016, the agent submitted an amended application page and map resolving the issues. As part of the resolution, it was determined that this is just a point of appropriation change, not an additional point of appropriation change.

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. Permit Amendment Application T-12219 proposes to move the authorized point of appropriation approximately 544 feet and 115 feet respectively, from the existing point of appropriation to:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 11 S | 43 E | WM | 19 | NE NE | 37 FEET SOUTH AND 325 FEET WEST FROM THE NE CORNER OF SECTION 19 |
| 11 S | 43 E | WM | 19 | NE NE | 466 FEET SOUTH AND 295 FEET WEST FROM THE NE CORNER OF SECTION 19 |

7. Permit G-16783 included a condition "The well(s) shall be continuously cased and continuously sealed to a minimum depth of 150.0 feet below land surface. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the permittee can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, the requested modification will not be approved. If approved, the new well depth and construction specifications will be incorporated into any certificate issued for this permit." On January 4, 2012, Department Ground Water Staff approved a seal depth of 26 feet for the well. The new wells were reviewed and approved for this transfer based on the January 4, 2012, approval.

Permit Amendment Review Criteria

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

Conclusions of Law

The change in point of appropriation proposed by Permit Amendment Application T-12219 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The change in point of appropriation proposed by Permit Amendment Application T-12219 is approved.
2. Permit G-17588, in the name of BERT AND TERRI SIDDOWAY, is issued to replace Permit G-16783, and incorporates the amendments approved by this order and the extension of time. Permit G-16783, in the name of BERT AND TERRI SIDDOWAY, is no longer of any force or effect.

3. The combined quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
4. Prior to water use from the proposed points of appropriation, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter(s) or measuring device(s) in good working order.

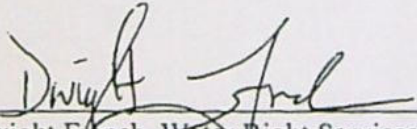
The permittee shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general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

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

The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

5. Water shall be acquired from the same aquifer as the original point of appropriation.
6. All other terms and conditions of Permit G-17588 remain the same.

Dated at Salem, Oregon this 5 day of April, 2016.



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

Mailing Date: APR 08 2016

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-17588

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 # 1.- ___) | Twp | Rng | Sec | ¼ ¼ | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|---|--|------|------|-----|-------|---------------------------|--|
| Well 1 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | L-101882 | 11 S | 43 E | 19 | NE NE | 2600 | 37 ft S and 325 ft W from NE corner of Section 19 |
| Well 2 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | L-109663 | 11 S | 43 E | 19 | NE NE | 2600 | 466 ft S and 295 ft W from NE corner of Section 19 |
| Well 3 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | NA | 11 S | 43 E | 18 | SE SE | 2600 | 1,869 ft N and 732 W from SE corner of Section 18 |

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

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

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

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

For a change in place of use: (N/A)

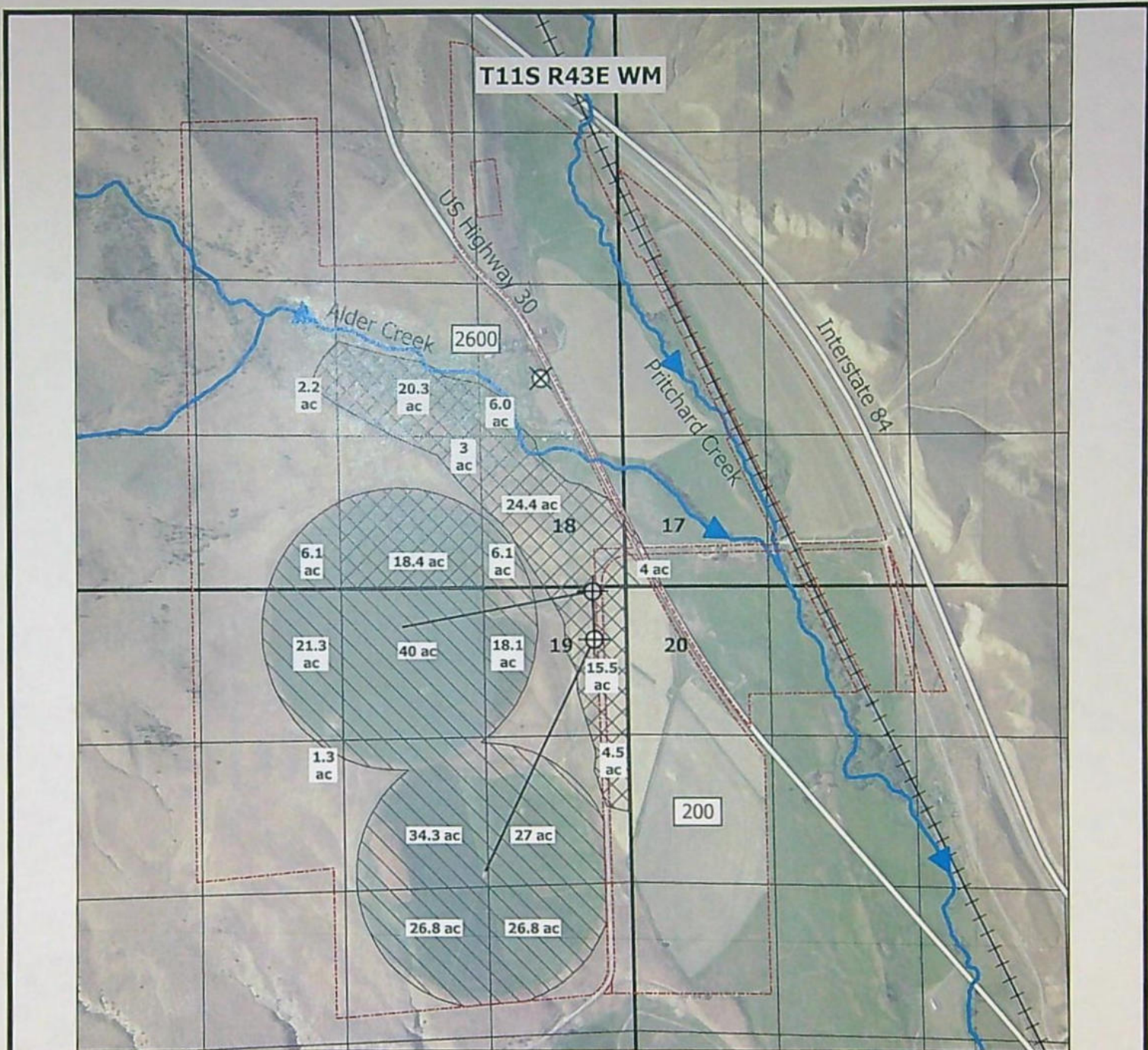
Does the permit holder of record own or control the land TO which the place of use is being moved?

