

ASSIGNED

Name Louisiana-Pacific Corporation

By \_\_\_\_\_

Address PO Box 4000-98  
Hayden Lake, ID 83835

Date filed November 18, 1988

Priority November 18, 1988

Action suspended until 9-2018

Return to applicant \_\_\_\_\_

Date of approval FEB 27 1989

**CONSTRUCTION**

Date for beginning FEB 27 1990

Date for completion OCT 1 1990

Extended to 10-1-2018

Date for application of water OCT 1 1991

Extended to 10-1-2018

**PROSECUTION OF WORK**

Form "A" filed March 14, 1990

Form "B" filed March 14, 1990

Form "C" filed APRIL, 3, 1991

**FINAL PROOF**

Blank mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Date certificate issued \_\_\_\_\_

Application No. G11873 E W

Permit No. G10861

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

Stream Index, Page No. 7-96

> E Birch Cr  
07.2520.0400.0150

**FEES PAID**

Date	Amount	Receipt No.
<u>11-18-88</u>	<u>334.00</u>	<u>56646</u>
<u>8-9-96</u>	<u>10.00</u>	<u>5262</u>
<u>2/13/08</u>	<u>50.00</u>	<u>91448</u>
<u>3/10/08</u>	<u>350</u>	<u>91699</u>
	Cert. Fee	

**FEES REFUNDED**

Date	Amount	Check No.

**ASSIGNMENTS**

Date	To Whom	Ph.	Address	Volume	Page
<u>8-9-96</u>	<u>Pioneer Resources LLC</u>	<u>465-4890</u>	<u>POB 26139 - Eugene, OR 97402-0139</u>	<u>7</u>	<u>3219</u>
<u>2/14/2008</u>	<u>William C &amp; Linda A Woodfin</u>		<u>Miller Valley Limited Partnership</u> <u>Michael P Miller</u> <u>3330 Hayden Bridge RD</u> <u>Springfield OR 97477</u>		

**REMARKS**

A Form 90 sent 3/5/90  
1182119 sent 3/16/90  
 Well 1 (on permit) = UMAT 5271  
 Well 2 (added to claim) = UMAT 5531 } K. Wozniak  
No Pump Test required Pre - Dec 19, 1988  
See G-12832

Form C (690-9-77)

**IMPORTANT**—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

**NOTE:** In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. G11873

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**

I, Louisiana-Pacific Corporation, the holder of Permit No. G10861

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1st day of April, 1991.

Remarks:

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of April, 1991.

*Joe Tabor for Louisiana Pacific Corp.*  
(Signature of Applicant)

PO Box 4000-98, Hayden Lake, ID 83835  
(Address)

Form B (690-9-77)

Application No. G11873

**NOTICE OF COMPLETION OF CONSTRUCTION**

I, Louisiana-Pacific Corporation, the holder of Permit No. G10861

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 11th day of April, 1989.

Remarks: Completed Drilling of Well, Well tested 4-20-89. Began Irrigation 6-5-89  
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of March, 1990.

Louisiana-Pacific Corp., BY *Joe Tabor*  
(Signature of Applicant)

PO Box 4000-98, Hayden Lake, Idaho 83835  
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Form A (690-9-77)

Application No. G11873

**NOTICE OF BEGINNING OF CONSTRUCTION**

I, Louisiana-Pacific Corporation, the holder of Permit No. G10861

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 6th day of April, 1989.

Remarks: Began Drilling of Well. Start Card No. 8339  
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment required for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of March, 1990.

Louisiana-Pacific Corp., BY *Joe Tabor*  
(Signature of Applicant)

P.O. Box 4000-98, Hayden Lake, Idaho 83835  
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

Frank Dye, PDT office  
will contact Woodfin  
to see where ext  
request is.

3/3/08

ext for App G-11873

Permit G-10861

POD-Well #1 (umat 5271)

↳ not capable? (300ft  
9PM)

ext app includes

Well #2 (umat 553)

-not allowed under

this permit

---

Cert 2528 - primary to  
supp, GW from Well #2<sup>(#)</sup>  
to primary

**APPLICATION  
CHECK-OFF LIST**

~~RECEIPT POSTED~~  
~~CONTENTS MARKED/STAMPED~~  
~~FILE FOLDER TYPED~~  
~~CALENDAR CARD TYPED~~  
~~KARDEX TYPED~~  
~~MAPS COPIED (4 COPIES)~~  
~~APPLICATION COPIED (2)~~  
~~STREAM INDEXED~~  
~~ENTERED INTO WRIS~~  
ACK LETTER TYPED

# Cancelation Order Mailing List

Application: G-11873

Permit: G-10861

**Permit Holder(s):**

WILLIAM C. WOODFIN  
PO BOX 135  
PILOT ROCK OR 97868

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **NO**

**Copies of Cancellation Order to be sent to Permit Holder(s) and following:**

1. Watermaster District #5
2. File
3. Vault

**Other persons to receive copies:**

1. **NEW LANDOWNER 2S33 790**  
Pendleton Ranches INC  
PO Box 1186  
Pendleton, OR 97801-0018

**Copies Mailed**

by: TM  
(STAFF)

on: 12.30.2022  
(DATE)

~~SOV. 125~~ SOV. 127, Pg. 192



# Oregon

Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

**DATE MAILED: DEC 30 2022**

**NOTICE**

Enclosed is an order that cancels a permit for failure to submit proof of the completion of appropriation as required by ORS 537.260.

The final order is an order in other than contested case. The 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.

If you request reconsideration of the final order and reinstatement of your permit, there is a \$610.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

If you agree with the order, no response to this notice is required.

If you have any questions, please contact Tonya Miller at [Tonya.L.Miller@water.oregon.gov](mailto:Tonya.L.Miller@water.oregon.gov) or by telephone at 503-979-9983.

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON

IN THE MATTER OF THE CANCELLATION OF )  
CERTAIN PERMIT(S) TO APPROPRIATE WATER ) ORDER  
UNDER THE PROVISIONS OF ORS 537.260 )

**Findings of Fact**

1. The time within which the appropriations under the following water right permit(s) must have been perfected has expired. The owners of such permit(s) have failed or refused within the period of three months thereafter to submit proof of the completion of such appropriations as required by ORS 537.260. Consequently, notices have been addressed to each of the owners of said permit(s) by certified mail in accordance with the provisions of ORS 537.260 and ORS 174.160. The sixty-day time limit allowed in those notices has elapsed, and the owners of such permit(s) have failed or refused to submit proof of the completion of the appropriations under the terms and conditions of their respective permit(s).

