

T-10331

The
Miller
Ranch
Co.

T-10331

PERMIT
AMENDMENTName The Miller Ranch Co.

By _____

Address 66359 US Highway 197Dufur, OR 97021Hm Fax 541-467-2274Change in POA

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order 6-14-07 Vol. 22, page 333

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream WellsTrib. of Starvout CR County of WascoUse AG IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 4-14-2005In name of The Miller Ranch Co.

_____ Adjudication, Vol. _____, page _____

App. No. G16439 Per. No. G15989 Cert. No. _____

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3/5/07</u>	<u>350.00</u>	<u>86487</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Agent: W+H Pacific, Inc. Attn: Thomas Walker 920 SW Emkay Suite C100Bend, OR 97702 541-388-4255 wk 541-388-4229 FaxNOTD/CWREWasco County 2705 East Second St The Dalles, OR 97058

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **86487**

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

INVOICE # _____

RECEIVED FROM: William Miller

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10331

CASH: ☐ CHECK: # 9803 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 350.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 350.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT:

86487

DATED:

3/5/07

BY:

L. Powell

Affidavit of Publication

STATE OF OREGON, { SS
County of Wasco

I, Cecilia Fix, being first duly sworn, depose and say that I am the principal clerk of the publisher of The Dalles Chronicle, a newspaper of general circulation published at Hood River, Oregon, in the aforesaid county and state; that I know from my personal knowledge that the Permit Amendment, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 time(s) in the following issues:
April 26, & May 3, & 10, 2007

Cecilia Fix

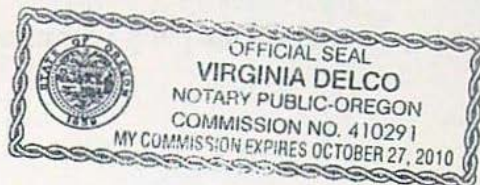
Subscribed and sworn to before me this 10th day of May 2007

Virginia Delco
Notary Public for Oregon

RECEIVED

JUN 04 2007

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

March 8, 2007

THE MILLER RANCH CO.
66359 U.S. HWY 197
DUFUR OR 97021

Reference: Permit Amendment Transfer 10331

On March 5, 2007 we received your request for permit amendment for use of water from A WELL, tributary to STARVOUT CREEK. The application was accompanied by \$350. Our receipt 86487 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until 60 days after we received your notice (application) and the permit amendment has been approved.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #3
Groundwater
Thomas Walker, Agent

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 03/13/2007

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.

County: WASCO
Transfer: 10331
Water Right: PERMIT G 15989
Priority Date: 04/14/2005
Name: THE MILLER RANCH CO
Address: 66359 US HWY 197; DUFUR OR 97021
Change: POA
Source: WELLS
Authorized POA: T1S R14E 18
Proposed POA: T1S R14E 17

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. 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. Comments should be sent to the Transfers Section at the Department's Salem office.

wrDataEntry: OWRD Water Right Data Entry Application:

File New Wr Update Wr View New XfrApp

Wr Search	Stakeholder		Related Docs	Limits	Snp Trait	Comments	StreamCodes		owrd Directory
	POU Use	POU Loc	POU Loc Del	POU Loc Spnd	POU Loc Xfer	POU Loc/Tbl			
	POD Loc	POD Use	POD Reserv	POD Instream	POD<=>POU		Workflow	Xfr Application	XfrStakeholder
Water Right	Claim	Application	Permit	Certificate	Order	Decree	Transfer	Merge	History

Search Results:

Date	Title
▶ 4/2/2008	POU Discrepancy

Selected Information:

Date: 4/2/2008

Type: Pou Update

Title: POU Discrepancy

Comment: FO V72 P333 lists 40.0 acres in S'WN'W, section 18, 1S 14E. Should be 33.6 acres as listed on P-G16439. mfr

Documentation placed in Files T-10331 & T-10528 ✓

Records Returned: 1 ☒ Keep Search Results?

Select

Clear

Update

Delete

Query Time:

Exit

Stakeholder: THE MILLER RANCH CO.

Snp Origin: Transfer

Status: Non-Cancelled

Stage: Complete

OWRD

Decree:

Claim:

App: G16439

Permit: G15989

Cert:

Xfer: T 10331

Snp ID: 151268

wrDataEntry: OWRD Water Right Data Entry Application:

File New Wr Update Wr View New XfrApp

Wr Search	Stakeholder		Related Docs	Limits	Snp Trait	Comments	StreamCodes		owrd Directory
	POU Use	POU Loc	POU Loc Del	POU Loc Spnd	POU Loc Xfer	POU Loc/Tbl			
	POD Loc	POD Use	POD Reserv	POD Instream	POD<=>POU		Workflow	Xfr Application	XfrStakeholder
Water Right	Claim	Application	Permit	Certificate	Order	Decree	Transfer	Merge	History

Search Results:

Date	Title
▶ 4/2/2008	POU Discrepancy

Selected Information:

Date: 4/2/2008

Type: Pou Update

Title: POU Discrepancy

Comment: FO V72 P333 lists 40.0 acres in SWNW, section 18, 1S 14E. Should be 33.6 acres as listed on P-G16439. mfr

Records Returned: 1 ☒ Keep Search Results?

Select

Clear

Update

Delete

Query Time:

Exit

Stakeholder: THE MILLER RANCH CO.

Snp Origin: Transfer

Status: Non-Cancelled

Stage: Complete

OWRD

Decree:

Claim:

App: G16439

Permit: G15989

Cert:

Xfer: T 10331

Snp ID: 151268



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 19, 2007

THE MILLER RANCH CO.
66359 U.S. HWY 197
DUFUR OR 97021

Reference: Permit Amendment Transfer 10331

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

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

If you have any questions, please call the Transfer Section, (503)986-0900.

Sincerely,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #3
Thomas Walker, W & H Pacific Inc (920 SW Emkay Suite C-100, Bend, OR 97702)
Wasco County (2705 East Second St, The Dalles, OR 97058)

Enclosure

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

In the Matter of Permit Amendment	)	FINAL ORDER
T-10331, Wasco County	)	APPROVING A CHANGE IN POINTS
	)	OF APPROPRIATION AND
	)	ADDITIONAL POINTS OF
	)	APPROPRIATION

Authority

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

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

Findings of Fact

1. On March 5, 2007, The Miller Ranch Company, filed an application to change the points of appropriation of Wells 2 and 3 and requested an increase in the pumping rate assigned to Well 3 under Permit G-15989. The Department assigned the application number T-10331.
2. On April 20, 2007, the applicant withdrew the request to increase the pumping rate assigned to Well 3 and amended the application to request additional points of appropriation for each authorized point of appropriation.
3. The permit to be amended is as follows:

Permit:	G-15989, in the name of The Miller Ranch Company;
Use:	Agricultural and irrigation uses on 1014.2 acres
Priority Date:	April 14, 2005
Quantity:	12.678 cubic feet per second (cfs), being 0.558 cfs from Well 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6.
Rate/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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.

Source: Six Wells, in the Starvout Creek Basin.

Date of Complete Application of Water: October 1, 2010

Authorized Points of Appropriation:

Township	Range	Meridian	Sec	¼ ¼	Location
1	S	14	E	W.M. 17 NE NW	WELL 1 – 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M. 18 SE NE	WELL 2 – 100 FEET SOUTH AND 100 FEET WEST FROM N1/16 CORNER OF SE¼NE¼ OF SECTION 18.
1	S	14	E	W.M. 18 SE NE	WELL 3 – 100 FEET SOUTH FROM THE NE1/16 CORNER OF SECTION 18.
1	S	14	E	W.M. 18 SW NE	WELL 4 – CENTER N1/16 CORNER OF SECTION 18.
1	S	14	E	W.M. 18 SE NW	WELL 5 – NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M. 18 NW SW	WELL 6 – W¼ CORNER OF SECTION 18.

