

T-11027

T-11027

Permit Amendment

Name William, Douglas, Thomson MartinAddress Po Box 201
Rufus, OR 97050Change in Pou/APOADate Filed 2-26-10Initial notice date 3-2-10

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 9-15-10 Vol 81 Page 889

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream WellTrib. of Columbia RiverUse IR County Sherman

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

Name of ditch _____

App # G-16803 Per # G-16285 Cert # _____ PR Date 2007

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>2-26-10</u>	<u>\$1450.00</u>	<u>99292</u>
<u>3-8-10</u>	<u>\$700.00</u>	<u>99338</u>

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: _____

_____Irrigation District noneAgent Larry Toll - Pennesson Engineering Corp.CWRE Larry TollCC's list Sherman County Community Development☐ - Oversized map - Location _____

Base	900
APDA	300
ΔPOU	250 700
	1450
	1900
2nd cfs	<u>250</u>
	2150

~~900~~
~~400~~
 900 - Base / POU / 1st cfs
 700 - APDA
 300 - well \$\$

 1900
 250 2nd cfs

 2150
 TOTAL

1,24 cfs

~~450~~

Sent Larry
 email for
 Addt. 700 -
 2-26-10 -

Received
 3-5-10 SH



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

September 15, 2010

DOUGLAS MARTIN
THOMSON MARTIN
PO BOX 201
RUFUS OR 97050

REFERENCE: Permit Amendment Transfer Application T-11027

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

YOU SHOULD GIVE PARTICULAR ATTENTION TO THE CONDITIONS OUTLINED IN THE FINAL ORDER. All other terms and conditions of the permit remain the same.

If you have any questions related to the approval of this permit amendment, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@ wrd.state.or.us

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. # 3
Larry Toll, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment	)	FINAL ORDER
T-11027, Sherman County	)	APPROVING A CHANGE IN PLACE
	)	OF USE

Authority

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

Applicant

WILLIAM, DOUGLAS, & THOMSON
MARTIN
PO BOX 128
RUFUS OR 97050

Agent

TENNESON ENGINEERING CORP.
ATTN: LARRY TOLL
3313 W 2ND ST SUITE 100
THE DALLES OR 97058

Findings of Fact

Background

1. On February 26, 2010, WILLIAM, DOUGLAS, AND THOMSON MARTIN filed an application for an additional point of appropriation and to change in place of use under Permit G-16285. The Department assigned the application number T-11027.
2. On April 23, 2010, the Department found that the proposed point of appropriation developed a different aquifer (source).
3. On June 30, 2010, the agent, on behalf of the applicant, asked to remove the request for an additional point of appropriation from the application.

4. The permit to be amended is as follows:

Permit:	G-16285 in the name of WILLIAM, DOUGLAS, AND THOMSON MARTIN
Use:	IRRIGATION OF 120 ACRES
Priority Date:	FEBRUARY 22, 2007
Quantity:	1.25 CUBIC FEET PER SECOND
Rate/Duty:	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

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

to a diversion of ONE-EIGHTIETH of one cubic foot per second and
3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Period of Use: APRIL 1 THROUGH OCTOBER 31

Source: A WELL, in the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	16 E	WM	11	NE SE	SHER 50249 - 52 FEET SOUTH AND 35 FEET WEST FROM THE E¼ CORNER OF SECTION 11

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	16 E	WM	11	NE SE	40.0
2 N	16 E	WM	11	NW SE	40.0
2 N	16 E	WM	11	SW SE	20.0
2 N	16 E	WM	11	SE SE	20.0

5. Permit Amendment Application T-11027 proposes to change the place of use of the permit to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	16 E	WM	11	SW NE	0.5
2 N	16 E	WM	11	SE NE	31.1
2 N	16 E	WM	11	NE SE	28.7
2 N	16 E	WM	11	NW SE	29.2
2 N	16 E	WM	11	SW SE	2.1
2 N	16 E	WM	11	SE SE	2.4
2 N	16 E	WM	12	SW NW	21.8
2 N	16 E	WM	12	SE NW	4.2

6. On February 26, 2010, Thomson S. Martin submitted an affidavit requesting cancellation of Permit G-15781, which covers a portion of the land described in Finding of Fact #5. A separate order will be issued by the Department.
7. Notice of the application for the permit amendment was published in the Department's weekly notice on March 2, 2010, and in the Dallas Chronicle newspaper on July 16, 23, and 30, 2010, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

Permit Amendment Review Criteria

8. The changes would not result in injury to other water rights.
9. The proposed place of use is owned and/or controlled by the permit holder.
10. The changes do not enlarge the permit.
11. The changes do not alter any other terms of the permit.

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

Conclusions of Law

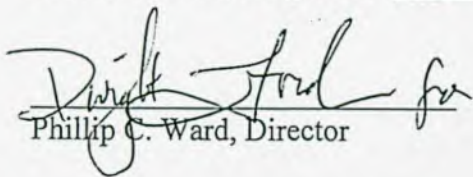
The change in place of use proposed by Permit Amendment Application T-11027 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

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

1. All other terms and conditions of Permit G-16285 remain the same.
2. Permit G-16285, in the name of William, Douglas, and Thomson Martin, is amended as described herein.

Dated at Salem, Oregon this 15 day of September, 2010.


Phillip C. Ward, Director

Mailing Date: SEP 16 2010

PA
Water Right Transfer Cover Sheet

Transfer T-11027

Transfer Specialist: Kara

Transfer Type: Permit Amendment

Applicant Name/Address: WILLIAM, DOUGLAS, THOMSON MARTIN PO BOX 128 RUFUS OR 97050	Agent Name/Address: TENNESON ENGINEERING CORP LARRY TOLL 3313 W 2ND ST SUITE 100 THE DALLES OR 97058	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: SHERMAN COUNTY COMMUNITY DEVELOPMENT PO BOX 381 MORO OR 97039
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	G 16803	G 16285		☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: February 26, 2010	Proposed Action(s): place of use, additional point of appropriation	
Fees Pd: 1450.00	WM District: 3	ODFW District: NONE
Initial Notice: March 2, 2010	WM Review sent: 03/01/10	ODFW Review sent: NONE
Acknowledgement Letter Sent ☐ XX	GW Review sent: 03/01/10	

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

PD Mailed: _____

PD Weekly Notice: _____

Newspaper Pub Affid Due: 8/23/10

☐ not required

Affid of Pub Rec'd: 8/12/10

Last Day Published: 7/30/10

Affidavit Reminder Sent: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ PD Cover letter

☐ PD Notice

☐ File Assigned/ ModPod updated

☐ Preliminary Determination

☐ Fee Refund Due

☐ Remaining Rights

DPD Review (Optional) Reviewer: _____ Date: _____ Coordinator: _____ Date: _____	PD Review (Salem) Reviewer: _____ Date: _____ Coordinator: _____ Date: _____	Final Order Review (Salem) Reviewer: _____ Date: _____ Coordinator: <u>SEP</u> Date: <u>9/14/10</u>
Comments/Special Issues: 		

Special Order Volume: Vol 81 Pages 889

Final Order Signature Date: 9-15-10

Notice of FO email'd to processors Kara

APPLICATION

PR	CW		PR	CW	
	☒	Appropriately signed		☒	Appropriate Fees Paid
☐	☒	All required Attachments Received	☐	☐	Overpayment of Fees, Refund Request with FO
☐	☒	Ditch Company, Irr. Dist. and/or BOR sent copies	☐	☒	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

WATER RIGHT SUBJECT TO TRANSFER

PR	CW		PR	CW	
	☒	The right been exercised according to terms & conditions of certificate.		☒	Delivery system has the capacity to fully divert the rate/duty of the right.
	☒	No information in record that suggests forfeiture.	☐	☐	No conflicts identified on conflict report and report is printed.
☐	☒	Affidavits for rights to be canceled /diminished.			

APPLICATION MAP

PR	CW		PR	CW	
	☒	Original CWRE Signature		☒	The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
	☒	All authorized and proposed POD's/POA's and POU's shown and clearly labeled.		☒	Metes and bounds for the POD's/POA's are properly described on the map.
	☒	The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.		☒	Application map acres match the tabulation on the certificate and FPS and/or Decree map
	☒	Have necessary aerial photos, if applicable			

DETERMINING THE "FROM" AND "TO" LANDS

(Make working copy of application and certificates to mark on)

PR	CW		PR	CW	
☐	☒	Only the authorized POD's/POA's and POUs to be transferred are listed.	☐	☒	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
☐	☒	Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.	☐	☒	Marked on certificate the quantity of water being transferred, cancelled, and remaining

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW							
☐	☒	ODFW	☐	Fish Screens	☐	Other:		
☐	☒	Ground water	Develop different source					
☐	☒	Watermaster	☒	Headgate	☐	When in the judgment	☐	Prior to diverting
			☒	Measuring Devices	☐	When in the judgment	☐	Prior to diverting
☐	☐	Injury	☐	Yes	☐	No	☐	Enlargement
			☐	Yes	☐	No		
☐	☐	Conditions to Avoid Enlargement/Injury						

OWNERSHIP

PR	CW		PR	CW	
☐	☒	The deed/ROI matches the "from" lands.	☐	☐	The applicant is the owner of the "from" lands.
☐	☐	All owners on the deed/ROI have signed the application.	☐	☐	Have current tax lot map.
☐	☐	If necessary, there is a notarized, signed statement of consent from landowners other than applicant.	☐	☐	Agent has authorization to make decisions.

DPD		PD		FO		DETERMINATION / FINAL ORDER
PR	CW	PR	CW	PR	CW	
☐	☐	☐	☐	☐	☐	Format matches current template
☐	☐	☐	☐	☐	☐	Spell checked?
☐	☐	☐	☐	☐	☐	Correct address?
☐	☐	☐	☐	☐	☐	Authorized "from lands" info matches Certificate(s)?
☐	☐	☐	☐	☐	☐	Authorized POD(s)/POA(s) matches Certificate(s)?
☐	☐	☐	☐	☐	☐	Proposed POD(s)/POA(s) matches transfer application and map?
☐	☐	☐	☐	☐	☐	Correct findings and conditions matching Watermaster review?
☐	☐	☐	☐	☐	☐	Correct findings and conditions matching Ground water review?
☐	☐	☐	☐	☐	☐	Correct findings and conditions matching ODFW recommendations?
☐	☐	☐	☐	☐	☐	Hidden findings unveiled?

DPD		PD		COVER LETTER
PR	CW	PR	CW	
☐	☐	☐	☐	Format matches current template
☐	☐	☐	☐	Spell checked?
☐	☐	☐	☐	Correct address?
☐	☐	☐	☐	Content matches determination?
☐	☐	☐	☐	Special findings/conditions described?

PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE
☐	☐	Format matches current template
☐	☐	Content matches PD info?
☐	☐	Spell checked?
☐	☐	Correct address?

PR	CW	REMAINING RIGHT CERTIFICATE
☐	☐	Table Format matches current template
☐	☐	Content format matches original certificate
☐	☐	Spell checked?
☐	☐	Name and address matches originating certificate?

PR	CW	
☐	☐	Determination and remaining acres combined match acres under originating certificate?

COMMENTS

NOTICE OF PERMIT AMEND-
MENT T-11027

T-11027 filed by WILLIAM, DOUGLAS, AND THOMSON MARTIN, P.O. BOX 201, RUFUS, OR 97050, proposes a change in place of use under Permit G-16285. The permit allows the use of 1.25 CUBIC FEET PER SECOND (priority date FEBRUARY 22, 2007) from a well in Sec. 11, T 2 N, R 16 E, W.M. (COLUMBIA RIVER Basin) for IRRIGATION in Sec. 11. The applicant proposes to change the place of use Sec. 11 and 12, T 2 N, R 16 E, W.M. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211.