- Yes No








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

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

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



LEGEND

-  Irrigated Area - Primary
-  Irrigated Area - Supplemental
-  Baker County Taxlot Boundary
-  Well 1
-  Well 2
-  Proposed well
-  10" Mainline

**Garvin
HydroGeo
LLC**

**Map to Accompany Application for
Permit Amendment
Permit G-17588
Baker County, OR**

Prepared on behalf of Bert and Terri Siddoway



Drawn by: Paul F. Garvin, R.G. C.W.R.E.
Date: 3/24/23

1 inch = 1,320 feet

Notes:

- Well 1 (L-101882): 37 ft S and 325 ft W from NE corner of Section 19
 - Well 2 (L-109663): 466 ft S and 295 ft W from NE corner of Section 19
 - Well 3 (Proposed): 1,869 ft N and 732 ft W from SE corner of Section 18
- This map is not intended to provide legal dimensions or locations of property ownership lines.

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Friday, June 9, 2023 9:31 AM
To: STARNES Patrick K * WRD
Subject: T-13813 - Siddoway Permit Amendment - Please review
Attachments: G17588-superseding-permit.docx; T-13813-ord-approve.docm

Gooooood Morning Kelly!

Thank you so much for agreeing to sign off on this electronically. It helps me get it out quicker and I super appreciate it!



Attached are the updated order and superseding permit. Thanks again Kelly!

Arla L. Davis

She/Her/Hers

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

Work Schedule (primarily teleworking remotely): Mon, Tues, & Thurs, Fri – 6:00 a.m. to 3:30 p.m. and Wed – 8:00 a.m. to Noon

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day.

Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Monday, May 1, 2023 1:48 PM
To: Paul Garvin
Subject: RE: Permit Amendment T-13813 for Bert and Terri Siddoway

Hi Paul,

I wanted to follow up and let you know that the newspaper notice for T-13813 for Bert and Terri Siddoway will run in the Baker City Herald on May 2 and May 9, 2023. There is not a waiting period for Permit Amendments, but Department policy is to wait for the affidavit of publication from the newspaper before issuance of the final order. Generally we see these about 2-3 weeks after the last date the notice was run, so I would anticipate being able to issue the final order sometime towards the end of May. Let me know if you have any questions.

Arla L. Davis

She/Her/Hers
Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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From: Paul Garvin <garvin.hydrogeo@gmail.com>
Sent: Thursday, March 23, 2023 2:41 PM
To: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Subject: Re: Permit Amendment T-13813 for Bert and Terri Siddoway

Hi Arla,

Just a heads up that based on information I provided to Mr. Siddoway in February, he is fully expecting approval soon and is actively coordinating with drilling contractors.

Please let me know if I need to update Mr. Siddoway with new information that may affect his plans.

Thank you,

On Wed, Mar 22, 2023 at 2:18 PM Paul Garvin <garvin.hydrogeo@gmail.com> wrote:

Hi Arla,

I am available for a phone call anytime 8-5 through Friday.

Thank you,

On Wed, Mar 22, 2023 at 11:50 AM DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov> wrote:

Hi Paul, thank you for your email. Would you have time for a phone call this week?

From: Paul Garvin <garvin.hydrogeo@gmail.com>
Sent: Wednesday, March 22, 2023 11:06:31 AM
To: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Subject: Re: Permit Amendment T-13813 for Bert and Terri Siddoway

Hi Arla,

I am checking in regarding processing status for T-13813, just want to make sure no action is currently required from us.

Thank you,

On Wed, Feb 1, 2023 at 12:58 PM DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov> wrote:

Good Afternoon Paul,

Permit Amendment T-13813 is in Peer review as I discussed with you yesterday. I reviewed the order and yes it will require a newspaper notice. I will be following up in the next few weeks with a letter indicating what the next steps will be to have a notice published in the Baker City Herald. The only thing the applicant will need to do is send a check for the amount in the letter. Neither you or the applicant need to reach out to the newspaper. If there are any other questions, please don't hesitate to ask!

Have a great day!

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129

DAVIS Arla L * WRD

From: TOMLINSON Colten K * WRD
Sent: Monday, May 1, 2023 1:49 PM
To: DAVIS Arla L * WRD
Cc: MARTIN Duff A * WRD
Subject: RA PD T-13813

Hello Arla,

The permit amendment for transfer 13813 has been completed in 1hr15mins. Thanks!

Colten K. Tomlinson

DAVIS Arla L * WRD

From: PHILLIPS Stacy H * WRD
Sent: Friday, April 28, 2023 8:45 AM
To: DAVIS Arla L * WRD
Subject: T-13813 Publication Dates

Hi Arla,

The dates of publication for T-13813 are 5/2 and 5/9/2023.

Thanks,

Stacy H. Phillips

Natural Resource Specialist 2, Permit Amendment Caseworker

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

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



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DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Tuesday, April 4, 2023 9:46 AM
To: STARNES Patrick K * WRD
Subject: Newspaper Notice and Request for Permit Amendment Application T-13813 for Bert Siddoway

Hi Kelly,

I need a quote from the Baker City Herald Newspaper for a two week run of the attached notice for this Permit Amendment. Thanks!