Authorized Place of Use:

AGRICULTURAL AND IRRIGATION USES								
Township	Range	Meridian	Sec	¼ ¼	Acres			
1	S	13	E	W.M. 13 SE NE	14.8			
1	S	13	E	W.M. 13 NE SE	39.2			
1	S	13	E	W.M. 13 SE SE	40.0			
1	S	14	E	W.M. 7 SW SE	2.9			
1	S	14	E	W.M. 7 SE SE	14.4			
1	S	14	E	W.M. 17 NE NW	9.8			
1	S	14	E	W.M. 17 NW NW	40.0			
1	S	14	E	W.M. 17 SW NW	40.0			
1	S	14	E	W.M. 17 SE NW	15.8			
1	S	14	E	W.M. 17 NE SW	27.6			
1	S	14	E	W.M. 17 NW SW	40.0			
1	S	14	E	W.M. 18 NE NE	40.0			
1	S	14	E	W.M. 18 NW NE	37.5			
1	S	14	E	W.M. 18 SW NE	40.0			
1	S	14	E	W.M. 18 SE NE	40.0			
1	S	14	E	W.M. 18 NE NW	17.1			
1	S	14	E	W.M. 18 NW NW	1.5			
1	S	14	E	W.M. 18 SW NW	40.0			
1	S	14	E	W.M. 18 SE NW	40.0			
1	S	14	E	W.M. 18 NE SW	40.0			
1	S	14	E	W.M. 18 NW SW	40.0			

AGRICULTURAL AND IRRIGATION USES								
Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	18	SW	SW	40.0
1	S	14	E	W.M.	18	SE	SW	40.0
1	S	14	E	W.M.	18	NE	SE	40.0
1	S	14	E	W.M.	18	NW	SE	40.0
1	S	14	E	W.M.	18	SW	SE	40.0
1	S	14	E	W.M.	18	SE	SE	40.0
1	S	14	E	W.M.	19	NE	NW	40.0
1	S	14	E	W.M.	19	NW	NW	40.0
1	S	14	E	W.M.	19	SW	NW	40.0
1	S	14	E	W.M.	19	SE	NW	40.0

4. Application T-10331 proposes to change the point of appropriation of Wells 2 and 3 authorized by the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NW	NW	WELL 2A – 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A – 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.

5. Application T-10331 also proposes additional points of appropriation for each authorized point of appropriation, so that any rate of appropriation, up to the maximum rate allowed by the permit, can be appropriated from any one well or combination of wells. The additional points of appropriation are located:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	WELL 1 – 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	NW	WELL 2A – 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A – 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	18	SW	NE	WELL 4 – CENTER N1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SE	NW	WELL 5 – NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	NW	SW	WELL 6 – W¼ CORNER OF SECTION 18.

6. Notice of the application for the permit amendment was published in the Department's weekly notice on March 13, 2007, and in the The Dalles Chronicle Newspaper on April 26, and May 3 and 10, 2007, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
7. The changes would not result in injury to other water rights.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation and change in points of appropriation of Wells 2 and 3 proposed by Permit Amendment Application T-10331 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

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


1. The quantity of water diverted at the new point of appropriation for Well 2 shall not exceed the maximum rate and duty allowed for Well 2 under Permit G-15989.
2. The quantity of water diverted at the new point of appropriation for Well 3 shall not exceed the maximum rate and duty allowed for Well 3 under Permit G-15989.
3. The total quantity of water diverted at the proposed additional points of appropriation, together with that diverted at the authorized points of diversion, shall not exceed the maximum rate and duty allowed under Permit G-15989.
4. Prior to water use from the proposed points of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

The permittee shall allow the watermaster access to the meter 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.

5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. All other terms and conditions of Permit G-15989 remain the same.

7. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Dated at Salem, Oregon this 17th day of June, 2007.


per Phillip C. Ward,
Director

Mailing Date: JUN 20 2007

Permit Amendment Checklist

Permit Amendment T-10331

Transfer Specialist: pks

Permit Amendment Type: POA, APOA

Applicant Name/Address: The Miller Ranch Company

66359 US Highway 197

Dufur, Oregon 97021

Agent Name/Address: W & H Pacific, Inc., Attn: Thomas Walker

920 SW Emkay Suite C-100

Bend, Oregon 97702

CWRE Name/Number: None

Rec Landowner Name/Address: None

Irr. District Name/Address: None

Affected Govt's Name/Address: Wasco County

2705 East Second St

The Dalles, Oregon 97058

Commentors Name/Address: None

Permits Affected

Records Marked	Records Copied	App File No.	Permit No.
<input type="checkbox"/>	<input type="checkbox"/>	G - 16439	G-15989

Key Dates & Initial Actions

Rec'd: March 5, 2007	Proposed Action(s): POA APOA	
Fees Pd: \$350.00	WM District: 3	ODFW District: N/A
Initial Notice: March 13, 2007	WM Review sent: March 8, 2007	ODFW Review sent: N/A
Acknowledgement Letter Sent: X		GW Review sent: March 8, 2007

Processing Dates & Actions

Deficiency Contacts: Def. Letter sent April 12, 2007	Newspaper Pub Affid. Due: No Date <input type="checkbox"/> not required
Affid of Pub Rec'd: June 4, 2007 Last Day Published: May 10, 2007	Affidavit Reminder Sent: N/A
Reminder Deadline: N/A	

Final Order

☒ Electronic Files uploaded

☐ File Assigned/ ModPod updated

☒ Newspaper Notice Cover letter

☐ Fee Refund Due

☒ Newspaper Notice

<p>Draft Order Review (Optional)</p> <p>Reviewer: _____</p> <p>Date: _____</p> <p>Coordinator: _____</p> <p>Date: _____</p>	<p>Final Order Review (Salem)</p> <p>Reviewer: <u>SPD/CD</u></p> <p>Date: <u>6-7-07</u> / <u>6/13/07</u></p> <p>Coordinator: <u>SPD</u></p> <p>Date: <u>6/13/07</u></p>
<p>Comments/Special Issues: Changing POA of two wells to actual drilled locations; also requesting APOA in order to add each well to one another to gain more flexibility out of the permit.</p>	

Special Order Volume: Vol: **72** , Pages 333 Final Order Signature Date: 6-14-07

Notice of FO e-mailed to processors: Kelly

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THE MILLER RANCH CO
66359 US HWY 197
DUFUR, OR 97021

(541)467-2274

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

APPLICATION FILE NUMBER: G-16439

SOURCE OF WATER: SIX WELLS IN STARVOUT CREEK BASIN

PURPOSE OR USE: AGRICULTURAL AND IRRIGATION USES ON 1014.2 ACRES

MAXIMUM RATE: 12.678 CUBIC FEET PER SECOND (CFS); BEING 0.558 CFS FROM WELL 1, 2.424 CFS EACH FROM WELL 2, WELL 3, WELL 4, WELL 5, AND WELL 6

PERIOD OF USE: AGRICULTURAL NOVEMBER 1 THROUGH END OF FEBRUARY;
IRRIGATION MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 14, 2005

WELL LOCATIONS:

WELL 1: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 17, T1S, R14E, W.M.; 1102 FEET SOUTH & 1446 FEET EAST FROM NW CORNER, SECTION 17
WELL 2: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH & 100 FEET WEST FROM N $\frac{1}{16}$ CORNER, SENE, SECTION 18
WELL 3: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH FROM NE $\frac{1}{16}$ CORNER, SECTION 18
WELL 4: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.;, C-N $\frac{1}{16}$ CORNER, SECTION 18
WELL 5: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; NW $\frac{1}{16}$ CORNER, SENW, SECTION 18
WELL 6: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; W $\frac{1}{4}$ CORNER, SECTION 18

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:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.8 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.2 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SECTION 13

TOWNSHIP 1 SOUTH, RANGE 13 EAST, W.M.

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.9 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 14.4 ACRES

SECTION 7

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.8 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.8 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27.6 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SECTION 17

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 37.5 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 17.1 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 33.6 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
 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 $\frac{1}{4}$ 40.0 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SECTION 18

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

SECTION 19

TOWNSHIP 1 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the water user shall install a meter or other suitable measuring device as approved by the Director. The water user 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 water user to report general water use information, including the place and nature of use of water under the permit.
- B. The water user 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.

To monitor the effect of water use from the well(s) 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 water user 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**Seven Consecutive Annual Measurements**

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. 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(s) 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 water user'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.

