

## Permit Amendment

T-14398

Name Burkholder Properties LLCAddress 5046 Grand Prairie Rd SE  
Albany, OR 97322  
burkholderfarmsllc@gmail.comChange in POADate Filed 1/30/2024Initial notice date 2/6/2024

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

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

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

Date of FO 6/7/2024 Vol 131 Page 264

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

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

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

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

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_Irrigation District \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_Agent \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CWRE \_\_\_\_\_

CC's list Linn County Planning & Building  
\_\_\_\_\_  
\_\_\_\_\_☐ - Oversized map - Location \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT(S)

Name of Stream A WellTrib. of South Cox Creek WatershedUse IrrigationCounty Linn

Quantity of water (CFS) \_\_\_\_\_

No. of Acres \_\_\_\_\_

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

App# G-18752 Per # G-18256 Cert # \_\_\_\_\_ PR Date 11-6-2018

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>1-30-24</u>	<u>\$2250.00</u>	<u>142319</u>

## FEES REFUNDED

Date	Amount	Receipt #



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

June 7, 2024

Burkholder Properties, LLC  
5046 Grand Prairie Rd SE  
Albany, OR 97322

### ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-14398

The above referenced transfer application was withdrawn from the record of the Water Resources Department on June 7, 2024, by Special Order Volume 131, Page 264 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the withdrawal of this transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at [Arla.l.davis@water.oregon.gov](mailto:Arla.l.davis@water.oregon.gov).

Sincerely,

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

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

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER WITHDRAWING
T-14398, Linn County, Oregon	)	AN APPLICATION FOR A PERMIT
	)	AMENDMENT

**Authority**

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

**Applicant**

BURKHOLDER PROPERTIES LLC  
5046 GRAND PRAIRIE RD SE  
ALBANY, OR 97322

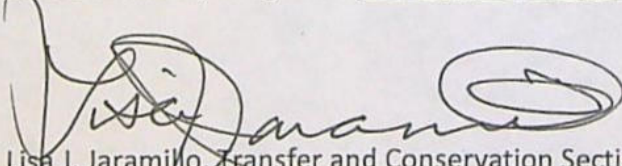
**Findings of Fact**

1. Permit Amendment Application T-14398, in the name of BURKHOLDER PROPERTIES LLC, was received on January 30, 2024.
2. On May 15, 2024, the applicant, submitted a written request that Permit Amendment Application T-14398 be withdrawn.

**Now, therefore, it is ORDERED:**

Permit Amendment Application T-14398, in the name of BURKHOLDER PROPERTIES LLC, is withdrawn and of no further force or effect.

Dated in Salem, Oregon on JUN - 7 2024



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

Mailing date: JUN 10 2024

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

DAVIS Arla L \* WRD

Received by OWRD

MAY 15 2024

**From:** Kent Burkholder <burkholderfarmsllc@gmail.com>  
**Sent:** Wednesday, May 15, 2024 2:19 PM  
**To:** DAVIS Arla L \* WRD  
**Subject:** RE: Follow-up to earlier phone call

Salem, OR

Arla, thank you for answering my questions about the transfer, it was much appreciated!

I am requesting that you withdraw the permit application T-14398 for me, thank you.

Please reach out with any questions and have a great rest of the week and enjoy the fantastic weather!

Thanks, Kent

Sent from [Mail](#) for Windows

---

**From:** [DAVIS Arla L \\* WRD](#)  
**Sent:** Monday, May 13, 2024 11:17 AM  
**To:** [burkholderfarmsllc@gmail.com](mailto:burkholderfarmsllc@gmail.com)  
**Subject:** Follow-up to earlier phone call

Hi Kent,

Thank you for your phone call today. If you would like to withdraw Permit Amendment application T-14398 please send me an email. If you have any other questions, please feel free to reach out to me again. Hope you have a great week!

*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: Mon-Th – 6:00 a.m. to 4:30 p.m.

