

## Permit Amendment

Name David BielenbergAddress 116425 Hengstad Rd NE  
Silverton Oregon 97138Change in APCADate Filed 12/19/2022Initial notice date 11/3/2023

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

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

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

Date of FO 7/29/2024 Vol 131 Page 747-748

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

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

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

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

## DESCRIPTION OF WATER RIGHT(S)

Name of Stream WellTrib. of Riddling riverUse Irrigation County Clackamas

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

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

App# 618787 Per # 618312 Cert # \_\_\_\_\_ PR Date 2/1/2019

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 #
<u>12-19-22</u>	<u>\$1840.00</u>	<u>139767</u>

## FEES REFUNDED

Date	Amount	Receipt #
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Assignments: \_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent \_\_\_\_\_

CWRE \_\_\_\_\_

CC's list Clackamas County☐ - Oversized map - Location \_\_\_\_\_



# WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14130

Transfer Specialist: *Stacy*

Transfer Type: Permit Amendment Transfer

<b>Applicant:</b> DAVID J. BIELENBERG 16425 HERIGSTAD RD NE SILVERTON, OR 97381 Email: _____ Phone: _____		<b>Agent:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____ Phone: _____	
<b>Irrigation District:</b> <input type="checkbox"/> N/A Email: _____		<b>CWRE:</b> <input type="checkbox"/> N/A Email: _____	
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A Clackamas County Planning Department Email: _____		<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____		<b>Receiving Landowner:</b> <input type="checkbox"/> N/A Email: _____	

## Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G18787	G18312	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

## Key Dates & Initial Actions:

Rec'd: December 19, 2022	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1840.00	WM District: 16	ODFW District:
Initial Public Notice: 01/03/2023	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested: <i>N/A</i>	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	<i>N/A</i>
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: <i>shp</i>	Date: _____ Initials: <i>ALD</i>	Date: _____ Initials: _____	Date: <i>7/24/24</i> Initials: <i>cc</i>	Date: <i>7/26/24</i> Initials: <i>shp</i>	Date: <i>7/26/24</i>	Date: _____

Special Issues: \_\_\_\_\_

Special Order Volume: Vol. *131* Pages *747-748*





# 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

July 29, 2024

David J. Bielenberg  
16425 Herigstad Rd. NE  
Silverton, OR 97381

REFERENCE: Permit Amendment Application T-14130

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, Stacy Phillips, by telephone at (503) 979-9948 or by e-mail at [Stacy.h.phillips@water.oregon.gov](mailto:Stacy.h.phillips@water.oregon.gov).

Sincerely,

Elyse D. Richman  
Water Rights Services Support  
Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)  
Clackamas County Planning Department, Local Government

Enclosure



In the Matter of Permit Amendment ) FINAL ORDER APPROVING AN  
T-14130, Clackamas County ) ADDITIONAL POINT OF APPROPRIATION

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.

DAVID J. BIELENBERG RLT  
16425 HERIGSTAD RD NE  
SILVERTON, OR 97381

1. On December 19, 2022, DAVID J. BIELENBERG RLT filed an application for an additional point of appropriation under Permit G-18312. The Department assigned the application number T-14130.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on December 27, 2022, pursuant to ORS 540.520(5).
3. Permit Amendment Application T-14130 proposes an additional point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance of Proposed POA Location	Approximate Distance from Authorized POA Locations in feet (ft.)
5 S	1 E	WM	36	NW NE	WELL 3 – 560 FEET SOUTH AND 2020 FEET WEST FROM THE NE CORNER OF SECTION 36	WELL 1 – 537.0 ft. South
						WELL 2 – 567.0 ft. West

4. The change would not result in injury to other water rights.
5. The change does not enlarge the permit.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.



6. The change does not alter any other terms of the permit.

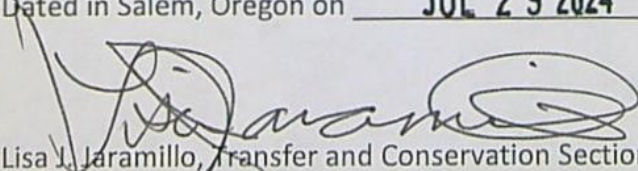
### Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-14130 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-14130 is approved.
2. Approval of this permit amendment application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
3. Permit G-18902, in the name of DAVID J. BIELENBERG RLT is issued to replace Permit G-18312, and incorporates the amendments approved by this order. Permit G-18312, in the name of DAVID J. BIELENBERG RLT, is no longer of any force or effect.
4. The combined quantity of water diverted at the new additional point of appropriation (Well 3), together with that diverted at the original points of appropriation (Well 1 and Well 2), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 and Well 2).
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer as the original points of appropriation (Well 1 and Well 2).
7. All other terms and conditions of Permit G-18902 remain the same.

Dated in Salem, Oregon on JUL 29 2024

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

Mailing Date: JUL 30 2024



STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVID J. BIELENBERG RLT  
16425 HERIGSTAD RD NE  
SILVERTON, OR 97381

This superseding permit is issued to describe an additional point of appropriation proposed under Permit Amendment Application T-14130 approved by Special Order Volume 131, Page 747, entered on JUL 29 2024. This permit supersedes Permit G-18312.