Wells 2, 3, 4, 5, and 6 shall be continuously cased and continuously sealed to a minimum depth of 550 feet below land surface. The well may not be completed in such a manner that it allows ground water to be developed from shallower water-bearing zones. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the water user can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and

reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, requested modification will not be approved. The new well depth and construction specifications will be incorporated into any certificate issued for this permit.

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 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.

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, 2010. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user 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 water user shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued December 16, 2005


Phillip C. Ward, Director
Water Resources Department

COPY

May 31, 2007

To: Kelly Starns, OWRD

From: Bill Miller

The Miller Ranch Co, Dufur, OR

Water Right Permit # G-15989

Permit Amendment Application # T-10331

Kelly,

Enclosed is the Affidavit of Publication for the public notice that ran in The Dalles Chronicle, April 26 and May 3 and 10, 2007. As far as I know, there have not been any responses to this notice.

The draft of the final order for the permit amendment looks good to Tom Walker and me.

Please let me know what I can do next to help complete this amendment process.

Thank You,

Bill Miller

house 541 467-2274

cell 541 993-2261

e-mail mlranch@aol.com

PUBLIC NOTICE

NOTICE OF PERMIT AMENDMENT 5-10331

T-10331 filed by The Miller Ranch Company, 66359 US Highway 197, Dufur, Oregon, 97021, proposes additional points of appropriation and a change in points of appropriation of Wells 2 and 3 under permit G-15989. The permit allows the use of 12.678 cfs (priority date April 14, 2005) from six wells in Sects. 17 and 18, T 1 S, R 14 E, W.M. (Starvout Creek Basin) for agricultural and irrigation use in Sec. 13, T 1 S, R 13 E, W.M. and in Sects. 7, 17, 18, and 19, T 1 S, R 14 E, W.M. The applicant proposes additional points of appropriation located in Sects. 17 and 18, T 1 S, R 14 E, W.M. and also proposes to change the point of appropriation of Wells 2 and 3 to Wells 2A and 3A approximately 1/4 and 1/2 miles northeast and southeast respectively (Sec. 17, T 1 S, R 14 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.

April 26; May 3, 10, 2007
#2846

PUBLIC NOTICE OF REQUEST FOR BIDS

Sherman County Court is accepting sealed bids to paint the interior of 50' X 26' four-bay pole bus barn located at 501 First Street, Moro, Oregon 97039. All walls sheetrocked and taped for painting including one divider wall. For project details, please contact the Sherman County Court, 541-565-3416.

Project must be completed by June 1, 2007.

Please send bids to Sherman County Court, P.O. Box 365, Moro, OR 97039. Bids will be accepted until May 1, 2007 at 5:00 p.m. and opened for review at 9:00 a.m. on May 2, 2007.

Sherman County reserves the right to reject any and all bids, to waive informalities and to accept the bid deemed best for the county.

April 19, 26, 2007
#2833

NOTICE OF BUDGET COMMITTEE MEETING

The Quadri-County Mental Health Board will hold a public meeting which will include, but not be limited to, Mid-Columbia Center for Living-Budget Committee Meeting. The purpose of the Budget Committee Meeting is to receive the Mid-Columbia Center for Living-Budget for the fiscal year of July 2007 through June 2008. The public meeting is at

1:00 p.m., Tuesday, May 8, 2007 at the Mid-Columbia Center for Living, 419 East Seventh Street, Room #207, The Dalles, Oregon 97058.

A copy of the budget document may be obtained on or after May 4, 2007 at The Dalles Office of the Mid-Columbia Center for Living, 419 East Seventh Street, Room #207, The Dalles, Oregon between the hours of 8:30 a.m. and 5:00 p.m.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Amy Conner, 541-296-5452, ext. #3490.

April 26, 2007
#2841

NOTICE OF BUDGET COMMITTEE MEETING

A public meeting of the Budget Committee of the North Central Education Service District, Gilliam, Sherman and Wheeler Counties, State of Oregon, to discuss the budget for the fiscal year July 1, 2007 to June 30, 2008 will be held in the North Central ESD Conference Room at 135 S. Main Street, Condon, Oregon. The meeting will take place on the 10th day of May, 2007 at 6:00 pm. The purpose of the meeting is to receive the budget message and to receive comment from the public on the budget. A copy of the budget document may be inspected or obtained on or after May 10, 2007 at the North Central Education Service District office at 135 S. Main Street, Condon, Oregon between the hours of 8:30 am and 5:00 pm.

This is a public meeting where deliberation of the Budget Committee will take place. Any person may appear at the meeting and discuss the proposed programs with the Budget Committee.

April 19, 26, 2007
#2824

NOTICE OF BUDGET COMMITTEE MEETING

A public Meeting of Juniper Flat Rural Fire Protection District, Wasco County, Oregon will be held Tuesday, May 8 at 8:00 p.m. at Juniper Flat RFPD, Station #1, Conference Room, Reservation Rd. and HWY 216. The purpose is to discuss the budget for fiscal year July 1, 2007 - June 30, 2008. Lynn Harris, Budget Officer, April 24, 2007.

April 26, 2007
#2845

The Dalles Chronicle 4/26/07

a basis of accounting that is consistent with the basis of accounting used during the preceding year. Major changes, if any, and their effect on the budget, are explained below. This budget is for Annual Period.

Wasco County, The Dalles, Paul Pearce, Chairperson of Governing Body, Telephone Number (541) 296-2266.
May 3, 2007
#2866

NOTICE OF BUDGET HEARING

A meeting of the Mid-Columbia Economic Development District will be held on May 16, 2007 at 4:00 p.m. at Hood River Expo Center. The purpose of this meeting is to discuss the budget for the fiscal year beginning July 1, 2007 as approved by the Mid-Columbia Economic Development District Budget Committee. A summary of the budget is presented below. A copy of the budget may be inspected or obtained at 515 East Second Street, The Dalles, OR between the hours of 8:30 and 5:00. This budget was prepared on

R 14 E, W.M. The applicant proposes additional points of appropriation located in Sects. 17 and 18, T 1 S, R 14 E, W.M. and also proposes to change the point of appropriation of Wells 2 and 3 to Wells 2A and 3A approximately 1/4 and 1/2 miles northeast and southeast respectively (Sec. 17, T 1 S, R 14 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.

April 26; May 3, 10, 2007
#2846

NOTICE OF PERMIT AMENDMENT 5-10331

T-10331 filed by The Miller Ranch Company, 66359 US Highway 197, Dufur, Oregon, 97021, proposes additional points of appropriation and a change in points of appropriation of Wells 2 and 3 under permit G-15989. The permit allows the use of 12.678 cfs (priority date April 14, 2005) from six wells in Sects. 17 and 18, T 1 S, R 14 E, W.M. (Starvout Creek Basin) for agricultural and irrigation use in Sec. 13, T 1 S, R 13 E, W.M. and in Sects. 7, 17, 18, and 19, T 1 S, R 14 E, W.M. The applicant proposes additional points of appropriation located in Sects. 17 and 18, T 1 S, R 14 E, W.M. and also proposes to change the point of appropriation of Wells 2 and 3 to Wells 2A and 3A approximately 1/4 and 1/2 miles northeast and southeast respectively (Sec. 17, T 1 S, R 14 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 Dalles Chronicle 5/3/07

COPY

PUBLIC NOTICE

NOTICE OF BUDGET COMMITTEE MEETING

A public meeting of the Budget Committee of the Port of The Dalles, Wasco County, State of Oregon, to discuss the budget for the fiscal year July 1, 2007, to June 30, 2008, will be held at Port of the Dalles Conference Room, 3636 Klindt Drive, The Dalles, Oregon. The meeting will take place the 16th day of May 2007, at 7:30 p.m. The purpose of the meeting is to receive the budget message and to receive comment from the public on the budget. A copy of the budget document may be inspected or obtained on or after May 17, 2007 at the Port office located at 3636 Klindt Drive, The Dalles, Oregon, between the hours of 8:30 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m. This is a public meeting where deliberation of the Budget Committee will take place. Any person may appear at the meeting and discuss the proposed programs with the Budget Committee. Port of The Dalles, Andrea Klaas, Budget Officer

May 4, 10, 2007
#2870

NOTICE OF PERMIT AMENDMENT 5-10331

T-10331 filed by The Miller Ranch Company, 66359 US Highway 197, Dufur, Oregon, 97021, proposes additional points of appropriation and a change in points of appropriation of Wells 2 and 3 under permit G-15989. The permit allows the use of 12.678 cfs (priority date April 14, 2005) from six wells in Sects. 17 and 18, T 1 S, R 14 E, W.M. (Starvout Creek Basin) for agricultural and irrigation use in Sec. 13, T 1 S, R 13 E, W.M. and in Sects. 7, 17, 18, and 19, T 1 S, R 14 E, W.M. The applicant proposes additional points of appropriation located in Sects. 17 and 18, T 1 S, R 14 E, W.M. and also proposes to change the point of appropriation of Wells 2 and 3 to Wells 2A and 3A approximately 1/4 and 1/2 miles northeast and southeast respectively (Sec. 17, T 1 S, R 14 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.

