

T-10537

T-10537

Permit Amendment

Name CCPD Inc
c/o Ted Carner
 Address PO Box 263
Pendleton, OR 97401
541-276-1818 541-276-0391 Fax

partial
 ASSIGNED

Change in APDA
 Date Filed 2-11-08
 Initial notice date 2-19-08
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 6-25-08 Vol 75 Page 252

C-Date _____
 COBU due date _____
 COBU Received date _____
 Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Well
 Trib. of Grande Ronde River Basin
 Use IR County Union
 Quantity of water (CFS) _____ No. of Acres _____
 Name of ditch _____
 App # 612055 Per # 611674 Cert # _____ PR Date 1990
 App # _____ Per # _____ Cert # _____ PR Date _____
 App # _____ Per # _____ Cert # _____ PR Date _____
 App # _____ Per # _____ Cert # _____ PR Date _____
 App # _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>2/11/08</u>	<u>400.00</u>	<u>91421</u>

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: 3/10/2009

CCPD, Inc
 c/o Ted C Carner & Curtis Troyer

62323 Lower Cove Rd
 Cove OR 97824

Irrigation District _____

Agent William Porfily PO Box 643 Stanfield, OR 97875 541-449-1327 541-561-7259 cell

CWRE _____

CC's list Union County 1106 K Ave LaGrande, OR 97850☐ - Oversized map - Location _____

RECEIVED

MAR 09 2009

REQUEST FOR ASSIGNMENT

WATER RESOURCES DEPT
SALEM, OREGON

CCPD, INC c/o Ted C. Carner

(Name of Applicant / Permit / Transfer Holder)

P.O. Box 203

(Mailing address)

Pendleton

(City)

OR

(State)

97801

(Zip)

(541)276-1818

(Phone #)

CHECK ONE

☐ ...hereby assign **all my interest** in and to application/permit/transfer;

☐ ...hereby assign **all my interest** in and to a **portion** of application/permit/transfer;

(You must include a map showing the portion of the application/permit/transfer to be assigned.)

☒ ... hereby assign **a portion of my interest** *in and to the entire application/permit/transfer;

*I am holding the mortgage for the property involved in Permit G-11074 thus would like to remain on the mailing list for all correspondence relating to this permit.

Application # G-12055, Permit # G-11074, Transfer # 10537

as filed in the office of the Water Resources Director, to:

Curtis Troyer

(Name of New Owner)

62323 Lower Cove RD

(Mailing address)

Cove

(City)

OR

(State)

97824

(Zip)

541)568-0102

(Phone #)

NOTE:

If there are other owners of the property described in this Application, Permit, Transfer, or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 4/14 day of March, 2009

Applicant/Permit holder CCPD Inc y [Signature]

Applicant/Permit holder _____

O.K. ASSIGN
J.H.D. 3-10-2009

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 95844

For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed "Request for Assignment" form must be submitted to the Department along with the appropriate recording fees:

♦ \$50 Recording Fees

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

March 10, 2009

Curtis and Kathleen Troyer
62323 Lower Cove Road
Cove, Oregon 97824

Reference: Application G-12055, Permit G-11074, Transfer T-10537 (Permit Amendment)

The assignment from CCPD, Inc., c/o Ted C. Carner to CCPD, Inc., c/o Ted C. Carner and Curtis Troyer has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 95844 covering the recording fee of \$50 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 95844

cc: Watermaster 6
CCPD, Inc., c/o Ted C. Carner
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
Sarah Henderson - for Transfers
File

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **95844**

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

INVOICE # _____

RECEIVED FROM: Curtis J + Kathleen J.
BY: Troyer

APPLICATION	6-12055
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 6406 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 50.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$	
	OTHER: (IDENTIFY)	\$	
0243	I/S Lease		
0244	Muni Water Mgmt. Plan		
0245	Cons. Water		

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES	\$	
0410	RESEARCH FEES	\$	
0408	MISC REVENUE: (IDENTIFY)	\$	<u>50.00</u>
TC162	DEPOSIT LIAB. (IDENTIFY)	\$	
0240	EXTENSION OF TIME	\$	
WATER RIGHTS:			
0201	SURFACE WATER	\$	0202
0203	GROUND WATER	\$	0204
0205	TRANSFER	\$	
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	\$	0219
	LANDOWNER'S PERMIT	\$	0220
	OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **95844**

DATED: 3/9/07 BY: L. Bell

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



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

June 26, 2008

CCPD, INC
ATTN: TED C. CARNER
PO BOX 203
PENDLETON, OR 97801

Reference: Permit Amendment Transfer 10537

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

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

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

Sincerely,

Sarah Henderson
Executive Support

cc: Watermaster #6
William Porfily, Agent

Enclosure

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

In the Matter of Permit Amendment	)	FINAL ORDER
T-10537, Union County	)	APPROVING ADDITIONAL
	)	POINTS OF APPROPRIATION

Authority

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

Applicant

CCPD, INC.
ATTN: TED C. CARNER
PO BOX 203
PENDLETON, OR 97801

Agent

WILLIAM I. PORFELY
PO BOX 643
STANFIELD, OR 97875

Findings of Fact

Background

1. On February 11, 2008, Ted C. Carner of CCPD, Inc. filed an application to amend the point of appropriation under Permit G-11074 (Application G-12055). The Department assigned the application number T-10537.

2. The permit to be amended is as follows:

Permit: G-11074 (Application G-12055), assigned to CCPD, INC.

Use: IRRIGATION of 249.4 ACRES and SUPPLEMENTAL IRRIGATION of 442.2 ACRES

Priority Date: MARCH 29, 1990

Quantity: 4.0 CUBIC FEET PER SECOND (CFS)

Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 ACRE FEET per acre for each acre irrigated during the irrigation season of each year. This permit shall be limited to any deficiency in the available supply of any prior permit for the same land and shall not exceed the limitation allowed herein.

This is a final order in other than a 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 petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Source: ONE WELL (Well #3), in the GRANDE RONDE RIVER BASIN

Date for Completion of Construction: October 1, 2011

Date of Complete Application of Water: October 1, 2011

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	¼ ¼	Location
2 S	39 E	WM	35	NW NW	Well #3 – 505 feet South and 24 feet East from the NW corner of Section 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	¼ ¼	Acres
2 S	39 E	WM	25	NE SW	31.4
2 S	39 E	WM	25	NW SW	31.4
2 S	39 E	WM	25	SW SW	31.4
2 S	39 E	WM	25	SE SW	31.4
2 S	39 E	WM	36	NE NW	31.4
2 S	39 E	WM	36	NW NW	31.0
2 S	39 E	WM	36	SW NW	30.0
2 S	39 E	WM	36	SE NW	31.4
Total:					249.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	¼ ¼	Acres
2 S	39 E	WM	26	NE SW	39.5
2 S	39 E	WM	26	NW SW	38.0
2 S	39 E	WM	26	SW SW	36.9
2 S	39 E	WM	26	SE SW	35.2
2 S	39 E	WM	26	NE SE	31.4
2 S	39 E	WM	26	NW SE	31.4
2 S	39 E	WM	26	SW SE	31.4
2 S	39 E	WM	26	SE SE	31.4
2 S	39 E	WM	35	NE NE	26.4
2 S	39 E	WM	35	NW NE	23.4
2 S	39 E	WM	35	NE NW	31.4
2 S	39 E	WM	35	NW NW	31.4
2 S	39 E	WM	35	SW NW	31.4
2 S	39 E	WM	35	SE NW	23.0
Total:					442.2

3. Application T-10537 proposes to add the following points of appropriation to the permit:

Twp	Rng	Mer	Sec	¼ ¼	Tax Lot	Location	Approximate Distance from Authorized Well #3
2 S	39 E	WM	26	SE SW	10200	Well #1 – 1360 feet East from the SW corner of Section 26	1300 feet Northeast
2 S	39 E	WM	35	NE NE	10200	Well #2 – 40 feet South and 80 feet West from the NE corner of Section 35	5000 feet East
2 S	39 E	WM	36	NW NW	10200	Well #4 – 2600 feet North and 2370 feet West from the Center Corner of Section 36	5350 feet East

4. Notice of the application for the permit amendment was published in the Department's weekly notice on February 19, 2008, and in *The Observer* newspaper on June 2, 9 and 16, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
5. The change would not result in injury to other water rights.
6. The change does not enlarge the permit.
7. The change does not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-10537 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

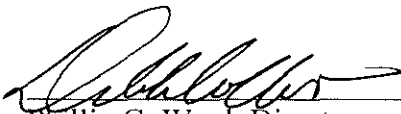
The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. Prior to water use from the new points of appropriation, the permittee shall install meters or other suitable measuring devices as approved by the Director. The permittee shall maintain the meters or measuring devices in good working order.