Arla L. Davis

She/Her/Hers
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

Work Schedule (primarily teleworking remotely): Mon, Tues, & Thurs, Fri – 6:00 a.m. to 3:30 p.m. and Wed – 8:00 a.m. to Noon

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13813

GW Reviewer Phillip I. Marcy Date Review Completed: 10/25/2021

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



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

Ground Water Review Form:

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

Application: T-13813

Applicant Name: Bert Siddoway

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

Reviewer(s): Phillip I. Marcy

Date of Review: 10/25/2021

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 10/25/21

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

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

-
1. Basic description of the changes proposed in this transfer: The applicant proposes to add an additional POA well to permit G-17588 in order to achieve the authorized rate of groundwater production.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: Existing and proposed wells produce groundwater from indurated sediments, likely tuffaceous sediments of Tertiary age.
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No Lithologies reported on well logs for wells authorized under permit G-17588 (BAKE 52117 and BAKE 52264) appear to comprise a single aquifer system.
 b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA
 4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
 Yes No Comments: There are no nearby groundwater rights.
 b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
 Yes No If yes, explain: NA

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

Yes No Comments: Completion and use of another well to irrigate the authorized POU is unlikely to increase interference with local surface water. The original groundwater review authorizing the permitted use found no hydraulic connection within one mile of the proposed POA wells. Whether a connection exists, no additional pumping is proposed herein than that previously authorized under permit G-17588. The proposed location is much closer to Alder Creek than either of the authorized POA wells, but is unlikely to significantly increase surface water interference if constructed to produce groundwater from lithologies beneath significant clay deposits.

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

Stream: NA Minimal Significant

Stream: NA Minimal Significant

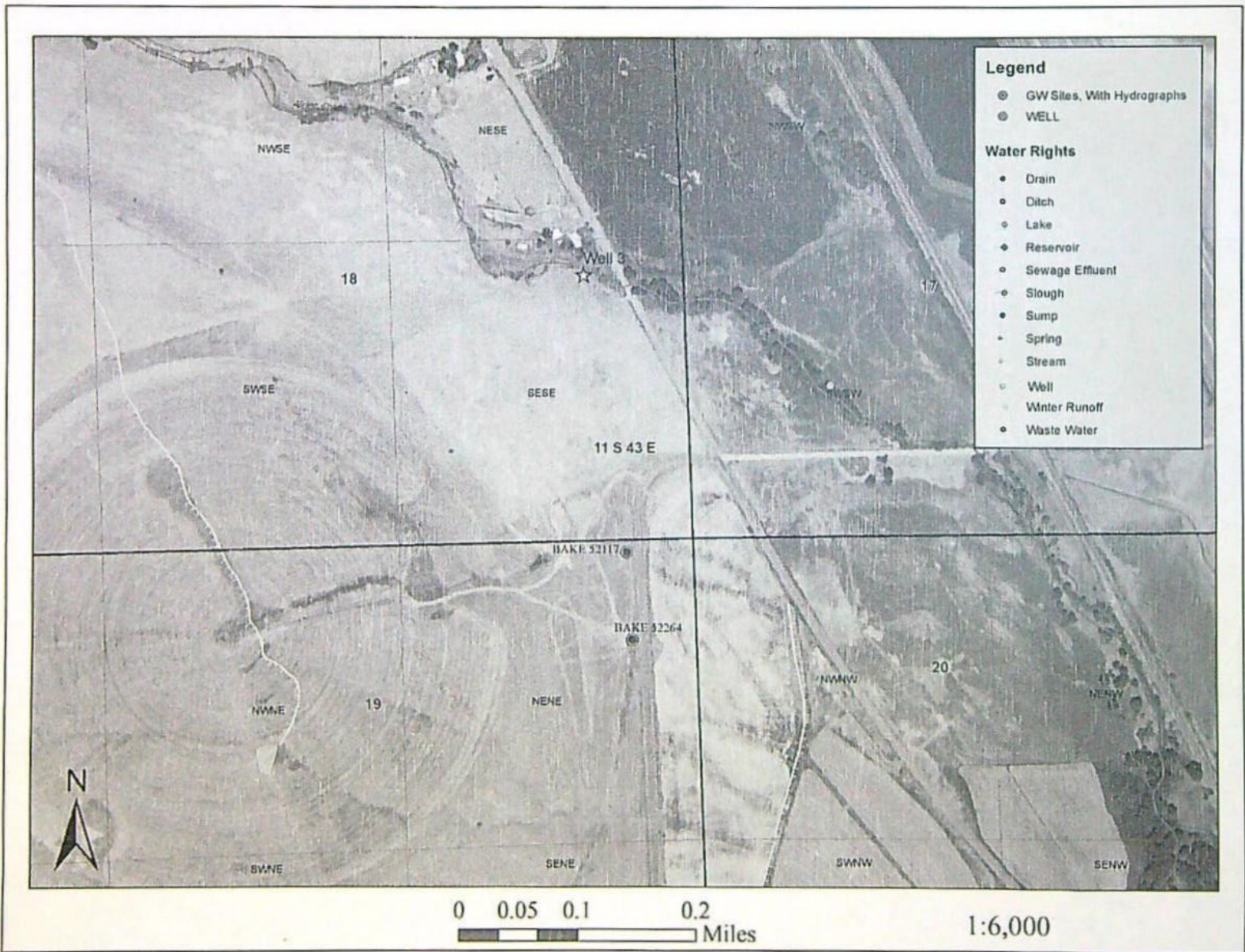
Provide context for minimal/significant impact: NA

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

Yes No Comments: _____

7. What conditions or other changes in the application are necessary to address any potential issues identified above: In order to avoid additional impacts to nearby surface water, the proposed APOA well must be continuously cased and sealed at least five feet into fine-grained lithologies (clay) underlying sand and gravel or sandy clay horizons likely encountered within 10-20 feet of land surface, as is the case with the two authorized POA wells under permit G-17588.