**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

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# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14398

Review Due Date: 03/02/2024

Applicant Name: BURKHOLDER PROPERTIES LLC

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

Reviewer(s): G. Wacker

Date of Review: 02/16/2024

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

## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 14398



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

# PERMIT AMENDMENT COVER SHEET

Transfer: T-14398

Permit Amendment Specialist:

Transfer Type: Permit Amendment Transfer

Reimbursement Authority? ☐

<b>Applicant:</b> Burkholder Properties LLC 5046 Grand Prairie Rd SE Albany, OR 97322	<b>Agent:</b>	<b>CWRE:</b>
<b>Irrigation District:</b>	<b>Affected Local Gov'ts:</b> Linn County	<b>Affected Tribal Gov't:</b>
<b>BOR Notified (date):</b>		

## Permit(s) Affected

File Marked	App. File # or Decree Name	Permit Number	Superseding Permit Number
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

## Key Dates & Initial Actions (Support Staff)

Rec'd: January 30, 2024	Proposed Action(s): POINT OF APPROPRIATION	
Fees Pd: 2250.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 2 Willamette
Initial Public Notice: 2/6/2024	County sent cc: of Ack Letter <input type="checkbox"/>	County: LINN
WM District: 16 Gregory J. Wacker	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

## Caseworker Actions: Newspaper Notice and other:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:		
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):		
Request for news \$ sent:	News \$ received:		
Affidavit of publication received:	Last day of publication:		
Extension of Time? <input type="checkbox"/>	Assignment? <input type="checkbox"/>	Previous Permit Amendments? <input type="checkbox"/>	WMCP? <input type="checkbox"/>

## Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/> No. of docs for sig: _____	Date: _____

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

Special Order Volume: Vol. \_\_\_\_\_ Pages \_\_\_\_\_



# 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

February 1, 2024

Burkholder Properties LLC  
5046 Grand Prairie Rd SE  
Albany, OR 97322

Reference: Application T-14398

On January 30, 2024, OWRD received your water right Permit Amendment Application. The application was accompanied by \$2250.00. Our receipt number 142319 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.

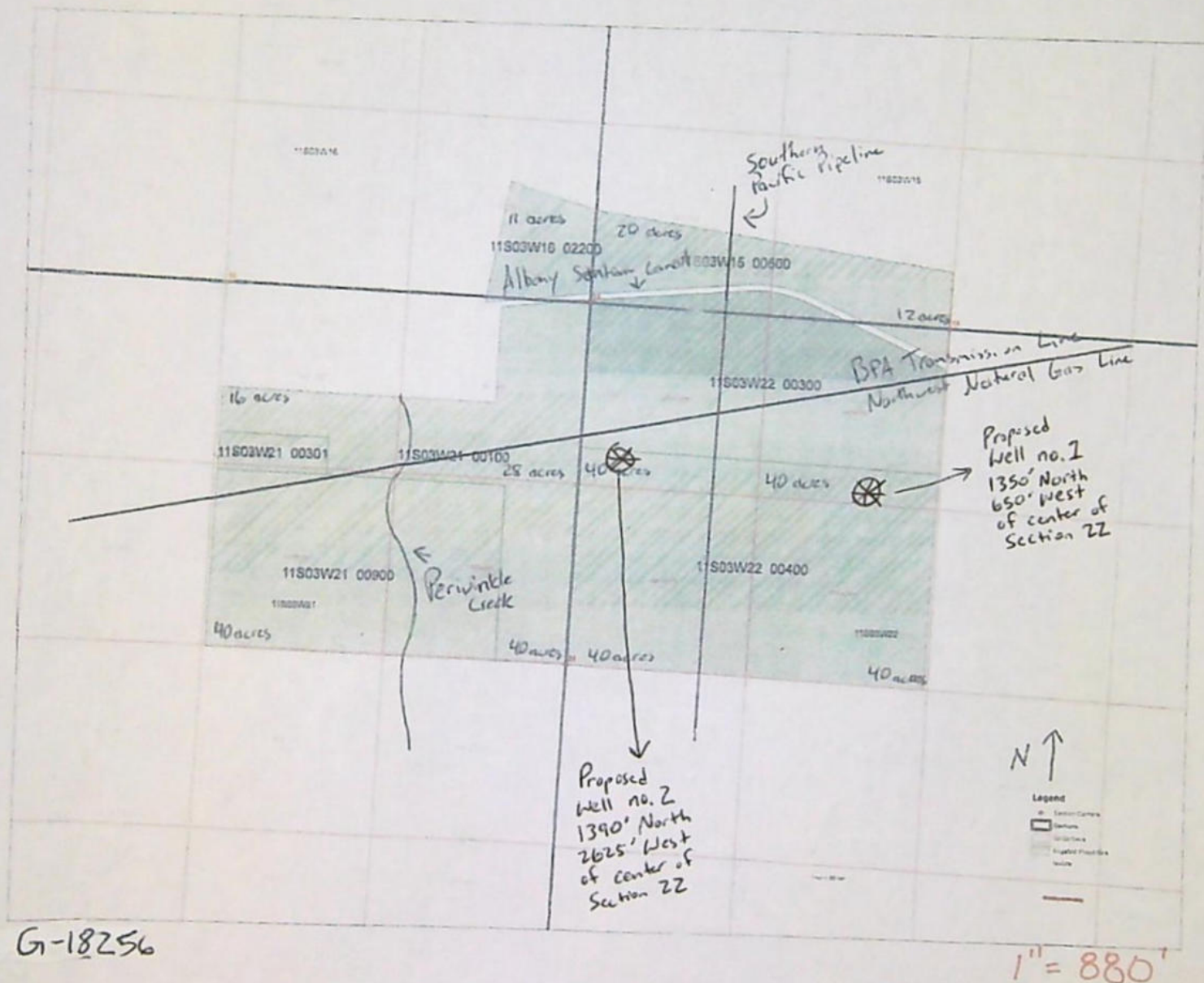
Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the application has been issued by the Department.