The permittee 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.

3. Water shall be acquired from the same ground water source as the original point of appropriation.
4. All other terms and conditions of Permit G-11074 remain the same.
5. Permit G-11074, assigned to CCPD Inc., is amended as described herein.

Dated at Salem, Oregon this 25th day of June, 2008.


Phillip C. Ward, Director

Mailing Date: JUN 27 2008

Permit Amendment Checklist

Permit Amendment: **T- 10537**

Transfer Specialist: **Lisa Jaramillo**

Permit Amendment Type: **APOA**

Applicant Name/Address: **CCPD, Inc., c/o Ted Carner, PO Box 203, Pendleton, OR 97801**

Agent Name/Address: **William Porfily, PO Box 643, Stanfield, OR 97875**

CWRE Name/Number: **NONE**

Rec Landowner Name/Address: **NONE**

Irr. District Name/Address: **NONE**

Affected Govt's Name/Address: **NONE**

Commentors Name/Address: **NONE**

Permits Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Permit "B" and/or "C" Date(s)
☒	☒	G-12055	G-11074	October 1, 2011

Key Dates & Initial Actions

Rec'd: 2-11-08	Proposed Action: APOA		
Fees Pd: 400.00	WM District: 6	ODFW District: N/A	
Initial Notice: 2-19-08	WM Review sent: 2-21-08	ODFW Review sent: N/A	
Acknowledgement Letter Sent: ☒			GW Review sent: 2-21-08

Processing Dates & Actions

Deficiency Contacts:	Newspaper Publication Required? YES NO Affidavit of Publication Due:
Affidavit of Publication Rec'd: Last Day Published:	Affidavit Reminder Sent: Rec'd: 6-19-08
Reminder Deadline:	

Final Order

- ☒ Electronic Files uploaded
- ☒ Newspaper Notice Cover letter
- ☒ Newspaper Notice
- ☒ File Assigned/ ModPod updated
- ☒ Fee Refund Due

Draft Order Review (Optional)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>ASP</u>
Date: _____	Date: <u>6/24/08</u>
Coordinator: _____	Coordinator: _____
Date: _____	Date: _____

Comments/Special Issues:

3 additional Wells. - GW review found no injury. (\$ w/m)

Special Order Volume: Vol: 75, Pages 252

Final Order Signature Date: 6-25-08

Notice of FO e-mailed to processors: Lisa J.

AFFIDAVIT OF PUBLICATION

STATE OF OREGON:

COUNTY OF UNION:

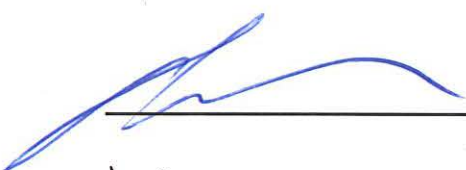
Ted Kramer, being first duly sworn, depose and say that I am the Publisher/Editor of **The Observer**, a newspaper of general circulation as defined by ORS 193.010 and ORS 193.020; printed and published at LaGrande, in the aforesaid county and state; that the.....**Public Notice: Prepay-Ted C. Carner/ Water Resource Department- Permit Amendment T-10537.....**printed copy of which is hereto annexed was published in the entire issue of said newspaper for.....**3.....**successive and consecutive weeks/days in the following issue..... **June 2,9,16, 2008**Subscribed and sworn to before me this.....**16th.....**day of **June, 2008**.

Public Notice

Notice of Permit Amendment T-10537

T-10537 filed by Ted Carner on behalf of CCPD, Inc., PO Box 203, Pendleton, OR 97801, proposes additional points of appropriation under Permit G-11074. The permit allows the use of 4.0 cfs (priority date March 29, 1990) from one well in Sec. 35, T 2 S, R 39 E, W.M. (Grande Ronde River Basin) for irrigation and supplemental irrigation in Sec. 25, 26, 35 and 36. The applicant proposes to add three points of appropriation located between approximately 0.25 and 1.0 mile east (Sec. 26, 35 and 36, T 2 S, R39 E, W.M.) from the authorized well. 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 June 16, 2008.

Publish: June 2, 9, 16, 2008
Legal no. 3242





Notary Public Of Oregon



Reference No. 3242

RECEIVED

JUN 19 2008

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

April 18, 2008

CCPD, INC.
ATTN: TED CARNER
PO BOX 203
PENDLETON, OR 97801

REFERENCE: Permit Amendment Application T-10537

Enclosed, please find a *draft* Final Order regarding Permit Amendment Application T-10537. The document reflects the Department's conclusion that, based on the information currently available, the permit amendment will be approved. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the permit amendment.

Additionally, because the new points of appropriation are more than ¼ mile from the authorized point of appropriation, the applicant is responsible for publishing notice of the permit amendment in a local newspaper having a general circulation in the area of the water use permit. The permit amendment notice must be published in a local newspaper in the general area of the permit (newspapers with statewide circulation such as the Capital Press, Journal of Commerce, etc. do not qualify). **The notice must be published at least once a week for three consecutive weeks.** A copy of the required notice is enclosed for your use. Please have the newspaper insert the appropriate final date of publication in the place indicated in the notice.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please request the affidavit of publication from the newspaper following publication and send it to me, Lisa Jaramillo, at the address at the top of the page.

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

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

Please feel free to contact me at 503-986-0880 or Lisa.J.Jaramillo@wrd.state.or.us, if you have questions.

Sincerely,



Lisa J. Jaramillo
Transfer Specialist
Field Services Division

cc: T-10537
Shad Hattan, Watermaster Dist. #6
William I. Porfily, Agent, PO Box 643, Stanfield, OR 97875
enc



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

In the Matter of Permit Amendment	)	DRAFT FINAL ORDER
T-10537, Union County	)	APPROVING ADDITIONAL
	)	POINTS OF APPROPRIATION

Authority

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

Applicant

CCPD, INC.
ATTN: TED C. CARNER
PO BOX 203
PENDLETON, OR 97801

Agent

WILLIAM I. PORFILY
PO BOX 643
STANFIELD, OR 97875

Findings of Fact

Background

1. On February 11, 2008, Ted C. Carner of CCPD, Inc. filed an application to amend the point of appropriation under Permit G-11074 (Application G-12055). The Department assigned the application number T-10537.
2. The permit to be amended is as follows:

Permit:	G-11074 (Application G-12055), assigned to CCPD, INC.
Use:	IRRIGATION of 249.4 ACRES and SUPPLEMENTAL IRRIGATION of 442.2 ACRES
Priority Date:	MARCH 29, 1990
Quantity:	4.0 CUBIC FEET PER SECOND (CFS)
Rate/Duty:	The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 ACRE FEET per acre for each acre irrigated during the irrigation season of each year. This permit shall be limited to any deficiency in the available supply of any prior permit for the same land and shall not exceed the limitation allowed herein.