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

APPLICATION FILE NUMBER: G-18787

SOURCE OF WATER: WELL 1, WELL 2 AND WELL 3 IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 237.0 ACRES

MAXIMUM RATE: 0.53 CUBIC FOOT PER SECOND, BEING NO MORE THAN 0.26 CUBIC FOOT PER SECOND FOR EACH WELL

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 4, 2019

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	36	NW NE	WELL 1 – 70 FEET SOUTH AND 1800 FEET WEST FROM THE NE CORNER OF SECTION 36
5 S	1 E	WM	36	NW NE	WELL 2 – 340 FEET SOUTH AND 1500 FEET WEST FROM THE NE CORNER OF SECTION 36
5 S	1 E	WM	36	NW NE	WELL 3 – 560 FEET SOUTH AND 2020 FEET WEST FROM THE NE CORNER OF SECTION 36

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 2.5 acre-feet for each acre irrigated during the irrigation season of each year.



## THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	25	SW NE	28.0
5 S	1 E	WM	25	SE NW	7.0
5 S	1 E	WM	25	NE SW	4.0
5 S	1 E	WM	25	NW SE	32.0
5 S	1 E	WM	25	SW SE	27.0
5 S	1 E	WM	25	SE SE	24.0
5 S	1 E	WM	36	NE NE	25.0
5 S	1 E	WM	36	NW NE	11.0
5 S	1 E	WM	36	SW NE	9.0
5 S	1 E	WM	36	SE NE	20.0
5 S	1 E	WM	36	NE NW	24.0
5 S	1 E	WM	36	SE NW	26.0
Total					237.0

**Permit Amendment T-14130 Conditions:**

The combined quantity of water diverted at the new additional point of appropriation (Well 3), together with that diverted at the original points of appropriation (Well 1 and Well 2), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 and Well 2).

**Water use measurement conditions:**

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
- 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.

Water shall be acquired from the same aquifer as the original points of appropriation (Well 1 and Well 2).

**Original Permit Conditions:****1. Water Use Measurement, Recording, and Reporting Condition:**

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.



- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual 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.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

**2. Static Water Level Condition:**

Use of water from any well, as allowed herein, shall be controlled or shut off if the well displays:

- A. An average water-level decline of 3 or more feet per year for five consecutive years; or
- B. A total water-level decline of 15 or more feet; or
- C. A hydraulic interference decline of 15 or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well(s).

- A. Use of water from a new well shall not begin until an initial static water level in the well has been measured and reported to the Department.
- B. In addition to the measurement required in the subsection above, a water-level measurement shall be made each year during the period March 1 through March 31.
- C. All water-level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
- D. Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment is available from the Department.



The permittee/appropriator shall report the record of measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited herein are evidenced by the well measurement required in the static water level condition.

**3. Dedicated Measuring Tube Condition:**

Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200. If a pump has been installed prior to the issuance of this permit, and if static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.

**4. Groundwater production shall be only from the Little Butte Volcanics groundwater reservoir.**

**5. Well Identification Tag Condition:**

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

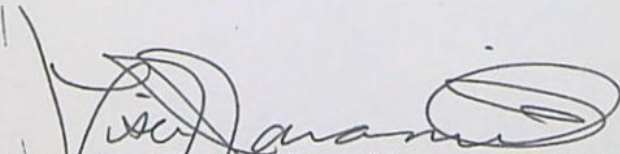
### STANDARD CONDITIONS

1. 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.
2. 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.
3. If substantial interference with surface water or 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.
4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.



5. 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.
6. 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.
7. 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.
8. 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.
9. Construction of the well shall begin within five years of the original date of permit issuance, being December 6, 2019. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. Complete application of the water shall be made within five years of the original date of permit issuance, being December 6, 2019. 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.
11. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued JUL 29 2024

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



## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 14130



In order to avoid enlargement of the right or injury to other rights, a **totalizing flow meter** will be required to be installed **prior to diversion of water**, as a condition of this transfer:



at each point of diversion/appropriation (new and existing) **OR**



at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Greg Wacker

District: 16

Address: 725 Summer St NE Ste A

City/State/Zip: Salem, OR 97301

Phone: 971-719-6262

Email: gregory.j.wacker@water.oregon.gov

**Note:** If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

\*\*\*\*\*

## Approval of an Alternate Measurement Device

T-

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

\_\_\_\_\_

\_\_\_\_\_

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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



## Groundwater Transfer Review Summary Form

Transfer/PA # T- 14130

GW Reviewer Dennis Orłowski Date Review Completed: November 15, 2023

### 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-14130

Applicant Name: David Bielenberg

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

Reviewer(s): Dennis Orlowski

Date of Review: November 15, 2023

Date Reviewed by GW Mgr. and Returned to WRSD: November 15, 2023

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: This proposed amendment relates to permit G-18312, which authorizes two POA (CLAC 76226 and a well yet-to-be drilled) to pump groundwater (maximum total rate 0.53 cfs, 0.26 cfs per well) for seasonal irrigation of 237.0 acres located approximately 4 miles southwest of Molalla, OR in Clackamas County. Currently only one of the two authorized POA exists, CLAC 76226 (referred to as "Well 2" by the client on the application). In 2020 a second well was drilled (CLAC 76225, "Well 1"), but insufficient water was present, and the well was abandoned at that time.
- The purpose for this proposed amendment is to add another APOA location ("Well 3") to permit G-18312 some distance away from the previously-abandoned well location (CLAC 76225, "Well 1") with the intent to obtain sufficient groundwater.
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
☒ Yes ☐ No Comments: The source authorized by permit G-18312 is water-bearing portions of the Little Butte Volcanics aquifer system (Tolan and Beeson, 1999). Existing well CLAC 76226 is completed to 605 feet deep, with the primary water-bearing zone noted from 415-525 ft bls. The planned depth for the APOA is approximately 480 feet deep, so it is likely to produce groundwater from the same source.
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
☐ Yes ☒ No \_\_\_\_\_