8. Any additional comments: _____



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-13813

Review Due Date: 10/15/2021

Applicant Name: Bert Siddoway

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Marcy Osborn

Date of Review: 10/04/2021

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

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

N/A

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

N/A

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

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

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

10. For POU or USE changes: N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

Yes No If "Yes", explain:

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

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

Yes No If "Yes", explain:

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

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

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

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

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

iv. Do you have any other observations regarding the temporary transfer?
 Yes No . If "Yes", describe:

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

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

i. "Injury" will occur to other water rights that share the same source?
 Yes No . If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?
 Yes No . If "Yes", explain:

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

Yes No If "Yes", explain:

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

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

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

A Headgate should be required prior to diverting water.

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

*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

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

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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

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

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

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

- Weir
- Parshall Flume
- Other: _____

- Submerged Orifice
- Flow Restrictor

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **136315**

INVOICE # _____

RECEIVED FROM: Paul F Garvin
BY: Laurel E Stratton

| | |
|-------------|---------|
| APPLICATION | |
| PERMIT | |
| TRANSFER | 1-13813 |

CASH: CHECK: # X 1046 OTHER: (IDENTIFY)

TOTAL REC'D \$ 280.00

1083 TREASURY 4170 WRD MISC CASH ACCT

| | | |
|-------|-----------------------------|----|
| 0407 | COPIES | \$ |
| _____ | OTHER: (IDENTIFY) | \$ |
| 0243 | I/S Lease _____ | |
| 0244 | Muni Water Mgmt. Plan _____ | |
| 0245 | Cons. Water _____ | |

4270 WRD OPERATING ACCT

| | | | | |
|-------------------|--------------------------|------------------|------|-------------|
| MISCELLANEOUS | | <u>46110</u> | | |
| 0407 | COPY & TAPE FEES | | | \$ |
| 0410 | RESEARCH FEES | | | \$ |
| 0408 | MISC REVENUE: (IDENTIFY) | | | \$ |
| TC:162 | DEPOSIT LIAB. (IDENTIFY) | | | \$ |
| 0240 | EXTENSION OF TIME | | | \$ |
| WATER RIGHTS: | | | | |
| 0201 | SURFACE WATER | EXAM FEE | 0202 | RECORD FEE |
| 0203 | GROUND WATER | \$ | 0204 | \$ |
| 0205 | TRANSFER | \$ <u>280.00</u> | | |
| WELL CONSTRUCTION | | | | |
| 0218 | WELL DRILL CONSTRUCTOR | EXAM FEE | 0219 | LICENSE FEE |
| | LANDOWNER'S PERMIT | \$ | 0220 | \$ |
| _____ | OTHER (IDENTIFY) | | | |

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **136315**

DATED: 8-30-2021 BY: Mindy Carter

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # **136310**

INVOICE # _____

RECEIVED FROM: Bert Siddoway
 BY: Terri Siddoway

| | |
|-------------|----------------|
| APPLICATION | |
| PERMIT | |
| TRANSFER | <u>1-13813</u> |

CASH: CHECK: # 1871 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,560.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46110

0407 COPY & TAPE FEES \$ _____
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
 TC-162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
 0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

| | | |
|---------------------------------|------|------------|
| EXAM FEE | | RECORD FEE |
| 0201 SURFACE WATER \$ _____ | 0202 | \$ _____ |
| 0203 GROUND WATER \$ _____ | 0204 | \$ _____ |
| 0205 TRANSFER \$ <u>1560.00</u> | | |

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **136310**

DATED: 8-30-2021 BY: Mindy Coakley

Application for Permit Amendment

Part 1 of 5 – Minimum Requirements Checklist



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

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

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**
List the Permits here: G-17588
 Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(For Staff Use Only)

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

| | |
|--|---|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Part _____ is incomplete |
| <input type="checkbox"/> Additional signature(s) required | |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

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

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

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- N/A If **more than three** permits are involved, separate maps for each permit.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

| | | | |
|---|--------------------|----------------------------------|---|
| APPLICANT/BUSINESS NAME Bert and Terri Siddoway | | PHONE NO. 541-403-0490 | ADDITIONAL CONTACT NO. |
| ADDRESS PO Box 115 | | | FAX NO. |
| CITY Durkee | STATE OR | ZIP 97905 | E-MAIL Bertsiddoway@gmail.com |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | |

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

| | | | |
|---|--------------------|----------------------------------|--|
| AGENT/BUSINESS NAME Paul Garvin/Garvin HydroGeo L.L.C. | | PHONE NO. 503-347-7188 | ADDITIONAL CONTACT NO. |
| ADDRESS 1705 MAIN ST STE 101 | | | FAX NO. |
| CITY Baker City | STATE OR | ZIP 97814 | E-MAIL GARVIN.HYDROGEO@GMAIL.COM |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | |

Explain in your own words what you propose to accomplish with this permit amendment; and why:
The existing two wells are not sufficient to reach the permitted rate of 3.34 cfs. In order to reach the permitted rate and increase system flexibility, the water user proposes to add a point of appropriation.

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

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

Is the applicant the permit holder of record? Yes No

If NO, include either:

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

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

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

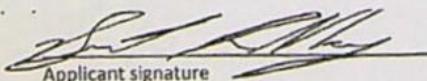
If NO, what are the completion dates of the permit(s)? 10/1/21

- 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: Baker City Herald

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


Applicant signature

Bert Siddoway
Print Name (and Title if applicable)

8/25/21
Date

Applicant Signature

Print Name (and Title if applicable)

Date

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Check one of the following:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

Check the appropriate box, if applicable:

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

| | | |
|--|---------------------------------|---------------------|
| IRRIGATION DISTRICT NAME Burnt River Irrigation District | ADDRESS 19498 HWY 245 | |
| CITY Hereford | STATE OR | ZIP 97837 |

- Check here if water for any of the permits supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

| | | | |
|-------------|---------|-----|---------------------------------------|
| ENTITY NAME | ADDRESS | | RECEIVED AUG 30 2021 |
| CITY | STATE | ZIP | |

OWRD



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 Baker County | ADDRESS 1995 3rd St | |
| CITY Baker City | STATE OR | ZIP 97814 |