April 26; May 3, 10, 2007
#2846

SECOND NOTICE OF BUDGET COMMITTEE MEETING

A public meeting of the Budget Committee of the City of Dufur, Wasco County, State of Oregon, to discuss the budget and uses of State Revenue Sharing Funds for the fiscal year July 1, 2007 to June 30, 2008 will be held at Dufur City Hall, 175 NE Third St., Dufur, Oregon. The meeting will take place on the 17th day of May, 2007 at 7:00 p.m. The purpose of the meeting is to receive the budget message and to receive comment from the public on the budget. A copy of the budget document may be inspected or obtained on or after May 17th, 2007 at Dufur City Hall, 175 NE Third St., Dufur, Oregon, between the hours of 9:00 a.m. and 3:00 p.m. This is a public meeting where deliberation of the Budget Committee will take place. Any person may appear at the meeting and discuss the proposed programs with the Budget Committee.

May 10, 2007
#2882

The Dalles Chronicle 5/10/07



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

April 24, 2007

The Miller Ranch Co.
66359 US Highway 197
Dufur, Oregon 97021

Reference: Permit Amendment Application T-10331

Enclosed is a permit amendment notice which must be published in a local newspaper in the general area of the permit (newspapers with statewide circulation such as the Capital Press, Journal of Commerce, etc. do not qualify). The notice must be published at least once a week for three consecutive weeks. Please have the newspaper insert the appropriate final date of publication in the place indicated in the notice. **After publication, the Department needs to receive an affidavit specifying the dates the notice was published.** Please request the affidavit of publication from the newspaper following publication and send it to me, Kelly Starnes, at the address at the top of the page.

Payment of the cost of publication is your responsibility; please do not send any billing to the Water Resources Department.

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

Also, enclosed for your information is a draft of the final order for the permit amendment.

Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wrld.state.or.us, if you have questions.

Sincerely,

Kelly Starnes
Permit amendment processor

cc: Thomas Walker, W & H Pacific, Inc.
enc

Notice of Permit Amendment T-10331

T-10331 filed by The Miller Ranch Company, 66359 US Highway 197, Dufur, Oregon, 97021, proposes additional points of appropriation and a change in points of appropriation of Wells 2 and 3 under Permit G-15989. The permit allows the use of 12.678 cfs (priority date April 14, 2005) from six wells in Sects. 17 and 18, T 1 S, R 14 E, W.M. (Starvout Creek Basin) for agricultural and irrigation use in Sec. 13, T 1 S, R 13 E, W.M. and in Sects. 7, 17, 18, and 19, T 1 S, R 14 E, W.M. The applicant proposes additional points of appropriation located in Sects. 17 and 18, T 1 S, R 14 E, W.M. and also proposes to change the point of appropriation of Wells 2 and 3 to Wells 2A and 3A approximately $\frac{1}{4}$ and $\frac{1}{2}$ mile northeast and southeast respectively (Sec. 17, T 1 S, R 14 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].

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

In the Matter of Permit Amendment	)	DRAFT FINAL ORDER
T-10331, Wasco County	)	APPROVING A CHANGE IN POINTS
	)	OF APPROPRIATION AND
	)	ADDITIONAL POINTS OF
	)	APPROPRIATION

Authority

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

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

Findings of Fact

1. On March 5, 2007, The Miller Ranch Company filed an application to change the points of appropriation of Wells 2 and 3 and requested an increase in the pumping rate assigned to Well 3 under Permit G-15989. The Department assigned the application number T-10331.
2. On April 20, 2007, the applicant withdrew the request to increase the pumping rate assigned to Well 3 and amended the application to request additional points of appropriation for each authorized point of appropriation under Permit G-15989.
3. The permit to be amended is as follows:

Permit:	G-15989, in the name of The Miller Ranch Company;
Use:	Agricultural and irrigation uses on 1014.2 acres
Priority Date:	April 14, 2005
Quantity:	12.678 cubic feet per second (cfs), being 0.558 cfs from Well 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6.
Rate/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Acres:	1014.2 acres
Source:	Six Wells, in the Starvout Creek Basin.
Date of Complete Application of Water:	October 1, 2010

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 S	14 E	WM	17	NE NW	WELL 1 - 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1 S	14 E	WM	18	SW NE	WELL 2 - CENTER N1/16 CORNER OF SECTION 18.
1 S	14 E	WM	18	SE NE	WELL 3 - 100 FEET SOUTH AND 100 FEET WEST FROM THE N1/16 CORNER OF THE SE¼ NE¼ OF SECTION 18.
1 S	14 E	WM	18	SE NE	WELL 4 - 100 FEET SOUTH FROM THE NE1/16 CORNER OF SECTION 18.
1 S	14 E	WM	18	SE NW	WELL 5 - NW1/16 CORNER OF SECTION 18.
1 S	14 E	WM	18	NW SW	WELL 6 - W¼ CORNER OF SECTION 18.

Authorized Place of Use:

AGRICULTURAL AND IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	13 E	WM	13	SE NE	14.8
1 S	13 E	WM	13	NE SE	39.2
1 S	13 E	WM	13	SE SE	40.0
1 S	14 E	WM	7	SW SE	2.9
1 S	14 E	WM	7	SE SE	14.4
1 S	14 E	WM	17	NE NW	9.8
1 S	14 E	WM	17	NW NW	40.0
1 S	14 E	WM	17	SW NW	40.0
1 S	14 E	WM	17	SE NW	15.8
1 S	14 E	WM	17	NE SW	27.6
1 S	14 E	WM	17	NW SW	40.0
1 S	14 E	WM	18	NE NE	40.0
1 S	14 E	WM	18	NW NE	37.5
1 S	14 E	WM	18	SW NE	40.0
1 S	14 E	WM	18	SE NE	40.0
1 S	14 E	WM	18	NE NW	17.1
1 S	14 E	WM	18	NW NW	1.5
1 S	14 E	WM	18	SW NW	33.6
1 S	14 E	WM	18	SE NW	40.0
1 S	14 E	WM	18	NE SW	40.0
1 S	14 E	WM	18	NW SW	40.0
1 S	14 E	WM	18	SW SW	40.0
1 S	14 E	WM	18	SE SW	40.0
1 S	14 E	WM	18	NE SE	40.0
1 S	14 E	WM	18	NW SE	40.0
1 S	14 E	WM	18	SW SE	40.0
1 S	14 E	WM	18	SE SE	40.0
1 S	14 E	WM	19	NE NW	40.0
1 S	14 E	WM	19	NW NW	40.0
1 S	14 E	WM	19	SW NW	40.0
1 S	14 E	WM	19	SE NW	40.0

4. Application T-10331 proposes to change the point of appropriation of Wells 2 and 3 authorized by the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NW	NW	WELL 2A – 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A – 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.

5. Application T-10331 proposes to add each authorized point of appropriation to one another so that the total rate of diversion (or a portion thereof) authorized under the permit could be potentially withdrawn from any one or combination of wells. Further described as:

Authorized points of appropriation	Proposed additional points of appropriation
WELL 1	WELLS 2A, 3A, 4, 5, AND 6
WELL 2A	WELLS 1, 3A, 4, 5, AND 6
WELL 3A	WELLS 1, 2A, 4, 5, AND 6
WELL 4	WELLS 1, 2A, 3A, 5, AND 6
WELL 5	WELLS 1, 2A, 3A, 4, AND 6
WELL 6	WELLS 1, 2A, 3A, 4, AND 5

The additional points of appropriation are located:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	WELL 1 – 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	NW	WELL 2A – 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	NW	WELL 3A – 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	18	SE	NE	WELL 4 – 100 FEET SOUTH FROM THE NE1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SE	NW	WELL 5 – NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	NW	SW	WELL 6 – W¼ CORNER OF SECTION 18.