This is a final order in other than a 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 petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Source: ONE WELL (Well #3), in the GRANDE RONDE RIVER BASIN
Date for Completion of Construction: October 1, 2011
Date of Complete Application of Water: October 1, 2011

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	¼ ¼	Location
2 S	39 E	WM	35	NW NW	Well #3 – 505 feet South and 24 feet East from the NW corner of Section 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	¼ ¼	Acres
2 S	39 E	WM	25	NE SW	31.4
2 S	39 E	WM	25	NW SW	31.4
2 S	39 E	WM	25	SW SW	31.4
2 S	39 E	WM	25	SE SW	31.4
2 S	39 E	WM	36	NE NW	31.4
2 S	39 E	WM	36	NW NW	31.0
2 S	39 E	WM	36	SW NW	30.0
2 S	39 E	WM	36	SE NW	31.4
Total:					249.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	¼ ¼	Acres
2 S	39 E	WM	26	NE SW	39.5
2 S	39 E	WM	26	NW SW	38.0
2 S	39 E	WM	26	SW SW	36.9
2 S	39 E	WM	26	SE SW	35.2
2 S	39 E	WM	26	NE SE	31.4
2 S	39 E	WM	26	NW SE	31.4
2 S	39 E	WM	26	SW SE	31.4
2 S	39 E	WM	26	SE SE	31.4
2 S	39 E	WM	35	NE NE	26.4
2 S	39 E	WM	35	NW NE	23.4
2 S	39 E	WM	35	NE NW	31.4
2 S	39 E	WM	35	NW NW	31.4
2 S	39 E	WM	35	SW NW	31.4
2 S	39 E	WM	35	SE NW	23.0
Total:					442.2

3. Application T-10537 proposes to change the point of appropriation of the permit to:

Twp	Rng	Mer	Sec	¼ ¼	Tax Lot	Location	Approximate Distance from Authorized Well #3
2 S	39 E	WM	26	SE SW	10200	Well #1 – 1360 feet East from the SW corner of Section 26	1300 feet Northeast
2 S	39 E	WM	35	NE NE	10200	Well #2 – 40 feet South and 80 feet West from the NE corner of Section 35	5000 feet East
2 S	39 E	WM	36	NW NW	10200	Well #4 – 2600 feet North and 2370 feet West from the Center Corner of Section 36	5350 feet East

4. Notice of the application for the permit amendment was published in the Department's weekly notice on February 19, 2008, and in the _____ newspaper on _____, _____ and _____, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
5. The change would not result in injury to other water rights.
6. The change does not enlarge the permit.
7. The change does not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-10537 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

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

1. The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. Prior to water use from the new points of appropriation, the permittee shall install meters or other suitable measuring devices as approved by the Director. The permittee shall maintain the meters or measuring devices in good working order.

The permittee 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.

3. Water shall be acquired from the same ground water source as the original point of appropriation.
4. All other terms and conditions of Permit G-11074 remain the same.
5. Permit G-11074, assigned to CCPD Inc., is amended as described herein.

Dated at Salem, Oregon this _____ day of _____, 2008.

DRAFT

Phillip C. Ward, Director

Mailing Date: _____

Notice of Permit Amendment T-10537

T-10537 filed by Ted Carner on behalf of CCPD, Inc., PO Box 203, Pendleton, OR 97801, proposes additional points of appropriation under Permit G-11074. The permit allows the use of 4.0 cfs (priority date March 29, 1990) from one well in Sec. 35, T 2 S, R 39 E, W.M. (Grande Ronde River Basin) for irrigation and supplemental irrigation in Sec. 25, 26, 35 and 36. The applicant proposes to add three points of appropriation located between approximately 0.25 and 1.0 mile east (Sec. 26, 35 and 36, T 2 S, R 39 E, W.M.) from the authorized well. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is *[DATE OF LAST PUBLICATION]*.

Memo

Date: April 16, 2008
To: Permit Amendment File T-10537
From: Lisa Jaramillo, Transfer Specialist
Re: Discrepancy involving Location of Proposed Well #2

There is a discrepancy involving the location of proposed Well #2 between the permit amendment application and the map for T-10537.

The permit amendment application lists proposed Well #2 as being located at:
T. 2 South, R. 39 E, WM, Section 36 – NW ¼ NW ¼ - 40 feet South and 80 feet West from the NE corner of Section 35.

The permit amendment map shows proposed Well #2 as being located at:
T. 2 South, R. 39 E, WM, Section 35 – NE ¼ NE ¼ - 40 feet South and 80 feet West from the NE corner of Section 35.

Based upon the survey coordinates provided, the proposed Well #2 can only be located in the NE ¼ NE ¼ of Section 35, T. 2 South, R. 39 East, WM.

I spoke with the applicant's agent, Bill Porfily, this afternoon and he confirmed that the location of proposed Well #2 should be that which is shown on the application map:

T. 2 South, R. 39 E, WM, Section 35 – NE ¼ NE ¼ - 40 feet South and 80 feet West from the NE corner of Section 35.

Permit Amendment Processing Log (ORS 537.211)

T- 10537

Reviewer's Name: R. Danville

Date: 4-16-08

Transfer #: T-10537

Type of Change: APOA

Originating Permit #: G-11074

(Appl #: G-12055)

"B" ϕ
"C" Date: 10-1-2011

Date filed: 2-11-08

County: Union

WM District: #6-Shad Hattan

Applicant's Name & Mailing Address: CCPD Inc., % Ted Carner
PO Box 203
Pendleton, OR 97801

CWRE: N/A

Transfer Workflow

☒ File assigned to me?

Agent: William I. Porfily

PO Box 643
Stanfield, OR 97875

Check Application

☒ Type of change indicated clearly? APOA

☒ Is the application signed by all the permit holder(s) of record? Yes ☒ No ☐

If No... ☐ If there are other permit holders that have NOT signed the application, have they submitted a notarized statement consenting to the permit amendment application? Yes ☐ No ☐

☐ If signed by someone other than permit holder(s), is there a notarized statement allowing this person to act as an agent on behalf of the permit holder(s)? Yes ☐ No ☐

☒ Have the appropriate fees been paid? Yes ☒ No ☐ \$400 paid 2-11-08

If "No"... ☐ Fees due: _____

☐ Refund due: _____

(If to be REFUNDED, generate Request for Refund to be sent to Fiscal at time of Final Order.)

☐ If MU or QM for POU change (service boundary expansion), has Land Use form for "to" land signed by proper official been submitted?

☐ If MU or QM for POU change (service boundary expansion), has evidence of use been submitted?

(Permit holder is capable of using all water within the service boundary in existence at time of permit issuance.)

☐ If a ditch company or district is involved, send them a copy of the application and map.

☐ If a POD is moving to a ditch owned by a company or organization, applicant may need to show permission from the ditch owner.

Check Ownership

☐ Is the POD/POA or POU being moved to land owned or controlled by the permit holder(s)? Yes ☐ No ☐

If "No"... Deed is needed for land not under permit holders control or ownership.

(If "Yes"... all "to" area on permit holders land described in deed from original application for permit, no need to have another copy of the same deed.)

☐ Assignment needed? Yes ☐ No ☐

(If POU being moved to land NOT owned by permit holder, the owner of the "to" land must be assigned to permit)

☒ Print copy of current tax lot map. (If application is several years old, contact assessor's office for current landowner.)

(Verify that Land Use and Deed in permit file record match POU identified in Permit Amendment... most likely OK if no POU change.)

Check Application Map... Same standards as Div 380 except does NOT have to be prepared by CWRE

☒ Is the size and scale accurate and appropriate as per OAR 690-380-3100(1)(b)(c)&(d)?

☒ Are all authorized and proposed POD's/POA's and POU's shown and clearly labeled?

☒ Do the metes and bounds for the POD's/POA's properly describe the location on the map?

☒ Do map acres match the tabulation on the permit?

☒ Do the POD/POA dimensions & 1/4 1/4 on map match the permit amendment application and permit descriptions?

OK -
App. needs to be fixed to default map

Discrepancy OK - it is correct on the Map. - Go w/ Map.
Well #2 - location on map (Section #) appears correct - but does not match Section # listed for Well #2 in Application.

Is Application complete?

- ☒ Application Form OK ☒ Map
☒ Well Logs ☒ Fees Paid

Refund? N/A

May be needed on POU's...

- N/A ☐ Deed (if POU moving to land not owned or controlled by permittee)
N/A ☐ Evidence of Use -
(if permit is MU or QM and want to change POU to expand service boundary footprint)
N/A ☐ Land Use form -
(if POD/POA or POU is moving a great distance & off of land originally involved in permit)

Reviews/comments received?

- ☒ Watermaster
☒ ODFW N/A
☒ GW

Determining the "From" and "To" Lands (make working copy of application and permit to mark on)

- ☒ Are the permitted POD's/POA's and POU's to be transferred listed?
☒ Do application & permit tabulations match? (check off on application and permit copies and note corrections needed)
☒ Mark proposed changes on permit copy.