b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): N/A

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

☒ Yes ☐ No Comments: The nearest known groundwater users appear to be domestic wells located about 2200-2500 feet west of the authorized POA and proposed APOA locations. As noted in the previous groundwater technical review for permit G-18312 (application G-18787), well-to-well interference cannot be reliably and quantifiably estimated because analytical models appropriate for the Little Butte Volcanics aquifer system are not readily available.

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: Relative to the existing CLAC 76226 ("Well 2") location, the proposed APOA ("Well 3") location is about 300 feet nearer to the domestic wells to the west. Despite its relative proximity, based on experience in similar settings it is unlikely that this relatively-nearer location will cause an increase in interference that would prevent those groundwater users from obtaining water to which they are legally entitled.

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

☒ Yes ☐ No Comments: The estimated static water level for groundwater in this area of the Little Butte Volcanics is above the nearby surface water elevations. The folded and eroded nature of the Little Butte Volcanics precludes discerning laterally-continuous confining units which would inhibit hydraulic connection between groundwater and surface water. Nearby streams have incised below the elevation of several water bearing zones noted in nearby well logs. Furthermore, perennial reaches of several nearby streams appear to emerge from the Little Butte Volcanics, indicating a groundwater-fed component to nearby streamflows. Based on the available evidence, groundwater in the Little Butte Volcanics is hydraulically connected to nearby surface water sources.

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: Unnamed tributary to Garret Creek ☒ Minimal ☐ Significant

Stream: \_\_\_\_\_ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: Relative to the authorized "Well 1" (abandoned) location, the proposed APOA ("Well 3") location is about 500 feet nearer (900 ft vs 1400 ft) to an unnamed tributary to Garret Creek located to the west. The groundwater technical review for permit G-18312 originally found PSI for the two authorized POA locations due to Qw exceeding 1% of the 80% natural exceedance flow; in response, the requested allocation was reduced sufficiently to avoid the PSI finding. It is unlikely that the relative nearness of the proposed APOA ("Well 3") will result in more than a minimal increase in interference with this nearest stream.

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: N/A



7. What conditions or other changes in the application are necessary to address any potential issues identified above: None
8. Any additional comments: The POA locations are several hundred feet due south of the southern boundary of the Glad Tidings Groundwater Limited Area.

## References

Application files: T-14130, G-18787

Tolan, Terry L. and Beeson, Marvin H., 1999, *Geologic Map of the Silverton and Scotts Mills NE 7.5 Minute Quadrangles, Northwest Oregon* [map], 1:24,000, Open File Report 99-141: U.S. Geological Survey, Reston, VA.

Tolan, Terry L. and Beeson, Marvin H., 1999, *Geologic Map of the Scotts Mills, Silverton, and Stayton Northeast 7.5 Minute Quadrangles, Oregon* [pamphlet], Open File Report 99-141: U.S. Geological Survey, Reston, VA.