6. Notice of the application for the permit amendment was published in the Department's weekly notice on March 13, 2007, and in the _____ newspaper on _____, 2007, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

7. The changes would not result in injury to other water rights.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation and change in points of appropriation of Wells 2 and 3 proposed by Permit Amendment Application T-10331 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

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

1. The quantity of water diverted at the new point of appropriation for Well 2 shall not exceed the maximum rate and duty allowed for Well 2 under Permit G-10331.
2. The quantity of water diverted at the new point of appropriation for Well 3 shall not exceed the maximum rate and duty allowed for Well 3 under Permit G-10331.
3. The total quantity of water diverted at the proposed additional points of appropriation, together with that diverted at the authorized points of diversion, shall not exceed the maximum rate and duty allowed under Permit G-10331.
4. Prior to water use from the proposed point of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

The permittee shall allow the watermaster access to the meter 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.

5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. All other terms and conditions of Permit G-15989 remain the same.
7. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Kelly Starnes

From: Mlrranch@aol.com
Sent: Friday, April 20, 2007 10:42 AM
To: Kelly Starnes
Cc: Twalker@whpacific.com; NBoggs@whpacific.com
Subject: The Miller Ranch Company Permit Amendment Application T-10331

Dear Kelly,

Thank you very much for your reviews and assistance on our pending permit amendment application for The Miller Ranch Company. As suggested, I hereby withdraw my request to increase the pumping rate for the recently constructed well 3. In lieu of the increased pumping rate, I respectfully request your approval of a permit amendment to add additional points of appropriation for each well in order to withdraw each well's rate from a single or combination of wells. More specifically, we request the following additional points of appropriation:

REQUESTED ADDITIONAL POINTS OF APPROPRIATION

Well 1	Wells 2,3,4,5 & 6
Well 2	Wells 1,3,4,5 & 6
Well 3	Wells 1,2,4,5 & 6
Well 4	Wells 1,2,3,5 & 6
Well 5	Wells 1,2,3,4 & 6
Well 6	Wells 1,2,3,4 & 5

We can amend and forward the individual page of our original permit amendment to reflect the requested additional points of appropriation if you desire. Your review, comments and recommendations are greatly appreciated.

Also, I just received by fax the OWRD Pump Test Report for Well 3. The test was performed on 4/4/07 by Mark Burroughs of Mather & Sons Pump Service Inc. He is providing and installing the pumps for the project. I'm not sure where in the OWRD to send this information, probably to you. Please let me know if you need any changes to this letter, a copy mailed or faxed with signature, and where and how to forward the pump test data. Thank You.

Sincerely,

Bill Miller
 The Miller Ranch Company

See what's free at AOL.com.

*wasco
 well #3
 51532*

4/20/2007



Oregon

April 12, 2007
Theodore R. Kulongoski, Governor

W & H Pacific
Thomas A Walker
920 SW Emkay, Suite C100
Bend, Oregon 97702-1041

Water Resources Department

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

Reference: Water Right Permit Amendment Application T-10331

Dear Tom;

I am processing Permit Amendment Application T-10331 (The Miller Ranch Corporation). In your cover letter for the application, the applicant requests approval to increase the pumping rate for the recently constructed Well 3 without exceeding the overall permit limit for all wells.

The permit amendment process cannot change the individual rate per well authorized by the permit. Permit amendments can only change the location of the points of diversion/appropriation and place of use (see ORS 537.211(4)). This request needs to be withdrawn before the permit amendment can be approved (an e-mail would suffice).

That said, the applicant can request a permit amendment to add additional points of appropriation for each well in order to withdraw each well's rate from a single or combination of wells. More specifically, in this case:

	Proposed additional points of appropriation
Well 1	Wells 2, 3, 4, 5, and 6
Well 2	Wells 1, 3, 4, 5, and 6
Well 3	Wells 1, 2, 4, 5, and 6
Well 4	Wells 1, 2, 3, 5, and 6
Well 5	Wells 1, 2, 3, 4, and 6
Well 6	Wells 1, 2, 3, 4, and 5

The applicant can request to amend the current permit amendment application to add a request for additional points of appropriation to each well in the permit. You can amend individual pages of the permit amendment application. The map does not need to be modified. No extra fees would be charged to make the revision.

Please send the withdrawal of the request for the increased rate and, if the applicant chooses, any amendment to the permit amendment application to me, Kelly Starnes, by May 16, 2007. If no withdrawal statement is received by that date, an order denying the permit amendment may be issued.

If you have any questions, please call me at (503)-986-0886. My e-mail address is Patrick.K.Starnes@wrd.state.or.us.

Sincerely,

Kelly Starnes
Permit Amendment Processor

cc: The Miller Ranch Company



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-10331

Review Due Date: 4-6-2007

Applicant Name: Miller Ranch Company

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

Reviewer(s): Robert Wood

Date of Review: Mar. 21, 2007

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: This is a ground water permit. As of the date of this review, there has not been any regulation of ground water in the Fifteenmile Basin.
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: It is unknown at this time whether or not there will be any significant surface runoff from the use. This is a fairly new permit and water has not been used yet.
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: Because this is a ground water transfer, I would defer to Ground Water Section for the answer.
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: Not applicable.
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: Unknown at this time. As mentioned above, the water has not yet been used.
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: Not applicable.

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9. Are there other issues not identified through the above questions? ☐ Yes ☐ No If "Yes", explain: As mentioned above, the water has not yet been used, so other issues have not yet been identified. At this time, I am not aware of any additional issues.
10. What alternatives may be available for addressing any issues identified above: Existing conditions in the original permit should be carried forward to the ammended permit.
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<input type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
Headgates	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

Robert Wood
Watermaster, Dist 3



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

Water Right Transfer Review

Watermaster, District # 3

Reimbursement Authority : ☐ Yes ☒ No

Transfer Application T- 10331

Referral Date: 3-8-07

Review Due Date: 4-6-07

Applicant Name: The Miller Ranch Co.

Application Type:

<input type="checkbox"/> Permanent Transfer	<input checked="" type="checkbox"/> Permit Amendment	<input type="checkbox"/> Instream Permanent	<input type="checkbox"/> Permanent District Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> GW Registration Modification	<input type="checkbox"/> Instream Time Limited	<input type="checkbox"/> Temporary District Transfer
<input type="checkbox"/> Historic POD Transfer	<input type="checkbox"/> Exchange	<input type="checkbox"/> Substitution	

Proposed Changes:

<input type="checkbox"/> POU	<input type="checkbox"/> POD	<input checked="" type="checkbox"/> POA	<input type="checkbox"/> USE	<input type="checkbox"/> Other
------------------------------	------------------------------	---	------------------------------	--------------------------------

Please complete a review of the transfer using the new Watermaster Review form. The form is available as Section 11.02 of the Technical Operations Manual on the Intranet.

For reviews of all applications **except** *District Permanent Transfers*, address all questions that apply to the specific changes proposed in the application (e.g., question 7 is only applicable for POU changes). For reviews of *District Permanent Transfers* involving changes in place of use only, address questions 1, 3, and 6 – 10.

The review should be returned to the Transfers Section:

- Electronically attached to an e-mail message to Sarah.A.Henderson@wrd.state.or.us, or
- Printed and mailed to the Transfers Section in Salem.

Please do not hesitate to contact Doug Parrow at Douglass.M.Parrow@wrd.state.or.us or 503-986-0881 if you have questions or problems completing the new review form. If you are unable to contact Doug and need immediate assistance, please call Sarah at 503-986-0883.

December 4, 2006

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Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE: 3-8-07

FROM: _____ WATERMASTER, DISTRICT # _____
_____ X _____ GROUNDWATER SECTION

(SIGNATURE) Mike Zwart date signed 3/19/07

SUBJECT: PERMIT AMENDMENT # 10331

A change in: POU POD APOA of water.