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) 986-0935.

Cc: Watermaster Dist. #16, Gregory J. Wacker (via email)  
Linn County Planning and Building, Local Government

Enclosure



G-18256

Received by OWRD

JAN 30 2024

Salem, OR

RECEIVED

JAN 4 2024

OWRD

14398 -

**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 # **142319**

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

RECEIVED FROM: Buck Holder Farms LLC

BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	T-14398

CASH: ☐ CHECK: # 3993 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

TOTAL REC'D \$ 2250.00

**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 46110 \$ \_\_\_\_\_

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 \$ 2250.00

**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 (FW/WRD) \$ \_\_\_\_\_

0231 HYDRO LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE **RECEIVED**

OBJ. CODE \_\_\_\_\_ VENDOR **OVER THE COUNTER**

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

RECEIPT: **142319**

DATED: 1-30-2014 BY: Am-miel

## 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.

RECEIVED

JAN 4 2024

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Application Map Checklist. **OWRD**

☒ 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:** 61-18256  
Please include a separate Part 5 for each permit. (See instructions on page 6)

☒ Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).

☐ ☒ N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.

☐ ☒ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.

☐ ☒ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.

☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(For Staff Use Only)

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

Application fee not enclosed/insufficient

Land Use Form not enclosed or incomplete

Additional signature(s) required

Other/Explanation

\_\_\_\_ Map not included or incomplete

Part is incomplete

Staff: 503- Date: / /

Received by OWRD

JAN 30 2024

Salem, OR

## 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.

Received by OWP

JAN 30 2024

Salem, OR  
**RECEIVED**

JAN 4 2024

**OWRD**

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

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Burkholder Properties LLC</b>		PHONE NO. <b>541-974-0187</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>5046 Grand Prairie Rd. SE</b>		FAX NO.	
CITY <b>Albany</b>	STATE <b>OR</b>	ZIP <b>97322</b>	E-MAIL <b>burkholderformsllc@gmail.com</b>
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:

**Attached**

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), assignment of 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)? **Aug. 14, 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: **Albany Democrat Herald**

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

Applicant Signature

Print Name (and Title if applicable)

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	Linn County		ADDRESS	300 SW 4th Ave.	
CITY	Albany		STATE	OR	ZIP 97321

ENTITY NAME			ADDRESS		
CITY			STATE		ZIP

ENTITY NAME			ADDRESS		
CITY			STATE		ZIP

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Salem, OR Part 5 of 5 – Water Use Permit Information