PERMIT(S) TO USE GROUNDWATER:

<u>Name</u>	<u>Basin Number</u>	<u>Watermaster District</u>	<u>Application Number</u>	<u>Permit Number</u>
WILLIAM C. WOODFIN	7	5	G-11873	G-10861

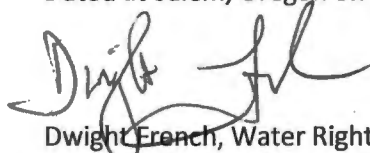
**Conclusions of Law**

1. Proof of appropriation of water under the terms and conditions of the permit(s) listed has not been made to the satisfaction of the Water Resources Director as required under ORS 537.260.

**Order**

1. NOW, THEREFORE, it is hereby ORDERED that the permit(s) are canceled in accordance with the provisions of ORS 537.260.

Dated at Salem, Oregon on DEC 30 2022



Dwight French, Water Right Services Administrator  
For Douglas E. Woodcock, Acting Director

PLACED IN U.S. MAIL DEC 30 2022  
BY OREGON WATER RESOURCES DEPARTMENT

**This is a final order in other than contested case.** This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may 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.

**COMPLETENESS PROJECT**

60 Day Compliance Letter

Reviewer	Date	Application	Permit	Priority Date
		G 11873		

**Organize:** file by Date Received/Letter date/Issue date (oldest in back, newest in front);  
**Create:** "Completeness" Folder within the electronic Application folder; save all items related in this folder

**SECTION 1: Do NOT send a 60-Day Letter if:**

	WRIS UPDATE NEEDED/DONE
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Extension Pending	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Assignment Pending	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Voluntary Cancellation	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Claim of Beneficial Use/ C- Form / FPS * 1992	
Date Rec'd:	

\* Needs further Review by GC/CH/JS

ext 2014

**SECTION 2: Previous Compliance Review:**

YES  NO Dept has already sent a certified 60-Day Compliance Letter  
 Date: Cert Mail #

Green Card Rec'd	<input type="checkbox"/> YES <input type="checkbox"/> NO	Date: unk <input type="checkbox"/>
Return Mail- letter?	<input type="checkbox"/> YES <input type="checkbox"/> NO	Date: unk <input type="checkbox"/>
Current LO notified? **	<input type="checkbox"/> YES <input type="checkbox"/> NO	

\*\*a copy of the county map/ownership will be documented in folder; as well as a copy of the letter to the new LO

**Recommendation:**

Re-send 60-Day Letter	<input type="checkbox"/> YES <input type="checkbox"/> NO	Explain:
Send Cancellation Order	<input type="checkbox"/> YES <input type="checkbox"/> NO	

**SECTION 3: Preparation of Compliance 60 Day Letter (If items from #1 Above Do Not Apply/Pending):**

YES  NO Send a 60 Day Compliance Letter to Permit Holder

Original C-date	Basin Number	WM Number
Extended C-date 10/1/2018	County	Map/Tax Lots
Most recent Assignment:	Name:	
	Address:	

CWRE/AGENT	<input type="checkbox"/> YES <input type="checkbox"/> NO	Name:
AOI Identified in Interactive Mapper	<input type="checkbox"/> YES <input type="checkbox"/> NO	Name: Address:
SAVE to 'COMPLETENESS'	<input type="checkbox"/> OrMap Tax Lot Map <input type="checkbox"/> Ownership from County	
New Landowner Identified per County	<input type="checkbox"/> YES <input type="checkbox"/> NO	Name: Address:

**SECTION 4: Letter Preparation (DocGen)**

Letter: Certified Mail	<input type="checkbox"/> Permit Holder of Record	<input type="checkbox"/> Most recent C-date	<input type="checkbox"/> Add cc's: (WM, Agent, CWRE, AOI)
	Cert Mail #		
Letter:	<input type="checkbox"/> New Landowner	<input type="checkbox"/> New Landowner Packet	
Mail List	<input type="checkbox"/> Permit Holder of Record	<input type="checkbox"/> Agent/CWRE	<input type="checkbox"/> AOI
	<input type="checkbox"/> New Landowner Include: copy of permit/map		

**SECTION 5: 60 Day Waiting Period (date of 60 Day )**

Be sure to save email(s) to the electronic file

Contact (Who):	Phone/Email:	Date:	Hold until date:	Copies of email to file	Copied to electronic e-file
				<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Notes/Comments:					
				<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Notes/Comments:					
				<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Notes/Comments:					

\*Give Landowner, if requested, additional 60 days to hire CWRE/file an extension

\*\*Give CWRE additional 180 days to complete a COBU and submit

Green Card Rec'd	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Date: unk <input type="checkbox"/>	Signed by: Unknown: Verify delivery by web <input type="checkbox"/> (print)
Return Mail-Permit Holder	<input type="checkbox"/> YES <input type="checkbox"/> NO	Date:	Forwarding address:
Return Mail-New Landowner	<input type="checkbox"/> YES <input type="checkbox"/> NO	Date:	Forwarding address:

**SECTION 6: Review for Cancellation**

1. **Green Card Returned and Signed:**

A. Landowner has requested additional time, time has passed  YES  NO

Then: attempt to follow-up with Landowner Date:

B. Extension Received  YES  NO

Date Extension Received

Then: wait for final order and extended completion date

C. CWRE has contacted that they are working on the claim/map  YES  NO

Time has passed  YES  NO

Then: follow up with CWRE, cc landowner if able. Date:

More Time given:  YES  NO Date to complete

D. NO communication

Then: CANCEL

2. **Assignment is received:**

A. Assignment

3. **If NO Signed Green Card returned:**

A. If a new address/Forwarding address is provided,

Then: re-send mail

B. Check USPS delivery status

Then: discuss with GC/CH/JS for next step

4. **Any other scenario's/situations/oddsities**

Then: discuss with group for next step



**SECTION 7: Preparation of Cancellation Order Documents (Prepare to Mail on Fridays)**

<b>Final Order:</b> Check	<input type="checkbox"/> Permit Holder of Record	<input type="checkbox"/> Basin Number	<input type="checkbox"/> WM Dist
	<input type="checkbox"/> Application Number	<input type="checkbox"/> Permit Number	
<b>Assign:</b>	Ord.          Vol.	60 Day Date	
<b>Mail List:</b>	<input type="checkbox"/> Permit Holder of Record	<input type="checkbox"/> Agent/CWRE	<input type="checkbox"/> AOI
	<input type="checkbox"/> New Landowner		
<b>Signature:</b>	Date:	<b>Mail Date</b>	

**SECTION 8: Reinstatement**

Request Rec'd Date

Fee Attached  YES  NO

YES  NO Reinstatement Ord.          Vol.          Deadline

Intent to submit Extension

Hire CWRE to complete/submit claim CWRE Name:

RECEIVED

MAR 23 1952

WATER RESOURCES DEPT.  
SALEM, OREGON

FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T.2 S., R.33 E., W.M.



FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
TOTALS:		26.9 ACRES	17 ACRES

APPLICATION - PLACE OF USE  
AND SOURCE

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
TOTALS:		18.8 ACRES	5 ACRES

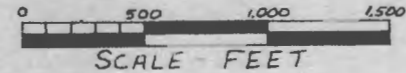
LOCATION OF WELLS

FROM SECTION CORNER 8, 9, 16 & 17:  
WELL #1 IS 432' S & 1,234' W  
WELL #2 IS 651' S & 4,881' W



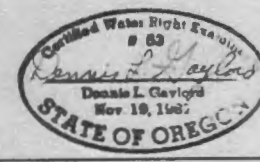
LEGEND

- = SECTION CORNER TIED (FOUND MARKED STONE)
- = WELL
- = RISER
- = BURIED DISTRIBUTION LINE
- ⊘ = AREA UNDER IRRIGATION - BENEFICIAL USE
- ⊘ = PLACE OF USE - GROUND WATER APPLICATION



THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
LOUISIANA-PACIFIC  
P.O. Box 4000-98  
HAYDEN LAKE, IDAHO  
83835



DENNIS L. GAYLORD, CWRE  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260

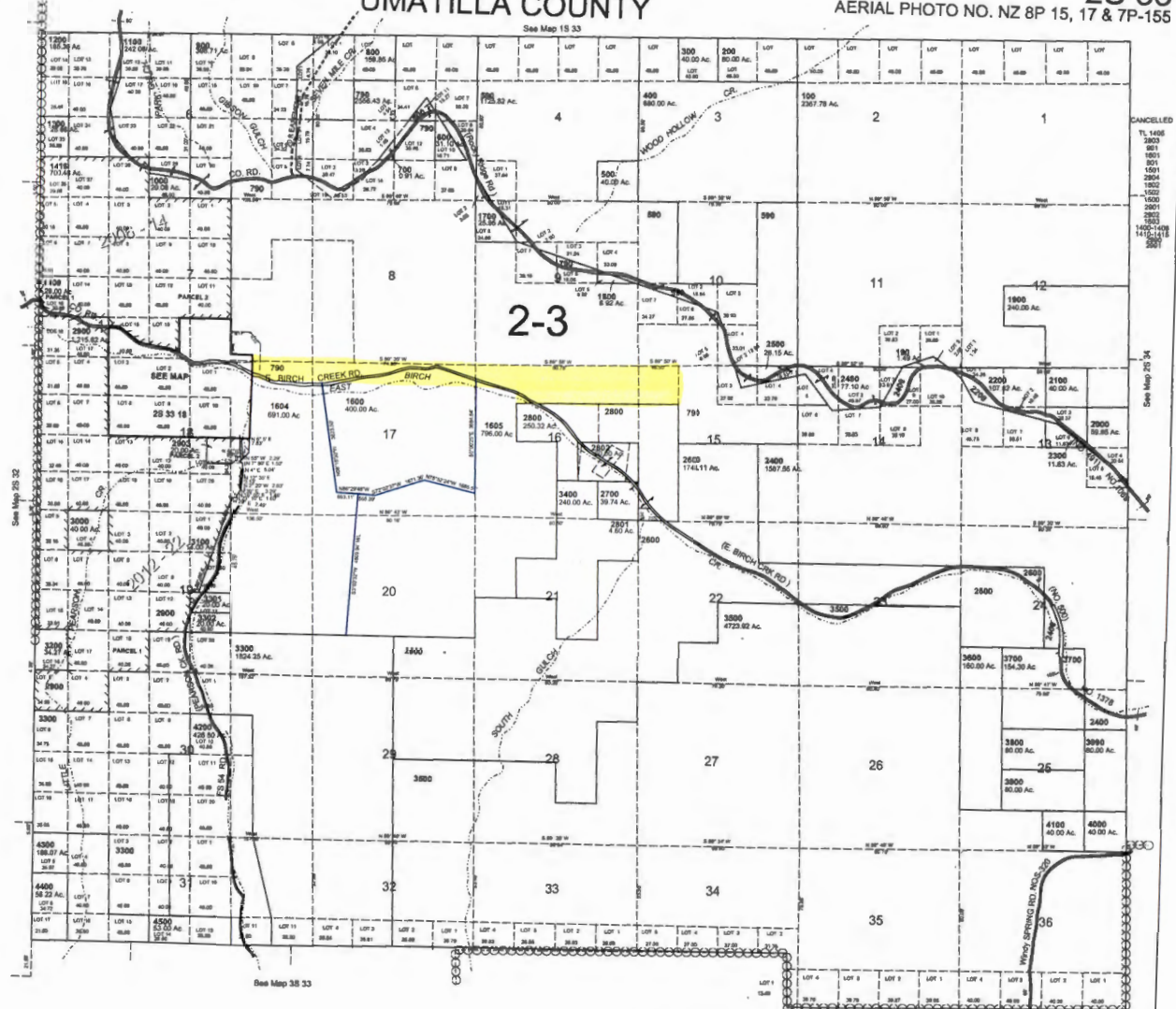
This map was prepared for Assessment & Taxation purposes only and was NOT prepared nor is it suitable for legal, engineering or surveying purposes.