Conflict Check -

- N/A This is NOT a POU Δ. (APOA Δ only.)
N/A ☐ Print plat card report for POU change. N/A
N/A ☐ Are there conflicting water rights on "to" land? No POU Δ
☐ Are there any rights coupled together (primary and supplemental) that must move along with subject permit?
If so, identify: NO
☐ Are there any rights that need to be canceled or diminished to supplemental?
If so, identify & prepare an affidavit: NO

Injury Determination

- N/A ☒ Watermaster Injury: ~~Yes~~ ☐ No ☒ Conditions requested: Yes ☒ No ☐
☒ ODFW Injury: ~~Yes~~ ☐ No ☐ Conditions requested: ~~Yes~~ ☐ No ☐
☒ GW Injury: ~~Yes~~ ☐ No ☒ Conditions requested: ~~Yes~~ ☐ No ☒

Conditions requested:

- ☒ Measurement devices: ☒ Required prior to use -or- ☐ "When in the judgment..."
☐ Fish screen (see ODFW comments) ☐ Other:

- N/A ☐ Will the "from" land be able to be dried up? Yes ☐ No ☐ No POU Δ
☒ Use Interactive Mapping to check for intervening PODs: Yes ☐ No ☐ See GW injury review.

- N/A ☐ Check relation to instream water rights: ☐ Moves into or within ISWR ☐ No problem GW permit
N/A ☐ Check movement related to reduction of flows to junior rights: N/A

Determination: Enlargement? ~~Yes~~ ☒ No - condition to limit to quantity available @ original POA.
Injury? ☐ Yes ☐ No

☐ Approve -or- ☐ Reject

Conditions from Permit

Deficiencies to be resolved:

☒ Discrepancy on Section # in which Well #2 is located. Difference between Map & Application - Clarify.

OK. map is correct, so go w/ the Map.

Processing Benchmarks:

Request for Comments

WRD Notice date: 2-19-08 Comments received? Yes ☐ No ☒

Deficiency Letter

Deficiency letter sent on _____ for _____

Response due date: _____

Newspaper Notice... (Required for POD or POA change with a distance of more than 1/4 mile from permitted POD/POA)

☒ Is newspaper notice required? Yes ☒ No ☐ * from Auth. Well #3... (0.25 mi)
☐ If Yes, generate a draft of the newspaper notice.
• Proposed Well #1 is approx. 1300 ft. Northeast.
• Proposed Well #2 is approx. 5000 ft East. (0.95 mi)
• Proposed Well #4 is approx. 5350 ft. East. (1.0 mi)

Final Order

FO (& refund request) draft date: _____ Reviewed by: _____

Remarks and Notes:



Oregon

John A. Kitzhaber, M.D., Governor

CSW

Water Resources Department

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

INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE: 2-21-08
One 2-21-08

FROM: X WATERMASTER, DISTRICT #
GROUNDWATER SECTION

(SIGNATURE) Mike Zwart

SUBJECT: PERMIT AMENDMENT # 10537

A change in: POU POD APOA of water.

In the name(s) of CCPD, Inc c/o Ted Carner

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

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

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

The existing right may not be valid because _____

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

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

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

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

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

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



**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Ground Water files Date: April 1, 2008

From: Michael J. Zwart

Subject: Application Review: T-10537, CCPD, Inc. (Permit Amendment)

This application proposes three additional POAs as a result of lack of sufficient production from the authorized well (Well #3: UNIO 2312). The additional wells (# 1: UNIO 689, #2: UNIO 2310 and #4: UNIO 51848) all likely develop the same ground-water source as does the authorized well. I recognize that Donn Miller wrote a memo to the file on June 12, 1990, indicating that he had a hunch that well #3 might be developing a different source of ground water than do wells #1 and #2. However, I am making this finding on the basis of similar heads at the wells and our current practice of considering all the valley-fill deposits to be in hydraulic connection with the the Grande Ronde River.

I find that the proposed change may be made without injury provided the following: the right is valid and the Watermaster can approve the proposal.



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

**Watermaster Review Form:
Water Right Transfer
(Permit Amendment)**

Transfer Application: T-10537

Review Due Date: 3/21/2008

Applicant Name: CCPD, INC. c/o Ted Carner

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

Reviewer(s): Shad Hattan

Date of Review: 2/26/2008

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
Regulation/Distribution of ground water has not historically occurred in the Grande Ronde basin except to curtail unlawful use.
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☐ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☐ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☒ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained. (Pump control panel)	☐ Should be required prior to diverting water.	☐ May be required in the future.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 2/19/2008

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

County: UNION
Transfer: 10537
Water Right: PERMIT G-11074
Priority Date: 1990
Name: CCPD INC C/O TED CARNER
Address: PO BOX 203, PENDLETON, OR 97801
Change: APOA
Source: GROUND WATER
Authorized POA: T2S, R39E, 35
Proposed POA: T2S, R39E, 26, 36

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

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

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

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

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

Permit Amendment Application – ORS 537.211

Completeness Checklist

Applicant's Name: CCPD Inc. c/o Ted Carner (Form last revised: October 30, 2006)

Section A – Status of Permit

Is this a permit that can be amended?

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

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

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

Section B – Type of Change

Is the proposed change(s) allowed under the Permit Amendment process? [ORS 537.211(4)]

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

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

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: 400

Fee Schedule – ORS 536.050(1)(h)

Total Fees Paid: 400.00

- \$350 - Base fee (1st change and 1st CFS of water)
- + \$350 - Each additional type of change requested
- + \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS (for POU, Type of Use, or Exchange)

Fees Due (if any): _____

Refund Due (if any): _____

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

Section D – Completeness

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

Is the Permit Amendment application complete?

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

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

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

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

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

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

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

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

• Reason for the permit amendment. (Page 2)

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

N/A	If for a change in POU.....Are there any "layered" irrigation rights, permits, or GR registrations appurtenant to the same place of use as the permit proposed to be amended? YES NO If YES..... the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). (Page 3)
OK	Location description of the authorized POA/POD to be amended. (Page 4) <i>NOTE:</i> Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: <u>OK</u> 1) supply a copy of the well log(s), <u>or</u> 0 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 4 of the application.
N/A	Location description of the existing authorized POU and associated acres (if applicable). (Page 5) <i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.
OK	Location description of the proposed POA/POD. (Page 6) <i>NOTE:</i> Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: <u>OK</u> 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 6 of the application.
OK	Location description of the proposed POU and associated acres (if applicable). (Page 7) <i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.
None	Affected districts and local governments. (Page 8) If within a district/local government jurisdiction, ensure that name & mailing address is provided.
OK	Is the applicant the permit holder of record? YES NO (Page 8) If NO..... the applicant must either submit: <u>OK</u> 1) a Request for Assignment form & fee in order to be assigned to the permit, <u>or</u> _____ 2) an Affidavit of Consent from the permit holder giving permission for the amendment.
OK	If the permit holder of record does <u>not</u> own or control the land TO which the place of use is being moved, has a Request for Assignment form been submitted to assign the owner of the TO land to the permit? YES NO (Page 9)
OK	Map..... (<i>NOT</i> required to be prepared by a CWRE). (Page 10) ____ north arrow ____ size & scale ____ other: _____ ____ authorized acreage per ¼ ¼ matches the permit ____ authorized POD/POA and POU (clearly shown, labeled & matches application listing) ____ point plotted for the authorized POD/POA agrees with location coordinates ____ proposed POD/POA and/or POU (clearly shown, labeled & matches application "proposed" listing) ____ location coordinates accurately describe the point identified as the proposed POD/POA
OK	Land Use form, if applicable. (Page 10) May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in permit.
OK	Signature(s) of applicant(s): (Page 11) <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.
WRD Completeness Reviewer's Name: <u>S. Henderson</u> Date: <u>2-12-08</u>	

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

~~Evidence of Use Affidavit~~

Land Use Information Form

Lien Holder Notification *(if applicable)*

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

&

Other Supporting Documentation

**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 # **91421**

INVOICE # _____

RECEIVED FROM: **CLPD TOL A CORP**
BY: **OF LARNER FAMILY TRUST**

APPLICATION	
PERMIT	
TRANSFER	T-10537

CASH: ☐ CHECK: # **5256** OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ **400.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
	OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$ 400.00		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **91421**