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

PERMIT # G-18256**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		11 S	3 W	22	NE NW		1350 ft. N and 270 ft. W from C ¼ corner, Section 22
Well #2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		11 S	3 W	21	SW NE		1070 ft. N. and 40 ft. E from C ¼ corner, Section 21
Well #1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		11 S	3 W	22	NE NW		1350 ft. N and 650 ft. W from C ¼ corner, Section 22
Well #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		11 S	3 W	22	NW NW		1390 ft. N and 2625 ft. W from C ¼ corner, Section 22

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

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

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

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

For a change in place of use:

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

☐ Yes ☐ No

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-18256

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date						
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	
11	S	3	W	22	NE	NW	00400			Well #1	Nov. 6 2018	POA	11	S	3	W	22	NE	NW	00400			Well #1	Nov. 6 2018
11	S	3	W	21	SW	NE	00900			Well #2	Nov. 6 2018	POA	11	S	3	W	22	NW	NW	00400			Well #2	Nov. 6 2018
TOTAL ACRES												TOTAL ACRES												

Additional remarks: \_\_\_\_\_

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Permit # G-18256

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 #1	No		est. 200'	12"		est. 19'	est. 80'	Unknown at this time	Gravel and Sand	
Well #2	No		est. 200'	12"		est. 19'	est. 80'	Unknown at this time	Gravel and Sand	

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## Attachment 1

Oregon Water Resources Department

To whom it may concern, my name is Kent Burkholder and I am applying to amend the authorized points of appropriation for permit #G-18256. After many challenges, due to Covid and the ability of drillers in my area, that I wanted to work with, to drill bigger sized wells I have finally secured a driller to drill my wells.

For the authorized location of well #1, the driller was concerned that it was too close to the residential well at 35166 Fry Rd. SE, Albany. He stated that it was highly likely that the authorized location of well #1 would end up ruining the residential well and rendering it unusable. The driller thought that moving the authorized well to the newly proposed location an additional 380' to the west and further away from the residential well that they could co-exist with each other without performance problems.

As for the authorized well #2, 3 phase power is approximately one mile away from the authorized well location. The second issue with that location is that Consumer's Power is the power supplier for that address but their power lines are hung on Pacific Power poles. Consumers estimated that it would be between \$140,000 and \$300,000 just to get the power to the authorized location. That price is debilitating. In order to abide by the ¼ mile setback from Periwinkle Creek (surface water source) I am proposing to move well #2 to the location stated on the map. If the proposed location is approved I will use 3 phase power from my farm on Fry Rd. to run the well. I would much prefer to use electricity, that way it would be possible to use a variable speed pump to supply water at only the rate and pressure needed, therefore saving energy. Otherwise, if the proposed move is not approved I will be drilling the well at the currently authorized location and using a diesel generator to power the pump. Although not the ideal setup, it would still work.

I appreciate your consideration,

Sincerely, Kent Burkholder 541-974-0187

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# Land Use Information Form



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

NAME <u>Burkholder Properties</u>		PHONE <u>541-974-0187</u>	
MAILING ADDRESS <u>5046 Grand Prairie Rd. SE</u>			
CITY <u>Albany</u>	STATE <u>OR</u>	ZIP <u>97322</u>	EMAIL <u>burkholderfarmsllc@gmail.com</u>

## 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:
11S	3W	22	NE NW NW NW	00400 00300		<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
11S	3W	21	NE NW SE SW	00900 00100		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
11S	3W	16	SE SE	02200		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
11S	3W	15	SW SE	00600		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	

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

Linn County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

## B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 4.01 ☒ 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 wells are to be drilled for the irrigation of field crops.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 ➔

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Land Use Information Form — Page 3 of 4

Last Revised: 10/2023

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**For Local Government Use Only**

Salem, OR

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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 928.310(BX1)
- ☐ Land uses to be served by the proposed water use(s), 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

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

Name: Alyssa Boles Title: Planning Manager  
 Signature: Alyssa Boles Date: 1/29/24  
 Governmental Entity: Ulin County Phone: 541-967-3816

**Receipt Acknowledging Request for Land Use Information****Note to Local Government Representative:**

Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: \_\_\_\_\_  
 Staff Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Governmental Entity: \_\_\_\_\_ Phone: \_\_\_\_\_

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**From:** STARNES Patrick K \* WRD  
**Sent:** Tuesday, January 23, 2024 8:40 AM  
**To:** Kent Burkholder  
**Subject:** RE: Map request for permit G-18256

Good Morning Kent,

The Department grants a map scale waiver for the proposed permit amendment application map .