1"=2000'

# T2S R33E WM UMATILLA COUNTY

AERIAL PHOTO NO. NZ 8P 15, 17 & 7P-155

2S 33



CANCELLED  
TL 1408  
2803  
3001  
1501  
2804  
1502  
1500  
2801  
2802  
1402-1408  
1411-1418  
2801

UNION COUNTY

Revised: 11/29/12

2S 33

## HOLMES Codi N \* WRD

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**From:** Jon Salter <jon.salter@umatillacounty.gov>  
**Sent:** Thursday, June 9, 2022 9:02 AM  
**To:** HOLMES Codi N \* WRD  
**Cc:** at@umatillacounty.net  
**Subject:** Re: ownership information

Codi,  
Pendleton Ranches INC  
PO Box 1186  
Pendleton, OR 97801-0018

If you use the full tax lot # (2S33000000790) you can search this yourself on the county interactive map. Link below.

<https://umatillacogis.maps.arcgis.com/apps/webappviewer/index.html?id=31d08e9fa56045628407eb957b922892>

### Jon Salter

Umatilla County/ Deputy Director of Assessment & Taxation  
216 SE 4th Street | Pendleton, OR 97801  
Office: (541) 278-6227  
Webpage: <http://www.umatillacounty.gov/at>



Please Be Aware - Documents such as emails, letters, maps, reports, etc. sent from or received by Umatilla County are subject to Oregon Public Records law and are NOT CONFIDENTIAL. This includes materials that may contain sensitive data or other information, and Umatilla County will not be held liable for its distribution.

"Do not pursue happiness, embody happiness" Greg Bell

On Thu, Jun 9, 2022 at 8:32 AM HOLMES Codi N \* WRD <[Codi.N.HOLMES@water.oregon.gov](mailto:Codi.N.HOLMES@water.oregon.gov)> wrote:

I am working on a property for the following tax lot. Please provide current landowner name and mailing address.

2S33E Lot 790

Codi Holmes

Certificate Specialist

Oregon Water Resources

725 Summer St NE Suite A

Salem OR 97301

503-979-3184 cell



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

## HOLMES Codi N \* WRD

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**From:** HOLMES Codi N \* WRD  
**Sent:** Monday, September 12, 2022 10:18 AM  
**To:** woodfinL53@gmail.com  
**Subject:** RE: App G-11873

Good morning Linda:

I have noticed this permit was issued in 1989 with an original c-date of 1991. Out of curiosity, why is this permit taking so long to finish development? This permit is for one well to irrigate 27.0 acres.

Do you own the property that the well sits on? Have you irrigated any of the acres from the authorized well? There are other options to move this forward on development.

Codi Holmes

Certificate Specialist  
Oregon Water Resources  
725 Summer St NE Suite A  
Salem OR 97301  
503-979-3184 cell



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

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**From:** SCOTT Valerie J \* WRD <Valerie.J.SCOTT@water.oregon.gov>  
**Sent:** Monday, September 12, 2022 9:46 AM  
**To:** woodfinL53@gmail.com  
**Cc:** SILBERNAGEL Greg M \* WRD <Greg.M.SILBERNAGEL@water.oregon.gov>; HOLMES Codi N \* WRD <Codi.N.HOLMES@water.oregon.gov>  
**Subject:** App G-11873

Linda,

As we discussed, you may need to file for an additional extension of time and hire a CWRE to compete the process required to certificate your water right. I am copying Greg and Codi on this email for their information. You indicated you would like to set up a conference call with Greg, yourself, and your neighbor. I provided you Greg's phone number. Please contact Greg and provide him the email addresses and phone numbers of all the participants.

Water Right: [Permit: G 10861 \\* \(state.or.us\)](#)

Find a CWRE: [View CWRE Address \(state.or.us\)](#)

Permitting Process: [Water Resources Department : Apply for a Water Use Permit : Permits : State of Oregon](#)

Sincerely,

The information provided is the result of a search of the Department records. The listing has not been field checked. It is critical that the person requesting the research carefully check any research conducted by this office to be sure that the right is appurtenant to the property of interest. Although a property may have water rights of record, if the water right has undergone five successive years of non-use it may be subject to cancellation under ORS.540.610. Department records are generally listed by the 40.0 (forty) acre quarter-quarter within a section. If the water right listed within a quarter-quarter is on more than one tax lot, this office has not itemized water rights for each tax lot - only a survey could accurately depict how much of the water rights are on each tax lot. The official water right of record is kept in Salem where certified copies may be obtained.

*Valerie Scott, Office Assistant*

*Oregon Water Resources Dept  
116 SE Dorion Ave  
Pendleton, OR 97801*

✉ [Valerie.J.Scott@water.oregon.gov](mailto:Valerie.J.Scott@water.oregon.gov)

☎ 541.278.5456 / 503-877-0756 mobile

Fax 541.278.0287

<http://www.oregon.gov/owrd>

**NOTE:** OWRD offices re-open to the public on Monday, May 2, 2022. Given that many staff continue to work remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.



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

Notice: This email may contain confidential or privileged information. If this email contains confidential information you are legally required to preserve confidentiality. If you are not the intended recipient, please advise by return email and delete immediately without reading or forwarding to others.

## HOLMES Codi N \* WRD

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**From:** SCOTT Valerie J \* WRD  
**Sent:** Monday, September 12, 2022 9:46 AM  
**To:** woodfinL53@gmail.com  
**Cc:** SILBERNAGEL Greg M \* WRD; HOLMES Codi N \* WRD  
**Subject:** App G-11873

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Water Right: [Permit: G 10861 \\* \(state.or.us\)](#)

Find a CWRE: [View CWRE Address \(state.or.us\)](#)

Permitting Process: [Water Resources Department : Apply for a Water Use Permit : Permits : State of Oregon](#)

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*Valerie Scott, Office Assistant*

*Oregon Water Resources Dept  
116 SE Dorion Ave  
Pendleton, OR 97801*

✉ [Valerie.J.Scott@water.oregon.gov](mailto:Valerie.J.Scott@water.oregon.gov)  
☎ 541.278.5456 / 503-877-0756 mobile  
Fax 541.278.0287  
<http://www.oregon.gov/owrd>

**NOTE:** OWRD offices re-open to the public on Monday, May 2, 2022. Given that many staff continue to work remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.





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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1.