DATED: **2/11/08** BY: **S. Paulke**

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



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

Application for Permit Amendment or Ground Water Registration Modification

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

1. TYPE OF APPLICATION

Please check **one** of the following:

☒ Permit Amendment ☐ Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: CCPD Inc. c/o Ted C. Carner
First Last

Address: P.O. Box 203
Pendleton, OR 97801
City State Zip

Phone: (541)276-1818
Home Work Other

Fax: (541)276-0391 E-Mail address: _____

3. AGENT INFORMATION

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

Name: William I. Porfily
First Last

Address: P.O. Box 643
Stanfield OR 97875
City State Zip

Phone: (541)449-1327 (541)449-1327 Cell (541)561-7259
Home Work Other

Fax: (541)449-1327 E-Mail address: bporfily@my180.net

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

RECEIVED

FEB 11 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10537

Permit Amendments

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

Ground Water Registration Modifications

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

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

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

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

RECEIVED

FEB 11 2008

WATER RESOURCES DEPT
SALEM, OREGON

- Reason(s) for amendment/modification(s): The Well #3 that was authorized under the permit did not produce the amount needed to irrigate the acres that was authorized in the permit nor the quantity authorized in the permit. 2ndly energy to pump water to and irrigate the acres in the SW ¼ of Section 25 and NW ¼ Section 36 from Well #3 could be reduced substantially by pumping from a well located one mile closer.

5. CURRENT PERMIT OR REGISTRATION INFORMATION

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

☒	Permit to be Amended:	<u>G-11074</u> Permit Number	<u>Oct. 1, 2011</u> Current Completion Date of Permit
☐	Ground Water Registration to be Modified:	 Ground Water Registration Number	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

▪ Name on Permit or Registration: B. L. Davis Ranch, Incorporated

▪ County: Union County

▪ Authorized Use(s) to be affected by this Amendment/Modification: Irrigation and Supplemental Irrigation

▪ Priority Date(s): March 29, 1990

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

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

Ground Water

Tributary to: Grande Ronde River Basin

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

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

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

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

▪ Remarks: _____

RECEIVED

FEB 11 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10537

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well #3 Unio #2312	Well	2S	39E	WM	35	NW NW	TL10200	505 ft South & 24 ft East from the NW Corner Section 35

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

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

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

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

or

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

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

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
See Attached Well Log Well #3 Unio 2312									

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

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

[illegible]

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6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

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

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well #1	2S	39E	WM	26	SE SW	TL 10200	1360 ft East from the SW Corner Section 26
Well #2	2S	39E	WM	36	NW NW	TL 10200	40 ft South & 80 ft West from the NE Corner Section 35
Well #4	2S	39E	WM	36	NW NW	TL 10200	2600 ft North & 2370 ft West from Corner Section 36

- If there are proposed point(s) already constructed? ☐ Yes ☐ No. If "Yes", attach and clearly identify the well log(s) are not available, (NOTE: You may search for well logs on the [Statewide Well Log Database](http://www.oregon.gov/DES/StatewideWellLogDatabase) (www.oregon.gov/DES/StatewideWellLogDatabase)).

If "Yes", attach and clearly identify the well log(s) are not available, (NOTE: You may search for well logs on the [Statewide Well Log Database](http://www.oregon.gov/DES/StatewideWellLogDatabase) (www.oregon.gov/DES/StatewideWellLogDatabase)).

(NOTE: You may search for well logs on the [Statewide Well Log Database](http://www.oregon.gov/DES/StatewideWellLogDatabase) (www.oregon.gov/DES/StatewideWellLogDatabase)).

If "No", describe the anticipated location of the proposed well, or if the well is already constructed, describe the well location in the following table:

Construction of Proposed Point(s)

Well numbers in this listing must be clearly identified and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Diameter	Type and size of casing	feet of casing	casing is perforated (in feet)	Seal depth	Est. depth to water	st. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Yes	Well #1 See Attached Well Log Unio 689									
Yes	Well #2 See Attached Well Log Unio 2310									
Yes	Well #4 See Attached Well Log Unio 51848									

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

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

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

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

Union County, 1106 K Ave, La Grande, OR 97850

8. PERMIT HOLDER OF RECORD

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

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

- Is the applicant the permit holder of record? ☐ Yes ☒ No

If "No", the applicant must either:

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

or

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

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9. LAND OWNERSHIP

If for a Permit Amendment proposing a Change in Place of Use: **Not Applicable**

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? ☐ Yes ☐ No

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

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

If for a Ground Water Registration Modification: **Not Applicable**

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

If "No", provide the following information:

Names of Current Landowner(s): _____

First

Last

Address: _____

City

State

Zip

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

If "No", provide the following information:

Names of Receiving Landowner(s): _____

First

Last

Address: _____

City

State

Zip

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

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10. ATTACHMENTS

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

Map:

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

Land Use Information Form:

- ☒ Enclosed; **or**
- ☐ Not required if **all** of the following are met:
- ❶ In EFU zone or irrigation district;
 - ❷ Change in place of use only;
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures; **and**
 - ❹ Irrigation only.

Water Well Reports/Well Logs:

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

Fees:

- ☐ Amount enclosed: \$ **400.00**
See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

For Permit Amendments Only...

Request for Assignment:

- ☐ Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; **OR** the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.
*The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; **or***
- ☒ N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is **not** the permit holder of record but **is** supplying an Affidavit of Consent from the permit holder.

Affidavit of Consent:

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

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

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

11. SIGNATURES

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

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

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

☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

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

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

 applicant signature	CCPD Inc c/o Ted C. Carner name (print)	1/23/08 date
 applicant signature	 name (print)	 date

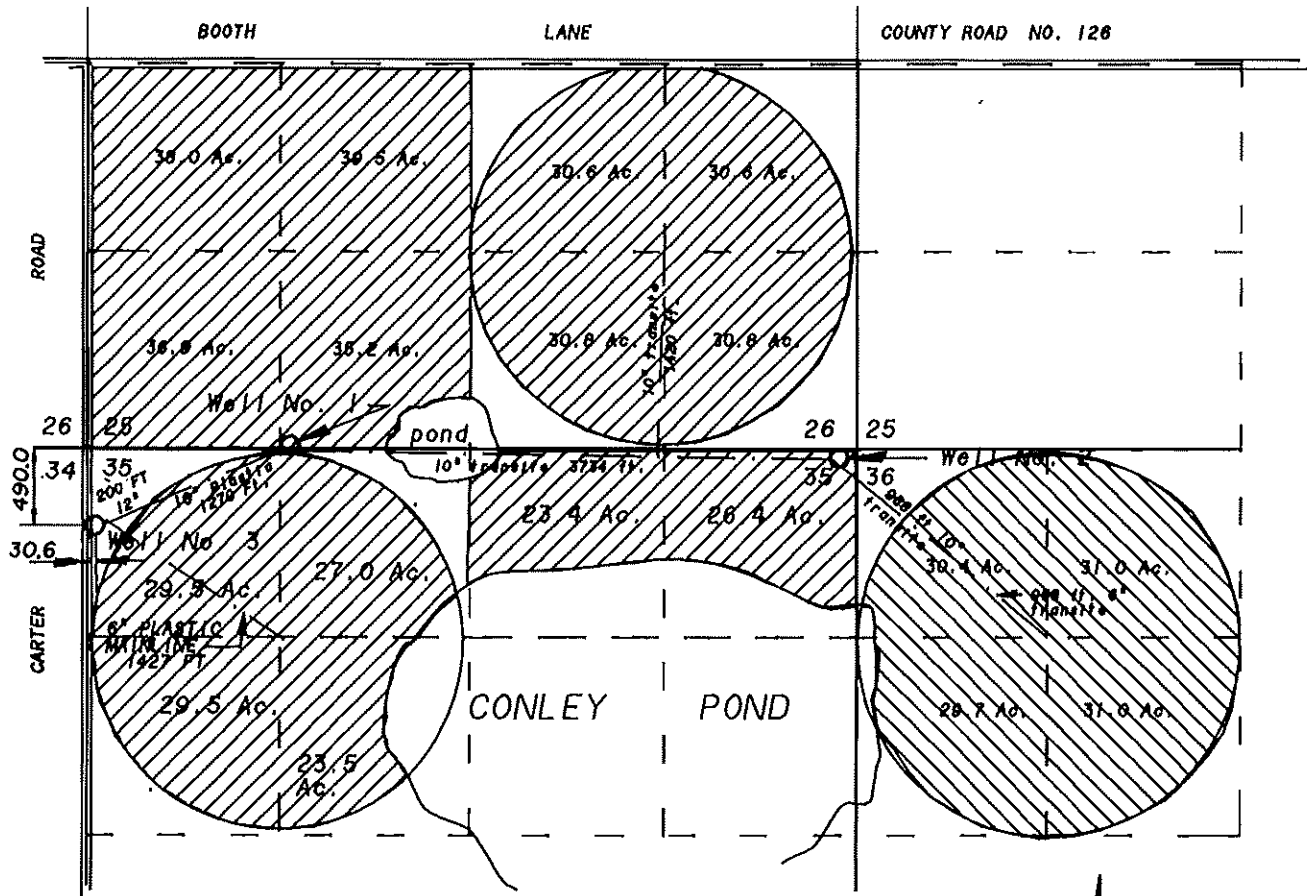
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**WATER RESOURCES DEPT
SALEM, OREGON**