In the name(s) of The Miller Ranch Co.

In my opinion (assuming the right is valid), the proposed change

✓ MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because _____

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.



**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Ground Water Rights Files Date: March 19, 2007

From: Michael Zwart

Subject: Application Review: T-10331, The Miller Ranch Co.
(Permit Amendment)

This application proposes two additional POAs, which are actually two changed well locations for proposed wells 2 and 3 under file G-16439. The wells will develop the same water-bearing zones in basalt regardless of the location. The proposed locations will have no effect on the findings made for the original well locations which were proposed.

I find that the proposed change may be made without injury provided the following: the rights are valid and the Watermaster can approve the proposal. I recommend that the water-level measurement condition be replaced with current condition 7N. This action would obviate the need for the Director to order the continuation of the water-level measurement requirement at a later time, which is otherwise likely to be recommended by Ground Water Section staff.



Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. **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, or exchange 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.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

A. Applicant

Name: Miller Ranch Company

Address: 66359 US Highway 197

City: Dufur State: OR Zip: 07021 Day Phone: 541-467-2274

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)			Proposed Land Use
*	Exclusive Farm Use (EFU)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Agricultural Production
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
*	Reference Attached Tax Lot Maps	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List counties and cities where water is proposed to be diverted, conveyed, or used. Wasco County

C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.

☒ Water Use Permit ☐ Water Right Transfer ☐ Allocation of Conserved Water ☐ Exchange

Indicate the intended use of water and describe the key characteristics of the project.

☐ Commercial ☐ Industrial ☐ Instream ☒ Irrigation
☐ Municipal ☐ Quasi-municipal ☐ Domestic (indicate number of households) _____
☒ Other Agricultural

Briefly describe: The Miller Ranch Company intends to apply for a groundwater appropriation to allow irrigation of land holdings near Dufur.

Indicate the source of the water to be used.

☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water _____ (source)

Indicate the estimated quantity of water the use will require: 12.5 ☒ CFS ☐ GPM ☐ Acre-Feet

Last revised: 04/06/04

Receipt for Request for Land Use Information

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

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide 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): 3.210(B)(1). Go to section B "Approval" below.
- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Bruce Barnett Date: 3/29/2005
 Title: Associate Planner Phone: 541 506 2560
 Signature: [Signature]

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. 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

Name of applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: _____ Date: _____

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**WATER RESOURCES DEPT
SALEM, OREGON**

10331

April 5, 2005

Oregon Water Resources Department
North Mall Office Building
725 Summer Street NE., Suite A
Salem, Oregon 97301-1271

**Re: Miller Ranch
Pending Groundwater Appropriation Application**

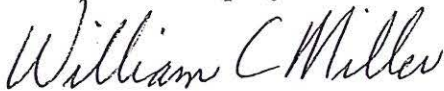
Gentlement/Ladies:

W&H Pacific, Inc. is hereby authorized to act as an agent of the Miller Ranch Company, in regards to the attached groundwater appropriation application. We expect W&H Pacific to prepare and file appropriate application documents, respond to your questions and needs, and generally facilitate the desired groundwater application.

Thank you for your assistance.

Sincerely,

Miller Ranch Company



William C. Miller
President and Manager

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10331



920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

February 26, 2007

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

**Re: The Miller Ranch Company
Application File No. G-16439
Permit No. G-15989
Permit Amendment Application
WHP File No.: 30162.1001**

Gentlemen/Ladies:

On behalf of Mr. Bill Miller of The Miller Ranch Company, I have compiled a permit amendment application. The application requests your approval of a change in the permitted location of a well. Your review and approval are respectfully requested.

The following documents are enclosed for your consideration and use:

- Executed Permit Amendment Application
- Check in the Amount of \$350.00 for Oregon Water Resources Department (OWRD) Fees
- Preliminary Driller Log Information for Existing Wells
- Application Map
- Letter Authorizing W&H Pacific to Act as an Agent

Over the past year, The Miller Ranch Company conducted exploratory well drilling with a very reputable driller, Mr. Preston Jannsen, of A.M. Jannsen Well Drilling Company, Inc. The attached permit amendment application map documents the actual location of recently constructed Wells #2 and #3. Well #1 was constructed many years ago and its location was reflected on the original application map. Well driller information for Wells #2 and #3 are enclosed.

The enclosed permit amendment application requests authority to change the point of diversion for Wells #2 and #3. In addition, The Miller Ranch Company requests your approval to increase the pumping rate from the recently constructed Well #3 without exceeding the overall permit limit for all wells. The Miller Ranch Company is optimistic that the actual capacity of Well #3 will be 2000 gallons per minutes (gpm) and would like to utilize the available capacity. No overall change in the maximum rate of water use under Permit G-15989 is proposed.

Although no water use has occurred, The Miller Ranch Company has made significant progress in perfecting the permit through initiation of work on their orchard and construction of wells. The Miller Ranch Company remains fully committed to their Wasco County orchard.

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**WATER RESOURCES DEPT
SALEM, OREGON**


T 10331

W&H Pacific, Inc.
February 23, 2007
Page 2

Please consider the enclosed documents and our request for a permit amendment. We appreciate your assistance and look forward to your review and response.

Very truly yours,

W&H Pacific, Inc.


Thomas A. Walker, P.E., C.W.R.E.
Vice President

Cc: Bill Miller

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SALEM, OREGON



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

Name: The Miller Ranch Company
First Last

Address: 66359 US Highway 197
Dufur OR 97021
City State Zip

Phone: (541) 467-2274 Same
Home Work Other

Fax: (541) 467-2274 E-Mail address: mlrranch@aol.com

3. AGENT INFORMATION

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

Name: W&H Pacific, Inc. - Attn: Thomas Walker
First Last

Address: 920 SW Emkay Suite C100
Bend OR 97702
City State Zip

Phone: (541) 388-4255
Home Work Other

Fax: (541) 388-4229 E-Mail address: twalker@whpacific.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.

Last Updated: 10/30/2006

Permit Amendment or GW Modification

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SALEM, OREGON

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
<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> 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.) <p style="text-align: center;"><i>Not Available for Ground Water Registrations</i></p> <input type="checkbox"/> 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.)	<input type="checkbox"/> 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.) <input type="checkbox"/> 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.)	<p style="text-align: center;"><i>Not Available for Permit Amendments</i></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): Well sites located in field proved superior to those proposed on original application.

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5. CURRENT PERMIT OR REGISTRATION INFORMATION

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

<input checked="" type="checkbox"/> Permit to be Amended:	<u>Application G-16439</u> Permit Number	_____ Current Completion Date of Permit
<input type="checkbox"/> 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: The Miller Ranch Co.
- County: Wasco
- Authorized Use(s) to be affected by this Amendment/Modification: Agricultural and Irrigation Uses on 1014.2 Acres
- Priority Date(s): April 14, 2005

*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 2 and Well 3 in Starvout Creek Basin

Tributary to: _____

*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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- 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)
N/A	Well 2 April 14, 2005	1 South	14 East	W.M.	18	SE NE	1S 14 18 538	100' south & 100' west from N 1/16 corner between sec. 17 & 18
N/A	Well 3 April 14, 2005	1 South	14 East	W.M.	18	SE NE	1S 14 18 537	100' south from NE 1/16 corner sec. 18

- 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
Well 2 - Not constructed	N/A	N/A	N/A	N/A	N/A	N/A	N/A N/A	N/A	N/A
Well 3 – Not constructed	N/A	N/A	N/A	N/A	N/A	N/A	N/A N/A	N/A	N/A

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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)
Well 2A in Starvout Creek Basin	1 S	14 E	W.M.	17	NW NW	1S 14 17 300	4796' North and 4502' West of SE corner of section 17
Well 3A in Starvout Creek Basin	1 S	14 E	W.M.		NW SW	1S 14 17 300	1451' North and 4324' West of SE corner of section 17

- 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
Yes	Well 2A	8"	8" temporary casing	600'	Unknown	70'	6'	926'	Unknown	995'
Yes	Well 3A	10"	10" temporary casing	95'	Unknown	100'	165'	620'	Unknown	621'

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- *Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.*

Location of Proposed Place of Use: *(i.e., the "TO" lands)*

(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

[illegible]

Remarks: _____

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Last Updated: 10/30/2006

Permit Amendment or GW Modification/8

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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).

