

# Permit Amendment

Name Matt Nonnenmacher  
nonnenm@acw.com  
 Address 398 N Broadway Ave  
Burns, OR 97720

Change in APOA  
 Date Filed 2/23/2024  
 Initial notice date 3/12/2024  
 DPD issued date \_\_\_\_\_  
 PD issued date \_\_\_\_\_  
 PD notice date \_\_\_\_\_  
 Date of FO \_\_\_\_\_ Vol \_\_\_\_\_ Page \_\_\_\_\_

C-Date 10/1/2030  
 COBU due date \_\_\_\_\_  
 COBU Received date \_\_\_\_\_  
 Certificate issued \_\_\_\_\_

### DESCRIPTION OF WATER RIGHT(S)

Name of Stream A well  
 Trib. of Sweek Canyon  
 Use Quasi-Municipal Uses County Harney  
 Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_  
 Name of ditch \_\_\_\_\_  
 App# G-16928 Per # G-16338 Cert # \_\_\_\_\_ PR Date 9-17-2007  
 App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
 App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
 App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt #
<u>2-23-24</u>	<u>1,840.00</u>	<u>142459</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

Agent Scott Montgomery  
scott@apeands.com

CWRE \_\_\_\_\_  
 CC's list Harney County

- Oversized map - Location

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

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

RECEIPT # **146487**

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

RECEIVED FROM: <u>GHAO, Inc.</u>	APPLICATION	
BY: _____	PERMIT	
CASH: <input type="checkbox"/>	TRANSFER	<u>T-14413</u>
CHECK:# <u>289</u>	TOTAL REC'D	<u>\$144.00</u>
OTHER: (IDENTIFY) _____		

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES <u>46118</u>	\$
<u>0207</u> OTHER: <u>Newspaper Notice</u>	<u>\$144.00</u>

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

**4270 WRD OPERATING ACCT**

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

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

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

RECEIPT: **146487** DATED: 12-5-25 BY: cm mub

**PUBLIC NOTICE**

**Notice of  
Permit Amendment  
T-14413**

T-14413 filed by GH2O, Inc., Attn: Matt Nonnenmacher, 398 N Broadway Ave, Burns, OR 97720, proposes an additional point of appropriation under Permit G-16338. The permit allows the use of 1.0 cubic foot per second from two wells in Sec. 14, T23S, R30E, W.M. for Quasi-Municipal Uses. The applicant proposes an additional point of appropriation in Sec. 14, T23S, R30E, 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 12/24/2025.

Publish Dec 17 and 24, 2025

Received  
DEC 26 2025  
OWRD

**BURNS TIMES-HERALD**  
355 N. Broadway Ave. - Burns, Oregon 97720  
**AFFIDAVIT OF PUBLICATION**

STATE OF OREGON ( )  
( ) S.S.  
County of Harney

I, Terri L. Smith, being first and duly sworn, depose and say that I am the Advertising Manager of the Burns Times-Herald, a newspaper of general circulation, as defined by ORS 193.010 and 193.020, published at Burns, in the aforesaid County and State by the Burns Times-Herald that the

**Pubic Notice:** T-14413 GH<sup>2</sup>O  
(Attn: Matt Nonnenmacher)

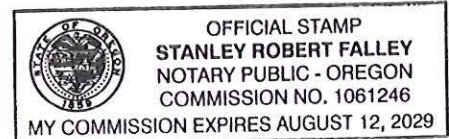
a printed copy of which is hereto annexed, was published in the said newspaper for 2 successive and consecutive weeks in the following issues

**Dates of Publication:** 17<sup>th</sup> & 24<sup>th</sup> December, 2025

Terri L. Smith  
By Terri L. Smith, Advertising Manager  
The Burns Times-Herald

Subscribed and sworn before me this 24 day of DEC 2025

Stan R. Falley  
Notary Public for Oregon



No. \_\_\_\_\_

STATE OF OREGON  
for the  
COUNTY OF HARNEY

Filed \_\_\_\_\_ 2025

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Deputy

From the office of \_\_\_\_\_

Attorney For \_\_\_\_\_



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

February 24, 2026

GH2O Inc.  
Attn: Matt Nonnenmacher  
398 N Broadway Ave  
Burns, OR 97720

REFERENCE: Permit Amendment Application T-14413

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

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

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

Sincerely,

David V. Jones Jr  
Water Rights Services Support  
Transfers and Conservation Section

cc: Donald (dally) S. Swindlehurst, Watermaster Dist. # 10 (via email)  
Scott D. Montgomery, Agent  
Harney County Planning Department, Local Government

Enclosure

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

In the Matter of Permit Amendment                    )     **FINAL ORDER APPROVING AN**  
T-14413, Harney County                                )     **ADDITIONAL POINT OF APPROPRIATION**

**Authority**

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

**Applicant**

GH2O, INC.  
ATTN: MATT NONNENMACHER  
398 N BROADWAY AVE  
BURNS, OR 97720

**Findings of Fact**

1. On February 23, 2024, GH2O, INC., Attn: Matt Nonnenmacher, filed an application for an additional point of appropriation under Permit G-16338. The Department assigned the application number T-14413.
2. On November 13, 2015, the Department approved an extension of time for complete application of water to October 1, 2030.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on March 12, 2024, and in the Burns Times Herald newspaper on December 17 and 24, 2025, pursuant to ORS 540.520(5).
4. The permit to be amended is as follows:
  - Permit:** G-16338 in the name of GH2O, INC.
  - Use:** QUASI-MUNICIPAL USE
  - Priority Date:** SEPTEMBER 17, 2007
  - Max Rate:** 1.0 CUBIC FOOT PER SECOND (CFS), BEING 0.22 CFS FROM WELL 1 (HARN 295) AND 0.78 CFS FROM WELL 2 (HARN 50578)
  - Period of Use:** JANUARY 1 THROUGH DECEMBER 31
  - Source:** WELL 1 (HARN 295) AND WELL 2 (HARN 50578) in SWECK CANYON BASIN

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

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	30 E	WM	14	NW SW	WELL 2 (HARN 50578) - 1180 FEET SOUTH AND 40 FEET EAST FROM THE W1/4 CORNER OF SECTION 14
23 S	30 E	WM	14	SE SW	WELL 1 (HARN 295) - 1800 FEET SOUTH AND 1975 FEET EAST FROM THE W1/4 CORNER OF SECTION 14

**Authorized Place of Use:**

QUASI-MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
23 S	30 E	WM	14	NE SW
23 S	30 E	WM	14	NW SW
23 S	30 E	WM	14	SE SW
23 S	30 E	WM	14	NW SE
23 S	30 E	WM	14	SW SE

5. Permit Amendment Application T-14413 proposes an additional point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized Points of Appropriation
23 S	30 E	WM	14	SW SE	WELL 3 (HARN 296) – 530 FEET NORTH AND 80 FEET EAST FROM THE S1/4 CORNER OF SECTION 14	WELL 1 (HARN 295) – 0.54 Mile WELL 2 (HARN 50578) – 0.16 Mile

**Permit Amendment Review Criteria**

6. The change, as conditioned, would not result in injury to other water rights.
7. The change, as conditioned, does not enlarge the permit.
8. The change does not alter any other terms of the permit.