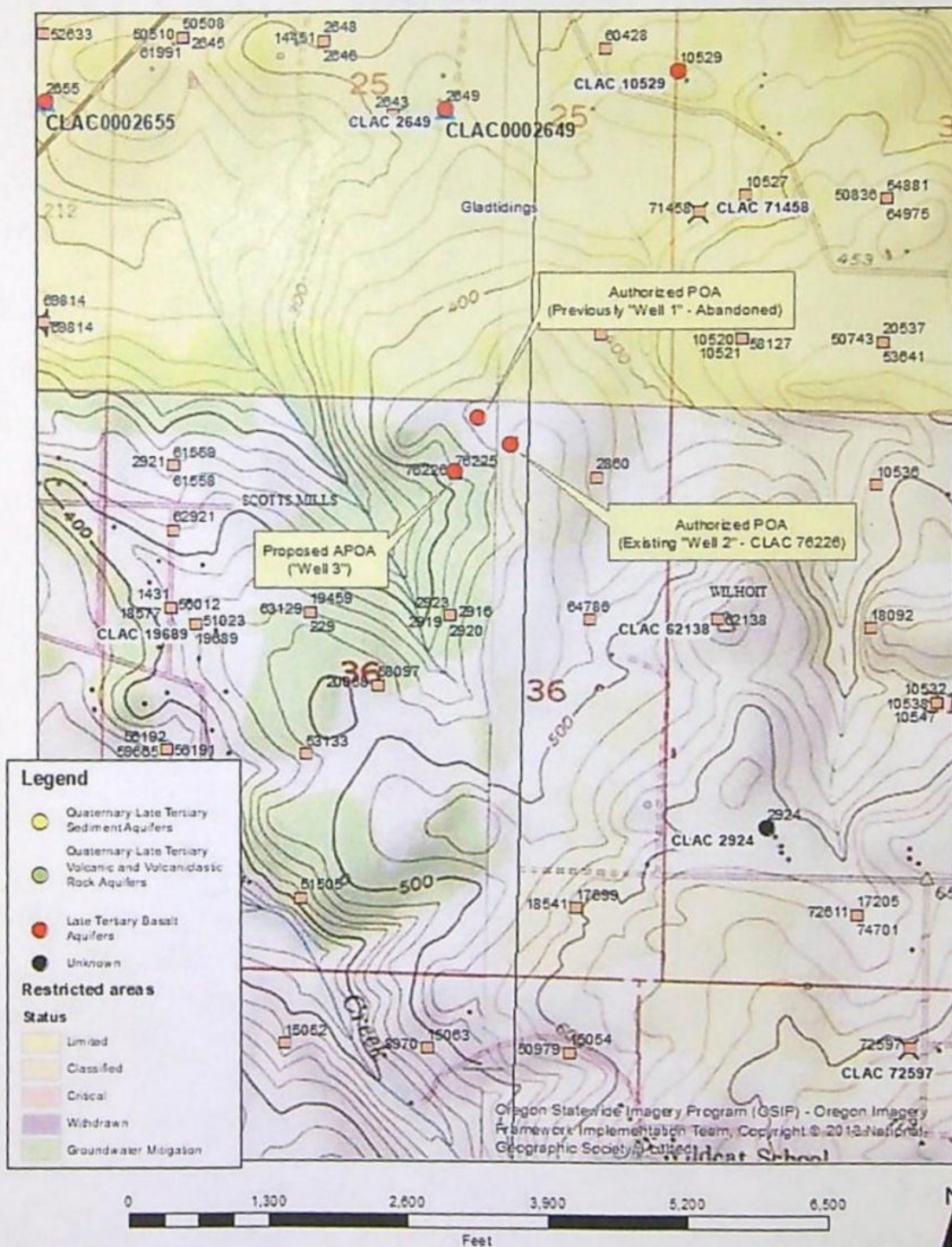
United States Geological Survey, 2013, National Elevation Dataset (NED) [DEM geospatial data], 1/9th arc-second, updated 2013.

United States Geological Survey, 2017, *Scotts Mills quadrangle, Oregon* [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, VA.

Watershed Sciences, 2009, *LIDAR remote sensing data collection, Department of Geology and Mineral Industries, Willamette Valley Phase I, Oregon*: Portland, OR, December 21.



# Application G-14130 Bielenberg T5S, R1E, Section 36





## 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](http://www.oregon.gov/OWRD)

Transfer Application: T-14130

Review Due Date: 01/20/2022

Applicant Name: David Bielenberg

Proposed Changes: ☐ POU ☐ POD ☒ POA ☐ USE ☐ OTHER

Reviewer(s): G. Wacker

Date of Review: 12/22/2022

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



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

☒ 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 # **139767**

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

RECEIVED FROM: David J. Bielenberg

BY: Margaret A. Bielenberg

APPLICATION \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER 1-14130

CASH: ☐ CHECK: # 15245 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$1840.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_

OTHER: (IDENTIFY) \$ \_\_\_\_\_

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ \_\_\_\_\_

0410 RESEARCH FEES \$ \_\_\_\_\_

0408 MISC REVENUE: (IDENTIFY) \$ \_\_\_\_\_

TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_

0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER \$ \_\_\_\_\_ 0202 \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

0205 TRANSFER \$ 1840.00

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_ 0219 \$ \_\_\_\_\_

LANDOWNER'S PERMIT 0220 \$ \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD# \_\_\_\_\_

0210 MONITORING WELLS \$ \_\_\_\_\_ CARD# \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD) \$ \_\_\_\_\_

0231 HYDRO LICENSE FEE (FWWRD) \$ \_\_\_\_\_

HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_

OBJ. CODE \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

**RECEIVED**

**OVER THE COUNTER**

RECEIPT:

**139767**

DATED:

12-19-22

BY:

Mindy Carlson



# Application for Permit Amendment

## Part 1 of 5 – Minimum Requirements Checklist



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

**This permit amendment application will be returned if Parts 1 through 5 and  
all required attachments are not completed and included.**

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Permits to be Amended: Number of permits to be amended: 1  
List the Permits here: G18312  
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: \_\_\_\_/\_\_\_\_/\_\_\_\_



## Part 2 of 5 – Permit Amendment Map Checklist

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

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

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



## Part 3 of 5 – Fee Worksheet

[illegible]

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

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



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>David J. Bislenberg RLT</b>		PHONE NO. <b>503-873-2710</b>	ADDITIONAL CONTACT NO. <b>503-832-2861</b>
ADDRESS <b>16425 Herigstad Rd NE</b>			FAX NO. <b>503-873-2710</b>
CITY <b>Silverton</b>	STATE <b>OR</b>	ZIP <b>97381</b>	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this permit amendment; and why: **CLAC Ability to drill 2nd well per permit Original 2nd well was dry 76225 SEE STANDARD 217016 AND ABANDONED**  
 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.