July 16, 23, 30, 2010
#4513

Affidavit of Publication

STATE OF OREGON, { SS
County of Wasco

I, Nick DeLeon, being first duly sworn, depose and say that I am the principal clerk of The Dalles Chronicle, a newspaper of general circulation, published in Hood River, Oregon in the aforesaid state and county of Wasco; that I know from my personal knowledge that the **Permit**, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper once in each of three consecutive weeks in the following issues:
July 16, 23, & 30, 2010

Subscribed and sworn to before me this 2nd day of August 2010



Shirley Ringlbauer
Notary Public for Oregon
My commission expires 1-9-12

RECEIVED

AUG 12 2010

WATER RESOURCES DEPT
SALEM, OREGON



TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

3313 WEST SECOND STREET, SUITE 100
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-2430

Date 08/11/10	Work Order # 12508
Attention Kara Morris	
RE:	
Transfer 11027	

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	AFFIDAVIT OF PUBLICATION

THESE ARE TRANSMITTED (as checked below)

☐ For approval	☒ As requested	☐ Filing/Recording
☐ For your use	☐ Approved as noted	☐ For your review & comment

CHARGES

RECEIVED AUG 12 2010 WATER RESOURCES DEPT SALEM, OREGON	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

PICKED UP BY:
DELIVERED BY:
COPY TO: Bill Martin w/ enclosure

BY: Larry M. Toll, CWRE

If enclosures are not as noted, please notify us at once.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 7, 2010

WILLIAM, DOUGLAS, AND THOMSON MARTIN
PO BOX 128
RUFUS, OR 97050

FILE

Reference: Permit Amendment Application T-11027

Please find enclosed a permit amendment notice which must be published in a local newspaper in the general area of the permit. The notice must be published at least once a week for three consecutive weeks. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an **affidavit of publication** specifying the dates the notice was published. Please have the newspaper prepare and mail an original affidavit of publication to me, at the address above, by **August 23, 2010**.

Upon receipt of the affidavit, processing will continue on the permit amendment application.

Please do not hesitate to contact me at 503-986-0898 or Kara.B.Morris@wrд.state.or.us if I may be of assistance.

Sincerely,

Kara Morris
Permit Amendment Specialist
Field Services Division

Enc

cc: Permit Amendment T-11027
Bob Wood, District 3 Watermaster
Larry Toll, Agent

Notice of Permit Amendment T-11027

T-11027 filed by WILLIAM, DOUGLAS, AND THOMSON MARTIN, PO BOX 201, RUFUS, OR 97050, proposes a change in place of use under Permit G-16285. The permit allows the use of 1.25 CUBIC FEET PER SECOND (priority date FEBRUARY 22, 2007) from a well in Sec 11, T 2 N, R 16 E, W.M. (COLUMBIA RIVER Basin) for IRRIGATION in Sec. 11. The applicant proposes to change the place of use Sec. 11 and 12, T 2 N, R 16 E, W.M. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211.

The last date of newspaper publication is [DATE OF LAST PUBLICATION].

STATE OF OREGON

COUNTY OF SHERMAN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THOMSON, DOUGLAS, AND WILLIAM MART:
PO BOX 128
RUFUS, OR 97050

*To Jerry
Santes*

Cancel
(541) 739-2204

The specific limits and conditions

d below.

APPLICATION FILE NUMBER: G-16055

SOURCE OF WATER: A WELL IN CHINA HOLLOW BASIN

PURPOSE OR USE: IRRIGATION USE ON 34.1 ACRES AND IRRIGATION USE ON 5.9 ACRES TO MAKE UP DEFICIENCY IN RATE

MAXIMUM RATE: 0.461 CUBIC FOOT PER SECOND, BEING 0.426 CFS FOR IRRIGATION ON 34.1 ACRES AND 0.035 CFS FOR IRRIGATION TO MAKE UP DEFICIENCY IN RATE ON 5.9 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JULY 22, 2003

WELL LOCATION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 12, T2N, R16E, W.M.; 30 FEET NORTH & 30 FEET EAST FROM W1/4 CORNER, SECTION 12

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.1 ACRES - *CN 34.1*
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.9 ACRES - *5.9*
SECTION 12

TOWNSHIP 2 NORTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

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

STATE OF OREGON
COUNTY OF SHERMAN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THOMSON, DOUGLAS, AND WILLIAM MARTIN
PO BOX 128
RUFUS, OR 97050

(541) 739-2204

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

APPLICATION FILE NUMBER: G-16055

SOURCE OF WATER: A WELL IN CHINA HOLLOW BASIN

PURPOSE OR USE: IRRIGATION USE ON 34.1 ACRES AND IRRIGATION USE ON 5.9 ACRES TO MAKE UP DEFICIENCY IN RATE

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PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JULY 22, 2003

WELL LOCATION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 12, T2N, R16E, W.M.; 30 FEET NORTH & 30 FEET EAST FROM W1/4 CORNER, SECTION 12

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.1 ACRES - 34.1
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.9 ACRES - 5.9
SECTION 12
TOWNSHIP 2 NORTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

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

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

To monitor the effect of water use from the well authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and

- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

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

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air

line and pressure gauge adequate to determine water level elevation in the well at all times.

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

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

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

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

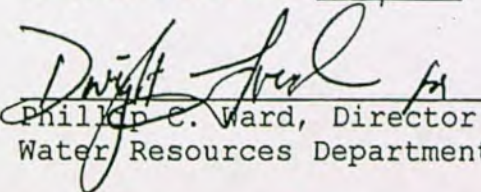
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued November 24, 2004


Phillip C. Ward, Director
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check one of the following:

☒ Permit Amendment ☐ Ground Water Registration Modification

2. APPLICANT INFORMATION

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Name: William, Douglas, & Thomson Martin FEB 26 2010
First Last WATER RESOURCES DEPT
Address: P.O. Box 201 SALEM, OREGON
Rufus OR 97050
City State Zip
Phone: 541-980-5979
Home Work Other
Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: Tenneson Engineering Corp Attention Larry Toll
First Last
Address: 3313 West Second St, Suite 100
The Dalles OR 97058
City State Zip
Phone: 541-296-9177
Home Work Other
Fax: 541-296-6657 E-Mail address: ltoll@tennesoneng.com

- If an agent is listed above, please check one of the following:
 - ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - ☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

1 11027

Permit or Registration to be Amended/Modified (check and complete one of the following):

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check all of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) ☒ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <i>Not Available for Ground Water Registrations</i> ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.)	☒ All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) ☐ Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<i>Not Available for Permit Amendments</i> Change existing authorized use to the following proposed <u>new</u> use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Domestic (indicate number of households): _____ ☐ Other _____

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- Reason(s) for amendment/modification(s): Change in what we had planned to irrigate,
Change from wheel line irrigation to center pivot irrigation, and change in the number of
wells we wanted to drill

1 11027

- The following information must be provided only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
SHER 50249	2/22/2007	2N	16E	W	11	NE of SE	1500	52' S & 35' W from E ¼ of SEC 11

- Does the permit/registration being amended/modified involve a ground water source(s)?
☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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- Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.*

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

[illegible]

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**6. PROPOSED PERMIT AMENDMENT OR REGISTRATION
MODIFICATION**

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or

appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)
(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
SHER 50249	2N	16E	W	11	NE SE	1500	52' S & 35'W from E1/4 Cor Sec 11
SHER 296	2N	16E	W	11	NE NE	1400	1243'S & 752'W from NE Cor Sec 11

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? ☐ Yes ☒ No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Sherman County Community Development

P.O. Box 381

Moro, OR 97039

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8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

☐ N/A – This is a Ground Water Registration Modification application.

- Is the applicant the permit holder of record? ☒ Yes ☐ No **NOTE: Proposed amendment has pipeline crossing under county roads. Easements document enclosed for crossings.**

If "No", the applicant must either:

A. *Be assigned as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment;*

or

B. *Submit an Affidavit of Consent from the permit holder of record that gives permission for the applicant to amend the permit.*

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9. LAND OWNERSHIP

If for a Permit Amendment proposing 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 owner 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.*

- Check one of the following:

- ☒ The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
- ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

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- Check one of the following:

- ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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10. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Map:

- X A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Land Use Information Form:

- X Enclosed; or
- ☐ Not required if all of the following are met:
- ① In EFU zone or irrigation district;
 - ② Change in place of use only;
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures; and
 - ④ Irrigation only.

Water Well Reports/Well Logs:

- X The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.

Fees:

- X Amount enclosed: \$ 1450
- See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

Base \$900
Base well 300
APR 250
\$1450

For Permit Amendments Only...

Request for Assignment:

- ☐ Enclosed. 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: www.wrd.state.or.us/OWRD/PUBS/forms.shtml; or
- X N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is not the permit holder of record but is supplying an Affidavit of Consent from the permit holder.

Affidavit of Consent:

- ☐ Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or
- X N/A. Not required because the applicant is the permit holder of record.

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SALEM, OREGON

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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

11. SIGNATURES

- For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:

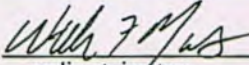
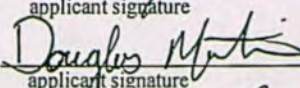
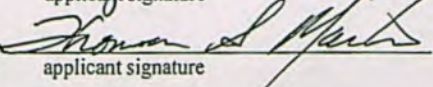
- ☐ In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not both the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:
- A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or
- B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

- ☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor.

- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation.

- For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	William F. Martin name (print)	4/1/09 date
 applicant signature	Douglas Martin name (print)	4/1/09 date
 applicant signature	Thomson S. Martin name (print)	4/1/09 date

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WATER RESOURCES DEPT
SALEM, OREGON

T 11027



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-11027

Review Due Date: 3/31/2010

Applicant Name: Douglas, Thomson, William Martin

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

Reviewer(s): Robert Wood

Date of Review: Mar. 2, 2010

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. 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: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, 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: _____

9. Are there other issues not identified through the above questions? ☒ Yes ☐ No If "Yes", explain: There is a potential conflict with permit G-15781. 40 acres in SW NW, Sec 12, 2N 12E. The completion date for this permit was 10/1/2009. I don't know if a COBU was filed or if any of this permit was proved up. We need to resolve prior to approving this transfer. There also appears to be a small amount of overlap with certificate 60446 (application G-10048 mentioned in the transfer application). Also, a small amount of overlap with permit G-12404, supplemental irrigation. I don't think these two rights are conflicting because the intent of the transfer application seems to be to put in a 1/2 pivot that is adjacent to the large existing center pivot, not overlapping. There also seems to be some question as to whether the additional POA well is in the same aquifer as the original application POA.
10. What alternatives may be available for addressing any issues identified above: Permit G-15781: We need to find out if any of this right was proved up and get a COBU submitted to see if there is any conflict. Certificate 60446 and permit G-12404: I don't think any action is necessary. Well issue- I would defer to Ground Water Section in Salem as to whether or not the wells are in the same aquifer.
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. The checked water control and measurement conditions should be included in the transfer:

Headgates: ☒ NA	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.
---	--	---	---

Measurement Devices:

- ☐ The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

Surface Water Diversion or Groundwater Point of Appropriation:

- ☐ The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion/appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.
- ☐ Water use measurement conditions: (if this condition is selected, also fill in the top sections of page 3)
- 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.
 - The water user shall maintain the meters or measuring devices in good working order.
 - The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Reservoirs:

- ☐ The Director may require the water user to install staff gages or 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. Additionally, if the reservoir is located in-channel, weirs or other suitable measuring devices may be required upstream and downstream of the reservoir, and an adjustable outlet valve may be

required. If the Director notifies the water user to install adjustable outlet valves, staff gages, weirs, or other suitable measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the devices in good working order and shall allow the Watermaster access to the devices.

- ☐ *Water use measurement conditions: (if this condition is selected, also fill in the top sections of page 3)*
- 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 | ☐ Submerged Orifice | ☐ Other: _____ |
| ☐ Parshall Flume | ☐ 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-_____

☐ A _____ will be required to be installed prior to diversion of water at the proposed point(s) of diversion or appropriation as a condition of this transfer.

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

Watermaster name: _____

District: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

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

STATE OF OREGON

COUNTY OF SHERMAN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM MARTIN
DOUGLAS MARTIN
THOMSON MARTIN
PO BOX 201
RUFUS, OR 97050

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

APPLICATION FILE NUMBER: G-16803

SOURCE OF WATER: A WELL IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 120.0' ACRES

MAXIMUM RATE: 1.25 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 22, 2007

WELL LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 11, T2N, R16E, W.M.; 52 FEET SOUTH AND 35 FEET WEST FROM E $\frac{1}{4}$ CORNER, SECTION 11

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES

SECTION 11

TOWNSHIP 2 NORTH, RANGE 16 EAST, W.M.

7 POW

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A

Salem, OR 97301-1266

PAGE 2
503-986-0900

FAX 503-986-0904

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

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

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

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

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

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

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

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

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

The well(s) shall produce ground water only from the basalt ground water reservoir.

STANDARD CONDITIONS

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 not be valid, unless the Department authorizes the change in writing.