**Conclusions of Law**

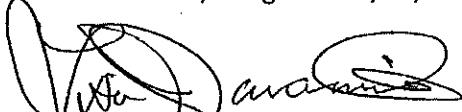
The additional point of appropriation proposed by Permit Amendment Application T-14413 is consistent with the requirements of ORS 537.211.

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

1. The additional point of appropriation proposed by Permit Amendment Application T-14413 is approved.
2. Approval of this permit amendment application does not constitute nor grant legal access onto or through another person’s property for purposes of accessing the new point of appropriation.
3. Permit G-18985, in the name of GH20, INC., Attn: Matt Nonnemacher, is issued to replace Permit G-16338, and incorporates the amendments approved by this order and the extension of time. Permit G-16338, in the name of GH20 INC., is no longer of any force or effect.

4. The combined quantity of water diverted at the new additional point of appropriation (WELL 3 HARN 296), together with that diverted at the original points of appropriation (WELL 1 (HARN 295) and WELL 2 (HARN 50578)), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1 (HARN 295) and WELL 2 (HARN 50578)).
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level 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.
7. Water shall be acquired from the same aquifer as the original points of appropriation.
8. All other terms and conditions of Permit G-18985 remain the same.

Dated in Salem, Oregon on 2/24/2026



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

*Mailing Date: 2/25/2026*

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GH2O, INC.  
ATTN: MATT NONNENMACHER  
398 N BROADWAY  
BURNS, OR 97720

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-14413 and approved by Special Order Volume 138, Page 493, entered 2/24/2026, and to describe an extension of time for complete application of water approved November 13, 2015. This permit supersedes Permit G-16338.

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

APPLICATION FILE NUMBER: G-16928

SOURCE OF WATER: WELL 1 (HARN 295), WELL 2 (HARN 50578), AND WELL 3 (HARN 296), IN SWECK CANYON BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND (CFS), BEING 0.22 CFS FROM WELL 1 (HARN 295) AND WELL 3 (HARN 296) AND 0.78 CFS FROM WELL 2 (HARN 50578) AND WELL 3 (HARN 296)

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: SEPTEMBER 17, 2007

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	30 E	WM	14	NW SW	WELL 2 (HARN 50578) - 1180 FEET SOUTH AND 40 FEET EAST FROM THE W1/4 CORNER OF SECTION 14
23 S	30 E	WM	14	SE SW	WELL 1 (HARN 295) - 1800 FEET SOUTH AND 1975 FEET EAST FROM THE W1/4 CORNER OF SECTION 14
23 S	30 E	WM	14	SW SE	WELL 3 (HARN 296) - 530 FEET NORTH AND 80 FEET EAST FROM THE S1/4 CORNER OF SECTION 14

THE PLACE OF USE IS LOCATED AS FOLLOWS:

QUASI-MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
23 S	30 E	WM	14	NE SW
23 S	30 E	WM	14	NW SW
23 S	30 E	WM	14	SE SW
23 S	30 E	WM	14	NW SE
23 S	30 E	WM	14	SW SE

Permit Amendment T-14413 Conditions:

The combined quantity of water diverted at the new additional point of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level 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.

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

Original Permit Conditions:

Measurement, recording and reporting conditions:

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

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

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level 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.

#### STANDARD CONDITIONS

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

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences. The well(s) shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

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

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

Prior to receiving a certificate of water right, the permit holder shall submit 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.

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.

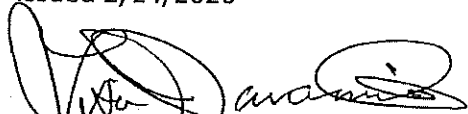
The original permit, issued on June 23, 2008, specified:

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

By Extension of Time Final Order dated November 13, 2015, the deadline for completing construction and for applying water to full beneficial use within the terms and conditions of the permit was extended to on or before October 1, 2030.

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

Issued 2/24/2026



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

**DAVIS Arla L \* WRD**

---

**From:** DAVIS Arla L \* WRD  
**Sent:** Wednesday, November 5, 2025 3:45 PM  
**To:** 'nonnenm@acw.com'  
**Cc:** SWINDLEHURST Donald S \* WRD; Scott  
**Subject:** Newspaper Fee Request for Permit Amendment T-14413 for Matt Nonnemacher, GH2O, Inc. - ACTION REQUIRED!!  
**Attachments:** T-14413 Newspaper Request Letter.pdf  
**Importance:** High



**Oregon**

Tina Kotek, Governor

Water Resources Department  
North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone 503 986-0900  
Fax 503 986-0904

November 5, 2025

VIA E-MAIL

MATT NONNENMACHER  
GH2O, INC.  
398 N BROADWAY AVE  
BURNS, OR 97720

SUBJECT: Permit Amendment Application T-14413

Your Permit Amendment application requires publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the permit is located. The Department will publish the notice in the Burns Times Herald newspaper upon receiving your payment for the notice.

At this time you need to:

1. Submit a check for **\$144.00** (to cover cost\* of publication of the notice), made out to the Oregon Water Resources Department.
2. Write "for T-14413 NOTICE" on the front of your check, and Submit it with the tracking stub at the bottom of this letter.

**\*PLEASE NOTE:** As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than December 5, 2025.** Upon receipt of your check, processing will continue on the permit amendment application. **If we do not receive payment for newspaper notice by December 5, 2025, a Final Order may be issued denying the application as incomplete.**

Please contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov) if you have any questions

Sincerely,  
Arla L. Davis  
Permit Amendment Specialist  
Transfer and Conservation Section

cc: Permit Amendment application file T-14413  
Donald (dally) S. Swindlehurst, District 10 Watermaster *(via e-mail)*  
Scott D. Montgomery, Agent for the applicant *(via e-mail)*

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

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



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

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

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



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

November 5, 2025

VIA E-MAIL

MATT NONNENMACHER  
GH2O, INC.  
398 N BROADWAY AVE  
BURNS, OR 97720

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Please contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov) if you have any questions

Sincerely,

*Arla L. Davis*

Permit Amendment Specialist  
Transfer and Conservation Section

cc: Permit Amendment application file T-14413  
Donald (dally) S. Swindlehurst, District 10 Watermaster *(via e-mail)*  
Scott D. Montgomery, Agent for the applicant *(via e-mail)*

✂-----  
**Attached** is a check for **\$144.00** Newspaper Notice for Permit Amendment **T-14413**

- made out to Oregon Water Resources Department (or OWRD)
- "for **T-14413 NOTICE**" written on front of check

Mail to: Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

Caseworker: ARLA DAVIS

**PERMIT AMENDMENT COVER SHEET**

Transfer: T-14413

Permit Amendment Specialist: *Arla*

Transfer Type: Permit Amendment Transfer

Reimbursement Authority?