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

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

PERMIT # G-17588

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AUG 30 2021

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

OWRD

| POD/POA Name or Number | Is this POD/POA Authorized by the permit or is it Proposed? | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp | Rng | Sec | ¼ ¼ | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|---|--|------|------|-----|-------|---------------------------|---|
| Well 1 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | L-101882 | 11 S | 43 E | 19 | NE NE | 2600 | 37 ft S and 325 ft W from NE corner of Section 19 |
| Well 2 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | L-109663 | 11 S | 43 E | 19 | NE NE | 2600 | 466 ft S and 295 ft W from NE corner of Section 19 |
| Well 3 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | NA | 11 S | 43 E | 18 | SE SE | 2600 | Within a 100 ft radius of 1,203 ft N and 499 W from SE corner of Section 18 |

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

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

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

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

For a change in place of use: (N/A)

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

- Yes No

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

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

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

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

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

Table 2. Description of Changes to Water Use Permit # G-17588

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

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

| AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed. | | | | | | | | | Proposed Changes (see "CODES" from previous page) | PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | |
|--|-----|-----|-----|---------|----------------|-----------------------|--|---------------|---|--|-----|-----|-----|---------|----------------|-----------------------|--|------------------------|---------|
| Twp | Rng | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acres (if applicable) | POD(s) or POA(s) (name or number from Table 1) | Priority Date | | Twp | Rng | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acres (if applicable) | POD(s) or POA(s) to be used (from Table 1) | Priority Date | |
| EXAMPLE | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | APOA | 11 | S | 43 | E | 17 | SW SW | 2600 | 4.0 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 18 | NE SW | 2600 | 2.2 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 18 | SE SW | 2600 | 6.1 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 18 | NE SE | 2600 | 6.0 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 18 | NW SE | 2600 | 20.3 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 18 | SW SE | 2600 | 21.4 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 18 | SE SE | 2600 | 4.1 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | SE SE | 2600 | 24.4 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | NE NE | 2600 | 18.1 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | NE NE | 2600 | 15.5 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | NW NE | 2600 | 40 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | SW NE | 2600 | 34.3 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | SE NE | 2600 | 27.0 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | SE NE | 2600 | 4.5 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | NE NW | 2600 | 21.3 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | SE NW | 2600 | 1.3 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | NE SE | 2600 | 26.8 | Well 1, Well 2, Well 3 | 10/1/21 |
| | | | | | | | | | APOA | 11 | S | 43 | E | 19 | NW SE | 2600 | 26.8 | Well 1, Well 2, Well 3 | 10/1/21 |
| TOTAL ACRES | | | | | | | | | TOTAL ACRES | | | | | | | 304.1 | | | |

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Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands?

Yes No

If YES, list the other certificate, permit, or ground water registration numbers: Cert. 5971

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

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

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

AND/OR

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

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Table 3. Construction of Point(s) of Appropriation

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

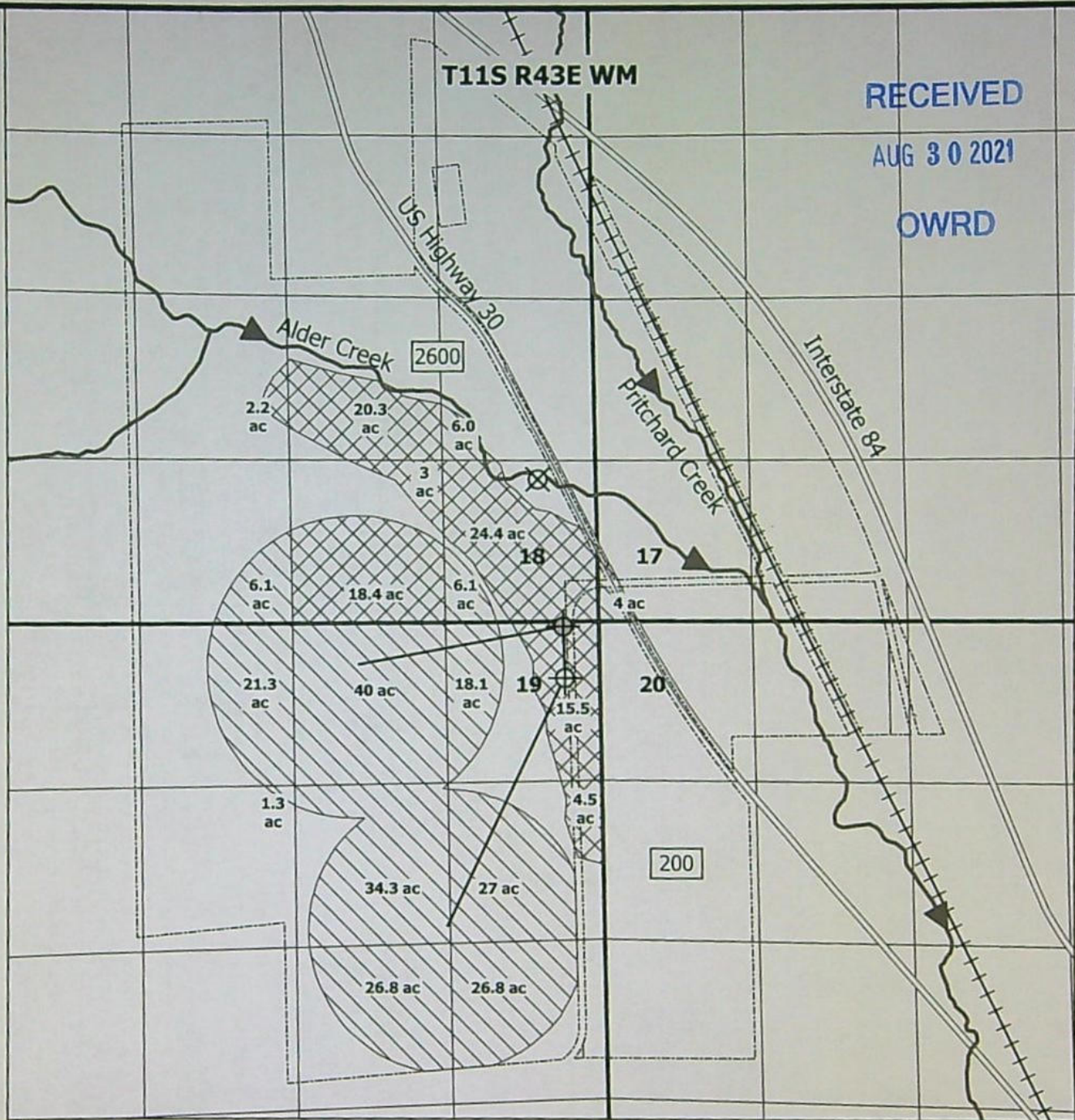
| Proposed or Authorized POA Name or Number | Is well already built? (Yes or No) | If an existing well, OWRD Well ID Tag No. L- _____ | Total well depth | Casing Diameter | | Casing Intervals (feet) | Seal depth(s) (intervals) | Perforated or screened intervals (in feet) | Static water level of completed well (in feet) | Source aquifer (sand, gravel, basalt, etc.) | Well - specific rate (cfs or gpm). If less than full rate of water right |
|---|------------------------------------|--|------------------|-----------------|--|-------------------------|---------------------------|--|--|---|--|
| Well 1 | Yes | L-101882 | 505' | 12", 8" | | 0-245 245-505 | 0' - 31' | 40' - 140' | 6' | Fluviocustrine deposits incl. clay, silt, sandstone, and basalt | Full permit rate/3 |
| Well 2 | Yes | L-109663 | 600' | 12" | | 2' - 38' | 0' - 26' | Not on well log | 8' | Fluviocustrine deposits incl. clay, silt, sandstone, and basalt | Full permit rate/3 |
| Well 3 | No | NA | 600' | 12", 8" | | 0' - 250' 250 - 600 | 0 - 40 | 50' - 150' | 8' | Fluviocustrine deposits incl. clay, silt, sandstone, and basalt | Full permit rate/3 |