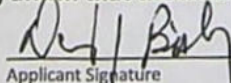
If NO, what are the completion dates of the permit(s)? **DEC. 06, 2024**

- 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: \_\_\_\_\_

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

  
Applicant Signature

**DAVID J. Bislenberg** <sup>TRUSTEE</sup> <sub>OWNER</sub>  
Print Name (and Title if applicable)

**DEC. 10, 2022**  
Date

Applicant Signature

Print Name (and Title if applicable)

Date



Check one of the following:

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

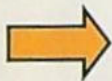
Check the appropriate box, if applicable:

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <i>Clackamas County</i>	ADDRESS <i>150 BEAVERCREEK Rd.</i>	
CITY <i>OREGON City</i>	STATE <i>OR</i>	ZIP <i>97045</i>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



## INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

### Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

### Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

### Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing** in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

### Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.



## Part 5 of 5 – Water Use Permit Information

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

PERMIT # 618312

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well #2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	L136749	S S	1 E	36	NW NE	300	340' South and 1500' West From NE Corner Sec 36
Well #3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	Well 3	S S	1 E	36	NW NE	300	560' South and 2020' West From NE Corner Sec 36
Well #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	Well log 217016	S S	1 E	36	NW NE	300	70' South and 1800' West From NE Corner Sec 36
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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:

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 # 618312**

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 that would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																				
2	S	9	E 15	NE NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E 15	NW NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E 15	SW NW	200		5.0	POD #6	
										APOA	5	S	1	E 25	SW NE	1600		28.0	POD/POA #2 POD/POA #3	2-4-19
										"	"	"	"	"	SE NW	"		7.0	"	"
										"	"	"	"	"	NE SW	"		4.0	"	"
										"	"	"	"	"	NW SE	"		32.0	"	"
										"	"	"	"	"	SW SE	"		27.0	"	"
										"	"	"	"	"	SE SE	"		24.0	"	"
										"	"	"	"	36	SW NE	300		9.0	"	"
										"	"	"	"	"	SE NW	"		26.0	"	"
										"	"	"	"	"	NE NW	"		24.0	"	"
										"	"	"	"	"	NW NE	"		11.0	"	"
										"	"	"	"	"	NE NE	100		25.0	"	"
										"	"	"	"	"	SE NE	100		20.0	"	"
TOTAL ACRES										TOTAL ACRES							237.0			

Additional remarks: No proposed change to Authorized Place of Use, only to Replace dry well with APOA



Permit # G18312

Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands? ☐ Yes ☒ No

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



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

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

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

**AND/OR**

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

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

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 3	No		480'	8"					Fractured Rock	



WESTERBERG DRILLING INC.  
PO BOX 1228  
MOLALLA, OR 97038

WELL I.D. LABEL#	Abandoned	
START CARD #	217016	
ORIGINAL LOG #		

## Owner Well I.D. #2

First Name David Last Name Bielenberg  
Company \_\_\_\_\_  
Address 16425 Herigstad Rd NE  
City Silverton State OR Zip 97381

☒ New Well ☐ Deepening ☐ Conversion  
 ion (complete 2a & 10) ☒ Abandonment (complete 5a)

TYRE ALTERATION									
Dia		+	From	To	Gauge	Std	Plstc	Wld	Thrd
Casing:						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Material			From	To	Amt	sacks/lbs			
Seal:									

☒ Rotary Air   ☐ Rotary Mud   ☐ Cable   ☐ Auger   ☐ Cable Mud  
☐ Reverse Rotary   ☐ Other

**PROPOSED USE**

<input type="checkbox"/> Industrial/ Commercial	<input type="checkbox"/> Domestic	<input checked="" type="checkbox"/> Irrigation	<input type="checkbox"/> Community
<input type="checkbox"/> Thermal	<input type="checkbox"/> Livestock	<input type="checkbox"/> Dewatering	
<input type="checkbox"/> Injection	<input checked="" type="checkbox"/> Other	abandoned	

Special Standard ☐ (Attach copy)

Depth of Completed Well 0 ft

BORE HOLE			SEAL			sacks/ lbs
Dia	From	To	Material	From	To Amt	
10	0	10	Bentonite	0	98 60	S
8	10	665			Calculated 49	
			Cement	98	665 192	S
					Calculated 156	

How was seal placed: Method ☐ A ☒ B ☐ C ☐ D ☐ E  
☒ Other bento prd & probed

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Filter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_ Size \_\_\_\_\_

Explosives used: ☐ Yes Type \_\_\_\_\_ Amount \_\_\_\_\_

Proposed Amount	Pounds	Actual Amount	Pounds
-----------------	--------	---------------	--------

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	none						
Shoe <input type="checkbox"/> Inside <input type="checkbox"/> Outside <input type="checkbox"/> Other Location of shoe(s) _____										
Temp casing <input type="checkbox"/> Yes Dia From <input type="checkbox"/> To _____										

## Perforations Method \_\_\_\_\_

[illegible]

☐ Pump      ☐ Bailer      ☐ Air      ☐ Flowing Artesian

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

dry			

Temperature ON/PF Lab analysis ☐ Yes By \_\_\_\_\_

Water quality concerns? ☐ Yes (describe below) TDS amount 0 N/A

From	To	Description	Amount	Unit
------	----	-------------	--------	------

[illegible]

County CLACKAMAS Twp 5 S N/S Range 1 E E/W WM  
Sec 36 NW 1/4 of the NE 1/4 Tax Lot 300  
Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD

☒ Street address of well      ☐ Nearest address

11628 S. Thomas Rd

	Date	SWL (psi)	+	SWL (ft)
Existing Well / Pre-Alteration				
Completed Well				

Flowing Artesian? ☐ Dry Hole? ☒

WATER BEARING ZONES Depth water was first found 0

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

10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

## Ground Elevation \_\_\_\_\_

Material	From	To
soil	0	1
clay brown	1	3
weathered & broken rock	3	5
basalt grey hard	5	28
clay lenses with weathered rock	28	33
basalt grey hard	33	39
basalt broken	39	45
basalt grey & brown weathered & fractured	45	70
basalt weathered & broken	70	108
clay yellow & grey	108	122
clay grey sticky	122	130
rock grey & brown fractured & weathered	130	145
basalt grey mildly fractured	145	169
basalt crevacy	169	175
basalt grey fractured	175	202
basalt broken & crevacy poor circulation	202	225
clay red	225	245
harder drilling no returns	245	260
medium drilling no returns	260	310

Date Started 12-21-2020 Completed 12-31-2020

## (unbonded) Water Well Constructor Certification

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

License Number 1358 Date 01-06-2021

Signed \_\_\_\_\_

## (bonded) Water Well/Constructor Certification

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

License Number / 688 Date 01-06-2021

Signed \_\_\_\_\_

Contact Info (optional)



## ORIGINAL LOG #

14130



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

WESTERBERG DRILLING INC.  
PO BOX 1228  
MOLALLA, OR 97038

WELL I.D. LABEL# L 136749  
START CARD # 217013  
ORIGINAL LOG #

(1) LAND OWNER

Owner Well I.D. #1  
First Name David Last Name Bielenberg  
Company  
Address 16425 Herigstad Rd NE  
City Silverton State OR Zip 97381

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion  
☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Dia + From To Gauge Stl Plstc Wld Thrd  
Casing: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐  
Material From To Amt sacks/lbs  
Seal: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud  
☐ Reverse Rotary ☐ Other

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community  
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering  
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 605 ft.

BORE HOLE

Dia	From	To	Material	From	To	Amt	sacks/lbs
12	0	231	Bentonite	0	153	103	S
8	231	605				Calculated	87
			Cement	153	231	105	S
						Calculated	27

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E  
☒ Other bent prd & probed

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: ☐ Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER

Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd  
☒ ☐ 8 ☒ 2.5 231 250 ☒ ☐ ☒ ☐  
☐ ☐ 6 ☐ 223 605 250 ☐ ☐ ☐ ☐  
Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 231  
Temp casing ☒ Yes Dia 12 From + ☒ 1 To 8

(7) PERFORATIONS/SCREENS

Perforations Method Swift Factory

Screens Type

Material

Perf/Screen	Casing/Screen	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/pipe size
Perf	Liner	6	405	445	.125	4	910	6
Perf	Liner	6	465	485	.125	4	456	6
Perf	Liner	6	525	545	.125	4	456	6

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

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

90		600	.5
70		400	1

Temperature 58 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS amount 177 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County CLACKAMAS Twp 5 S N/S Range 1 E E/W WM  
Sec 36 NW 1/4 of the NE 1/4 Tax Lot 300  
Tax Map Number Lot  
Lat " or " DMS or DD  
Long " or " DMS or DD

☒ Street address of well ☐ Nearest address

11628 S. Thomas Rd

(10) STATIC WATER LEVEL

Date	SWL(psi)	+ SWL(ft)
Existing Well / Pre-Alteration		
Completed Well 12-21-2020		134.1

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 125

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
12-16-2020	125	145	8		112
12-21-2020	415	525	90		134.1

(11) WELL LOG

Ground Elevation

Material	From	To
soil	0	2
rock weathered & broken	2	21
clay brown sticky	21	23
basalt broken & weathered	23	32
basalt grey & brown semi fractured	32	110
basalt grey medium hard	110	137
basalt grey fractured	137	155
claystone grey	155	166
claystone blue & grey	166	180
rock grey with green siltstone	180	186
claystone blue grey	186	190
claystone grey & brown	190	200
clay reddish brown	200	205
siltstone blue green	205	215
rock multi colored	215	225
rock grey hard	225	280
rock grey with green & lavender	280	310
rock grey with red & green	310	335
rock grey & green some red	335	345

Date Started 12-04-2020

Completed 12-18-2020

(unbonded) Water Well Constructor Certification

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

License Number 1358

Date 01-06-2021

Signed

(bonded) Water Well Constructor Certification

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

License Number 688

Date 01-06-2021

Signed

Contact Info (optional)

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version: 0.95

14130



ORIGINAL LOG #

Material	From	To	Amt	sacks/lbs

BORE HOLE			SEAL				sacks/
Dia	From	To	Material	From	To	Amt	lbs
					Calculated		
					Calculated		
					Calculated		
					Calculated		
					Calculated		

From	To	Material	Size

[illegible]


[illegible][illegible][illegible]

6" cable tool shoe on top of 6" liner @ 223  
6" rotary shoe @ 605 on bottom of liner

1 4 1 3 0



Oregon Water Resources Department

Application for Permit Amendment

Permit G18312

Additional/Clarifying information

The references to well numbers on this application are the same as those on the Permit.

There could be some confusion because the well numbers on the well logs as reported by the driller were in the order they were drilled which is opposite of the Permit.