<b>Applicant:</b> Matt Nonnenmacher 398 N Broadway Ave Burns, OR 97720	<b>Agent:</b> Scott Montgomery PO Box 767 Terrebonne, OR 97760	<b>CWRE:</b>
<b>Irrigation District:</b>	<b>Affected Local Gov'ts:</b>	<b>Affected Tribal Gov't:</b>
<b>BOR Notified (date):</b>		

**Permit(s) Affected**

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

**Key Dates & Initial Actions (Support Staff)**

Rec'd: February 23, 2024	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1840.00	Acknowledgement Letter Sent <input type="checkbox"/>	Basin: 12 Malheur Lake
Initial Public Notice: 3/12/2024	County sent cc: of Ack Letter <input type="checkbox"/>	County: HARNEY
WM District: 10 Donald (dally) S. Swindlehurst	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

**Caseworker Actions: Newspaper Notice and other:**

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

**Peer Review:**

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

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

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

# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14413

Review Due Date:

Applicant Name: Matt Nonnenmacher/GH20, Inc

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Dally Swindlehurst

Date of Review: 03/13/2024

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

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

N/A

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

N/A

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

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

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

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

Yes  No If "Yes", explain:

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

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

Yes  No If "Yes", explain:

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

Yes  No If "Yes", answer the following:

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

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

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

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

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

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

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

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

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

Yes  No If "Yes", explain:

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

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

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

A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

- |   |  |
|---|--|
| <input type="checkbox"/> Weir           | <input type="checkbox"/> Submerged Orifice |
| <input type="checkbox"/> Parshall Flume | <input type="checkbox"/> Flow Restrictor   |
| <input type="checkbox"/> Other: _____   |  |

Oregon Water Resources Department

Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-14413

- Checkboxes for measurement conditions: 'In order to avoid enlargement of the right or injury to other rights, a TFM will be required to be installed prior to diversion of water, as a condition of this transfer: at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation.'

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

Watermaster name: Dally Swindlehurst

District: 10

Address: 450 N Buena Vista #3

City/State/Zip: Burns OR 97720

Phone: 541-573-2591

Email: donald.s.swindlehurst@water.oregon.gov

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

\*\*\*\*\*

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

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

Two horizontal lines for describing the alternate measurement device.

Watermaster signature District Date

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

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

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 14413

GW Reviewer Darrick E. Boschmann Date Review Completed: 12/10/2024

## Summary of Same Source Review:

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

## Summary of Water Level Decline Condition Review:

Water levels at the original point(s) of appropriation have exceeded the allowed decline threshold defined by conditions in the originating water right.

## Summary of Injury Review:

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

## Summary of GW-SW Transfer Similarity Review:

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

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



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

**Ground Water Review Form:**

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

Application: T-14413

Applicant Name: Nonnemacher/GH2O Inc

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 12/10/2024

Date Reviewed by GW Mgr. and Returned to WRSD: \_\_\_\_\_

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

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

1. Basic description of the changes proposed in this transfer: \_\_\_\_\_

This application is related to permit G-16338 which authorizes groundwater pumping from two wells (HARN 295; HARN 50578) for Quasi-Municipal uses in the Malheur Lake Basin. The following changes are proposed:

I. Add one APOA – HARN 296.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?

Yes  No Comments: \_\_\_\_\_

Groundwater occurs in multiple hydrostratigraphic units, and groundwater within these units is hydraulically connected, making a single groundwater system composed of multiple hydrostratigraphic units (Gingerich and others, 2022). The authorized and proposed wells develop groundwater occurring in the Silicic lava flows and domes hydrostratigraphic unit.

In general, groundwater in the Harney Basin flows from several upland recharge areas to a common discharge area near Malheur and Harney Lakes, with some apparent discharge to the Malheur Basin through one area along the eastern margin. While the rocks and sediments making up the aquifer system in the Harney Basin do constitute a single groundwater flow system, sub-watersheds within the basin contribute recharge to different parts of the system depending on groundwater flow-paths from recharge to discharge areas. In general, within these sub-watersheds water within the aquifer system is sourced from a common recharge area and can therefore be considered a single source. The currently authorized wells and the proposed well are located in the northwestern part of Harney Valley and are located along groundwater flow paths flowing generally southeastward toward Malheur Lake

3. a) Is the existing authorized POA subject to a water level decline condition?

Yes  No Comments: \_\_\_\_\_

Permit G-16338 requires the water user to develop a plan to monitor and report the impact of water user under the permit. The signed monitoring plan (attached below) was received by OWRD 04/18/2016 and stipulates that water levels be monitored at nearby well HARN 296.

b) If yes, for each POA identify the reference level, most recent spring-high water level, and whether an applicable permit decline condition has been exceeded: \_\_\_\_\_

LOGID	Reference Level	Most Recent SWL	Exceeded?
HARN 296	114.69	*107.95	No
*02/22/2024 SWL			

4. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?

Yes  No Comments: \_\_\_\_\_

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

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

Yes    No   Comments: \_\_\_\_\_

The proposed APOA is located approximately 800 feet to the southeast of the nearest currently authorized well. This will result in an incremental increase in interference with wells to the southeast.

- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

Yes    No   If yes, explain: \_\_\_\_\_

Any increase in interference with existing wells will not meet the standard for substantial or undue interference given the thickness of the aquifer system in the Harney Basin.

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

Yes    No   Comments: The proposed APOA is located further from the nearest perennial surface water source than the currently authorized wells.