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

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



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A

Salem, OR 97301-1266

503-986-1900

FAX 503-986-0904

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

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

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

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

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

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2012. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

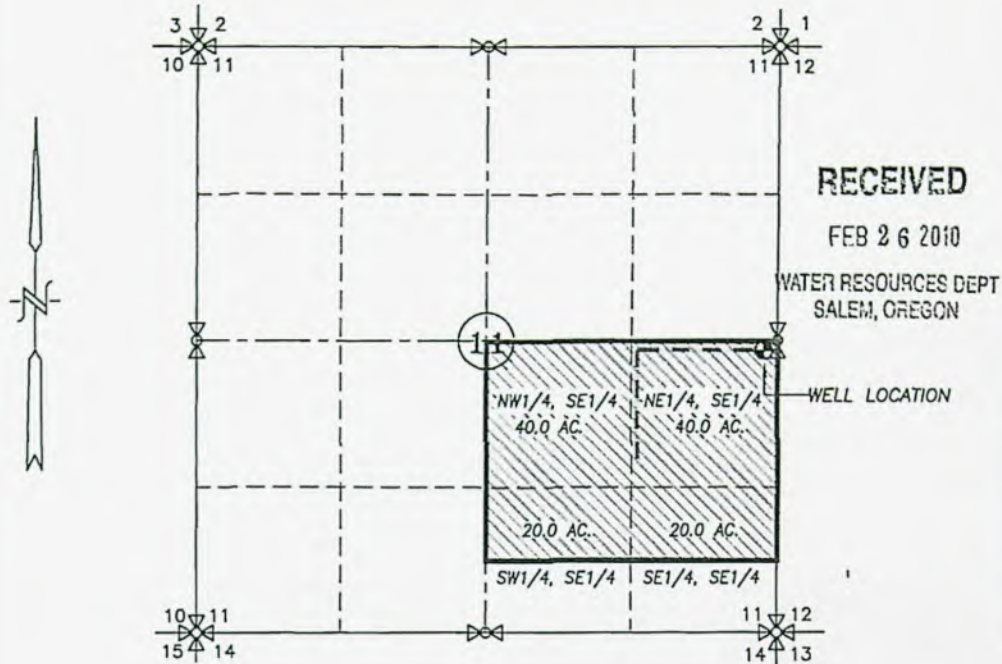
Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued January 17, 2008

for Phillip C. Ward, Director
Water Resources Department



SECTION 11, TWP.2 N. RANGE 16 E. W.M.
SHERMAN COUNTY, OREGON



⊕ EXISTING WELL, 52' SOUTH & 35' WEST OF E1/4 COR. SEC. 11

▨ APPLICATION AREA TO BE TRANSFERRED FROM = 120.0 ACRES

--- IRRIGATION MAIN

PERMIT
AMENDMENT FROM MAP

SCALE: 1" = 1320'

APPLICATION No. G-16803

PERMIT No. G-16285

IN THE NAME OF:

BILL MARTIN

DATE: APRIL 1, 2009

BY: **TENNESON ENGINEERING CORP.**
3313 W. 2ND. STREET, SUITE 100
THE DALLES, OREGON. 97058
PH. (541) 296-9177
FAX (541) 296-6657



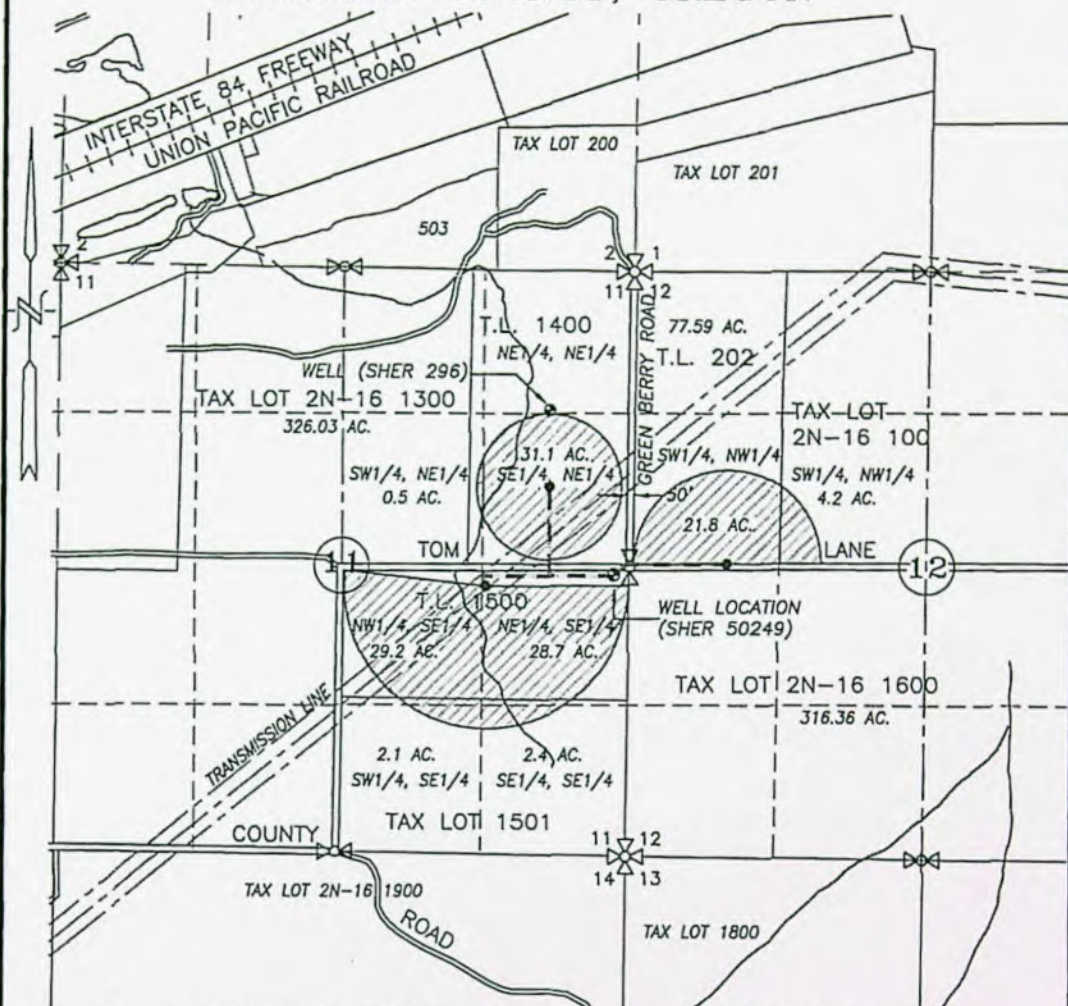
EXPIRES: 06/30/2010

NOTE:

"THIS MAP IS NOT INTENDED TO
PROVIDE DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES."

W.O. #12508wr2

SECTION 11, TWP.2 N. RANGE 16 E. W.M.
SHERMAN COUNTY, OREGON



- ⊗ WELL (SHER 50249) 52' SOUTH & 35' WEST OF E1/4 COR. SEC. 11
- ⊗ WELL (SHER 296) 1243' SOUTH & 752' WEST OF NE COR. SEC. 11

▨ APPLICATION AREA TO BE TRANSFERRED TO = 120.0 ACRES
--- IRRIGATION MAIN

PERMIT
AMENDMENT TO MAP

SCALE: 1" = 1320'

RECEIVED

FEB 26 2010

WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION No. G-16803

PERMIT No. G-16285

IN THE NAME OF:

BILL MARTIN

DATE: APRIL 1, 2009

BY: **TENNESON ENGINEERING CORP.**

3313 W. 2ND. STREET, SUITE 100
THE DALLES, OREGON. 97058
PH. (541) 296-9177
FAX (541) 296-6657



1 11027

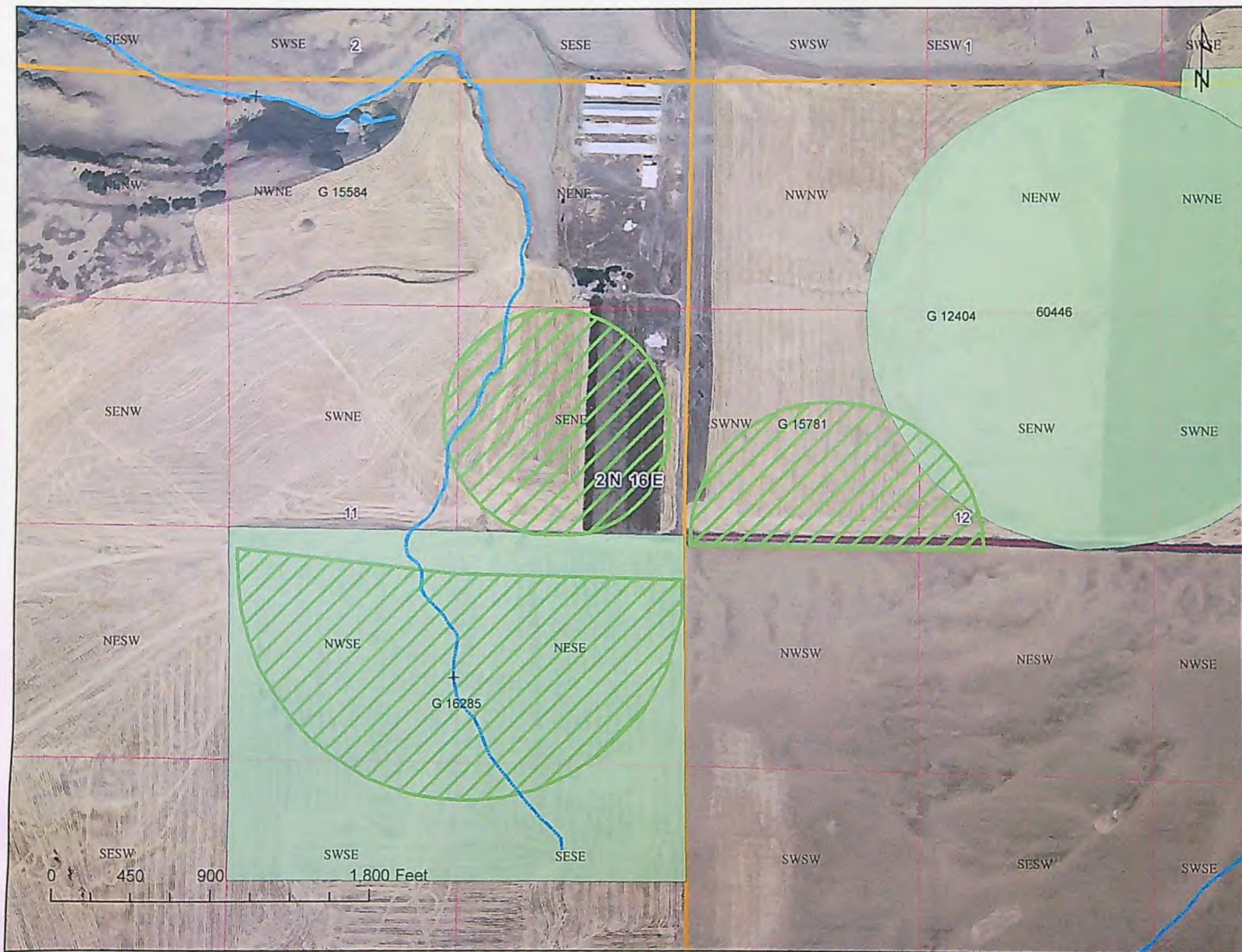


EXPIRES: 06/30/2010

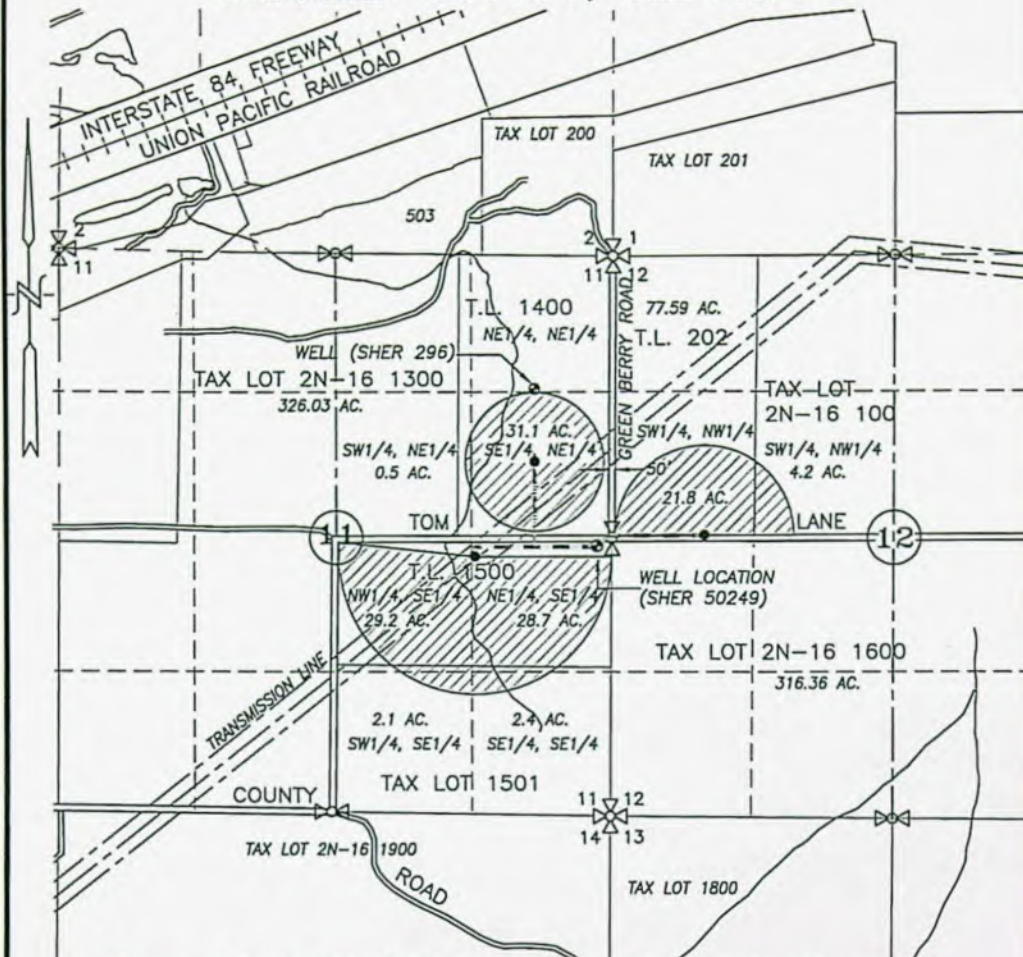
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WATER RESOURCES DEPT
SALEM, OREGON

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IN THE NAME OF:

BILL MARTIN

DATE: APRIL 1, 2009

BY: **TENNESON ENGINEERING CORP.**

3313 W. 2ND. STREET, SUITE 100

THE DALLES, OREGON. 97058

PH. (541) 296-9177

FAX (541) 296-6657



1 11027



EXPIRES: 06/30/2010

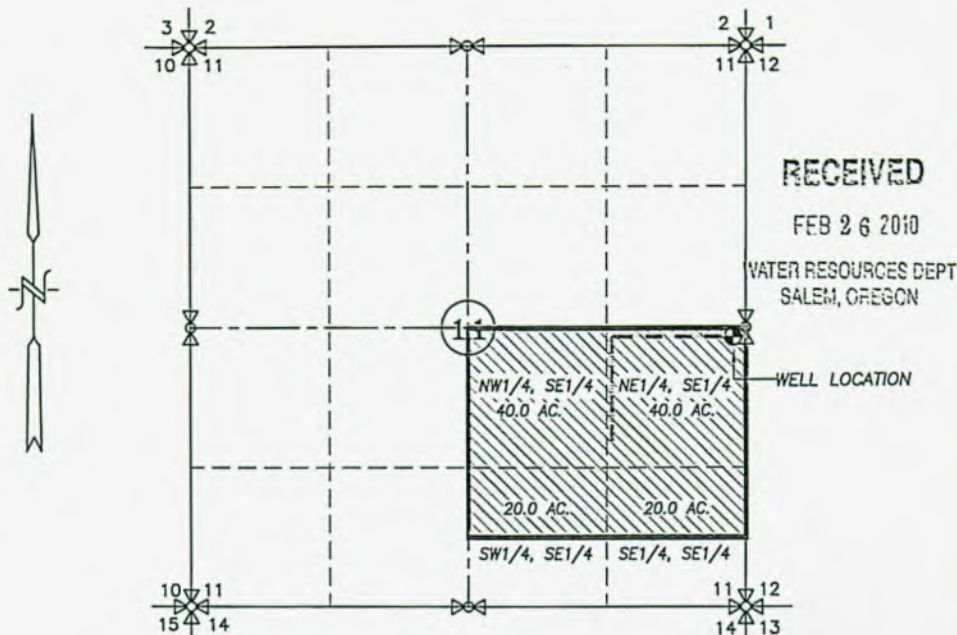
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W.O. #12508wr2

SECTION 11, TWP.2 N. RANGE 16 E. W.M.

SHERMAN COUNTY, OREGON



● EXISTING WELL, 52' SOUTH & 35' WEST OF E1/4 COR. SEC. 11

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PERMIT

AMENDMENT FROM MAP

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IN THE NAME OF:

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EXPIRES: 06/30/2010

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OF PROPERTY OWNERSHIP LINES."

W.O. #12508wr2

Water Rights Platcard Report

TO

Meridian: Willamette Township: 2 North Range: 16 East Section: 12 Records per Page: 50 Search

New Platcards Maps!
Learn about * Mapped by Type * Mapped by Use

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SW	SW	SW	SE	SE	SE	SE	Unknown	
							Q(160):	NE	NE	NE	NE	NE	NW	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	OO	
Select Cert:60446 OR *		12/10/1980	IRRIGATION						29	22.4			34.6	4.4	5.9	39.3	1.3						0.1				
<u>Additional Info:</u> WILLIAM F MARTIN App: G10048 Permit: G9559 Cert: 60446																											
Select Cert:64105 OR *		3/7/1977	IRRIGATION					35.2			2.2																
<u>Additional Info:</u> WILLIAM F MARTIN App: G7891 Permit: G7301 Cert: 64105																											
Select Permit:G 15781 *		7/22/2003	IRRIGATION												40												
<u>Additional Info:</u> DOUGLAS MARTIN App: G16055 Permit: G15781																											
Select Permit:G 12404 *		8/6/1993	SUPPLEMENTAL IRRIGATION (Suppl'mtl)						22	26.5		32	2.5	3	34												
<u>Additional Info:</u> THOMSON MARTIN App: G13481 Permit: G12404																											

Acreage Legend: 12.25 Regular acreage

~~12.25~~ Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified

TO

New Platcards Maps!
[Learn about](#) * [Mapped by Type](#) * [Mapped by Use](#)

TR12.25 Regular
acreage

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[12.25] Acreage has been suspended

* Acreage is not specified

STATE OF OREGON
COUNTY OF SHERMAN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM MARTIN
DOUGLAS MARTIN
THOMSON MARTIN
PO BOX 201
RUFUS, OR 97050

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

APPLICATION FILE NUMBER: G-16803

SOURCE OF WATER: A WELL IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE 'ON 120.0 ACRES

MAXIMUM RATE: 1.25 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 22, 2007

WELL LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 11, T2N, R16E, W.M.; 52 FEET SOUTH AND
35 FEET WEST FROM E $\frac{1}{4}$ CORNER, SECTION 11

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SECTION 11

TOWNSHIP 2 NORTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable

Application G-16803 Water Resources Department

PERMIT G-16285

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

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

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

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

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

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- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

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

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
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The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The well(s) shall produce ground water only from the basalt ground water reservoir.

STANDARD CONDITIONS

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 not be valid, unless the Department authorizes the change in writing.

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

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

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

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

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

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

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

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2012. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued January 17, 2008

E. Timothy Ward

for Phillip C. Ward, Director
Water Resources Department

Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Permit:G 16285 *





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

Groundwater Review Form:

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

Application: T-11027

Applicant Name: Tom, Bill, & Doug Martin

Proposed Changes: ☐ POA
☐ USE

☒ APOA
☐ POU

☐ SW→GW
☐ OTHER

☐ RA

Reviewer(s): Marc Norton

Date of Review: April 23, 2010

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 groundwater body developed or proposed to be developed.
- ☐ Other _____

1. Basic description of the changes proposed in this transfer: The proposed change is to add an additional POA, SHER 296, to the original POA, SHER 50249.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☐ Yes ☒ No Comments: Based on information on the well log, the proposed POA develops water from water bearing zones above the elevation where the original POA develops water. The original POA, SHER 50249, did not report water until a depth of 272 feet, about 50 feet below the SHER 296, allowing for elevation change between the wells.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☒ Yes ☐ No. Possible – see Bob Wood's comments. Both basalt - different water levels
b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another groundwater right**?
☐ Yes ☒ No Comments: _____

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: _____

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: _____

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?

per
Amen

Stream: _____

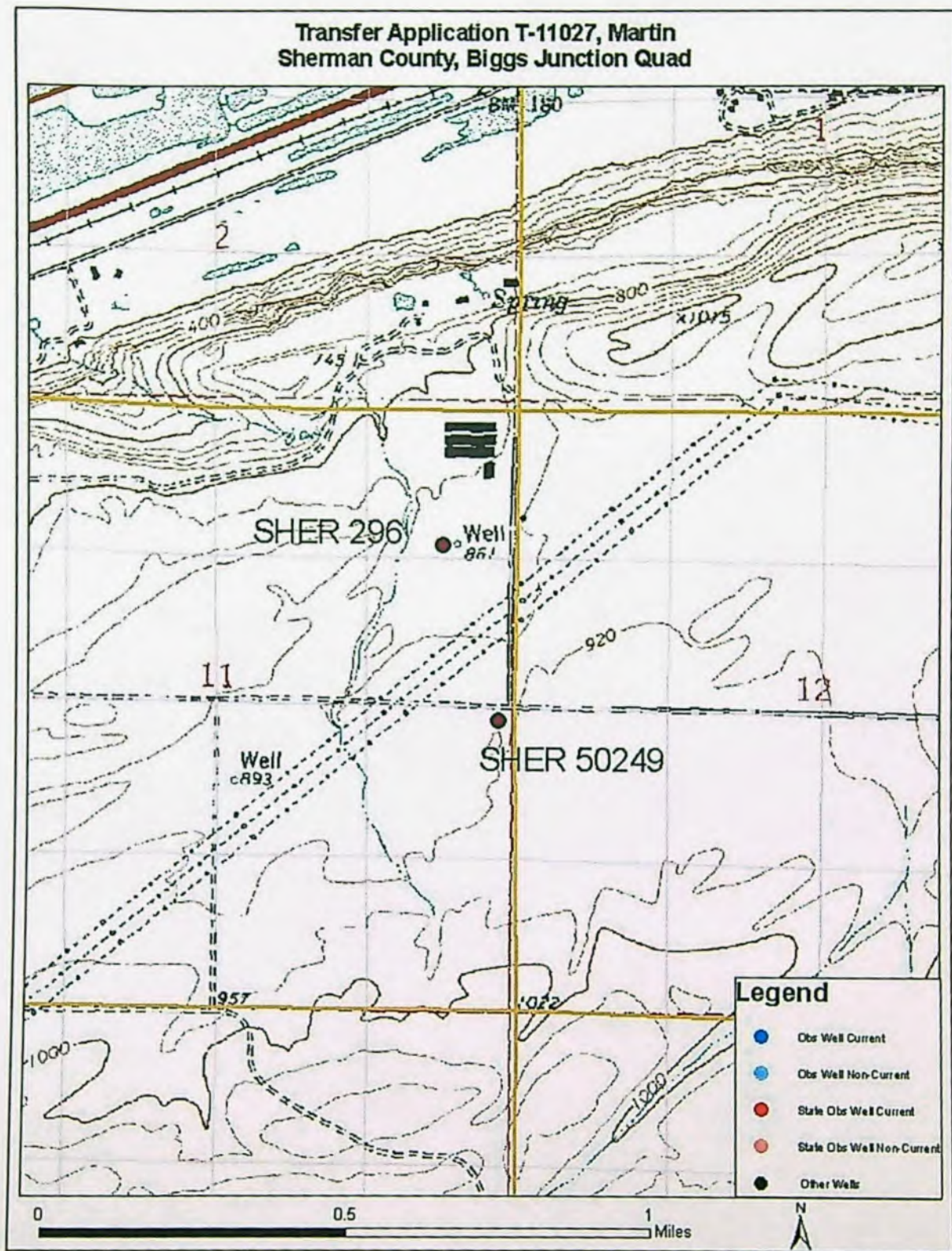
☐ Minimal ☐ Significant

Stream: _____

☐ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above: None at this time as the wells are developing water from different aquifers.
7. Any additional comments: None at this time as the wells are developing water from different aquifers.





TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

3313 WEST SECOND STREET, SUITE 100
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

June 30, 2010

Ms. Kara Morris
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Reference: Transfer 11027

Dear Kara:

I am having some difficulty with your letter of June 24, 2010, concerning Transfer 11027 for William, Douglas, and Thomson Martin. The Permit Amendment Application is to change the Place of Use of the current water right and add a second well to the existing permitted well.

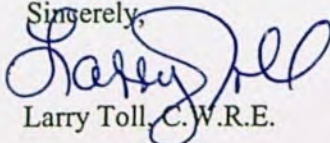
From your letter, it is not clear what you are speaking about in Item 1 when you say "the proposed point of appropriation". Both wells (SHER 50249 and SHER 296) are listed under the Proposed Point of Appropriation section of the Transfer Application. I am making the assumption that you are speaking about well (SHER 296). Well (SHER 296) has been determined to be in a different aquifer from well (SHER 50249). If this is correct, please drop well (SHER 296) from the permit amendment and proceed with only well (SHER 50249) as the source of water. This request is based on my conversation with William Martin on June 30, 2010.

As per Item 2 of your letter concerning the conflict with Water Right Permit G-15871, attached are copies of the authorizations to cancel Permit G-18781 which were submitted with the permit amendment on February 24, 2010.

OWRD Groundwater Section has determined that well (SHER 50249) and well (SHER 296) are producing from different water bearing zones. Can the Martins file and obtain a water right permit for Supplemental Irrigation on well (SHER 296)?

If you have any further questions, please feel free to contact myself or Bill Martin.

Sincerely,


Larry Toll, C.W.R.E.

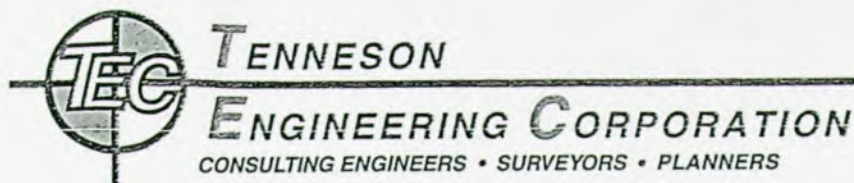
LT:jm
<wo#12508>

Enclosures

RECEIVED

JUL 02 2010

WATER RESOURCES DEPT
SALEM, OREGON



3313 WEST SECOND STREET, SUITE 100
 THE DALLES, OR 97058

PHONE (541) 296-9177
 FAX (541) 296-6657

LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301

Date: 02/24/2010	Work Order 12508
Attention	
RE: Permit Amendment for Application G-16803	

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	\$1,450 APPLICATION FEE
1 set	(28 pgs) PERMIT AMENDMENT, INCLUDING MAP, LAND USE, WELL LOGS, LEGAL DESCRIPTION AND EASEMENTS
1 set	(9pgs) AUTHORIZATION TO CANCEL APPLICATION G-16055

THESE ARE TRANSMITTED (as checked below)

☐ For approval ☐ As requested ☒ Filing/Recording
☐ For your use ☐ Approved as noted ☐ For your review & approval

Remarks: Application G-16055 is a conflicting water right to the proposed changes in the permit amendment of Application G16803. This is the reason for the enclosed cancelation authorization.	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

PICKED UP BY:
 DELIVERED BY:
 COPY TO: Bill Margin w/ 1 of each

BY: Larry M. Toll, C.W.R.E
 ltoll@tennesoneng.com

If enclosures are not as noted, please notify us at once.

RECEIVED

JUL 02 2010

WATER RESOURCES DEPT
 SALEM, OREGON



COPY

TO: Water Resources Director
Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

I/We hereby authorize the cancellation of my/our water use Application No. G-16055,

Permit No. G-15781, which describes a right to develop the use of up to

0.461 C.F.S./G.P.M./ACRE-FEET of water from a well
(source)

for the purpose of irrigation of 34.1 acres and deficiency irrigation
on 5.9 acres(ue)

Sincerely,

Douglas T. Martin
Signature of Permittee or Authorizing Agent

Date: 4-1-09

Douglas T. Martin
Printed Name of Permittee or Authorizing Agent

Date: 4-1-09

Signature of Other Permittee, If Any

Address: P.O. Box 212

Rufus OR 97050

Phone: (541) 739-2334

RECEIVED

JUL 02 2010

WATER RESOURCES DEPT
SALEM, OREGON



COPY

TO: Water Resources Director
Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

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for the purpose of irrigation of 34.1 acres and deficiency irrigation
on 5.9 acres(ue)

Sincerely,

William F. Martin
Signature of Permittee or Authorizing Agent

Date: 4/1/09

William F. Martin
Printed Name of Permittee or Authorizing Agent

Date: _____

Signature of Other Permittee, If Any

Address: P.O. Box 201
Rufus OR 97050

Phone: (541) 739 - 2424

RECEIVED

JUL 03 2010

WATER RESOURCES DEPT
SALEM, OREGON



COPY

TO: Water Resources Director
Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

I/We hereby authorize the cancellation of my/our water use Application No. G-16055,

Permit No. G-15781, which describes a right to develop the use of up to

0.461 C.F.S./G.P.M./ACRE-FEET of water from a well
(source)

for the purpose of irrigation of 34.1 acres and deficiency irrigation
on 5.9 acres(ue)

Sincerely,

Thomson S. Martin
Signature of Permittee or Authorizing Agent

Date: 4/1/09

Thomson S. Martin
Printed Name of Permittee or Authorizing Agent

Date: 4/1/09

Signature of Other Permittee, If Any

Address: P.O. Box 128
Rufus, Or. 97050

Phone: (541) 980-2957

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JUL 02 2010

WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

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

June 24, 2010

FILE

WILLIAM, DOUGLAS, & THOMSON MARTIN
PO BOX 201
RUFUS, OR 97050

REFERENCE: Permit Amendment T-11027

We are examining your water right transfer application. There are some problems that need to be resolved before we can continue processing your application.

1. A review of the application by the Department's Ground Water Section determined that, based on the information on the well logs, the proposed point of appropriation develops water from a different aquifer than the original point of appropriation. In order to proceed, you can change the proposed point of appropriation, submit evidence that the wells develop the same aquifer, or withdraw the application.
2. A portion of the area proposed to be irrigated under this application is currently covered by Permit G-15781. The permit authorizes the irrigation of 40.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, Township 2 North, Range 16 East. The Completion Date for Permit G-15781 was October 1, 2009. In order to proceed, you can submit a Claim of Beneficial use showing the lands proposed in the permit amendment are not being irrigated under Permit G-15781, amend the permit amendment to remove the layered portion from the permit amendment, or withdraw the application.

Please submit the updates to the permit amendment or a request to withdraw the permit amendment **July 26, 2010** to Kara Morris, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266. If you have any questions, please call me at 503-986-0898 or Kara.B.Morris@wrdd.state.or.us.

Sincerely,

Kara Morris
Water Rights Transfer Specialist

cc: File T-11027
Robert Wood, Watermaster, District 3
Larry Toll, Agent



Sarah Henderson

From: Sarah Henderson
Sent: Friday, February 26, 2010 2:54 PM
To: Larry Toll
Subject: William,Douglas, &Thomson Martin Permit Amendment

Hi Larry,

Hope your doing well.

The permit amendment application for the Martin's is ok except for the fees.

Base Fee – 900 (POU + 1st CFS)
Additional Change – 700 (APOA)
Well Fee – 300
Additional CFS over 1- 250

Total – 2150

1450 was sent in so all that is needed is an additional \$700.

Please put the number T-11027 on the check.

I will get the application started and in the public notice.

Thank you,

If you have any questions, let me know.

Sarah Henderson
OWRD

3/8/2010

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

99338

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

INVOICE # _____

RECEIVED FROM:

Tenneson Engineering Corp

BY:

APPLICATION

PERMIT

TRANSFER

T-11027

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

37471

☐

TOTAL REC'D

\$700.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

46110

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$700.00

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT:

99338

DATED:

3-5-10

BY:

[Signature]

**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 # **99338**

INVOICE # _____

RECEIVED FROM: Tenneson Engineering Corp.
BY: _____

APPLICATION	
PERMIT	
TRANSFER	7-11027

CASH: ☐ CHECK:# 3747 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 700.00

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	EXAM FEE \$ _____	0202 \$ _____
0203 GROUND WATER	EXAM FEE \$ _____	0204 \$ _____
0205 TRANSFER	EXAM FEE \$ <u>700.00</u>	

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **99338**

DATED: 3-5-10 BY: AK

TENNESON ENGINEERING CORP
Oregon Water Resources Department

03/03/2010

37471

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
03/03/2010	Bill		700.00	700.00		700.00
				Check Amount		700.00

RECEIVED

MAR 05 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

Columbia River Bank App Fee - Martin, W. O. 12508

700.00

March 3, 2010

RECEIVED

MAR 05 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

Ms. Sarah Henderson
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-2430

Reference: Transfer 11027

Sarah:

Enclosed is the requested check for an additional \$700. I think OWRD needs to revise the fee wording in the Fee Schedule. I believe that I sent in the correct amount of money based on what the Fee Schedule says. I looked up ORS 535.050 1(h) and I don't believe the Fee Schedule and Statutes are the same.

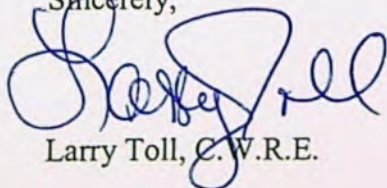
The way the Fee Schedule is set up, to me, is I pay \$700 for the first change to a single water right or permit. Next, I pay \$300 for any transfer involving a well, in my case adding a well, with any of the types of changes listed.

- No additional water rights or permit, no fee.
- No additional uses because change in place of use covered by the \$700 and change is point of appropriation is covered by the \$300 fee.
- An additional fee of \$250 because of the second CFS.

The way the Statute is laid out it makes it clear that the \$300 is an additional fee for the four listed changes to a point of appropriation. This is an additional fee not a base fee.

Anyway, here is the additional \$700. Please feel free to contact me should you have any questions.

Sincerely,


Larry Toll, C.W.R.E.

LMT:jw
<wo#12508>

Enclosure



TENNESON

ENGINEERING CORPORATION

3313 WEST SECOND STREET, SUITE 100
THE DALLES, OR 97058



Ms. SARAH HENDERSON
OREGON WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-2430

97301+1266





Oregon

Theodore R. Kulongoski, Governor

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

March 1, 2010

WILLIAM, DOUGLAS, THOMSON MARTIN
PO BOX 128
RUFUS OR 97050

Reference: Application T- 11027

On February 26, 2010, we received your water right Transfer application. The application was accompanied by \$1450.00. Our receipt number 99292 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.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

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

If you have any questions, please contact the Transfer Section at (503)986-0883.

cc: Watermaster Dist. #3 (via email)
Groundwater (via email)
Larry Toll, Agent
Sherman County Community Development

Enclosure





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment March 2, 2010

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: SHERMAN
Transfer: 11027
Water Right: PERMIT G 16285
Priority Date: FEBRUARY 22, 2007
Name: DOUGLAS MARTIN, THOMSON MARTIN, WILLIAM MARTIN
Address: PO BOX 128, RUFUS OR 97050
Change: PLACE OF USE, ADDITIONAL POINT OF APPROPRIATION
Source: A WELL

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check **one** of the following:

☒ Permit Amendment

☐ Ground Water Registration Modification

2. APPLICANT INFORMATION

RECEIVED

Name: William, Douglas, & Thomson
First

Martin
Last

FEB 26 2010

Address: P.O. Box 201

WATER RESOURCES DEPT
SALEM, OREGON

Rufus
City

OR
State

97050
Zip

Phone: 541-980-5979
Home

Work

Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: Tenneson Engineering Corp
First

Attention Larry Toll
Last

Address: 3313 West Second St, Suite 100

The Dalles
City

OR
State

97058
Zip

Phone: 541-296-9177
Home

Work

Other

Fax: 541-296-6657 E-Mail address: ltoll@tennesoneng.com

- If an agent is listed above, please check **one** of the following:

☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**

☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

1 11027

5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (*check and complete one of the following*):

X	Permit to be Amended: <u>G-16285</u> Permit Number	<u>October 1, 2012</u> Current Completion Date of Permit
☐	Ground Water Registration to be Modified: _____ Ground Water Registration Number	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: William, Douglas, and Thomson Martin
- County: Sherman
- Authorized Use(s) to be affected by this Amendment/Modification: Irrigation of 120 acres

- Priority Date(s): February 22, 2007

*If there are **multiple Priority Dates** identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: Well

Tributary to: Columbia River

*If there are **multiple Sources** listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For an application proposing a Change in Place of Use or Character of Use:

- Are there any other "**Layered**" Water Rights, Permits, or Ground Water Registrations issued for **Irrigation** purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? ☐ Yes ☒ No ☐ N/A -No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "**layered**" water uses subject to transfer **must either change concurrently or be cancelled**, except as provided in OAR 690-380-2240(5).