G-11873  
 - WILLIAM C. WOODFIN  
 - PO BOX 135  
 PILOT ROCK OR 97868



9590 9402 6816 1074 5407 85

2. Article Number (Transfer from service label)

7018 0680 0002 0041 9884

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Linda A Woodfin

 Agent Addressee

B. Received by (Printed Name)

Linda A Woodfin

C. Date of Delivery

7/26/22

D. Is delivery address different from item 1?

 Yes

If YES, enter delivery address below:

 No

RECEIVED

JUL 26 2022

OWRD

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

KF111 Certs

Domestic Return Receipt

USPS TRACKING #



PORTLAND OR 972

21 JUL 2022 PM 5 L



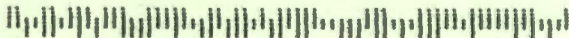
First-Class Mail  
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USPS  
Permit No. G-10

9590 9402 6816 1074 5407 85

**United States  
Postal Service**

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Oregon Water Resources Department  
725 Summer St. Ne. Suite A  
Salem, Or. 97301



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- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

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for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
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**IMPORTANT: Save this receipt for your records.**

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- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

Postage

\$ \_\_\_\_\_

Total Postage and Fees

\$ \_\_\_\_\_

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City, State, ZIP+4®

7018 0680 0002 0041 9884

# Mailing List for 60-Day Letter

**Application:** G-11873

**Permit:** G-10861

**Permit Holder(s):**

WILLIAM C. WOODFIN  
PO BOX 135  
PILOT ROCK OR 97868

<b>Copies Mailed</b>	
by:	<u>KMWF</u> (STAFF)
on:	<u>7/15/2022</u> (DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **NO**

**Copies of Cancellation Order to be sent to Permit Holder(s) and following:**

1. Watermaster District #5
2. File

**Other persons to receive copies:**

1. NEW LANDOWNER 2S33 790  
Pendleton Ranches INC  
PO Box 1186  
Pendleton, OR 97801-0018



**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

July 15, 2022

Pendleton Ranches INC  
PO Box 1186  
Pendleton, OR 97801-0018

Reference: Application: G-11873      Permit: G-10861

Dear Property Owner,

You have been identified as the owner of lands covered in part or in whole by the above referenced permit.

Please see the enclosed 'Resource Sheet' to access the assignment form if you wish to continue using this water.

Should you have any questions, please contact me at [Codi.N.Holmes@water.oregon.gov](mailto:Codi.N.Holmes@water.oregon.gov), the address above or by telephone at 503-979-3184. Due to Covid-19, email may be the best way to reach me.

Sincerely,

Kyler Freilinger for  
Codi Holmes  
Certificate Specialist

cc file  
Watermaster #5



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

**NOTE: For water rights information and useful forms, please see our web site at [www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)**  
**[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)**

Certified mail number 7018 0680 0002 0041 9884

Return receipt requested

July 15, 2022

WILLIAM C. WOODFIN  
PO BOX 135  
PILOT ROCK, OR 97868

Reference: Application G-11873, Permit G-10861

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 1991.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 1991. The fee for submitting a claim of beneficial use is \$230.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$780.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (September 23, 2022) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$610.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact me at [Codi.N.Holmes@water.oregon.gov](mailto:Codi.N.Holmes@water.oregon.gov), the address above or by telephone at 503-979-3184. Due to Covid-19, email may be the best way to reach me.

Sincerely,

Kyler Freiling for  
Codi Holmes  
Certificate Specialist

Enclosures (1)

cc: File

OWRD Watermaster District 5





**Oregon Water Resources Department**  
**Water Right Services Division**

Water Rights Application  
Number G-11873

**FINAL ORDER**

Extension of Time for Permit Number G-10861

Permit Holder: William Woodfin, Linda Woodfin, and Miller Valley Limited Partnership

---

**Permit Information**

Application File:	G-11873
Permit:	G-10861
Basin:	7 – Umatilla / Watermaster District 5
Date of Priority:	November 18, 1988
Source of Water:	One well within East Birch Creek Basin
Purpose of Use:	Irrigation of 27.0 Acres
Maximum Rate:	151.5 gallons per minute (gpm)

---

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Appeal Rights

**This is a final order in other than a contested case.** This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file 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.

Application History

Permit G-10861 was issued by the Department on February 27, 1989. The permit called for completion of construction by October 1, 1990, and complete application of water to beneficial use by October 1, 1991. On March 10, 2008, Miller Valley Limited Partnership, William Woodfin and Linda Woodfin submitted to the Department an Application for Extension of Time for Permit G-10861. In accordance with OAR 690-315-0050(2), on May 13, 2014, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2018, and the time to fully apply water to beneficial use to October 1, 2018. The protest period closed June 27, 2014, in accordance with OAR 690-315-0060(1). No protest was filed.

## FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated May 13, 2014.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to no additional conditions.

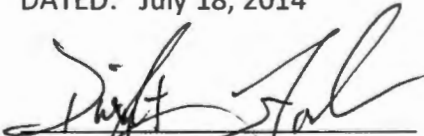
## CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

## ORDER

The extension of time for Application G-11873, Permit G-10861, therefore, is approved. The deadline for completing construction is extended from October 1, 1990, to October 1, 2018. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1991, to October 1, 2018.

DATED: July 18, 2014



Dwight W. French,  
Water Right Services Division Administrator, for  
DIRECTOR, Oregon Water Resources Department

- 
- If you have any questions about statements contained in this document, please contact the Permit Extensions Specialist at (503) 986-0825.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

FO Date: July 18, 2014

Copies Mailed

Application G-11873  
Permit G-10861

By: FAO  
On: 7/18/14

Original mailed to permit holder

William Woodfin  
Linda Woodfin  
P.O. Box 135  
Pilot Rock, OR 97868

Michael Miller  
Miller Valley Limited Partnership  
3330 Hayden Bridge Road  
Springfield, OR 97477

Copies sent to:

1. WRD - App. File G-11873/ Permit G-10861

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving notification via e-mail - FO available in WRIS for review  
(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 5, Greg Silbernagel

✓ 2-17-2014 swp

CASEWORKER: SWP

## PARRETT Steve W

---

**From:** Mike Miller <mike.miller@integrityagents.com>  
**Sent:** Tuesday, May 06, 2014 12:51 PM  
**To:** PARRETT Steve W  
**Cc:** joannahallett@remax.net  
**Subject:** RE: Water Right Permit G-10861 Extension

**Importance:** High

Hi Steve

Please accept this email as a request that the extension of time application received by the Department on March 10, 2008, be amended to request both the completion of construction and complete application of water to beneficial use (the B and C Dates) be extended to October 1, 2018.