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

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

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

Provide context for minimal/significant impact: \_\_\_\_\_

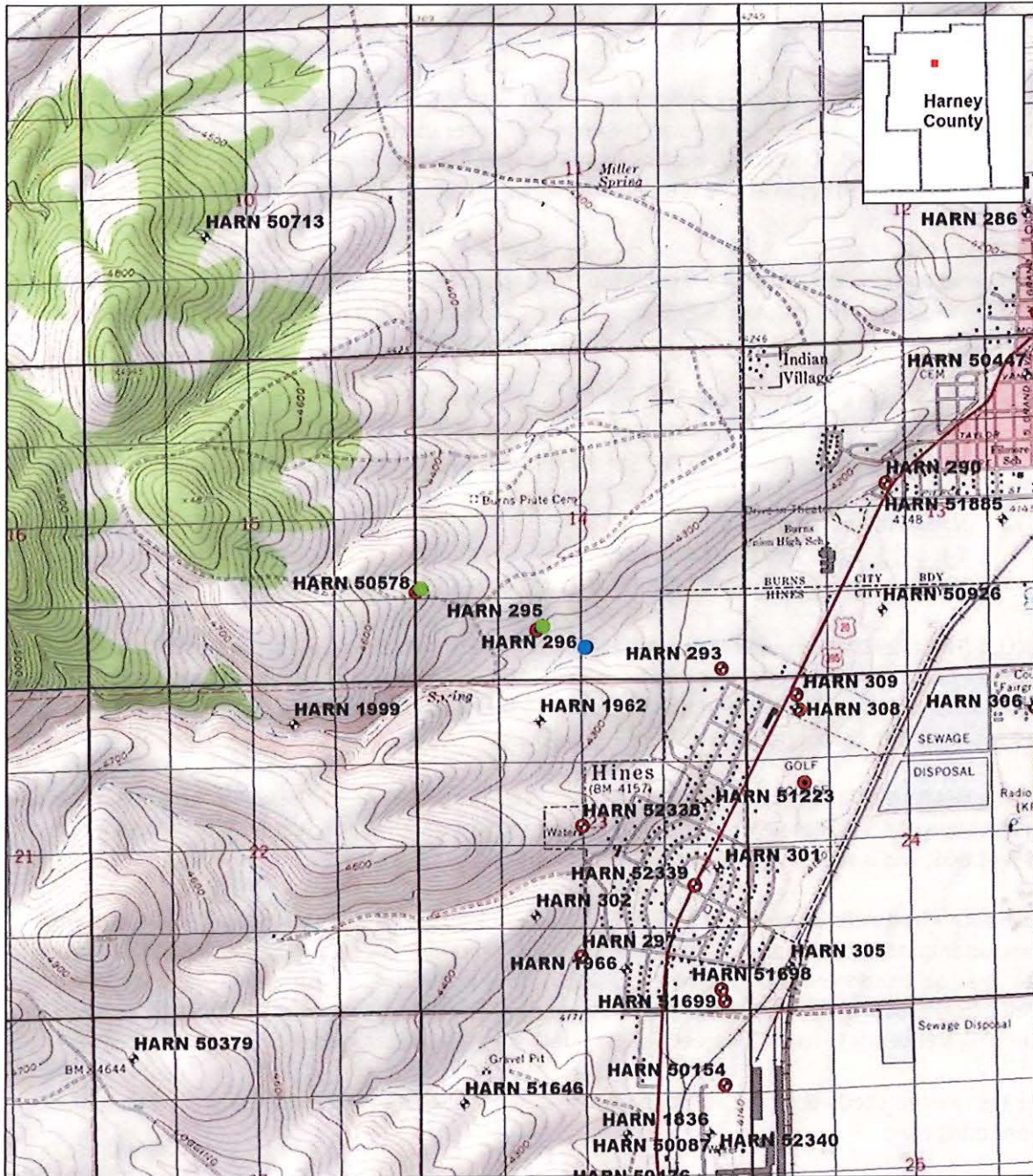
- 7. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

Yes    No   Comments: \_\_\_\_\_

- 8. What conditions or other changes in the application are necessary to address any potential issues identified above: none.

- 9. Any additional comments: \_\_\_\_\_

In July 2023 the Department was contacted by the applicant to request the continuous water level recording device be pulled from HARN 296 in anticipation of this application. The equipment was pulled 8/21/2023, and quarterly manual measurements have continued since that time. If this application is approved, the Department will cease monitoring at HARN 296 which will void the current monitoring plan as stipulated in the plan. This will require a new monitoring plan be submitted for approval to the Department. At minimum, the new plan should include annual static water levels be measured in the month of March at HARN 296 and submitted to the Department using the Departments static water level reporting procedure. The reference level for HARN 296 shall remain 114.69 feet below land surface.



**T-14413**

**Nonnemacher/GH20**

- ✦ GW site (Well)
- Authorized Well
- Groundwater POD
- Proposed Well



**Proposed Water Level Measurement & Reporting Plan**  
**Permit G-16338; File G-16928**  
**G H 2 O Inc.**

**INTRODUCTION**

This plan is intended to satisfy a condition for Permit G-16338 (App. G-16928) that requires G H 2 O Inc. to prepare a plan to monitor and report the impact of water use to the Oregon Water Resources Department (OWRD). This plan is drafted by OWRD staff in a cooperative agreement with G H 2 O Inc. Any variation from the plan at any future date shall be subject to the approval of OWRD.

**BACKGROUND**

The permit authorizes the use of 1.0 cubic foot per second (CFS), being 0.22 CFS from Well 1 (HARN 295) and 0.78 CFS from Well 2 (HARN 50578) for Quasi-Municipal use. The priority date for the permit is 9/17/2007.

- Name: WELL 1 (HARN 295)  
T-R-S-QQ: 23.00S-30.00E-14-SE SW  
Location Description: 1800 FEET SOUTH AND 1975 FEET EAST FROM W1/4 CORNER, SECTION 14
  
- Name: WELL 2 (HARN 50578)  
T-R-S-QQ: 23.00S-30.00E-14-NW SW  
Location Description: 1180 FEET SOUTH AND 40 FEET EAST FROM W1/4 CORNER, SECTION 14

WELL 1 (HARN 295) was completed on 10/15/1965 by Western Drilling Co. The well at ground surface is at an elevation of 4,296 feet above mean sea level (AMSL). The well is completed to a depth of 260 feet below ground surface (BGS), cased to a depth of 260 feet BGS with perforations from 240-260 feet BGS, and is sealed with bentonite to a depth of 20 feet BGS.

WELL 2 (HARN 50578) was completed on 9/18/2000 by Timothy K. Riley. The well at ground surface is at an elevation of 4,515 feet AMSL. The well is completed to a depth of 405 feet BGS, cased to a depth of 59 feet BGS, and is sealed with bentonite to 18 feet BGS.

Both authorized wells were visited by OWRD staff on 5/5/2015 and static water level measurements were attempted at both wells. A static water level measurement was not made at Well 1 (HARN 295) due to an obstruction near the top of the casing. A static water level measurement was not made at Well 2 (HARN 50578) because the pump was running at the time of the site visit, and is reported to be pumping frequently to meet the needs of the quasi-municipal water system.