- Remarks: _____

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WATER RESOURCES DEPT
SALEM, OREGON

T 11027

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) ☒ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <i>Not Available for Ground Water Registrations</i> ☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.)	☒ All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) ☐ Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<i>Not Available for Permit Amendments</i> Change existing authorized use to the following proposed <u>new</u> use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Domestic (indicate number of households): _____ ☐ Other _____ RECEIVED FEB 26 2010 WATER RESOURCES DEPT SALEM, OREGON

- Reason(s) for amendment/modification(s): Change in what we had planned to irrigate,
Change from wheel line irrigation to center pivot irrigation, and change in the number of
wells we wanted to drill

T 11027

- The following information must be provided only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
SHER 50249	2/22/2007	2N	16E	W	11	NE of SE	1500	52' S & 35' W from E ¼ of SEC 11

- Does the permit/registration being amended/modified involve a ground water source(s)?
☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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WATER RESOURCES DEPT
SALEM, OREGON

T 11027

6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)
(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
SHER 50249	2N	16E	W	11	NE SE	1500	52' S & 35' W from E1/4 Cor Sec 11
SHER 296	2N	16E	W	11	NE NE	1400	1243'S & 752' W from NE Cor Sec 11

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

RECEIVED

FEB 26 2010

WATER RESOURCES DEPT
SALEM, OREGON

T 11027

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? ☐ Yes ☒ No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Sherman County Community Development

P.O. Box 381

Moro, OR 97039

RECEIVED

FEB 26 2010

WATER RESOURCES DEPT
SALEM, OREGON

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

☐ N/A – This is a Ground Water Registration Modification application.

- Is the applicant the permit holder of record? ☒ Yes ☐ No **NOTE: Proposed amendment has pipeline crossing under county roads. Easements document enclosed for crossings.**

If "No", the applicant must either:

A. *Be assigned as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment;*

or

B. *Submit an Affidavit of Consent from the permit holder of record that gives permission for the applicant to amend the permit.*

9. LAND OWNERSHIP

If for a Permit Amendment proposing 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 owner 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.*

- Check one of the following:
 - ☒ The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

- ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

RECEIVED

FEB 26 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

10. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Map:

- X A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

Land Use Information Form:

- X Enclosed; or

- ☐ Not required if all of the following are met:
- ① In EFU zone or irrigation district;
 - ② Change in place of use only;
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures; and
 - ④ Irrigation only.

Water Well Reports/Well Logs:

- X The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

Fees:

- X Amount enclosed: \$ 1450
See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

Base \$900
Base well 300
APAI 250
\$1450

For Permit Amendments Only...

Request for Assignment:

- ☐ Enclosed. 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: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or
- X N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is **not** the permit holder of record but is supplying an Affidavit of Consent from the permit holder.

Affidavit of Consent:

- ☐ Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or
- X N/A. Not required because the applicant is the permit holder of record.

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WATER RESOURCES DEPT
SALEM, OREGON

T 11027

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

11. SIGNATURES

- ***For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:***

- ☐ In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

(a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;

(b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*

(c) If the applicant is not both the person named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:

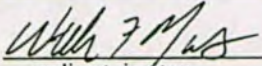
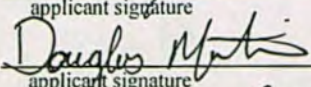
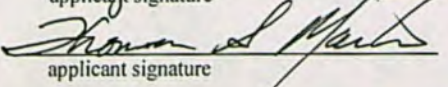
A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or

B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

- ☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor.

- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation.

- ***For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.***

 applicant signature	William F. Martin name (print)	4/1/09 date
 applicant signature	Douglas Martin name (print)	4/1/09 date
 applicant signature	Thomson S. Martin name (print)	4/1/09 date

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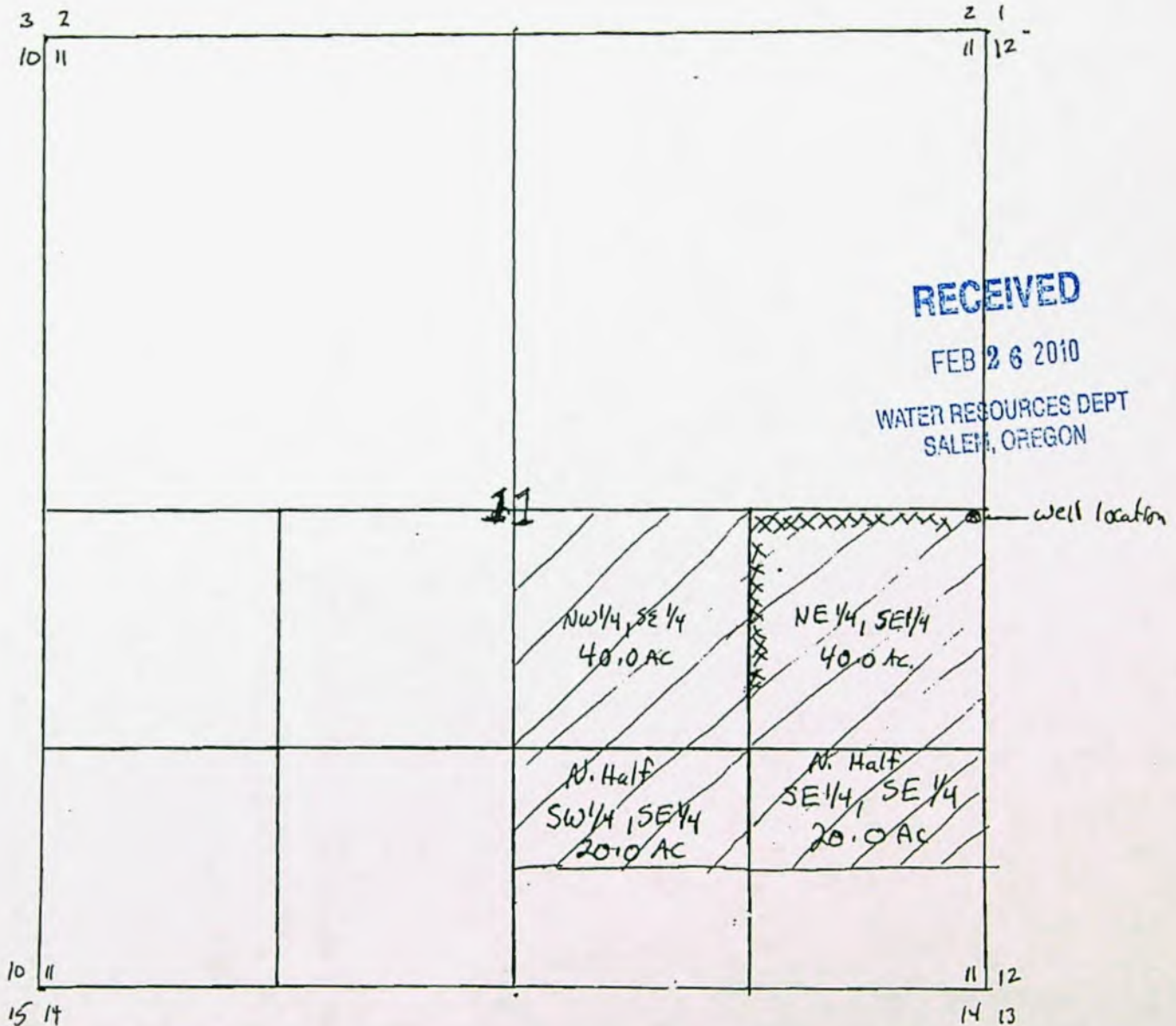
WATER RESOURCES DEPT
SALEM, OREGON

T 11027

Application for William, Douglas, Thomson Martindale

Section 11, T.2N, Range 16E W.M.
Sherman County Oregon

Tax Lot 1500 & 1501



Scale: 1" = 880'

⊗ proposed well: 52' S, 35' W from the East quarter corner of sec 11

 proposed application area

xxxxxxx = proposed 6" mainline T 11027

App no G-16803

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WATER RESOURCES DEPT
SALEM, OREGON

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

STATE ENGINEER, SALEM, OREGON
within 30 days from the date
of well completion.

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MAR 30 1970

WATER WELL REPORT

RECEIVED
APR - 6 1970

STATE ENGINEER
SALEM, OREGON

STATE ENGINEER
SALEM, OREGON

2N/16-11

(1) OWNER:

Name Allen Tom
Address Rufus, Ore

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☒ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☐

10" Diam. from 0 ft. to 21 ft. Gage 1025
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations	in. by	in.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

Static level 40' ft. below land surface Date Feb 27, '70
Pneumatic pressure lbs. per square inch Date

(9) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Columbia Pump

Yield: 200 gal./min. with 120 ft. drawdown after 4 hrs.

Ball test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water 56° Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used Cement Grout

Depth of seal 21' ft.

Diameter of well bore to bottom of seal 14 in.

Were any loose strata cemented off? ☐ Yes ☒ No Depth

Was a drive shoe used? ☐ Yes ☒ No

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(11) LOCATION OF WELL:

County Sherman Driller's well number 1
1/4 Section 11 T. 2N R. 16E W.M.

Bearing and distance from section or subdivision corner

(12) WELL LOG:

Diameter of well below casing 8 3/4"

Depth drilled 170' ft. Depth of completed well 170' ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change
in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Soil, Br. Heavy	0	4	
Claystone, Gray	4	11	
Basalt, Red	11	30	
Basalt, BIK	30	110	
Basalt, Brown Brk. Soft	110	115	(Water)
Basalt, Black Hd	115	120	
Basalt, Soft Br. Bk. porous	120	125	(Water)
Basalt, BIK	125	150	
Basalt, Brk. BIK, Br	150	165	(Water)
Basalt, Gray Hd	165	170	

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SALEM, OREGON

Work started Feb 21 1970 Completed Feb 23 1970

Date well drilling machine moved off of well Feb 23 1970

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Don Parry Date Mar 17, 1970
(Drilling Machine Operator)

Drilling Machine Operator's License No. 640

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Project Corporation
(Person, firm or corporation) (Type or print)

Address One South Second, Walla Walla

[Signed] Ray Biser, Jr.
(Water Well Contractor)

Contractor's License No. 527 Date 3/24/70

(USE ADDITIONAL SHEETS IF NECESSARY)

T 11027

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

SHER 50249

WELL LABEL # L 85679

START CARD # 188939

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

(1) LANDOWNER Owner Well I.D.
First Name DM, JILL DANC Last Name MARTIN
Company
Address PO BOX 201
City RUFUS State OR Zip 97050

(2) TYPE OF WORK ☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (repair/recondition) ☐ Abandonment

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

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

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well 360 ft.

BORE HOLE			SEAL			Amount (Scks/lbs)
Dia	From	To	Material	From	To	
14	0	60	Cement	0	61	135
10	60	360				

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

☐ Other Pressure Pumped Bottom Up

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

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

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
☒		10		1	60	.250	X		X	

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

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

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

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
380	100 90	359	1

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units
------	----	-------------	--------	-------

(9) LOCATION OF WELL (legal description)

County SHERMAN Twp 2 N or S Range 16 E or W W.M.