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




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LEGEND

-  Irrigated Area - Primary
-  Irrigated Area - Supplemental
-  Baker County Taxlot Boundary
-  Well 1
-  Well 2
-  Proposed well
-  10" Mainline

**Map to Accompany Application for
Permit Amendment
Permit G-17588
Baker County, OR**

Prepared on behalf of Bert and Terri Siddoway



Notes:

- Well 1 (L-101882): 37 ft S and 325 ft W from NE corner of Section 19
- Well 2 (L-109663): 466 ft S and 295 ft W from NE corner of Section 19
- Well 3 (Proposed): Within a 100 ft radius of 1,203 ft N and 499 ft W from SE corner of Section 18

This map is not intended to provide legal dimensions or locations of

**Garvin
HydroGeo
LLC**

Drawn by: Paul F. Garvin, R.G. C.W.R.E.
Date: 8/25/21

1 inch = 1,320 feet

Land Use Information Form



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

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NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

A handwritten signature in black ink, appearing to be a stylized name, located in the bottom right corner of the page.

Land Use Information Form



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

RECEIVED

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Applicant(s): Bert and Terri Siddoway

Mailing Address: PO Box 115

City: Durkee

State: OR

Zip Code: 97905

Daytime Phone: 541-403-0490

A. Land and Location

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

| Township | Range | Section | ¼ | ¼ | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be: | | | Proposed Land Use: |
|------------|------------|---------|----|----|-----------|---|--|--|--|--------------------|
| | | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | |
| <u>11S</u> | <u>43E</u> | 17 | SW | SW | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 18 | NE | SW | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 18 | SE | SW | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 18 | NE | SE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 18 | NW | SE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 18 | SW | SE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 18 | SE | SE | 2600 | <u>EFU</u> | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | SE | SE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | NE | NE | 2600 | <u>EFU</u> | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | NW | NE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | SW | NE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | SE | NE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | SE | NE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | NE | NW | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | SE | NW | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | NE | SE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |
| <u>11S</u> | <u>43E</u> | 19 | NW | SE | 2600 | <u>EFU</u> | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>EFU</u> |

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

Durkee, Baker County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 3.34 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

The water user/landowner Bert Siddoway is applying for an additional well (point of appropriation) for his groundwater permit G-17588. This form is for the permit amendment we are filing with OWRD.

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

See bottom of Page 3. →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

| Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Land-Use Approval: | |
|---|--|--|--|
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Farm use permitted outright - Baker County Zoning Ordinance 410.03

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Name: Eva Henes Title: Senior Planner OWRD

Signature: *Eva J. Henes* Phone: 541-523-8219 Date: August 24th, 2021

Government Entity: Baker County Planning Department

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

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

RECEIPT # **136625**

INVOICE # _____

| | |
|--|-------------------------------|
| RECEIVED FROM: <u>Bert Siddoway</u> | APPLICATION |
| BY: <u>Terri Siddoway</u> | PERMIT |
| CASH: <input type="checkbox"/> | TRANSFER <u>1-13813</u> |
| CHECK: # <u>1954</u> | TOTAL REC'D \$ <u>1069.14</u> |
| OTHER: (IDENTIFY) <input type="checkbox"/> | |

| | | |
|---|----------------------------------|------------------------|
| 1083 TREASURY | 4170 WRD MISC CASH ACCT | |
| 0407 COPIES <u>47124</u> | <u>R11323-23</u> | \$ |
| <u>0412</u> OTHER: (IDENTIFY) <u>Transfer Reimbursement Authority</u> | | \$ <u>1069.14</u> |
| 0243 I/S Lease _____ | 0244 Muni Water Mgmt. Plan _____ | 0245 Cons. Water _____ |