For the reasons cited above the authorized wells are not suitable to satisfy the requirements of the monitoring plan.

Nearby irrigation well HARN 296, under the same ownership, is authorized for irrigation under certificate 39665. The well is located 0.15 and 0.53 miles from authorized wells 1 and 2, respectively. HARN 296 was completed on 8/9/1967 by Western Drilling Co. The well at ground surface is at an elevation of 4,247 feet AMSL. The well is completed to a depth of 305 feet BGS, cased to a depth of 140 feet, and is sealed with concrete to a depth of 25 feet BGS.

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APR 18 2016

SALEM, OR

During the 5/5/2015 site visit a static water level measurement was made at HARN 296, however there was a >5 foot column of turbine oil in the well, making accurate measurements difficult. In its current state HARN 296 is also not a suitable well to satisfy the requirements of the monitoring plan due to the presence of turbine oil in the well. In order for HARN 296 to be suitable for the monitoring plan, oil free static water level measurements are required. To achieve this, the pump will be permanently removed from the well and a dedicated measuring tube installed. The measuring tube will be lowered into the well with a plug in the bottom to a depth well below the oil-water interface. Once the tube is in place the plug will be blown or knocked out to allow for oil-free static water level measurements.

#### **WATER-LEVEL MONITORING PLAN**

OWRD will cover the costs of pump removal and measuring tube installation at HARN 296 on the condition that OWRD staff can gain regular access to the well for use as an observation well through the duration of the OWRD Harney Basin Groundwater Study (estimated study end date 12/31/2020).

For the duration of the OWRD Harney Basin Groundwater Study OWRD staff will obtain a static water level measurement at HARN 296 on a quarterly basis. Additionally, through the duration of the study a continuous water level recording device will be installed in the well. These measurements will satisfy the monitoring and reporting condition through this period of time.

Depending on available resources OWRD may wish to continue the use of HARN 296 as an observation well after completion of the Harney Basin Groundwater Study. This option will be discussed with the permit holder upon completion of the study.

At such time that OWRD is unable to continue static water level measurements at HARN 296 OWRD staff will notify the permit holder. At that time a representative of G H 2 O Inc. will be required to fulfill the monitoring requirements of the permit condition. At minimum this will require an oil-free static water level measurement at HARN 296 every year in the month of March.

#### **REFERENCE WATER LEVEL**

The reference water level against which any water-level declines will be compared will be the static water level measurement at HARN 296 obtained by OWRD staff on March 3, 2016. This measurement of 114.69 feet below ground surface was obtained with an electric water level indicator accurate to 0.01 feet.

#### **REPORTING**

Throughout the duration of the Harney Basin Groundwater Study, and until such time that OWRD is unable to continue monitoring at HARN 296, reporting will be completed by OWRD staff. The minimum anticipated duration of OWRD monitoring is through 12/31/2020.

At such time that OWRD is unable to continue static water level measurements at HARN 296 OWRD staff will notify the permit holder. At that time a representative of G H 2 O Inc. will be required to fulfill the reporting requirements of the permit condition. This will consist of documenting the annual March water level measurement on the OWRD Permit Condition Water-Level Reporting Form. The signed original of the completed form will be mailed to OWRD within 20 days of obtaining the water level measurement.

RECEIVED BY OWRD

APR 18 2016

SALEM, OR

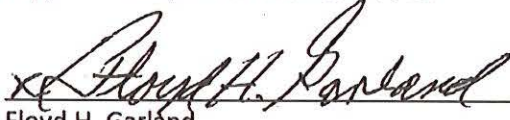
I approve this plan as outlined above.



---

Darrick E. Boschmann  
Hydrogeologist – Groundwater Section  
Oregon Water Resources Department

I approve this plan as outlined above.



---

Floyd H. Garland  
Owner – G H 2 O Inc.

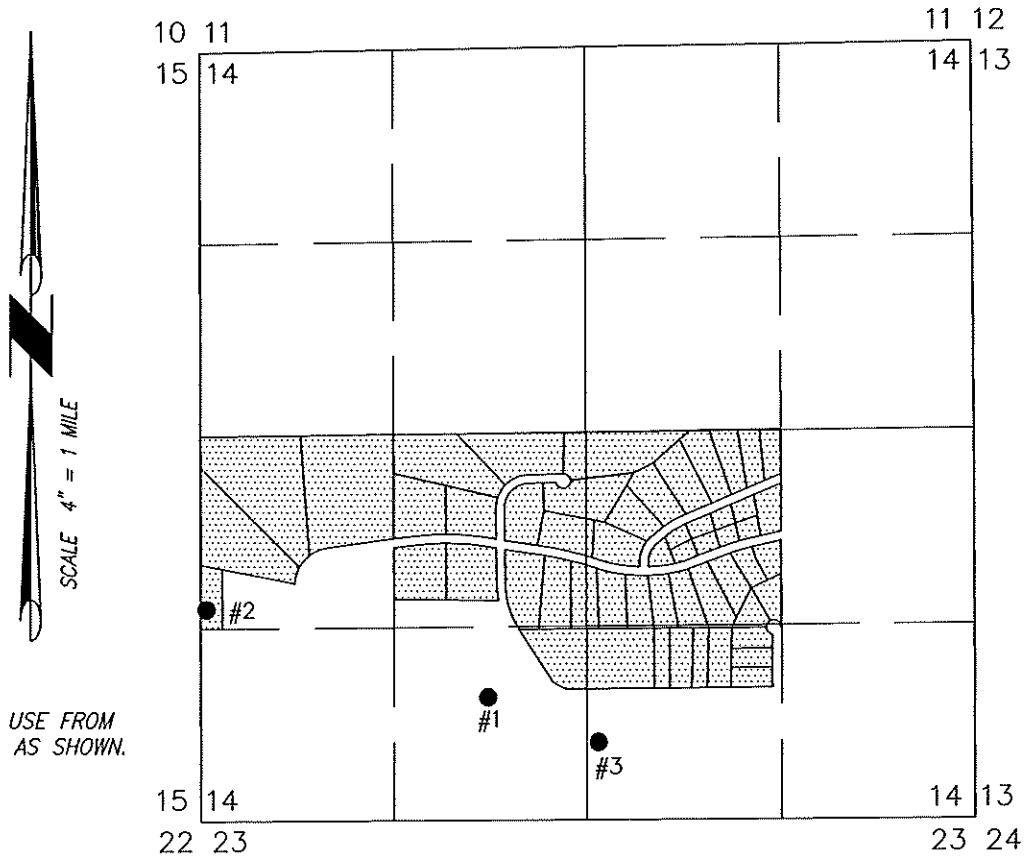
RECEIVED BY OWRD

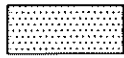
APR 18 2016

SALEM, OR

# MAP TO ACCOMPANY APPLICATION TO ADD A POINT OF APPROPRIATION FOR APPLICATION G-16928

LOCATED WITHIN THE SOUTH HALF  
OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 30 EAST, W.M.  
HARNEY COUNTY, OREGON



 QUASI-MUNICIPAL USE FROM  
PERMIT G-16338, AS SHOWN.