Please confirm receipt of the request for extension and let me know if there is anything further you need from us.

I look forward to your response.

Mike Miller



**Mike Miller, GRI**  
**Principal Broker**

**4710 Village Plaza Loop, Suite 200**  
**Eugene, OR 97401**  
**Office: (541) 345-8100**

**RE/MAX<sup>®</sup> Integrity**

**(541) 334-**  
**Fax: (541) 334-**  
**Cell: (541) 954-**  
**Email: mikemiller@rem**

---

**From:** PARRETT Steve W [<mailto:steve.w.parrett@state.or.us>]  
**Sent:** Wednesday, April 16, 2014 4:00 PM  
**To:** [mikemiller@remax.net](mailto:mikemiller@remax.net); [coyote1@uci.net](mailto:coyote1@uci.net)  
**Cc:** REECE Ann L; PARRETT Steve W  
**Subject:** Water Right Permit G-10861 Extension

Hello Mr. Miller; and William and Linda Woodfin,

I am the new Permit Extension Specialist trying to make progress on some older extension of time application files. I see from the file that you had communication with Ann Reece in our office back in 2008 about the Woodfin/Miller Valley Limited Partnership permit in Umatilla County, Permit G-10861.

I am sorry for your inconvenience and the delay in processing the application for an extension of time.

From reviewing the permit file, I see that the central issue is how to get "Well #2" from Permit G-12242 added to Permit G-10861 since it was not originally authorized as a source of water. The method to do this is a permit amendment transfer which will require a currently active permit to accomplish.

Since your permit expired in 1991, I suggest you request the extension of time through 2018 to ensure there is adequate time to file and receive a permit amendment which can take a couple years (unless you opt for an expedited transfer which is quicker, and more expensive).

You can request by e-mail that ***the extension of time application received by the Department on March 10, 2008, be amended to request both the completion of construction and complete application of water to beneficial use (the B and C dates) be extended to October 1, 2018.***

With such a request I can process the extension of time application in the next few months and if/when you receive an extension approval you will then need to file for a permit amendment transfer to add "Well #2" to the permit.

If the permit amendment is approved you would then be able to file a claim of beneficial use and move toward a water right certificate.

As you can see there are several steps involved.

If you would like a list of Certified Water Right Examiners (consultants) that can help you through the process I can provide such a list.

The Department is always happy to provide guidance along the way as well. The more communication generally the better the process works.

Please advise me as to your wishes and please call if you wish to discuss.

I am generally available during business hours 8 to 5.

Sincerely,

Steven Parrett  
Adjudication and Extension Specialist  
Oregon Water Resources Department  
503-986-0825  
[Steve.W.Parrett@wrp.state.or.us](mailto:Steve.W.Parrett@wrp.state.or.us)



# Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department  
North Mall Office Building  
725 Summer St. NE, Suite A  
Salem, OR 97301  
Phone 503-986-0900  
FAX 503-986-0904  
www.wrd.state.or.us

April 21, 2014

Pioneer Resources LLC  
PO Box 26139  
Eugene, OR 97402

William and Linda Woodfin  
PO Box 135  
Pilot Rock, OR 97868

Miller Valley Limited Partnership  
Michael Miller  
3330 Hayden Bridge Road  
Springfield, OR 97477

**Re: Water Right Permit G-10861 Extension of Time application**

Hello William and Linda Woodfin,

I am the new Permit Extension Specialist trying to make progress on some older extension of time application files. I see from the file that you had communication with Ann Reece in our office back in 2008 about the Woodfin/Miller Valley Limited Partnership permit in Umatilla County, Permit G-10861.

I am sorry for your inconvenience and the delay in processing the application for an extension of time.

From reviewing the permit file, I see that the central issue is how to get "Well #2" that is associated with Permit G-12242 added to Permit G-10861 as an authorized source of water. The method to do this is a "permit amendment transfer" which will require a currently active permit to accomplish so, an extension of time is appropriate.

Since your permit expired in 1991, I suggest you request the extension of time through 2018 to ensure there is adequate time to file and receive a permit amendment which can take a couple years (unless you opt for an expedited transfer which is quicker, and more expensive).

You can request by e-mail, or return letter, that ***the extension of time application received by the Department on March 10, 2008, be amended to request both the completion of construction and complete application of water to beneficial use (the B and C dates) be extended to October 1, 2018.***



With such a request I can process the extension of time application in the next few months and if/when you receive approval of the extension of time, you will then need to file for a permit amendment transfer to add "Well #2" to the permit. If the permit amendment is approved you would then be able use water from Well #2 and eventually file a claim of beneficial use and move toward a water right certificate.

As you can see there are several steps involved. If you would like a list of Certified Water Right Examiners (consultants) that can help you through the process I can provide such a list.

The Department is always happy to provide guidance along the way as well. The more communication generally the better the process works.

**Please advise me as to your wishes and please call if you wish to discuss.**

I am generally available during business hours 8 to 5.

Sincerely,



Steven Parrett  
Adjudication and Extension Specialist  
Oregon Water Resources Department  
503-986-0825  
[Steve.W.Parrett@wrd.state.or.us](mailto:Steve.W.Parrett@wrd.state.or.us)

Cc: File App G-11873, Permit G-10861  
Pioneer Resources  
Miller Valley Limited Partnership

Woodfin 541-443-3214

**PARRETT Steve W**

---

**From:** PARRETT Steve W <steve.w.parrett@state.or.us>  
**Sent:** Wednesday, April 16, 2014 4:00 PM  
**To:** mikemiller@remax.net; coyote1@uci.net  
**Cc:** REECE Ann L; PARRETT Steve W  
**Subject:** Water Right Permit G-10861 Extension

email failed  
to coyote1

Hello Mr. Miller; and William and Linda Woodfin,

I am the new Permit Extension Specialist trying to make progress on some older extension of time application files. I see from the file that you had communication with Ann Reece in our office back in 2008 about the Woodfin/Miller Valley Limited Partnership permit in Umatilla County, Permit G-10861.

I am sorry for your inconvenience and the delay in processing the application for an extension of time.