T 2 S R 39 E



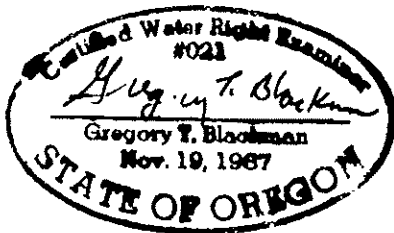
Primary lands from
well No. 3.



Supplemental lands from
well No. 3



SCALE 1" = 1320'



NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

FINAL PROOF SURVEY

FOR
B. L. DAVIS RANCH INC.
BY

BAGETT - GRIFFITH & ASSOCIATES
2006 ADAMS AVENUE
LAGRANDE, OREGON 97850

FEBRUARY 5, 1993

APPLICATION NO. G 12055

PERMIT NUMBER G 11074

T 10537

STATE OF OREGON

COUNTY OF UNION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

B. L. DAVIS RANCH, INCORPORATED
PO BOX 159
ADAMS, OREGON 97810

503-566-3563

to use the waters of ONE WELL in the GRANDE RONDE RIVER BASIN for IRRIGATION OF 249.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 442.2 ACRES.

This Permit is issued approving Application G-12055. The date of priority is MARCH 29, 1990. The use is limited to not more than 4.0 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 NW 1/4, SECTION 35, T 2 S, R 39 E, W.M.; WELL 3 - 505 FEET SOUTH AND 24 FEET EAST FROM NW CORNER, SECTION 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. This permit shall be limited to any deficiency in the available supply of any prior permit for the same land and shall not exceed the limitation allowed herein.

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

A description of the proposed place of use under the permit is as follows:

	PRIMARY	SUPPLEMENTAL
NE 1/4 SW 1/4	31.4 ACRES	
NW 1/4 SW 1/4	31.4 ACRES	
SW 1/4 SW 1/4	31.4 ACRES	
SE 1/4 SW 1/4	31.4 ACRES	
SECTION 25		
NE 1/4 SW 1/4	39.5 ACRES	
NW 1/4 SW 1/4	38.0 ACRES	
SW 1/4 SW 1/4	36.9 ACRES	
SE 1/4 SW 1/4	35.2 ACRES	
NE 1/4 SE 1/4	31.4 ACRES	
NW 1/4 SE 1/4	31.4 ACRES	
SW 1/4 SE 1/4	31.4 ACRES	
SE 1/4 SE 1/4	31.4 ACRES	
SECTION 26		
NE 1/4 NE 1/4	26.4 ACRES	
NW 1/4 NE 1/4	23.4 ACRES	
NE 1/4 NW 1/4	31.4 ACRES	
NW 1/4 NW 1/4	31.4 ACRES	
SW 1/4 NW 1/4	31.4 ACRES	
SE 1/4 NW 1/4	23.0 ACRES	
SECTION 35		

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NE 1/4 NW 1/4 31.4 ACRES
NW 1/4 NW 1/4 31.0 ACRES
SW 1/4 NW 1/4 30.0 ACRES
SE 1/4 NW 1/4 31.4 ACRES

SECTION 36

TOWNSHIP 2 SOUTH, RANGE 39 EAST, W.M.

The well 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 elevations in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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.

Actual construction work shall begin on or before JUNE 25, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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

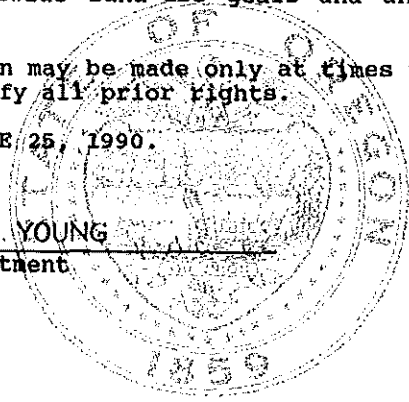
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use granted herein may be made only at times when sufficient water is available to satisfy all prior rights.

Issued this date, JUNE 25, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director



T 10537

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PRINTED BY: Roger.Willard on 01/23/08 02:08 PM

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.

RECEIVED
NOV 16 1971
STATE ENGINEER
SALEM, OREGON

WATER WELL REPORT #1

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 2/39-26cd

State Permit No. G-5467, G-6492

G-6659

(1) OWNER:

Name CHARL NEMITALO
Address RT 1 LIGANDS, ORE

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

CASING INSTALLED:

Threaded ☐ Welded ☒
16" Diam. from 0 ft. to 200 ft. Gage 25
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used FACTORY
Size of perforations 1/8 in. by 3 in.
2400 perforations from 80 ft. to 200 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: gal./min. with ft. drawdown after hrs.
" " " " " "
" " " " " "
Baller test 160 gal./min. with 20 ft. drawdown after 2 hrs.
Artesian flow g.p.m.

Temperature of water 51 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used cement
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 24 in.
Diameter of well bore below seal 24 in.
Number of sacks of cement used in well seal 10 sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4" ft.
Gravel placed from 20 ft. to 200 ft.

(10) LOCATION OF WELL:

County UNION Driller's well number
1/4 1/4 Section 26 T. 25 R. 39 E. W.M.

Bearing and distance from section or subdivision corner

Approx 180' West 10' N. of SW corner of above

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.
Static level 8 ft. below land surface. Date 9/3/71
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 11"

Depth drilled 212 ft. Depth of completed well 200 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil	0	6	
Brown sandy clay	6	20	
Brown clay	20	38	
" " " " " "	38	74	
Sand, fine gravel	74	80	
Brown clay	80	84	
Fine gravel, coarse sand	84	95	
Brown clay	95	102	
Gravel, medium	102	130	
Sand & gravel, streaks of blue clay	130	212	

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SALEM, OREGON

Work started 8/25 1971 Completed 9/2 1971
Date well drilling machine moved off of well 9/3 1971

Drilling Machine Operator's Certification:

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

[Signed] J. J. [Signature] Date 9/25, 1971
(Drilling Machine Operator)

Drilling Machine Operator's License No. 388

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 CORRIE W. J. EDG WICK, INC.
(Person, firm or corporation) (Type or print)

Address Box 619 LIGANDS, ORE

[Signed] J. J. [Signature]
(Water Well Contractor)

Contractor's License No. 517 Date 9/25, 1971

of this report are to be
filled with the

WATER WELL REPORT

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 2392-2600

State Permit No. 5951, 6492

(1) OWNER:

Name Civil Materials
Address La Grange, Ore. Rt 2

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
☐ Jetted ☐
☐ Bored ☐

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
16" Diam. from 0 ft. to 280 ft. Gage 125
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used Factory
Size of perforations 1/2 in. by 5 in.
2200 perforations from 60 ft. to 140 ft.
2800 perforations from 210 ft. to 280 ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?
gal./min. with ft. drawdown after hrs.
" " " "
" " " "
Bailer test 100 gal./min. with 15 ft. drawdown after 4 hrs.
an flow g.p.m.
Temperature of water 53 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 24 in.
Diameter of well bore below seal 24 in.
Number of sacks of cement used in well seal 5 sacks
Number of sacks of bentonite used in well seal 5 sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons
of water lbs./100 gals.
Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel: 3/4
Gravel placed from 2 ft. to 2 ft.