Wasco County

2705 East Second Street

The Dalles, OR 97058

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

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

- 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:

- ☒ 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:

- ☒ 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:

- ☐ 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:

- ☒ Amount enclosed: \$ 350.00
See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

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***
- ☒ 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**
- ☐ N/A. Not required because the applicant is the permit holder of record.

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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:**

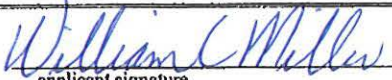
- ☐ In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership 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. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

- ☐ 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. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- **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	<u>William C. Miller</u> name (print)	<u>2/27/07</u> date
_____ applicant signature	_____ name (print)	_____ date

Indicate in this column whether or not the item is satisfied.

Permit Amendment Application – ORS 537.211

Completeness Checklist

Applicant's Name: Miller Ranch Co.

(Form last revised: October 30, 2006)

Section A – Status of Permit

Is this a permit that can be amended?

NOTE: The Department **CANNOT** accept a Permit Amendment application for any permit that has:

- ☐ 1) a permit completion date that has expired; **or**
- ☐ 2) a pending permit extension of time application on file with the Department; **or**
- ☐ 3) a pending claim of beneficial use report on file with the Department.

If the subject permit falls into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Permit Amendment process?

[ORS 537.211(4)]

NOTE: Only POD, POA or POU changes are allowed on Permit Amendments.

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: 350⁰⁰

Fee Schedule – ORS 536.050(1)(h)

Total Fees Paid: 350⁰⁰

\$350 - Base fee (1st change and 1st CFS of water)

+ \$350 - Each additional type of change requested

Fees Due (if any): _____

+ \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

Refund Due (if any): _____

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Permit Amendment application complete?

All required elements necessary for a complete permit amendment application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

• Applicant's name, mailing address and contact information. (Page 1)

• Agent's name, mailing address and contact information, if applicable. (Page 1)

• Are multiple permits being amended? YES NO (Page 2)
If YES..... the applicant must supply a separate "set" of pages 3 through 7 of the application form for each permit to be amended.

• The type of amendment being proposed. (Page 2)

• Reason for the permit amendment. (Page 2)

• Current permit information – permit number, use, priority date, source(s), etc. (Page 3)

N/A	<ul style="list-style-type: none"> If for a change in POU.....Are there any "layered" irrigation rights, permits, or GR registrations appurtenant to the same place of use as the permit proposed to be amended? YES NO If YES..... the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). (Page 3)
✓	<ul style="list-style-type: none"> Location description of the authorized POA/POD to be amended. (Page 4) NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> ✓ _____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 4 of the application.
Not done	<ul style="list-style-type: none"> Location description of the existing authorized POU and associated acres (if applicable). (Page 5) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.
yes	<ul style="list-style-type: none"> Location description of the proposed POA/POD. (Page 6) NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> yes _____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 6 of the application.
N/A	<ul style="list-style-type: none"> Location description of the proposed POU and associated acres (if applicable). (Page 7) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.
yes	<ul style="list-style-type: none"> Affected districts and local governments. (Page 8) If within a district/local government jurisdiction, ensure that name & mailing address is provided.
yes	<ul style="list-style-type: none"> Is the applicant the permit holder of record? <u>YES</u> NO (Page 8) If NO..... the applicant must either submit: _____ 1) a Request for Assignment form & fee in order to be assigned to the permit, <u>or</u> _____ 2) an Affidavit of Consent from the permit holder giving permission for the amendment.
N/A	<ul style="list-style-type: none"> If the permit holder of record does not own or control the land TO which the place of use is being moved, has a Request for Assignment form been submitted to assign the owner of the TO land to the permit? YES NO (Page 9)
yes	<ul style="list-style-type: none"> Map..... (NOT required to be prepared by a CWRE). (Page 10) ✓ north arrow ✓ size & scale _____ other: _____ ✓ authorized acreage per ¼ ¼ matches the permit ✓ authorized POD/POA and POU (clearly shown, labeled & matches application listing) ✓ point plotted for the authorized POD/POA agrees with location coordinates ✓ proposed POD/POA and/or POU (clearly shown, labeled & matches application "proposed" listing) ✓ location coordinates accurately describe the point identified as the proposed POD/POA
yes	<ul style="list-style-type: none"> Land Use form, if applicable. (Page 10) May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in permit.
yes	<ul style="list-style-type: none"> Signature(s) of applicant(s): (Page 11) <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.

WRD Completeness Reviewer's Name:

Sarah Henderson

Date:

2-5-07

Miller Ranch Orchard Irrigation Well #2A

Drilled for McClaskey Orchards

Rough log;

24" conductor casing 0-9"

20" surface casing + 1' to 60" w/flange top, grouted into 23" bore hole to 60' to surface.

*10" temporary casing set to 70' and flanged to 20", bentonite seal at bottom. Drill 10".

Rock fill (drill pad)	0-3'
Brown sandy soil	3'-6' (some seep water)
Brown sand & gravel, semi cemented	6'-9' (water bearing SWL 2')
Tan clay occ. rock frags.	9'-40'
Brown sandstone oc. Cobbles	40'-55' (water bearing SWL 10')
Black Basalt, occ. green claystone seams	55'-85'
Grey-black basalt, hard, occ. frags	85'-185'
Brown basalt interbed, pink clay, minerals	185'-195' (water bearing SWL 126',
Grey-brown/grey-black basalt	195'-210' bore hole at 255')
Grey-black basalt, hard, occ. frags	210'-238'
Brown basalt interbed, broken caving(?)	238'-245'
Grey-brown/grey-black basalt, frags.	245'-260'
Grey-black basalt, occ. grey-brown, black lava strks	260'-340'
Grey-brown basalt, broken, interbeds	340'-360' (water bearing SWL 153',
Grey/grey-brown basalt, frags.	360'-370' bore hole at 395', est.
Grey-black basalt, occ black lava strks	370'-440' capacity 75-100gpm)
Black/grey-black basalt, occ lava, occ. glassy	440'-562' (water bearing, doubled!)
Grey-black basaltw/ blue-black mineral seams	562'-570'
Grey/grey-black basalt, hard, occ. red lava seam	570'-595' (est. total yield 300gpm
Grey-black basalt, hard, cemented frags, green mineral	595'-730' SWL at 316')

*10 bore hole 600', video run

*8" temporary casing set to 600', no seal but dry when drilled out. Drill 8".

Black basalt & lava, broken	730'-738' (water bearing, 200gpm
Grey-black basalt, occ. frags., occ mineral seams	738'-807' well flowing)
Grey-black basalt & lava	807'-858' (occ. water bearing)
Grey-black basalt, hard, occ. frags.	858'-926'
Black basalt & lava, broken	926'-929' (big water bearing 300+)
Grey-black basalt, hard, occ. frags.	929'-968'
Black interbed, grey-black claystone	968'-986'
Black basalt, frags w/claystone seams	986'-(995')

*well had quit flowing for several days when drilling 926' to 995', returned to flowing a week later. Air lifting 500gpm (+) from the 8" bore hole at 995'-990', 250gpm at 500'. Flowing water temperature- 65 degrees F. w/ TDS 144.