- #1 (HARN 295) AUTHORIZED & LOCATED IN THE SE 1/4 SW 1/4 SECTION 14 & 1800 FEET SOUTH & 1975 FEET EAST FROM THE W 1/4 CORNER.
- #2 (HARN 50578) AUTHORIZED & LOCATED IN THE NW 1/4 SW 1/4 SECTION 14 & 1180 FEET SOUTH & 40 FEET EAST FROM THE W 1/4 CORNER.
- #3 (HARN 296) PROPOSED & LOCATED IN THE SW 1/4 SE 1/4 SECTION 14 & 530 FEET NORTH & 80 FEET EAST FROM THE S 1/4 CORNER.

RECEIVED

FEB 23 2024

OWRD

PROJECT No. 23-137

PREPARED AT THE REQUEST OF:

MATT NONNENMACHER  
997 OREGON AVE  
BURNS, OR 97720

ALL POINTS ENGINEERING  
& SURVEYING, INC.



P.O. BOX 767  
TERREBONNE, OREGON 97760  
(541) 548-5833 PH  
Scott@APEandS.com  
www.APEandS.com

14413 -

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

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

RECEIPT # **142459**

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

RECEIVED FROM: <u>GH20, Inc</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/> CHECK:# <u>307</u> OTHER: (IDENTIFY) _____	TRANSFER <u>T-14413</u>
<input type="checkbox"/>	TOTAL REC'D \$ <u>1,840.00</u>

**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**

<b>MISCELLANEOUS</b>			
0407 COPY & TAPE FEES <u>46110</u>	\$		
0410 RESEARCH FEES	\$		
0408 MISC REVENUE: (IDENTIFY) _____	\$		
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$		
0240 EXTENSION OF TIME	\$		
<b>WATER RIGHTS:</b>			
0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>1,840.00</u>		
<b>WELL CONSTRUCTION</b>			
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$
OTHER (IDENTIFY) _____			

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **142459** DATED: 2-23-2024 BY: mmnich

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

# Application for Permit Amendment

## Part 1 of 5 – Minimum Requirements Checklist



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

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

**RECEIVED**  
**FEB 23 2024**

OWRD

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**  
**List the Permits here: G-16338**  
 Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

**(For Staff Use Only)**

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

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

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Part 2 of 5 – Permit Amendment Map Checklist

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

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

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

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**Part 4 of 5 – Applicant Information and Signature**

**Applicant Information**

APPLICANT/BUSINESS NAME <b>Matt Nonnemacher/GH20, Inc</b>			PHONE NO. <b>541-573-1260</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>398 N Broadway Ave</b>				FAX NO.
CITY <b>Burns</b>	STATE <b>OR</b>	ZIP <b>97720</b>	E-MAIL <b>nonnem@acw.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME <b>Scott D Montgomery</b>			PHONE NO. <b>541-548-5833</b>	ADDITIONAL CONTACT NO. <b>541-420-0401</b>
ADDRESS <b>PO Box 767</b>				FAX NO.
CITY <b>Terrebonne</b>	STATE <b>OR</b>	ZIP <b>97760</b>	E-MAIL <b>scott@apeands.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this permit amendment; and why:  
Propose an additional well to help distribution & provide a backup source.  
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

Is the applicant the permit holder of record?  Yes  No

If NO, include either:

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

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

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


If NO, what are the completion dates of the permit(s)? 10/1/2030

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Burns Herald

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

  
Applicant Signature

Matt Nonnemacher, President  
Print Name (and Title if applicable)

2/12/24  
Date

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Check one of the following:

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

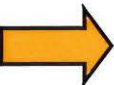
Check the appropriate box, if applicable:

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

IRRIGATION DISTRICT NAME <b>NA</b>	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME <b>NA</b>	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME <b>Harney County</b>	ADDRESS <b>360 N Alvord</b>	
CITY <b>Burns</b>	STATE <b>OR</b>	ZIP <b>97720</b>

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**Part 5 of 5 – Water Use Permit Information**

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

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**PERMIT # 16338**

**FEB 23 2024**

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

**OWRD**

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 295	23	S	30	E	14	SE	SW		1800' S & 1975' E from W ¼ cor, Sec 14
#2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 50578	23	S	30	E	14	NW	SW		1180' S & 40' E from W ¼ cor, Sec 14
#3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 296	23	S	30	E	14	SW	SE		530' N & 80' E from S ¼ cor, Sec 14
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

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

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

**For a change in place of use:**

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

Yes  No

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

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

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

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

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

**Table 2. Description of Changes to Water Use Permit # G-16338**

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.									Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date	
<b>EXAMPLE</b>																			
									APOA	23	S	30	E	14	NW	SW		#1, #2 & #3	2007
									APOA	23	S	30	E	14	NE	SW		#1, #2 & #3	2007
									APOA	23	S	30	E	14	SE	SW		#1, #2 & #3	2007
									APOA	23	S	30	E	14	NW	SE		#1, #2 & #3	2007
									APOA	23	S	30	E	14	SW	SE		#1, #2 & #3	2007
TOTAL ACRES										TOTAL ACRES									

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

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

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



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

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

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

**AND/OR**

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

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

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

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

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# Land Use Information Form



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

Applicant(s): GH20, Inc, Matt Nonnemacher, President

Mailing Address: 398 N Broadway Ave

City: Burns

State: OR

Zip Code: 97720

Daytime Phone: 541-573-1260

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
23S	30E	14	NW SW		Residential	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
23S	30E	14	NE SW		Residential	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
23S	30E	14	SE SW		Residential	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
23S	30E	14	NW SE		Residential	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>
23S	30E	14	SW SE		Residential	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>QM</u>

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

Harney

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## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.0     cubic feet per second     gallons per minute     acre-feet

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

Briefly describe:

Propose an additional well to help distribution & provide a backup source.