From reviewing the permit file, I see that the central issue is how to get "Well #2" from Permit G-12242 added to Permit G-10861 since it was not originally authorized as a source of water. The method to do this is a permit amendment transfer which will require a currently active permit to accomplish.

Since your permit expired in 1991, I suggest you request the extension of time through 2018 to ensure there is adequate time to file and receive a permit amendment which can take a couple years (unless you opt for an expedited transfer which is quicker, and more expensive).

You can request by e-mail that ***the extension of time application received by the Department on March 10, 2008, be amended to request both the completion of construction and complete application of water to beneficial use (the B and C dates) be extended to October 1, 2018.***

With such a request I can process the extension of time application in the next few months and if/when you receive an extension approval you will then need to file for a permit amendment transfer to add "Well #2" to the permit.

If the permit amendment is approved you would then be able to file a claim of beneficial use and move toward a water right certificate.

As you can see there are several steps involved.

If you would like a list of Certified Water Right Examiners (consultants) that can help you through the process I can provide such a list.

The Department is always happy to provide guidance along the way as well. The more communication generally the better the process works.

Please advise me as to your wishes and please call if you wish to discuss.

I am generally available during business hours 8 to 5.

Sincerely,

Steven Parrett  
Adjudication and Extension Specialist



Oregon Water Resources Department  
503-986-0825  
[Steve.W.Parrett@wrд.state.or.us](mailto:Steve.W.Parrett@wrд.state.or.us)

## **Michele McAleer**

---

**Subject:** Extension App G-11873/Permit G-10861, Woodfin/Miller Valley Limited Partnership, formerly Louisiana Pacific

**Start Date:** Wednesday, May 29, 2013

**Due Date:** Wednesday, May 29, 2013

**Status:** In Progress

**Percent Complete:** 50%

**Total Work:** 0 hours

**Actual Work:** 0 hours

**Owner:** Michele McAleer

This is an old extension file, from year 2008, requesting to extend the B date on app from 1990-1991, and C date from 1991 to 1992. Looks like there was some correspondence between several dept staff, regarding Well #2, which is not authorized under this permit (but is authorized under another Permit, G-12832). Extension sought to include second well at perfection of certificate, and Certificates advised the applicant to apply for an extension of time, as construction was not completed by the original B date. Problem is that the construction referenced is for Well #2, which isn't authorized under this permit, so applicants also need to file a permit amendment, in order to add Well #2 to this permit, and be allowed to use it to irrigate the acreage authorized under this permit.

In addition, the applicants have Cert 2528, a surface water right from East Birch Creek, which is now withdrawn from from further appropriation for most uses, which they have agreed to diminish to a supplemental irrigation right (also includes livestock and domestic use) at the time the GW right is perfected, and a signed affidavit is included in the file requesting to do so.

Spoke with Mike Ladd, who had some information about the land, which is a private hunting reserve, and discussed the option of potentially allowing the applicant to request a date, such as 2015, for their B/C dates, to allow for them to apply for the permit amendment, adding Well #2 to this permit, and allowing them the time to complete the amendment before the extension runs out.

It appears that communications were with Larry Nunn, and applicant had indicated they would not be filing an application for a permit amendment, and wanted to add Well 2 at the time of COBU, which rule prevents us from allowing.

Will speak with watermaster Tony Justus, who has been out of the office, and also with Dwight, both on Tuesday, to propose allowing the extension time to be amended, so that the applicants are not required to file another extension request in order to complete the permit amendment. Seems as though this would be fair as the current extension dates requested will not be of help to them now, they will be required to apply for the permit amendment, and communications between the Dept and applicant ceased prior to completion of any of the extension/Permit Amendment/COBU processes, and this route will allow them to legally use the water as desired, and move forward with the process, and eventually diminish the old surface water right to secondary/supplemental irrigation water, which is needed instream for this withdrawn water body.

Sent an e-mail to last known e-mail address for Miller Valley Limited Partnership, at [Coyote1@uci.net](mailto:Coyote1@uci.net), to determine if owners in 2008 are still the property owners, and still desire to complete the process as described. - no answer yet, as of 11:31, Thursday, May 23.

\* Follow up with Tony Justus/Dwight on Tuesday to confirm that this is how the Dept would like to proceed.

*STATE OF OREGON*

*COUNTY OF UMATILLA*

*PERMIT TO APPROPRIATE THE PUBLIC WATERS*

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000-98  
HAYDEN LAKE, IDAHO 83835

208-772-6011

is hereby issued a permit to use the waters from ONE WELL WITHIN EAST BIRCH CREEK BASIN for IRRIGATION OF 27.0 ACRES. The permit to the use of these waters has been issued under Application G-11873 with a date of priority of NOVEMBER 18, 1988. The permit is limited to not more than 151.5 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, Section 17, T 2 S, R 33 E, WM;  
480 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 17.

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.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Application G-11873      Water Resources Department      Permit G-10861

The place of use is as follows:

	ACRES	1/41/4	SECTION	TOWNSHIP	RANGE, WM
primary	11.00	NE NE	17	2 S	33 E
primary	3.00	NW NE	17	2 S	33 E
primary	4.00	NE NW	17	2 S	33 E
primary	4.00	NW NW	17	2 S	33 E
primary	5.00	NE NE	18	2 S	33 E
Total:	27.00	acres.			

The well shall be properly cased and grout sealed to a depth of not less than 180 feet and shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. 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.

Actual construction work shall begin on or before February 27, 1990, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Issued this date, February 27, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

RECEIVED

CLAIM OF BENEFICIAL USE AND SITE REPORT  
GROUND WATER RIGHT APPLICATION G-11873, PERMIT G-10861

MAR 23 1992

INFORMATION: This report is the final proof of claim of beneficial use of ground water as outlined in permit G-10861, dated February 27, 1989. The owner of the land and irrigation system is Louisiana-Pacific Corporation, P.O. Box 4000-98, Hayden Lake, Idaho, 83835. My principal contact with the owner has been through Mr. Joe Tolar, at Hayden Lake. The system developed by the landowner consists of two wells and two separate distribution systems. The wells and systems are shown on the accompanying Final Proof Map and are referred to herein as well # 1 and well # 2. The site investigation was conducted on February 17, 1992.