On the submitted map we tried to note the inconsistency, but were concerned that might not be adequate.

The Owner Well ID on the involved well logs need to be changed:

On Well I.D. Label# L136749, the Owner Well I.D. should be #2.

On Start Card# 217016, the Owner Well I.D. should be #1.

We are asking to be able to drill another well on the Permit to replace the well that was dry, filled in and abandoned. This is the only proposed change to the Permit.

David J. Bielenberg

14130



# Land Use Information Form



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

## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

## NOTE TO LOCAL GOVERNMENTS

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



# Land Use Information Form



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

Applicant(s): David J. Bieleberg  
Mailing Address: 16425 Hsrigstad Rd NE  
City: Silverton State: OR Zip Code: 97381 Daytime Phone: 503-932-2861

## 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:
5S	1E	25	SE NW S NE NE SW NW SE	1600	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm <sup>Irrigation</sup>
5S	1E	25	SW SE SE SE NW NE	1600	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm
5S	1E	36	NE NW SE NW	300	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm
5S	1E	36	NE NE SE NE	100	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm

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

Clackamas 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: 0.26 ☒ 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:

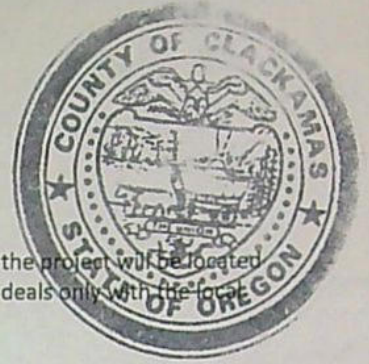
Original Permit for two wells  
one drilled well was dry and abandoned.  
Want to try again for second well.

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

See bottom of Page 3. →



## For Local Government Use Only



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

**Please check the appropriate box below and provide the requested information**

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): ZDO 401, EFU
- ☐ 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.

Irrigation associated with farm use is a primary allowed use in the exclusive farm use zone (EFU) per ZDO 401-