Please include a printed copy of this e-mail when you submit the application.

Sincerely,

Kelly

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
(He/Him/His)  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Cell phone: 503-979-3511 Fax: 503-986-0903  
E-mail: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

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

\*\*\*\*\*

**From:** Kent Burkholder <[burkholderfarmsllc@gmail.com](mailto:burkholderfarmsllc@gmail.com)>  
**Sent:** Monday, January 22, 2024 4:19 PM  
**To:** STARNES Patrick K \* WRD <[patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)>  
**Subject:** Map request for permit G-18256

You don't often get email from [burkholderfarmsllc@gmail.com](mailto:burkholderfarmsllc@gmail.com). [Learn why this is important](#)

Kelly, I am emailing you to see if I may obtain a map waiver for my permit amendment application. Please look at the attached map and let me know. I must have had a waiver with my initial application and did not know it because the map I used for the amendment is the exact one that water resources department accepted for the initial application or the requirements have changed. Let me know either way and I will be happy to get it fixed.

Thanks, Kent Burkholder [541-974-0187](tel:541-974-0187)

Sent from [Mail](#) for Windows

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

LINN 62308

3/29/2018

WELL I.D. LABEL# L 127556

START CARD # 1038166

ORIGINAL LOG #

Page 1 of 1

(1) LAND OWNER

Owner Well I.D. \_\_\_\_\_  
First Name KIRK Last Name BURKHOLDER  
Company BURKHOLDER PROPERTIES LLC  
Address 5410 THREE LAKES RD. SE ALBANY OR.  
City ALBANY State OR Zip 97322

(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 DR-3300

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 82.00 ft. Special Standard ☐ (Attach copy)

BORE HOLE			SEAL			sacks/	
Dia	From	To	Material	From	To	Amt	lbs
10	0	19	Bentonite	0	19	9	S
6	19	82				Calculated	8.67
						Calculated	

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

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 \_\_\_\_\_ Actual Amount \_\_\_\_\_

(6) CASING/LINER

Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd  
☒ ☐ 6 ☒ 1 79 .250 ☒ ☐ ☒ ☐  
Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 79  
Temp casing ☐ Yes Dia \_\_\_\_\_ From + \_\_\_\_\_ To \_\_\_\_\_

(7) PERFORATIONS/SCREENS

Perforations Method Holte Air Perforator

Screens Type \_\_\_\_\_ Material \_\_\_\_\_

Perf/	Casing/	Screen			Sem/slot	Slot	# of	Tele/
Screen	Liner	Dia	From	To	width	length	slots	pipe size
Perf	Casing	6	67	77	.25	1	240	

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
45		77	1

Temperature 53 °F Lab analysis ☐ Yes By \_\_\_\_\_

Water quality concerns? ☐ Yes (describe below) TDS amount 151 ppm  
From To Description Amount Units

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County LINN Twp 11.00 S N/S Range 3.00 W E/W WM  
Sec 21 SE 1/4 of the SW 1/4 Tax Lot 501  
Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
Lat \_\_\_\_\_ " or 44.59331800 DMS or DD  
Long \_\_\_\_\_ " or -123.05953000 DMS or DD  
☒ Street address of well ☐ Nearest address

5410 THREE LAKES RD. SE ALBANY OR. 97322

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+ SWL(ft)
Existing Well / Pre-Alteration			
Completed Well	3/22/2018		12
Flowing Artesian?	<input type="checkbox"/>	Dry Hole?	<input type="checkbox"/>

WATER BEARING ZONES

Depth water was first found 20.00

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
3/21/2018	20	38	25		12
3/22/2018	67	77	45		12

(11) WELL LOG

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

Material	From	To
Topsoil	0	2
Clay Brown Very Sticky	2	11
Clay Brown	11	17
Clay Gray Very Sticky	17	21
Clay Brown w/ Gravels	21	25
Gravels w/ Course Sand Brown Dirty	25	38
Gravels Large w/ Sand Brown	38	52
Clay Gray	52	54
Clay Brown w/ Some Gravels	54	60
Clay Gray Sandy	60	67
Gravels Small w/ Clay Gray	67	69
Gravels w/ Course Sand Black	69	77
Clay Gray	77	82

Date Started 3/21/2018

Completed 3/22/2018

(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 1974

Date 3/29/2018

Signed CHARLES NUGENT (E-filed)

(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 664

Date 3/29/2018

Signed CHARLES NUGENT (E-filed)

Contact Info (optional) Nugent Drilling Co.