(10) LOCATION OF WELL:

County Union Driller's well number
S.E. 1/4 Section 26 T. 25 R. 29 E. W.M.
Bearing and distance from section or subdivision corner
SE 1/4

(11) WATER LEVEL: Completed well.

Depth at which water was first found 60 ft.
Static level 13 ft. below land surface. Date 10/10/73
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10 ft.

Depth drilled 300 ft. Depth of completed well 280 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Topsoil	0	4	
Brown sandy clay	4	60	
Sand, some clay streaks	60	140	
Blue clay	140	210	
Blue sand, clay streaks	210	300	

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WATER RESOURCES DEPT
SALEM, OREGON

Work started 10/2 1973 Completed 10/10 1973
Date well drilling machine moved off of well 10/11 1973

Drilling Machine Operator's Certification:

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

[Signed] Dr. Smith Date 10/10 1973
(Drilling Machine Operator)

Drilling Machine Operator's License No. 288

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 Dr. Smith (Person, firm or corporation) (Type or print)

Address La Grange, Ore. Rt. 2

[Signed] Dr. Smith (Water Well Contractor)

Contractor's License No. 1073 Date 10/10 1973

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-42038-110

T 10537

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

SEP 28 1989
WATER RESOURCES DEPT.
SALEM, OREGON

well #3 2s/39E/3566
UN18 2312
(START CARD) # 6509

(1) OWNER:

Name B. J. Davis
Address Adams, Ore
City _____ State _____ Zip _____

Well Number: _____

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other _____

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 950 ft.
Explosives used ☐ Yes ☒ No ☐ Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
15	0	950	cement	0	20	25 sacks

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

☐ Other trimie

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

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Casing/Liner	Diameter		From	To	Gauge	Steel	Plastic	Welded	Threaded
	12	+3							
Casing	12	+3	950	375		☒	☐	☒	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
Liner						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoe(s) 951 feet

(7) PERFORATIONS/SCREENS:

☒ Perforations Method saw cut
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
489	950	1/8x4	11	0.88		☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

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

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
800	300	320	1 hr.

Temperature of water 70 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Two little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County union Latitude _____ Longitude _____
Township 2 S Nor S, Range 39 E E or W, WM.
Section 35 NW 1/4 NW 1/4 RM
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 35 feet

From	To	Estimated Flow Rate	SWL
00	35	7777	3

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
clay	00	35	3
green sand	35	38	
brown clay	38	45	
sandy clay	45	95	
pea gravel	95	100	
clay	100	105	
fine sand	105	115	
fine gravel	115	135	
green sandstone	135	140	
green clay	140	200	
black sand	205	210	
black clay	210	360	
green clay	360	380	
black sand	380	390	
black clay	390	455	
green clay	455	465	
black clay	525	675	
shale and gravel	660	675	
white sand and black clay	675	905	
black clay	905	950	

Date started 7-30-89 Completed 8-28-89

(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 well construction standards. Materials used and information reported above are true to my best 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 well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 544

Signed Larry Burd Well Drilling Inc Date 8-28-89

ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT

SECOND COPY - CONSTRUCTOR

THIRD COPY - CUSTOMER

9809C 3/88

WATER RESOURCES DEPT
SALEM, OREGON

T 10537

UNIO 51848

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

WELL I.D. # 85257
START CARD # 172239

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

(1) LAND OWNER C.C.P.D. INC Well Number _____
Name P.O. Box 203
Address PENDLETON State OR Zip 97801

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

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

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

(5) BORE HOLE CONSTRUCTION Special Construction: ☐ Yes ☒ No
Depth of Completed Well 280 ft.
Explosives used: ☐ Yes ☒ No Type _____ Amount _____

BORE HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or Pounds	
28	0	300	BENTONITE	0	32	7500	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other DRY POUR
Backfill placed from N/A ft. to _____ ft. Material _____
Gravel placed from 32 ft. to 300 ft. Size of gravel 3/8

(6) CASING/LINER

Casing	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
18	18	200	220	.375	☒	☐	☒	☐
18	220	280	280	.375	☒	☐	☒	☐

Liner: _____

Drive Shoe used ☐ Inside ☐ Outside ☒ None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS
☐ Perforations Method _____
☒ Screens Type WIRE WRAP Material M.S.

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
110	200	.035		18		☒	☐
220	250	.035		18		☒	☐

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
250 gpm	70'	200	2 hrs

Temperature of water 62 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL (legal description)

County UNION
Tax Lot 10200 Lot _____
Township 2 N or S Range 39 E or W WM
Section 25 SW 1/4 SW 1/4
Lat _____ " or _____ (degrees or decimal)
Long _____ " or _____ (degrees or decimal)

Street Address of Well (or nearest address) CARLE AD SOUTH OF BOOTH LANE APP. 1/2 MILE

(10) STATIC WATER LEVEL
18 ft. below land surface. Date 2-16-07
_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES

Depth at which water was first found 31'
From _____ To _____ Estimated Flow Rate _____ SWL _____
ALL SANDS + GRAVELS BELOW 31'

(12) WELL LOG Ground Elevation _____

Material	From	To	SWL
TOP SOIL	0	7	
CLAY	7	31	
FINE SAND	31	40	
BROWN CLAY SAND LAYER	40	50	
FINE SAND, SOME CLAY	50	77	
CLAY WITH SAND LAYER	77	113	
FINE-MED SAND GRAVEL	113	133	
BL SHALE, SAND STONE	133	140	
BLUE CLAY	140	143	
SAND, GRAVEL	143	147	
BLUE CLAY SAND LAYER	147	172	
FINE SAND	172	202	
BLUE CLAY, SHALE	202	220	
FINE SAND	220	251	
BLUE CLAY	251	300	

Date Started 1-17-07 Completed 2-16-07

(unbonded) Water Well Constructor Certification

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

WWC Number 1673 Date 3-14-07

Signed Rene Chute

(bonded) Water Well Constructor Certification

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

WWC Number 1505 Date 3-14-07

Signed Ray D. [Signature]

ORIGINAL WATER RESOURCES DEPT. COPY - CONSTRUCTOR
SALEM, OREGON

SECOND COPY - CUSTOMER

06/16/2004

WATER RESOURCES DEPT
SALEM, OREGON

T 10537



Oregon Water Resources Department Land Use Information Form

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WATER RESOURCES DEPT
SALEM, OREGON

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

To Be Completed By Applicant

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

- A. Applicant

Name: C C P D Inc. c/o Ted C. Carner

Address: P.O. Box 203

City: Pendleton State: OR Zip: 97801 Day Phone: (541)276-1818

- B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designated (e.g. Rural Residential/RR-5)	Water to be: (Check all that apply)	Proposed Land Use
T2S R39E TL 10200		☒ Diverted ☒ Conveyed ☒ Used	Irrigation
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	

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

- C. Description of Proposed Use

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

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

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

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

Briefly describe: We propose to add two existing wells as Additional Point of Appropriation to our existing Permit

Indicate the source of the water to be used.

☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water _____

(Source)

Indicate the estimated quantity of water the use will require: 4.0 ☒ CFS ☐ GPM ☐ Acre-Feet

Last Revised: 04/06/04

T 10537

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____. Go to section B "Approval" below.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Type of Land Use Approval Needed (3.g. plan amendments, rezones, conditional use permits, etc.)	City Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval	
n/a		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued

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

B. Approval

Please provide printed name and written signature.

Name: Cody VAURA Date: 2-5-08

Title: ASSISTANT PLANNER Phone: 963-1014

Signature: [Signature]

C. Additional Comments

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

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WATER RESOURCES DEPT
SALEM, OREGON

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

EOT

EASTERN OREGON TITLE, INC.