Sec 11 NE 1/4 of the SE 1/4 Tax Lot 1500

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 73154 GREENBERRY

RD. RUFUS OR 97050

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	<u>3-30-07</u>			<u>70</u>

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 272

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
<u>3-30-07</u>	<u>272</u>	<u>284</u>	<u>380</u>			<u>70</u>

(11) WELL LOG

Ground Elevation 900

Material	From	To
<u>SOIL</u>	<u>0</u>	<u>24</u>
<u>SAND & GRAVEL</u>	<u>24</u>	<u>44</u>
<u>GREY BROWN BASALT</u>	<u>44</u>	<u>150</u>
<u>GREY BASALT</u>	<u>150</u>	<u>272</u>
<u>RED, GREY, BROWN ROK</u>		
<u>BROKEN (WB)</u>	<u>272</u>	<u>284</u>
<u>GREY BASALT</u>	<u>284</u>	<u>360</u>

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MAY 08 2008

FEB 26 2010

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SALEM, OREGON

Date Started 2-15-07 Completed 3-30-07

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed Ben Tibbels

(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 1782 Date 5-6-08

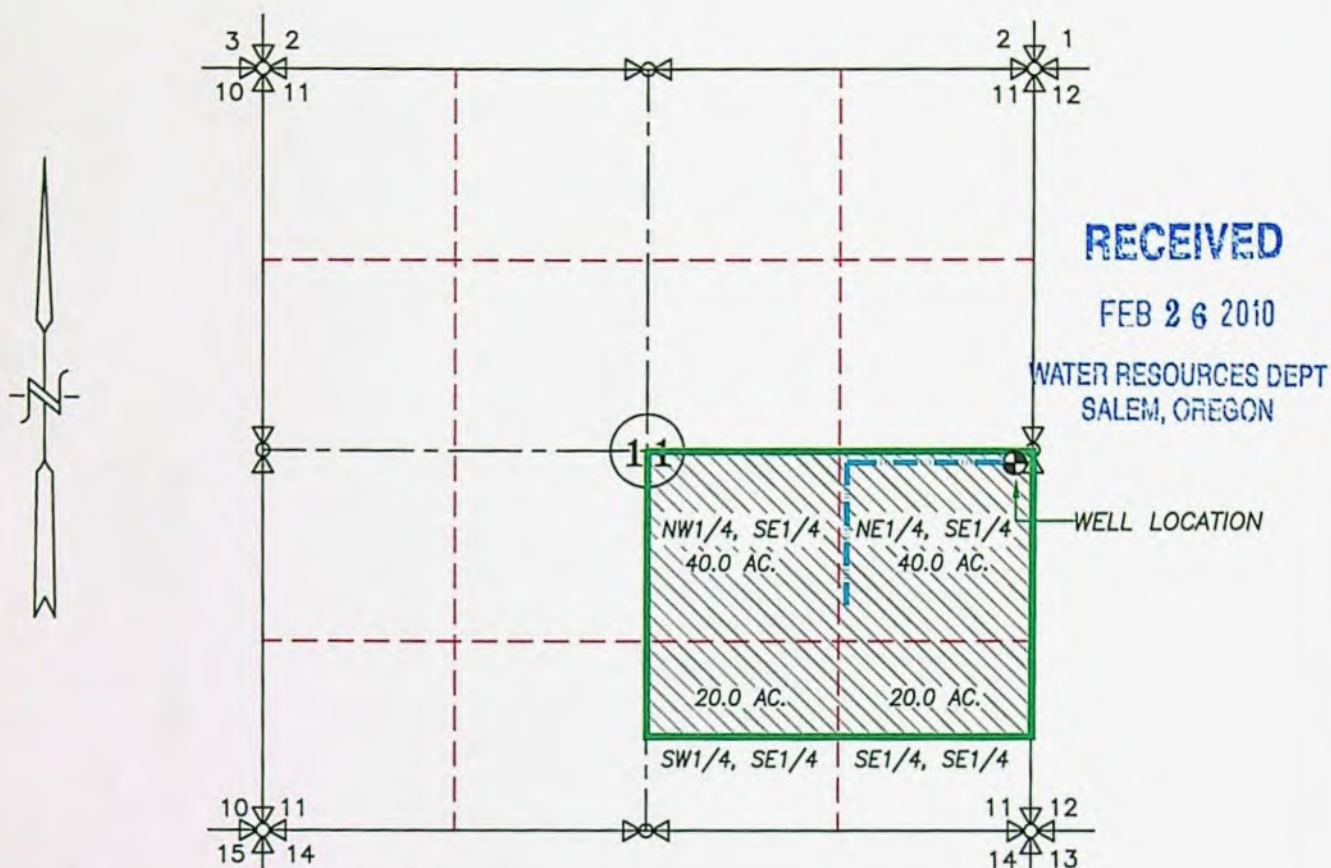
Signed Jo White

Contact Info. (optional) _____

T 11027

SECTION 11, TWP.2 N. RANGE 16 E. W.M.

SHERMAN COUNTY, OREGON



⊕ EXISTING WELL, 52' SOUTH & 35' WEST OF E1/4 COR. SEC. 11

▨ APPLICATION AREA TO BE TRANSFERRED FROM = 120.0 ACRES

--- IRRIGATION MAIN

PERMIT

AMENDMENT FROM MAP

SCALE: 1" = 1320'

APPLICATION No. G-16803

PERMIT No. G-16285

IN THE NAME OF:

BILL MARTIN

DATE: APRIL 1, 2009

BY: **TENNESON ENGINEERING CORP.**

3313 W. 2ND. STREET, SUITE 100
THE DALLES, OREGON. 97058
PH. (541) 296-9177
FAX (541) 296-6657



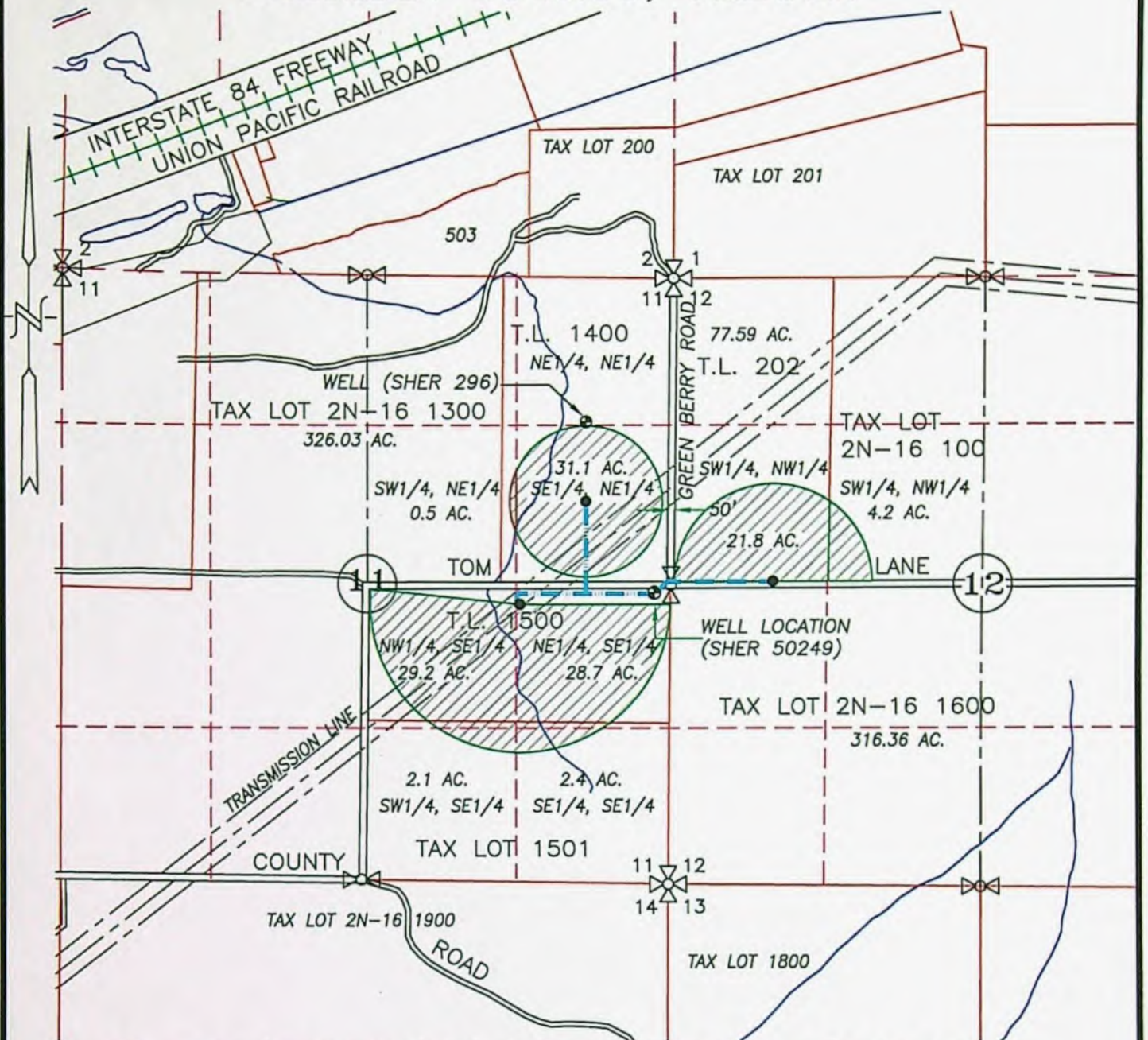
EXPIRES: 06/30/2010

NOTE:

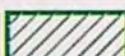
"THIS MAP IS NOT INTENDED TO
PROVIDE DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES."

W.O. #12508wr2

SECTION 11, TWP.2 N. RANGE 16 E. W.M.
SHERMAN COUNTY, OREGON



- ⊕ WELL (SHER 50249) 52' SOUTH & 35' WEST OF E1/4 COR. SEC. 11
- ⊙ WELL (SHER 296) 1243' SOUTH & 752' WEST OF NE COR. SEC. 11

 APPLICATION AREA TO BE TRANSFERRED TO = 120.0 ACRES
 IRRIGATION MAIN

PERMIT
AMENDMENT TO MAP

SCALE: 1" = 1320'

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SALEM, OREGON

APPLICATION No. G-16803

PERMIT No. G-16285

IN THE NAME OF:

BILL MARTIN

DATE: APRIL 1, 2009

1 11027



EXPIRES: 06/30/2010

BY: **TENNESON ENGINEERING CORP.**
 3313 W. 2ND. STREET, SUITE 100
 THE DALLES, OREGON. 97058
 PH. (541) 296-9177
 FAX (541) 296-6657



NOTE:

"THIS MAP IS NOT INTENDED TO
PROVIDE DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES."

W.O. #12508wr2

EXHIBIT A**PARCEL 1:**

Beginning at the Southwest corner of Section 1, Township 2 North, Range 16 East of the Willamette Meridian; thence North 1000 feet; thence Northeasterly in a straight line to a point which is 1670 feet, more or less, North of the Southeast corner of the Southwest quarter of said Section 1; thence South 1670 feet, more or less, to the Southeast corner of the Southwest quarter of said Section 1; thence West along said South line to the point of beginning.

X PARCEL 2:

The Easterly 90 acres of the Northeast quarter of Section 11, Township 2 North, Range 16 of the Willamette Meridian, in the County of Sherman and State of Oregon.

X PARCEL 3:

The Southeast quarter of Section 11, Township 2 North, Range 16 East of the Willamette Meridian, in the County of Sherman and State of Oregon, EXCEPTING THEREFROM the South 1485 feet, more or less, as conveyed to Charles Allen Tom et ux., by deed recorded in Book 42, page 98, Sherman County Deed Records.

MARTIN Chicken Farm Legal

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SALEM, OREGON

T 11027

080017

After Recording Deliver to:

Annala Carev. Baker. Thompson & VanKoten. P.C.

Attorneys at Law. 305 Cascade Street

P.O. Box 325. Hood River. Oregon 97031

EASEMENTS FOR UNDERGROUND WATER PIPELINES

KNOW ALL MEN BY THESE PRESENTS, that **SHERMAN COUNTY, OREGON**, a political subdivision of the State of Oregon, hereinafter called "grantor," does hereby grant, bargain and convey unto **Thomson S. Martin, Douglas T. Martin, and William F. Martin**, as tenants in common, all hereinafter called "grantees," and unto grantees' heirs, successors and assigns, three nonexclusive, perpetual easements for underground water pipelines, to be used in common with grantor, grantees and others, 10 feet in even width, 5 feet on either side of the center line of three existing underground water pipelines going under the County Road known as Tom Lane for pipeline #1 and #2, and China Hollow Road for pipeline #3, and serving grantees' property lying on both sides of the County Road and contiguous therewith. Said easements shall be located as follows:

Pipeline Easement No. 1 intersects Tom Lane at a point approximately 690 feet West of the Northeast corner of the Southeast quarter of Section 11, Township 2 North, Range 16 East of the Willamette Meridian, in Sherman County, Oregon.

Pipeline Easement No. 2 intersects the intersection of Tom Lane and Greenberry Road diagonally running SW to NE at a point approximately 30 feet West of the Northeast corner of the Southeast quarter of Section 11, Township 2 North, Range 16 East of the Willamette Meridian, in Sherman County, Oregon.

Pipeline Easement No. 3 intersects China Hollow Road at a point approximately 10 feet South of the Northwest corner of the Southwest quarter, of the Northeast quarter of Section 7, Township 2 North, Range 17 East of the Willamette Meridian, in Sherman County, Oregon.