69° F TDS

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Miller Ranch Orchard Well #3A Drilled For McClaskey Orchards

Rough log;

24' conductor casing 0'-5'

22"/23" surface bore to 95"

20" surface casing grouted in place +1' to 57' (grout 109 sach mix 100' to surface)

10" temp. casing set to 95' w/ side discharge head, flanged to 20" well head

Brown claystone/sandstone	0'-36'
Brown basalt, occ. claystone	36'-50'
Brown claystone w/brown cemented gravel streaks	50'-75'
Brown basalt, soft/weathered-firmer with depth, dirty	75'-90'
Grey-black basalt, hard	90'-160'
Brown basalt interbed	160'-165'
Black & brown basalt, occ interbeds	165'-200' (W.B. @ 180'- SWL 104')
Grey-black basalt, hard, occ. fractures	200'-320'
Black basalt & lava, broken	320'-325' (W.B.)
Grey-black basalt, occ lava, speckled rock	325'-350' (W.B. ?)
Grey-black basalt, hard, fractured, w/minerals in frac.	350'-377'
Black basalt, occ brown fractures, occ glassy	377'-410'
Brown basalt & lava, interbeds, mineral coatings	410'-455' (W.B.-temp 61* swl 37' est. 100gpm)
Black basalt, fractured, mineral deposits	455'-475'
Green claystone	475'-478'
Black basalt, occ brown, fractured, claystone seams	478'-490'
Grey-black basalt, hard, occ. fractures, some mineral	490'-620' (occ W.B. flowing 15gpm by 550', temp 64*, est 150 gpm)
Black basalt/grey-black basalt, big fractures	620'-621' (big W.B. big flowing 1000-1200gpm, temp 68*)

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TRANSMITTAL

To: Oregon Water Resources Department Date: March 2, 2007
Company: Oregon Water Resources Department Project Number: 30162.1001
Address: 725 Summer Street NE, Suite A Project Name: The Miller Ranch Company
City/State: Salem Oregon 97301-1266 Re: Permit No. G-15989
Phone: (503) 986-0900
Fax:

From: Niall Boggs, EIT
Phone: (541) 388-4255
Fax: (541) 388-4229

Confidentiality Notice: This facsimile is intended only for the use of the individual and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that the unauthorized dissemination, distribution or copying of this communication, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone (collect). Thank you.

We are sending:

- ☒ Attached
☐ Facsimile

Of Pages Including Cover

These Are Transmitted:

- ☐ For Your Info/File
☐ As Requested
☐ For Review & Comment

Copied To:

Copies	Description
1	Permit Amendment Application Package

Comments:

Please see the attached. Please call if you have any questions.

Thanks,

Niall Boggs

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Civil and Structural Engineering ♦ Landscape Architecture
Planning ♦ Surveying and Mapping

Washington ♦ Oregon ♦ Idaho

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TRANSFER CHECK OFF LIST

TRANSFER FILE #

7-10331

DATE RECEIVED

3-5-07

DATE MONEY SLIPPED

3-5-07

DATE RECEIPTED

3-5-07

VALID WATER RIGHT?

X Yes No

TEMP ALT AC

IRR DIST

PERM AMEND X

DIV 15

TEMP Div 15

ISWR

LETTER FROM ATTORNEY YES (PUT INFO ON FRONT COVER)

X NO

FOLDER FILLED OUT*

yes

ENTERED IN DB

yes

CONTENTS MARKED

yes

COLOR CODED

X Yes

4 COPIES MADE & STAMPED

yes

CERTIFICATE MARKED

no

CERTIFICATE COPIED

no

PULL APPLICATIONS

yes

APP FOLDER MARKED

yes

FINAL PROOF MAP COPIED

no

PERMIT MARKED

yes

PERMIT COPIED

yes

PERMIT MAP COPIED

yes

DECREB MARKED

no

DECREB COPIED

no

ADJUDICATION MAP COPIED

no

ENTRIES CHECKED

CHECKED BY INIT FOLDER

PUBLIC NOTICE DATE

3-13-07 (PREPARED & COPIED) yes

LETTER SENT

yes Irrigation District no (copy of app & map)

COPY TO WM

yes

BLUE FORM TO WM

yes

Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his

COPY TO GW

yes

POA, APOA, or [SW TO GW ONLY(as POD)]

BLUE FORM TO GW

yes

Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his

COPY TO CWRE

no

LETTER TO ODFW

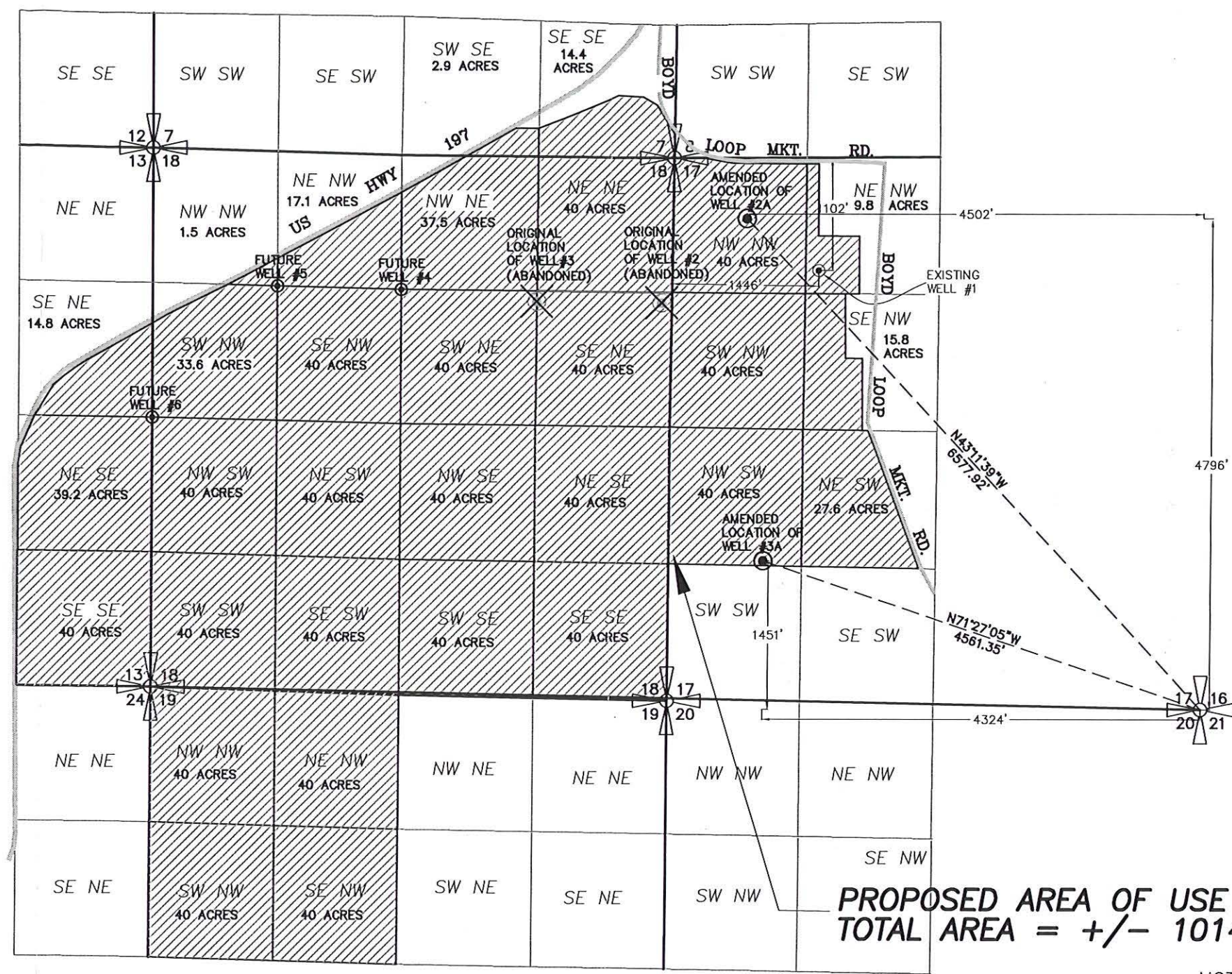
no

ALL Surface water POU/USE (POD and APOD FISH SCREENS)

TRANSFER SENT TO:

Per Amen drawer SW --- NCR --- SCR --- ER

SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER



1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MILLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

- PROPOSED IRRIGATION
- PROPOSED FUTURE WELL
- RELOCATED WELL AS PER THIS PERMIT AMENDMENT APPLICATION
- OLD LOCATION OF PROPOSED WELL AS PER THIS PERMIT AMENDMENT APPLICATION
- EXISTING WELL

PROPOSED AREA OF USE
TOTAL AREA = +/- 1014.2 ACRES

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS

TOWNSHIP 1 SOUTH, RANGE 14 EAST

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William Miller/30162/MILLER_WATERRIGHTS.dwg Plot Date:2-26-07