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

See bottom of Page 3. →

# For Local Government Use Only

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

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

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Acen 3.090

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

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

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

Name: Brandon McMillon Title: Planning Director

Signature: [Signature] Phone: (911) 573-6605 Date: 1/17/24

Government Entity: Harney County

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



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

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

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

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SEP 25 2000

STATE OF OREGON WATER SUPPLY WELL REPORT WATER RESOURCES DEPT. SALEM, OREGON

WELL I.D. # L39239 START CARD # 130089

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

(1) OWNER: Well Number Name Floyd Garland Address 398 N Broadway City Burns State OR Zip 97720

(2) TYPE OF WORK: [X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD: [ ] Rotary Air [ ] Rotary Mud [X] Cable [ ] Auger [ ] Other

(4) PROPOSED USE: [X] Domestic [ ] Community [ ] Industrial [ ] Irrigation [ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [ ] Yes [X] No Depth of Completed Well 405 ft. Explosives used [ ] Yes [X] No Type Amount

Table with columns: HOLE Diameter, From, To, Material, SEAL From, To, Sacks or pounds. Row 1: 14, 0, 18, bentonite, 0, 18, 18sacks. Row 2: 10, 18, 405.

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [X] Other poured dry and tamped Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 10, +1, 59, 250, [X], [ ], [X], [ ].

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Material, Casing, Liner.

(8) WELL TESTS: Minimum testing time is 1 hour. [ ] Pump [X] Bailer [ ] Air [ ] Flowing Artesian. Yield gal/min 30, Drawdown 0, Drill stem at, Time 1 hr.

Temperature of water 59 Depth Artesian Flow Found Was a water analysis done? no [ ] Yes By whom Did any strata contain water not suitable for intended use? [ ] Too little [ ] Salty [ ] Muddy [ ] Odor [ ] Colored [ ] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County Harney Latitude Longitude Township 23S N or S Range 30E E or W. WM. Section 14 NW 1/4 SW 1/4 Tax Lot 800 Lot Block Subdivision Street Address of Well (or nearest address) King Ave Garland Estates

(10) STATIC WATER LEVEL: 375 ft. below land surface. Date 9-18-00 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 380

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 380, 403, 200, 375.

(12) WELL LOG: Ground Elevation

Table with columns: Material, From, To, SWL. Rows include: sandy loam topsoil, sandstone brn, rock brn, sandstone grey/cinders blk, cinders blk/clay brn/pumice, multi colored cinders clay, cinders red, rock blk (hard), cinders/clay red, cinders red w/b, no cuttings, rock blk (hard).

Date started 8-21-00 Completed 9-18-00 OWRD

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief. WWC Number Signed Date

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief. WWC Number 1424 Signed Timothy K. Riley Date 9-21-00

FOR WATER RESOURCES DEPARTMENT USE ONLY

Date Postmarked 8-22-00  
Date Hand-Delivered \_\_\_\_\_  
Watermaster Initials \_\_\_\_\_

W 130087  
WRD Receipt 39906  
Date Fee Received 8-24-00  
Check No. 3891

**START CARD**  
**NOTICE OF BEGINNING OF WELL CONSTRUCTION**  
(as required by ORS 537.762)

This form must be completed and the original copy mailed or delivered to the Water Resources Department, 158 12th St. NE, Salem, OR 97310, for all new well construction, or conversion of an existing hole not previously used to seek water. This original copy must be mailed or delivered no later than the day construction or conversion work begins. A \$75 fee shall accompany the original copy for all new well construction and conversion (make checks payable to the Water Resources Department). Notices meeting the submittal requirements but received without the required fee will not be accepted as properly and timely filed. In addition, the constructor shall provide the "Watermaster Copy" of this notice to the office of the district watermaster within which the well is being constructed, altered, converted or abandoned using one of the following options: (a) by regular mail no later than three (3) calendar days (72 hours) prior to commencement of work; or, (b) by hand delivery, during regular office hours, no later than the day work is commenced; or, (c) by FAX no later than the day work is commenced. If method (c) is used, the original "Watermaster Copy" of this notice shall also be mailed or delivered to the office of the district watermaster no later than the day work is commenced. The Water Resources Commission has authority to impose civil penalties for failure to submit the required \$75 fee with the start card and for failure to submit cards prior to beginning of any alteration, conversion or abandonment work.

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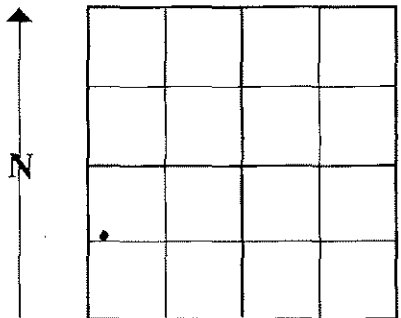
Owner's name and mailing address: Floyd H. GARLAND AUG 24 2000  
Home Phone: 541-573-2171 398 N. BROADWAY  
Work Phone: BURNS, OREGON 97720 WATER RESOURCES DEPT. SALEM, OREGON

Check type of work: Fee Required:  New Construction No Fee Required:  Alteration (Repair/Recondition)  
 Conversion  Deepening Original Start Card Number \_\_\_\_\_  
 Abandonment

Proposed Commencement Date: 8-21-00  
Existing or Proposed Well Depth: 350 Diameter: 10" Original Well I.D. Label Number: \_\_\_\_\_

Check Use:  Domestic  Public System (Community)  Industrial  Irrigation  Monitoring  
 Thermal  Injection  Other \_\_\_\_\_

Proposed Well Location: County HARNEY Township: 23 S. Range: 30 E Section: 14  
North or South East or West



- N.W. 1/4 of S.W. 1/4 of above section.
- Street Address of well location (or directions if not assigned): King Avenue, Garland Acres
- Tax-lot number of well location: 800
- Attach map with location identified. (See reverse for approved maps)
- Show well location within 1/4, 1/4 of section grid at left.

**RECEIVED**  
FEB 23 2024

OWRD

We hereby certify that we have read the back of this form and that the information provided is accurate to the best of our knowledge.

Floyd H. Garland Owner/Agent Trishley K. Paly Bonded Water/Monitor Well Constructor License No. 1424  
Aug 21, 2000 Date Signed Western Drilling Co Company 8-21-00 Date Signed

**OWNER PLEASE NOTE: This is not a water right application. The owner is responsible for obtaining a water right through the Water Resources Department, if required. The Oregon Health Division requires plans to be submitted and approved prior to construction if the well is to be used as a public system.**

**ADDITIONAL IMPORTANT INFORMATION ON BACK.**

**THIS COPY, WITH ACCOMPANYING FEE, TO WATER RESOURCES DEPARTMENT IN SALEM.**

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OCT 18 1965

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

WATER WELL REPORT
STATE ENGINEER
SALEM, OREGON

Harney 295

State Well No. 23/30-14 G
State Permit No.