1601 Adams Avenue
La Grande, OR 97850

Phone: (541) 963-8561 Fax: (541) 963-2391

TITLE INSURANCE

• ESCROW CLOSING

• ESCROW COLLECTION

LOT BOOK SERVICES

William I. Porfily
PO Box 643
Stanfield, OR 97875

January 18, 2008
Title No.: 08-19084

Report: \$150.00

Attn: William Porfily

We have searched our Tract Indices as to the following described property as of January 18, 2008, at 8:00 a.m.:

SEE EXHIBIT "A" ATTACHED HERETO FOR DETAILED LEGAL DESCRIPTION

Vested in:

**C.C.P.D. INC.,
AN OREGON CORPORATION**

Subject to the following exceptions:

1. The assessment roll and the tax roll disclosed that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax and interest may be levied for the years in which the land was subject to the special land use assessment.
2. Right-of-way for Union County Road No. 126 (Booth Lane) across the North side of this property.
3. Right-of-way for Union County Road No. 33 (Carter Road) across the West side of this property.
4. Rights of the public in and to that portion of this property lying below the high water mark of Conley Lake, as it encroaches onto this property.
5. Right-of-Way Easement, including the terms and provisions thereof, granted to California-Pacific Utilities Company, a corporation, dated February 2, 1974, recorded March 1, 1974, as Microfilm Document No. 48654, Records of Union County, Oregon, for the right to construct, reconstruct, operate and maintain electric power lines and all necessary poles, towers and appurtenances over, under and upon a strip of land 10 feet in width.

NOTE: All Electric utility easements have been transferred to Oregon Trail Electric Co-op.

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Page 1 of 3

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SALEM, OREGON**

6. Easements granted to the Nature Conservancy by deed, recorded September 1, 1998, as Microfilm Document No. 984625, Records of Union County, Oregon, as follows:

- a. A 30-foot wide access easement;
- b. A 100 x 100-foot easement for a parking lot.

- END OF EXCEPTIONS -

NOTE: Taxes for 2007-08 are **PAID IN FULL**.

Tax Amount: **\$1,571.39**

Account No.: [REDACTED]

Reference No.: **11703**

Tax Amount: **\$2,813.96**

Account No.: [REDACTED]

Reference No.: **11945**

NOTE: We are informed that the property described herein has a physical address of:

Bare Land, 02S39-10200, Union County, Oregon

We have also searched our General Index for judgments and state and federal tax liens against the above named vestee and find the following: **NONE**

Our search for apparent encumbrances was limited to our Tract Indices. The liability in connection with this Lot Book service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

Sincerely,
EASTERN OREGON TITLE, INC.

Patti J. Pointer
Title Officer

PJP:PJP
CC:

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**WATER RESOURCES DEPT
SALEM, OREGON**

**THANK YOU FOR CHOOSING EASTERN OREGON TITLE!
WE KNOW YOU HAVE A CHOICE!**

EXHIBIT "A"

In Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon.

Section 25: The Southwest quarter.

Section 26: The Southeast quarter and the Southwest quarter.

Section 35: The Northwest quarter, EXCEPTING THEREFROM the following:

The South 60 feet of the Southeast quarter of the Northwest quarter, and the South 60 feet of the most Easterly 30 feet of the Southwest quarter of the Northwest quarter of said Section 35.

Section 36: The Northwest quarter.

(02S39-10200)

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**WATER RESOURCES DEPT
SALEM, OREGON**



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

Application for Permit Amendment or Ground Water Registration Modification

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

1. TYPE OF APPLICATION

Please check **one** of the following:

☒ Permit Amendment ☐ Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: CCPD Inc. c/o Ted C. Carner
First Last

Address: P.O. Box 203
Pendleton, OR 97801
City State Zip

Phone: (541)276-1818
Home Work Other

Fax: (541)276-0391 E-Mail address: _____

3. AGENT INFORMATION

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

Name: William I. Porfily
First Last

Address: P.O. Box 643

Stanfield OR 97875
City State Zip

Phone: (541)449-1327 (541)449-1327 Cell (541)561-7259
Home Work Other

Fax: (541)449-1327 E-Mail address: bporfily@my180.net

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

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SALEM, OREGON

Permit Amendments

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

Ground Water Registration Modifications

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

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

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

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) ☒ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <i>Not Available for Ground Water Registrations</i> ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.)	☐ All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) ☐ Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<i>Not Available for Permit Amendments</i> Change existing authorized use to the following proposed <u>new</u> use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Domestic (indicate number of households): _____ ☐ Other _____ RECEIVED FEB 11 2008 WATER RESOURCES DEPT SALEM, OREGON

- Reason(s) for amendment/modification(s): The Well #3 that was authorized under the permit did not produce the amount needed to irrigate the acres that was authorized in the permit nor the quantity authorized in the permit. 2ndly energy to pump water to and irrigate the acres in the SW ¼ of Section 25 and NW ¼ Section 36 from Well #3 could be reduced substantially by pumping from a well located one mile closer.

5. CURRENT PERMIT OR REGISTRATION INFORMATION

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

☒	Permit to be Amended:	<u>G-11074</u> Permit Number	<u>Oct. 1, 2011</u> Current Completion Date of Permit
☐	Ground Water Registration to be Modified:	 Ground Water Registration Number	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: B. L. Davis Ranch, Incorporated
- County: Union County
- Authorized Use(s) to be affected by this Amendment/Modification: Irrigation and Supplemental Irrigation
- Priority Date(s): March 29, 1990

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

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

Tributary to: Grande Ronde River Basin

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

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

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

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

- Remarks: _____

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SALEM, OREGON

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well #3 Unio #2312	Well	2S	39E	WM	35	NW NW	TL10200	505 ft South & 24 ft East from the NW Corner Section 35

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

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

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

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

or

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

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

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
See Attached Well Log Well #3 Unio 2312									

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SALEM, OREGON

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

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

[illegible]

WATER RESOURCES DEPT
SALEM, OREGON

T 10537

6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

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

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well #1	2S	39E	WM	26	SE SW	TL 10200	1360 ft East from the SW Corner Section 26
Well #2	2S	39E	WM	36	NW NW	TL 10200	40 ft South & 80 ft West from the NE Corner Section 35
Well #4	2S	39E	WM	36	NW	TL 10200	40 ft South & 2370 ft West from the NE Corner Section 36

- If there are proposed point(s) of diversion/appropriation already constructed? ☐ Yes ☐ No. If "Yes", attach and clearly identify the well log(s) are not available, (NOTE: You may search for well logs at www.oregon.gov/DES/StatewideWellLogSearch/state.or.us)

If "Yes", attach and clearly identify the well log(s) are not available, (NOTE: You may search for well logs at www.oregon.gov/DES/StatewideWellLogSearch/state.or.us)

If "No", describe the anticipated diversion/appropriation in the following table:

Construction of Proposed Point(s)

Well numbers in this listing must be clearly identified in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Yes	Well #1 See Attached Well Log Unio 689									
Yes	Well #2 See Attached Well Log Unio 2310									
Yes	Well #4 See Attached Well Log Unio 51848									

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

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

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

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

Union County, 1106 K Ave, La Grande, OR 97850

8. PERMIT HOLDER OF RECORD

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

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

- Is the applicant the permit holder of record? ☐ Yes ☒ No

If "No", the applicant must either:

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

or

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

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9. LAND OWNERSHIP

If for a Permit Amendment proposing a Change in Place of Use: **Not Applicable**

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? ☐ Yes ☐ No

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

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

If for a Ground Water Registration Modification: **Not Applicable**

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

If "No", provide the following information:

Names of Current Landowner(s): _____

First

Last

Address: _____

City

State

Zip

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

If "No", provide the following information:

Names of Receiving Landowner(s): _____

First

Last

Address: _____

City

State

Zip

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

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10. ATTACHMENTS

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

Map:

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

Land Use Information Form:

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

Water Well Reports/Well Logs:

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

Fees:

- ☐ Amount enclosed: \$ 400.00
See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

For Permit Amendments Only...

Request for Assignment:

- ☐ Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; **OR** the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.
*The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; **or***
- ☒ N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is **not** the permit holder of record but **is** supplying an Affidavit of Consent from the permit holder.

Affidavit of Consent:

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

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

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

11. SIGNATURES

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

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

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

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

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

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

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

☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

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

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

_____	CCPD Inc c/o Ted C. Carner	_____
applicant signature	name (print)	date
_____	_____	_____
applicant signature	name (print)	date

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