Said easements shall run with the land and be binding upon grantor, its successors and assigns, and shall be for the benefit of grantees' real property lying on both sides of the County Road and contiguous therewith.

TO HAVE AND TO HOLD said easements and rights of way unto the said grantees herein and unto grantees' heirs, successors and assigns, forever.

Grantees, by accepting this easement and the recordation thereof, agree to pay for the repair of the County Road and replace it in like condition should grantees find it necessary to disturb the roadway in order to repair any of the above described water pipelines.

The true and actual consideration given for this easement is \$10.00 and other good and valuable consideration.

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FEB 26 2010

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SALEM, OREGON

080017

080017

IN WITNESS WHEREOF, the grantor has executed this instrument this 16
day of JAN, 2008.

GRANTOR: SHERMAN COUNTY, OREGON

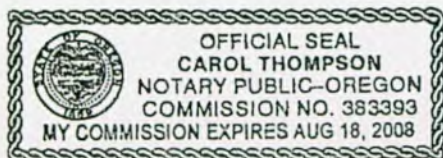
By [Signature]
Gary Thompson, Sherman County Judge

STATE OF OREGON)
) ss.
County of Sherman)

January 16, 2008

Personally appeared GARY THOMPSON, who, being duly sworn, did say that he is the County Judge for SHERMAN COUNTY, OREGON, and that said instrument was signed and sealed in behalf of and by authority of the County Court of SHERMAN COUNTY, OREGON, and he acknowledged said instrument to be its voluntary act and deed.

Before Me:



Carol Thompson
Notary Public for Oregon
My Commission Expires: Aug 18, 2008

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SALEM, OREGON

T 11027

080017

STATE OF OREGON }
County of Sherman } ss.

I hereby certify that this document was received and recorded on 1-16-2008 at 4:20 P.M.

and assigned No. 080017
in the Microfilm Deed

Records of said county
A&T 11 LC 10 Recording 10/15
Linda Cornie, County Clerk

by [Signature] Deputy

LEGAL DESCRIPTION

Rufus_Ranch_Legal_Description

TOWNSHIP 2 NORTH, RANGE 16 E.W.M., Sherman County, Oregon

Section 1: The South half of the Southeast quarter (S1/2 SE1/4); the South half of the Southwest quarter (S1/2 SW1/4), and a triangular piece following the bluff in the North half of the Southwest quarter (N1/2 SW1/4), excepting therefrom that certain property conveyed by Charles A. Tom and Lorraine V. Tom, husband and wife, grantors, unto Tom Farms, Inc., an Oregon corporation, by a warranty deed dated June 26, 1974, and recorded in Book 42, page 79, Sherman County Deed Records.

Section 2: The Southeast quarter of the Southeast quarter (SE1/4 SE1/4).

Section 11: The Southwest quarter (SW1/4); the West 70 acres of the West half of the Northeast quarter (W1/2 NE1/4); the East half of the Northwest quarter (E1/2 NW1/4); and the East 20 acres of the West half of the Northwest quarter (W1/2 NW1/4).

Section 12: The Northwest quarter (NW1/4) and the Northeast quarter (NE1/4).

TOWNSHIP 2 NORTH, RANGE 17 E.W.M., Sherman County, Oregon

Section 5: The Southwest quarter (SW1/4).

Section 6: The Southeast quarter (SE1/4); the South half of the Northwest quarter of the Southwest quarter (S1/2 NW1/4 SW1/4); the South half of the Southwest quarter (S1/2 SW1/4) and the Northeast quarter of the Southwest quarter (NE1/4 SW1/4).

Section 7: The Northwest quarter (NW1/4); the Northeast quarter (NE1/4) and the Southeast quarter (SE1/4).

Section 8: The Northwest quarter (NW1/4); the Southwest quarter (SW1/4) and the West half of the East half (W1/2 E1/2) lying West of the county road.

Section 17: All.

Section 18: The Northeast quarter (NE1/4).

- 1 -

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SALEM, OREGON

LEGAL DESCRIPTION

Property #1

Rufus Ranch Legal Description (cont'd)

ALSO, the Southerly 1,485 feet, more or less, of the Southeast quarter of Section 11, Township 2 North, Range 16 E.W.M., containing 90 acres, more or less, and also an easement for ingress and egress over the Easterly 75 feet of that portion of the Southeast quarter of Section 11, Township 2 North, Range 16 E.W.M. not herein conveyed.

EXCEPTING therefrom, a parcel of land being a portion of Sections 6 and 7, Township 2 North, Range 17 E.W.M., Sherman County, Oregon, described as follows with reference to the Oregon State Coordinate System, North Zone:

Beginning at a point which is South 89° 23' 14" East 2390.0 feet from the corner of Sections 1, 6, 7 and 12, Twp. 2 North, Ranges 16 and 17 E.W.M.; (Y-733,624.1, and X-1,936,325.8 U.S. Engineers) from the initial corner of notes and bounds North 56° 30' 30" East 1856.1 feet to the Northerly corner, South 0° 22' 50" East 1678.0 feet to the easterly corner, South 61° 08' 40" 1050.00 feet to Southerly corner, North 28° 51' 20" West 1325.00 feet to Westerly corner and point of beginning.

ALSO excepting therefrom, a parcel of land in the Southwest quarter of Section 6, Township 2 North, Range 17 E.W.M., Sherman County, Oregon, containing 0.06 of an acre, more or less, and described as follows:

Beginning at a point which is North 52° 17' 00" East, 2110.3 feet from the Southwest corner of Section 6, Twp. 2 North, Range 17 E.W.M.; thence North 10° 41' 20" West 50 feet; thence North 79° 18' 40" East 50 feet; thence South 10° 41' 20" East 50 feet; thence South 79° 18' 40" West, 50 feet to the point of beginning. The bearings refer to the Oregon Coordinate System, North Zone. The Survey is shown on B.P.A. Drawing 141358, dated September 15, 1970.

STATE OF OREGON }
County of Sherman }

I hereby certify that this document was received and recorded

on Jan 19 1971 at 2:30 P.M.

and assigned No. 960237

in the Microfilm Deed

Recorded said County

AST-20E 11027 Recording 15

Linda Condit, County Clerk

by Janice Burt

- 2 -

960237

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WATER RESOURCES DEPT
SALEM, OREGON

T 11027

8

Larry Toll

From: Mike Zwart [zwartmj@wrdd.state.or.us]
Sent: Friday, March 27, 2009 1:07 PM
To: Larry Toll
Subject: Bill Martin, G-16803

Larry,

Your question is a fair one, given that the Department has been moving to consider the CRB as multiple separate aquifers. The two wells (SHER 50249 and SHER 296) are similarly constructed, with shallow seals and open hole below. The wells likely share one or more water-bearing zones, given the difference in well-head elevation and assuming that the driller for the deeper well may not have reported the shallower zones which were reported at the shallower well. The static water levels are in the ballpark, but not exactly as close as I would like to see. Perhaps current measurements would reveal that they are closer. The older well is not deep enough to penetrate the water-bearing zone reported at the deeper well. It would likely need to be about 220 to 230 feet to do that. So, some information suggests that a Permit Amendment could work, but other information does not.

Without consulting others or requesting additional information that would bear on any findings, I recommend going ahead and trying for the Permit Amendment. It might be wise to try to measure statics at both wells for comparison. I estimate that the difference in well-head elevation is about 55 feet +/-10 feet. This information might tip the balance one way or the other.

Mike

Michael J. Zwart - Hydrogeologist
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503.986.0844 fax: 503.986.0902

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FEB 26 2010

WATER RESOURCES DEPT
SALEM, OREGON

T 11027



Oregon Water Resources Department
Land Use Information Form

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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: William, Douglas, Thomson Martin
Mailing Address: P.O. Box 201
City: Rufus State: OR Zip: 97050 Day Phone: 541-980-5979

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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:
2 N	16 E	11	S1/2NE1/4	1400	F-1	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
		11	SE1/4	1500,1501	F-1	☒ Diverted ☒ Conveyed ☒ Used	Irrigation
		12	S1/2NW1/4	100,202	F-1	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Sherman 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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☒ Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed: 1.25 ☒ 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: Changing the location of the ground to be irrigated under this permit to better fit the change from side roll wheel lines to center pivots.

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

Receipt for Request for Land Use Information

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

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SALEM, OREGON

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Art. 3.
- ☐ Land uses to be served by 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:	
Allowed use	Art. 3, Sec. 3.1 2 (a)	☒ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ 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.

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SALEM, OREGON

Name: Georgia L. Macnab Title: Planning Director
Signature: Georgia L. Macnab Phone: 541-565-3601 Date: 1-27-10
Government Entity: Sherman County

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: Wilson, Douglas, Thomson Martin
City or County: Sherman Staff contact: Georgia L. Macnab
Signature: Georgia L. Macnab Phone: 541-565-3601 Date: 1-27-10

STATE OF OREGON

COUNTY OF SHERMAN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM MARTIN
DOUGLAS MARTIN
THOMSON MARTIN
PO BOX 201
RUFUS, OR 97050

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

APPLICATION FILE NUMBER: G-16803

SOURCE OF WATER: A WELL IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 120.0 ACRES

MAXIMUM RATE: 1.25 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 22, 2007

WELL LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 11, T2N, R16E, W.M.; 52 FEET SOUTH AND 35 FEET WEST FROM E $\frac{1}{4}$ CORNER, SECTION 11

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SECTION 11

TOWNSHIP 2 NORTH, RANGE 16 EAST, W.M.

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SALEM, OREGON

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable

Application G-16803 Water Resources Department

PERMIT G-16285

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

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

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

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

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

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

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SALEM, OREGON

T 11027

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

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

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

The well(s) shall produce ground water only from the basalt ground water reservoir.

STANDARD CONDITIONS

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 not be valid, unless the Department authorizes the change in writing.

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

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

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WATER RESOURCES DEPT

Application G-16803

Water Resources Department

OREGON

PERMIT G-16285

11027

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

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

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

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

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

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2012. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued January 17, 2008

E. Timothy Ward

for Phillip C. Ward, Director
Water Resources Department

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WATER RESOURCES DEPT
SALEM, OREGON

T 11027

Application G-16803
Basin 5

Water Resources Department
Volume 3 COLUMBIA R & MISC

PERMIT G-16285
3

**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 #

99292

INVOICE # _____

RECEIVED FROM:

Martin Farms Trk.

BY: _____

CASH:

CHECK: #

OTHER: (IDENTIFY) _____

☐

☒ 5312

☐

APPLICATION

PERMIT

TRANSFER

T-11027

TOTAL REC'D

\$1450.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY) _____

\$

0243 I/S Lease _____

0244 Muni Water Mgmt. Plan _____

0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$1450.00

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT:

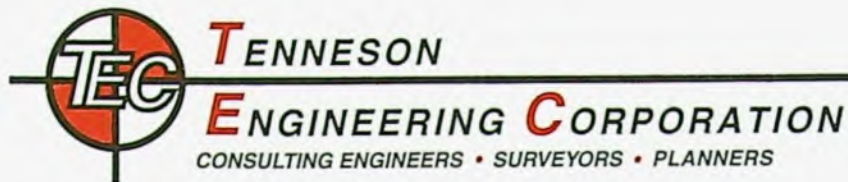
99292

DATED:

2-26-10

BY:

AR



3313 WEST SECOND STREET, SUITE 100
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Date: 02/24/2010	Work Order 12508
Attention	
RE: Permit Amendment for Application G-16803	

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	\$1,450 APPLICATION FEE
1 set	(28 pgs) PERMIT AMENDMENT, INCLUDING MAP, LAND USE, WELL LOGS, LEGAL DESCRIPTION AND EASEMENTS
1 set	(9pgs) AUTHORIZATION TO CANCEL APPLICATION G-16055

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WATER RESOURCES DEPT
SALEM, OREGON

THESE ARE TRANSMITTED (as checked below)

☐ For approval ☐ As requested ☒ Filing/Recording
☐ For your use ☐ Approved as noted ☐ For your review & approval

Remarks: Application G-16055 is a conflicting water right to the proposed changes in the permit amendment of Application G16803. This is the reason for the enclosed cancelation authorization.	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

PICKED UP BY:
DELIVERED BY:
COPY TO: Bill Margin w/ 1 of each

BY: Larry M. Toll, C.W.R.E
ltoll@tennesoneng.com

If enclosures are not as noted, please notify us at once.

T 11027