Name: Lizbeth Dance Title: Planner II

Signature: [Signature] Phone: 503-742-4500 Date: 12/15/2022

Government Entity: Clackamas County Planning and Zoning

**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

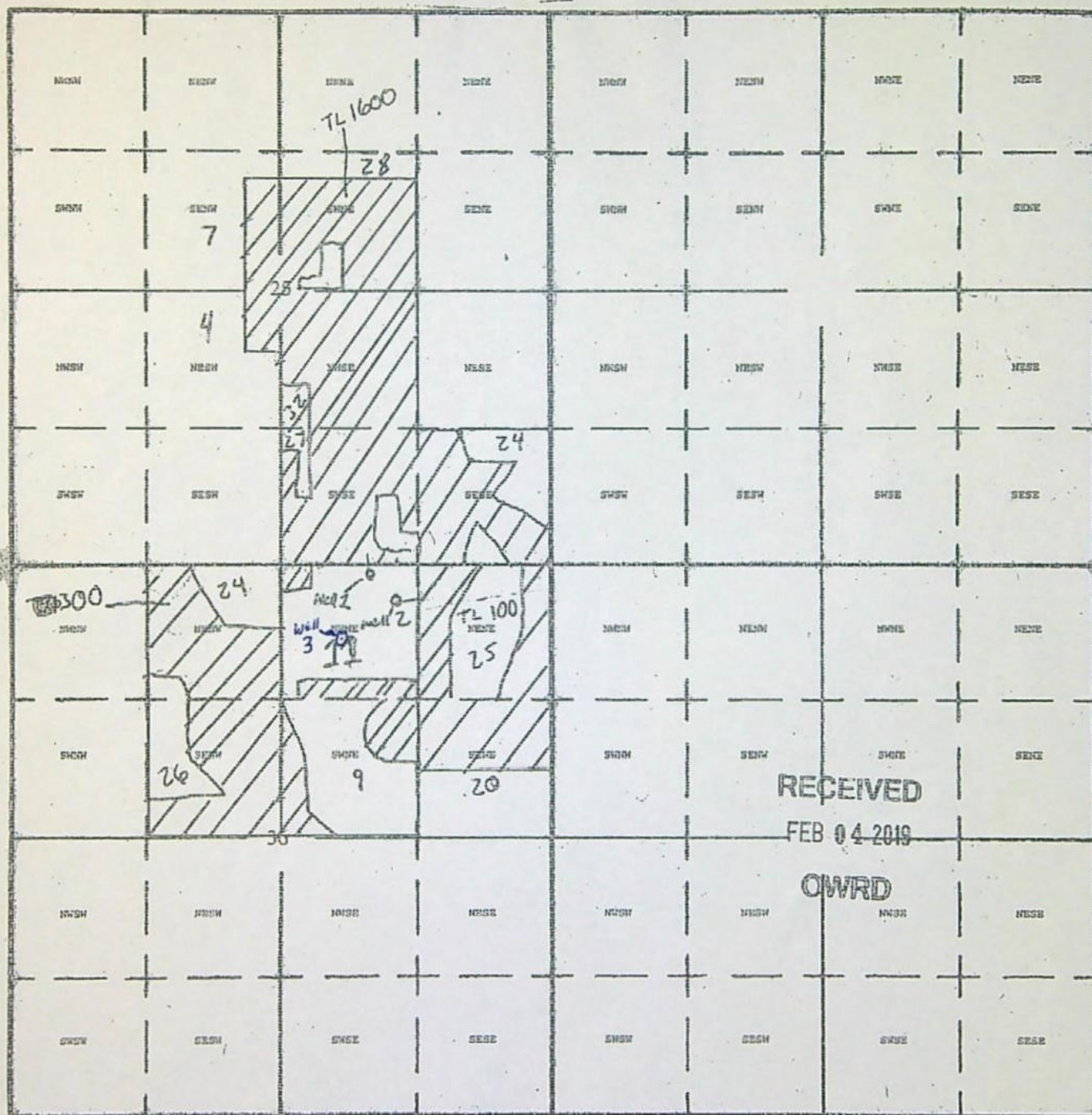

Applicant name: David J. Bislerberg

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

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



Township 5 South, Range 1 East, Section 25 & 36, Tax Lot 1600 & 300 + 100




RECEIVED

FEB 04 2019

QWRD

Well 1: 70 South + 1800 West NE Corner Sec 36  
Well 2: 340 South + 1500 West NE Corner Sec 36

 - 237 acres

G-18787

Don Bit 1/31/2019

14130





# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

December 21, 2022

DAVID J. BIELENBERG  
16425 HERIGSTAD RD NE  
SILVERTON, OR 97381

Reference: Application T-14130

On December 19, 2022, OWRD received your water right Permit Amendment Application. The application was accompanied by \$1840.00. Our receipt number 139767 is enclosed.

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

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

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

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

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

Cc: Watermaster Dist. #16, Gregory J. Wacker (via email)  
Clackamas County Planning

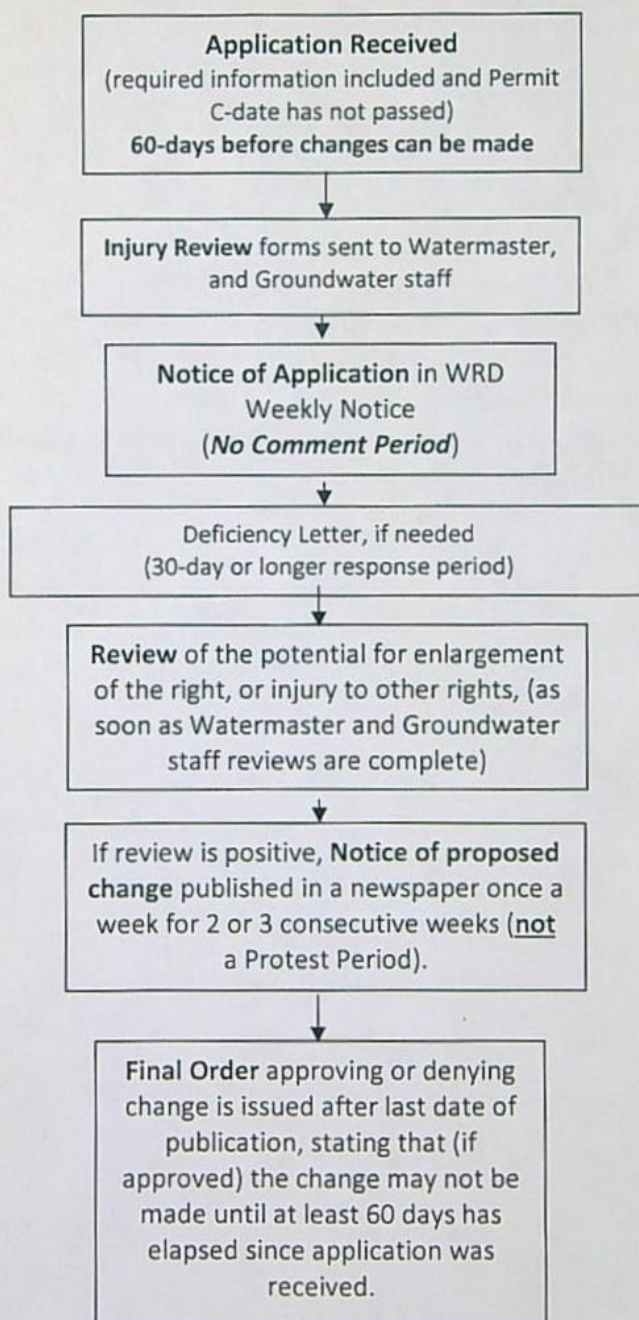
Enclosure



## Permit Amendment Process

ORS 537.211

Changes: POD/POA, Place of Use







RECEIVED

DEC 19 2022

OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: David Bielenberg

16425 Herigstad Rd. Silverton, OR 97381

Transaction Type: Permit Amendment

Fees Received: \$ 1840.00

☐ Cash

☒ Check:

Check No.

15245

Name(s) on Check:

David Bielenberg

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Dante Luongo

(Name of OWRD staff)

### Instructions for OWRD staff:

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

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# Permit Amendment Application Checklist

Checked by Stacy

Date 12-19-22

App # G-18787

Permit # G-18312

## 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: \$1,840.<sup>00</sup>
- If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_

- ☒ 4. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
- If not, whose signature is missing? \_\_\_\_\_

- ☒ 5. Are the Permit completion date(s) current?
- 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.

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