| | | |
|--------------------------------------|-------------|---------------------|
| 4270 WRD OPERATING ACCT | | |
| MISCELLANEOUS | | |
| 0407 COPY & TAPE FEES | | \$ |
| 0410 RESEARCH FEES | | \$ |
| 0408 MISC REVENUE: (IDENTIFY) _____ | | \$ |
| TC162 DEPOSIT LIAB. (IDENTIFY) _____ | | \$ |
| 0240 EXTENSION OF TIME | | \$ |
| WATER RIGHTS: | | |
| 0201 SURFACE WATER | EXAM FEE \$ | 0202 RECORD FEE \$ |
| 0203 GROUND WATER | EXAM FEE \$ | 0204 RECORD FEE \$ |
| 0205 TRANSFER | EXAM FEE \$ | |
| WELL CONSTRUCTION | | |
| 0218 WELL DRILL CONSTRUCTOR | EXAM FEE \$ | 0219 LICENSE FEE \$ |
| LANDOWNER'S PERMIT | | 0220 LICENSE FEE \$ |
| OTHER (IDENTIFY) _____ | | |

| | | |
|---------------------------|-----------------------------------|-------|
| 0536 TREASURY | 0437 WELL CONST. START FEE | |
| 0211 WELL CONST START FEE | \$ | CARD# |
| 0210 MONITORING WELLS | \$ | CARD# |
| OTHER (IDENTIFY) _____ | | |

| | | |
|--------------------------------|----------------------------|------------|
| 0607 TREASURY | 0467 HYDRO ACTIVITY | LIC NUMBER |
| 0233 POWER LICENSE FEE (FWWRD) | | \$ |
| 0231 HYDRO LICENSE FEE (FWWRD) | | \$ |
| HYDRO APPLICATION | | \$ |

| | |
|-------------------|--------------------|
| TREASURY | OTHER / RDX |
| FUND _____ | TITLE _____ |
| OBJ. CODE _____ | VENDOR # _____ |
| DESCRIPTION _____ | \$ _____ |

RECEIPT: **136625**

DATED: 10-15-2001 BY: Mindy Carlson

✱

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OCT 15 2021

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REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-323-23


This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Bert and Terri Siddoway, hereafter Applicant, hereafter known together as the parties.

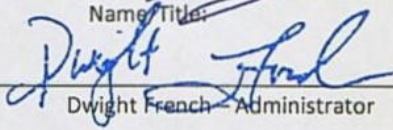
| OWRD Information | Applicant's Information | Applicant's Representative |
|---|---|---|
| Contact: Kelly Starnes | Name: Bert and Terri Siddoway | Name: Garvin HydroGeo, LLC |
| Title: Transfer Advisor | Contact: | Contact: Paul Garvin |
| Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266 | Address: PO Box 115 Durkee, OR 97903 | Address: 11705 Main St. Ste. 101 Baker City, OR 97814 |
| Phone: 503 986-0886 | Phone: (541) 403-0490 | Phone: (503) 347-7188 |
| Fax: 503 986-0901 | Fax: | Fax: |
| Email: patrick.k.starnes@oregon.gov | Email: bertsiddoway@gmail.com | Email: garvin.hydrogeo@gmail.com |

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-13813)

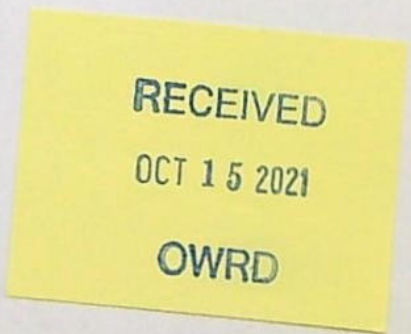
1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is ~~\$1,069.14~~. Applicant agrees to pay the full amount of ~~\$1,069.14~~ to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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

For Applicant:  - owns 10-13-21
 Name/Title: _____ Date

For OWRD:  Dwight French - Administrator 10-20-2021
 _____ Date

Mail signed Agreement to:
 Stacy Phillips
 Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1266



STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # **136292**

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

INVOICE # _____

RECEIVED FROM: Paul F Garvin
 BY: Laurel E Stratton

| | |
|-------------|---------|
| APPLICATION | |
| PERMIT | |
| TRANSFER | 1-13813 |

CASH: CHECK # 1047 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

| | | | | |
|-------------|-----------------|--|----------------------------|------------------|
| 1083 | TREASURY | 4170 | WRD MISC CASH ACCT | |
| 0407 | COPIES | <u>47124</u> | <u>R11323-23</u> | \$ |
| <u>0412</u> | OTHER: | (IDENTIFY) <u>Transfer Reimbursement Authority</u> | | \$ <u>125.00</u> |
| 0243 | I/S Lease | | 0244 Muni Water Mgmt. Plan | |
| | | | 0245 Cons. Water | |

4270 WRD OPERATING ACCT

| | | | | |
|--------------------------|--------------------------|-----------------|------|--------------------|
| MISCELLANEOUS | | | | |
| 0407 | COPY & TAPE FEES | | | \$ |
| 0410 | RESEARCH FEES | | | \$ |
| 0408 | MISC REVENUE: (IDENTIFY) | | | \$ |
| TC162 | DEPOSIT LIAB. (IDENTIFY) | | | \$ |
| 0240 | EXTENSION OF TIME | | | \$ |
| WATER RIGHTS: | | | | |
| | | EXAM FEE | | RECORD FEE |
| 0201 | SURFACE WATER | \$ | 0202 | \$ |
| 0203 | GROUND WATER | \$ | 0204 | \$ |
| 0205 | TRANSFER | \$ | | |
| WELL CONSTRUCTION | | | | |
| | | EXAM FEE | | LICENSE FEE |
| 0218 | WELL DRILL CONSTRUCTOR | \$ | 0219 | \$ |
| | LANDOWNER'S PERMIT | | 0220 | \$ |
| | OTHER (IDENTIFY) | | | |

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **136292** DATED: 8.30.2021 BY: Mindy Carlson



**OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**



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

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

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

| <u>REQUEST</u> | <u>TYPE</u> | <u>FILE NUMBER</u> |
|-------------------------------------|----------------------|--|
| <input checked="" type="checkbox"/> | Transfer Application | Permit G- Transfer Number <u>T-13813</u> <u>17588</u> |

| | Applicant Information | Applicant's Representative/Contact |
|-----------------|--------------------------------|---|
| Name: | <u>Bert and Terri Siddoway</u> | <u>Paul Garvin/Garvin HydroGeo LLC</u> |
| Address: | <u>PO Box 115</u> | <u>11705 Main St. Ste. 101</u> |
| | <u>Durkee, OR 97903</u> | <u>Baker City, OR 97814</u> |
| Phone: | <u>541-403-0490</u> | <u>503-347-7188</u> |
| Fax: | _____ | _____ |
| E-Mail Address: | <u>bertsiddoway@gmail.com</u> | <u>Garvin.hydrogeo@gmail.com</u> |

I understand the following:

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

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

RECEIVED

AUG 30 2021

OWRD

I certify that I am the (check one):

Applicant Applicant's Representative Other (Please specify) _____

Name: Paul Garvin

Signature: _____

OWRD USE ONLY: Reimbursement Authority Number: R11- 323 -23



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 15, 2021

BERT SIDDOWAY
PO BOX 115
DURKEE, OR 97905

Reference: Application T-13813

On August 30, 2021, OWRD received your water right Permit Amendment Application. The application was accompanied by \$1840.00. Our receipt number 136310/136315 is enclosed.

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

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

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

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

If you have any questions, please contact the Transfer Section at (503) 979-9931.

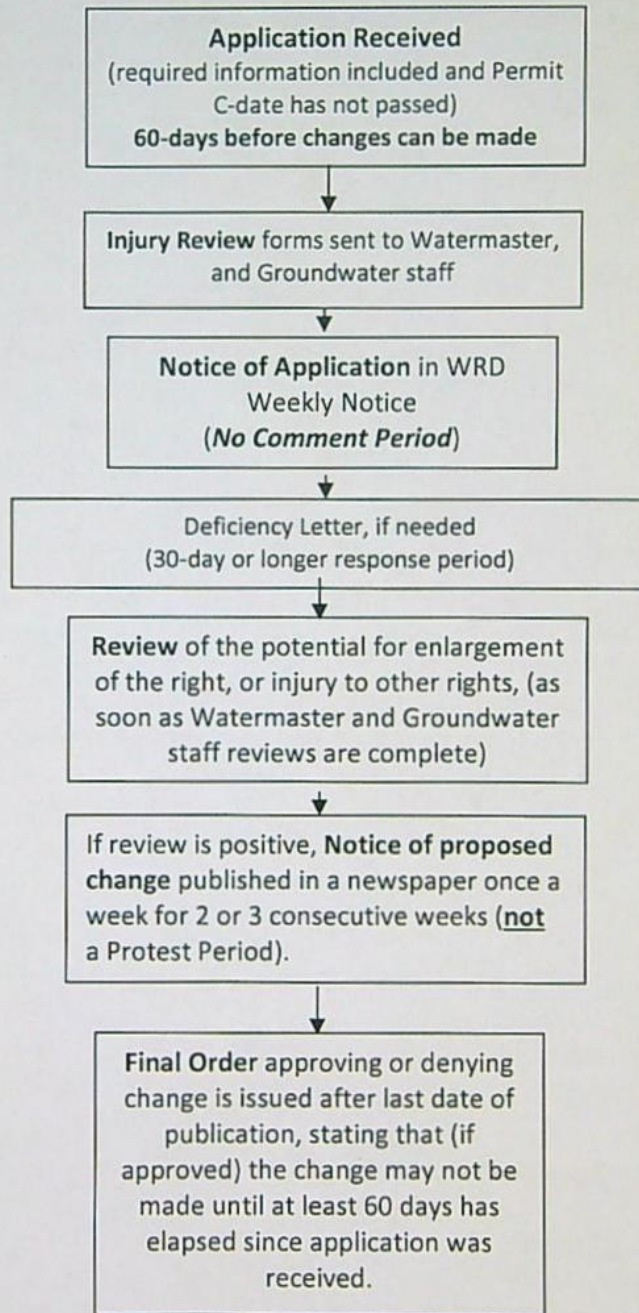
Cc: Watermaster Dist. #8, Marcy J. Osborn (via email)
Paul Garvin, Agent
Burnt River Irrigation District
Baker County

Enclosure

Permit Amendment Process

ORS 537.211

Changes: POD/POA, Place of Use



Garvin Hydrogeo, LLC
1705 Main Street Suite 101
Baker City, OR 97814
Garvin.hydrogeo@gmail.com
(503) 347-7188

RECEIVED

AUG 30 2021

OWRD

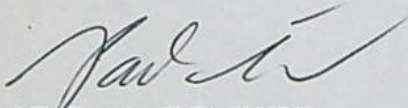
August 25, 2021

Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301

Hello,

Please see the enclosed application for permit amendment Permit G-17588. This application has been prepared of behalf Bert and Terri Siddoway.

Sincerely,



Paul F. Garvin, RG, CWRE

Enclosed:

- Application for application for permit amendment permit G-17588
- Permit Amendment application map
- Application fee checks - \$1,560 and \$280
- Transfer Reimbursement Authority Estimate Application with \$125 fee check
- Land Use Information Form

Permit Amendment Application Checklist

Checked by BE

Date 8/31

App # 6-17213

Permit # 6-17588

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

(If OK, check box to left; if not, fill in the blank)

1. Is the name of the Permit Amendment applicant the same as the Water Right Permit holder(s) of record?

If not, one of the following must be included with the application:

___ a) An affidavit of consent from all Permit holder(s) or the other Permit holders that have not signed the Permit Amendment application form, consenting to the proposed Permit Amendment application; OR,

___ b) A completed Request for Assignment form (and statutory fee) to move all (or portion) of the permit into the Permit Amendment applicant's name.

If not, what is missing? _____

2. Page 1 of application: Are all attachments that have been checked actually included?

If not, what is missing? _____

3. Are fees included and correct? Fee Paid: 1840

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? One did. One did not. (Terri did not sign)

5. Are the Permit completion date(s) current? 10-1-2021

If the Permit completion date has expired, we CANNOT accept the application.

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application CANNOT be accepted.

It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

↓
on it's way