(1) OWNER:
Name Floyd H. Garland
Address Burns, Oregon

(2) LOCATION OF WELL:
County Harney Driller's well number
SW 1/4 SE 1/4 Section 14 T. 23S R. 30E W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):
New Well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):
Domestic [X] Industrial [ ] Municipal [ ]
Irrigation [ ] Test Well [ ] Other [ ]
(5) TYPE OF WELL:
Rotary [ ] Driven [ ]
Cable [X] Jetted [ ]
Dug [ ] Bored [ ]

(6) CASING INSTALLED:
6" Diam. from 0 ft. to 260 ft. Gage 250
Threaded [ ] Welded [X]

(7) PERFORATIONS:
Perforated? [X] Yes [ ] No
Type of perforator used Torch
Size of perforations 3/8 in. by 4 in.
192 perforations from 240 ft. to 260 ft.

(8) SCREENS:
Well screen installed? [ ] Yes [X] No
Manufacturer's Name
Type Model No.
Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:
Well seal—Material used in seal Bentonite
Depth of seal 20 ft. Was a packer used? yes
Diameter of well bore to bottom of seal 8 in.
Were any loose strata cemented off? [ ] Yes [X] No Depth
Was a drive shoe used? [ ] Yes [X] No
Was well gravel packed? [ ] Yes [X] No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? [ ] Yes [X] No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level 150 ft. below land surface Date 10-15-65
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? [ ] Yes [X] No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
Ballor test 30 gal./min. with 20 ft. drawdown after 1 hrs.
Artesian flow g.p.m. Date
Temperature of water Was a chemical analysis made? [ ] Yes [X] No

(12) WELL LOG:
Diameter of well below casing
Depth drilled 260 ft. Depth of completed well 260 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

Table with columns MATERIAL, FROM, TO. Rows include Top Soil, Hard Soil, Clay & Boulders, Sand Stone, Volcanic Rock, Pumice, Cinders, Med Gravel, Red Cinders, Hard Rock.

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OWRD

Work started 10-6-65 1965. Completed 10-15-65 1965
Date well drilling machine moved off of well 10-15-65 19

(13) PUMP:
Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Western Drilling Co.
Address Burns, Oregon
Drilling Machine Operator's License No. 379
[Signed] John W. McAllister
Contractor's License No. 426 Date 10-15-65, 1965



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

Application for
Well ID Number

Do not complete if the well already has a Well Identification Number.

RECEIVED

AUG 24 2017

I. OWNER INFORMATION

Current Owner Name (please print): Floyd Garland

WATER RESOURCES DEPT
SALEM, OREGON

Mailing Address: PO BOX 339

City, State, Zip: Burns, OR 97720

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Mail Well ID Tag to: [ ] SAME AS ABOVE [ ] In Care Of (C/O)

FEB 23 2024

Name & Address:

City, State, Zip:

OWRD

II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 23S (North / South) Range: 30E (East / West) Section: 14

Tax Lot: 900 County Harney SW 1/4 SE 1/4

GPS Coordinates: 43.57235, -119.08923

Street Address of Well, City: W King Ave

If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Please fill out as completely as possible)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): irrigation well converted to observation well 06/2017

Date Well Constructed (or property built): 8/9/1967 Total Well Depth: 305' Casing Diameter: 14"

Owner at time the well was constructed (if known): Floyd Garland

Other Information:

SUBMITTED BY (please print): Darrick E. Boschmann (OWRD Groundwater Section)

PHONE: 503-986-0853

EMAIL &/or FAX: darrick.e.boschmann@oregon.gov

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902. Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

For Official Use Only by the Oregon Water Resources Department:

Received Date:

8-24-17

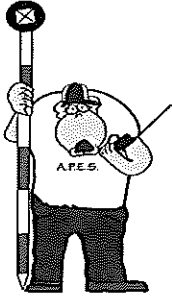
Well Log Number:

HARN 296

Well Identification #:

L-95071





**ALL POINTS**  
**ENGINEERING & SURVEYING, INC.**  
P.O. Box 767 (CRR)  
Terrebonne, Oregon 97760

**TRANSMITTAL**

To: Oregon Water Resources Dept  
725 Summer St NE, Suite A  
Salem, OR 97301-1266

Date: 02/18/24  
Attention: Transfers  
RE: App for Permit Amendment

Prints  Plans  Plat  Specifications.

Attached is a Application for a Permit Amendment on G-16338.

If you have any questions please don't hesitate to call or email me.

<b>Copies</b>	<b>No.</b>	<b>Description</b>
1	1	Application for Permit Amendment(8 pages letter bond)
1	2	App Map ( 1 page letter bond)
1	3	Land Use Form (2 pages letter bond)
1	4	Well logs (4 pages letter bond)
1	5	Check for \$1840

Signed: \_\_\_\_\_

A large, stylized handwritten signature in black ink, written over a horizontal line.

RECEIVED  
FEB. 23 2024  
OWRD



# Oregon

Tina Kotek, Governor

**Water Resources Department**

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

March 7, 2024

Matt Nonnenmacher  
398 N Broadway Ave  
Burns, OR 97720

Reference: Application T-14413

On February 23, 2024, OWRD received your water right Permit Amendment Application. The application was accompanied by \$1840.00. Our receipt number 142459 is enclosed.

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

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

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0935.

Cc: Watermaster Dist. #10, Donald (dally) S. Swindlehurst (via email)  
Scott Montgomery, Agent  
Harney County Planning Department, Local Government

Enclosure

## Permit Amendment Application Intake Checklist

Permit Amendment # T- 14413

Reviewer <u>Stacy</u> Date <u>3-6-2024</u>	Type of Change(s) Proposed: <input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input checked="" type="checkbox"/> APOA <input type="checkbox"/> SW to GW
Calculated Fee \$ <input checked="" type="checkbox"/> Use fee calculator on back of this form	Fee Received \$ <u>1840.<sup>00</sup></u>
Permit: <u>G-116338</u> Completion Date: <u>10-1-2030</u> Permit:                      Completion Date: Permit:                      Completion Date:	Check <u>ALL</u> Permits in WRIS to confirm completion date is not expired
Notes:	

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

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

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

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

## Permit Amendment Application Intake Checklist

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,360
2	Types of change proposed: <input type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » »	2	0
3	Number of permits included in Permit Amendment <u>1</u> (3a) Subtract 1 from the number in 3a above: <u>0</u> (3b) <i>If only one permit, this will be 0</i> Multiply line 3b by \$610 and enter » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1st well to be added or changed <u>480</u> (4a) Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 _____ (4b)	4	480
5	Do you propose to change the place of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c)	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	1840
7	Is this Permit Amendment: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » <b>Permit Amendment Fee:</b>	8	1840