14398 -













ORIGINAL - WATER RESOURCES DEPARTMENT

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



3/29/2018

### (2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
								
								
								

Material	From	To	Amt	sacks/lbs


### (5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL			sacks/
Dia	From	To	Material	From	To	Am't lbs
					Calculated	
					Calculated	
					Calculated	
					Calculated	

FILTER PACK			
From	To	Material	Size

## (6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
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### (7) PERFORATIONS/SCREENS

[illegible]

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
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## Water Quality Concerns

From	To	Description	Amount	Units

## (10) STATIC WATER LEVEL

[illegible]

## (11) WELL LOG

[illegible]

## Comments/Remarks

Special Standards were allowed due to inability to get a Drill Rig over the well. Casing was Approx. 5' Below ground level in a pit and casing was Rotten. The 6 inch casing was very thin and flaking on the surface. 3/8 Bentonite was poured and Probed from 100' to 9', and a Cement cap was poured from 5-9' (below ground level)  
19 Sack of 3/8 Bentonite was used.  
1 Bag of Cement was used for the cap. (94 lb Sack)

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Received by OWRD

JAN 30 2024

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Burkholders Properties, LLC  
5046 Grand Prairie Rd SE Albany OR 97322  
Transaction Type: Permit Amendment  
Fees Received: \$ 2750.00

☐ Cash

☒ Check:

Check No.

3993

Name(s) on Check:

Same as above

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

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

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

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

Sincerely,

OWRD Customer Service Staff

Submission received by:

Corie Corvien  
(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.

## Permit Amendment Application Intake Checklist

Permit Amendment # T-14398

Reviewer Nick Date 1/31/2024	Type of Change(s) Proposed: <input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input checked="" type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> SW to GW
Calculated Fee \$2250	Fee Received \$2250
Permit: G-18256      Completion Date: 8/14/2024 Permit:                  Completion Date: Permit:                  Completion Date:	Check <u>ALL</u> Permits in WRIS to confirm completion date is not expired
Notes:	

Application:			
1.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Have <u>ALL</u> of the applicant's signed and dated the application? If no, whose signature is missing?
2.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		For multiple permits: Each permit proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which permit(s) are missing separate Part 5, Tables 1 & 2?

Map Requirements:			
4.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Map included & to scale? (Separate map for each permit if more than 3 permits)
5.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		Map Waiver? The map waiver must be issued by the Department
Notes:			

Attachments:			
6.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Has the Permit Completion Date expired? (If yes, we cannot accept)
7.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		Land Use Form included and signed by the County?
8.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Consent Form included, signed, & notarized (for applicants who are not a permit holder of record)?
9.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Assignment?
10.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		For changes in POA/APOA – are the well logs included?
11.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		For change in POU within Umatilla County, Supplemental Form U included?

<input checked="" type="checkbox"/>	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.

## Oregon Water Resources Department Fee Calculation for Permit Amendment

[Main](#)[Help](#)[Return](#)[Contact Us](#)

Today's Date: Wednesday, January 31, 2024

**Fee  
Calculation**

Base Fee (includes one type of change to one permit for up to 1 cfs)

\$1,360.00

Fill in information below-- Check each box that applies.

Types of Change Proposed:

☐ Place of Use☒ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD

\$0.00

Enter total number of permits included in application.

1

\$0.00

☒ Check this box if you propose to add or change a well location, or change from a surface water POD to a well.

\$480.00

Enter total number of groundwater wells (POAs) included in permit amendment.

2

\$410.00

☐ Check this box if you propose to change the place of use for a NON-irrigation permit.☐ Check this box if you propose to change the place of use for an irrigation permit.

Total Transfer CFS(rounded up to the next whole cfs):

Subtotal:

\$2,250.00

Check each box that applies.

☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount

Permit Amendment Fee:

\$2,250.00

[Return to Edit](#)[Clear](#)