RESOURCES DEPT.  
SALEM, OREGON

Source: The source of ground water is two wells, located as follows:

Well # 1 is located 432 feet south and 1,234 feet west of the section corner common to sections 8, 9, 16 and 17, T. 2 S., R. 33 E., W.M.

Well # 2 is located 651 feet south and 4,881 feet west of the section corner common to sections 8, 9, 16 and 17, T. 2 S., R. 33 E., W.M. The section corner common to sections 7, 8, 17 and 18 was searched but not recovered, thus both wells are tied to the same section corner.

DESCRIPTION: WELL # 1:

This well is 250 feet deep. It is 12 inches in diameter to a depth of 180 feet and 8 inches in diameter from 180 feet to 250 feet. It is cased with 8 inch diameter by .25 inch thick steel casing to a depth of 180 feet, and grouted with cement (70 sacks) to a depth of 180 feet. The well was tested at the time of drilling to yield 300 gallons per minute. There are two water bearing zones. One, at 45 to 68 feet, is sealed with grout. The second is at 245 to 250 feet. The static water level at time of drilling was at 15 feet below the ground surface.

There are two pumps installed in well # 1, as follows:

A 3 horsepower pump is 168 feet below the ground surface.

MOTOR: The motor is a Franklin 3 horsepower single phase 230 volt electric motor that rotates at 3,450 revolutions per minute.

PUMP: The pump is a Grundfos with a 1 1/4 inch discharge pipe. The motor/pump is rated to produce 25 gallons per minute.

A 5 horsepower pump is 147 feet below the ground surface.

MOTOR: The motor is a Franklin 5 horsepower single phase 230 volt electric that rotates at 3,450 revolutions per minute.

MAR 23 1992

PUMP: The pump is a Grundfos with a 2 inch diameter discharge pipe. The motor/pump is rated to produce 40 gallons per minute.

Both pumps are in operation when irrigating, and could move as much as 65 gallons per minute. The 3 horsepower pump, only, is used to provide water to the dwelling during times when no irrigation is being done from well # 1.

DISTRIBUTION SYSTEM: The water from well # 1 is distributed through buried pipes located as shown on the Final Proof Map. The pipes are 3 inches in diameter with risers located as shown on the Final Proof Map. The water is further distributed by the use of 3 inch diameter aluminum hand lines. The hand lines are fitted with sprinkler heads of varying sizes of nozzles. I estimate this system will distribute around 65 gallons per minute at it's maximum output.

WELL # 2:

This well is 230 feet deep. It is 12 inches in diameter to a depth of 193 feet and 8 inches in diameter from 193 feet to 230 feet. It is cased with 8 inch diameter by .25 inch thick steel casing to a depth of 193 feet, and sealed with bentonite clay (22 sacks) from the ground surface to a depth of 34 feet and grouted with cement (150 sacks) from 34 feet to a depth of 193 feet. The well was tested at the time of drilling to yield in excess of 300 gallons per minute. There are three water bearing zones. The first is from 1 foot to 34 feet below the ground surface. The second is from 103 feet to 117 feet below the ground surface. Both of these zones are sealed. The third water bearing zone is from 205 to 230 feet below the ground surface. The static water level at the time of drilling was 6 feet below the ground surface.

MOTOR/PUMP: Well # 2 is fitted with two motor/pumps. In the well is a 25 horsepower Franklin electric motor which rotates at 3,450 revolutions per minute. This motor is fitted directly to a Jacuzzi turbine pump with a 4 inch diameter discharge. At the ground surface is a booster pump. This pump is powered by a 25 horsepower Marathon electric motor which rotates at 3,470 revolutions per minute. This motor is short coupled direct to a Paco 7.1 inch diameter centrifugal pump. Intake and discharge pipes on this pump are 2 inch diameter.

DISTRIBUTION SYSTEM: Water from well # 2 is distributed by a system of buried pipes as shown on the Final Proof Map. The pipes are 5 inch diameter near the well and reduce to 4 inch diameter on the lines furthest away from the well and for all lateral lines to risers. There is a total of 5,040 feet of 5 inch diameter buried line and 2,580 feet of 4 inch diameter buried line. Water is placed on the ground directly from the

No meter -

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MAR 23 1992

risers shown on the Final Proof Map using four Nelson sprinkler heads. These heads have a .60 inch diameter nozzle. Three of the heads are model QC - F100 and one is a QC - SR100. There is a Grainland model 400R flow meter on this system. The system was not in operation at the time of the site visit, but the output of this system is estimated to be in excess of 300 gallons per minute.

WATER RESOURCES DEPT  
SALEM, OREGON

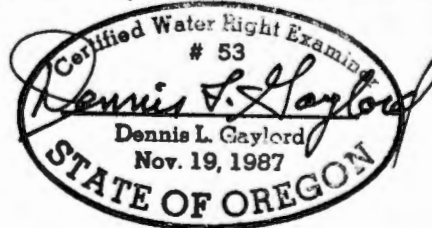
USES: Water from the two wells is beneficially used to irrigate hay crops and pasture for livestock. Water from well # 1 is also used for domestic purposes at one household and guest house/bunkhouse complex. The dwelling is located about 150 feet southwest of well # 1.

AREA:	LOCATION	SOURCE	ACRES	1875 RIGHT (ACRES)
	NW1/4NW1/4	S16 WELL # 1	4.8	NONE
	NE1/4NE1/4	S17 WELL # 1	6.2	6
	NW1/4NE1/4	S17 WELL # 1	3.6	3
	NE1/4NW1/4	S17 WELL # 2	4.1	4
	NW1/4NW1/4	S17 WELL # 2	8.2	4
	TOTALS		26.9	17

An affidavit executed on November 10, 1988 diminished the 1875 surface water right from East Birch Creek from primary to supplemental for irrigation of the above shown acreages.

The systems herein described are to be the primary source of water for irrigation of the 17 acres of land with the 1875 priority date.

The final proof survey and site inspection of the water use was completed by me on February 17, 1992 and the facts contained in this report and the accompanying Final Proof Survey Map are correct to the best of my knowledge.



I, Joe Tolar, Division Purchasing Manager for the landowner, Louisiana-Pacific Corporation, agree to the findings of the Certified Water Right Examiner and do submit this site report and the accompanying Final Proof Survey Map as my Claim of Beneficial Use of the water as provided under the terms and conditions of the permit to appropriate the public waters, number G-10861 (Application G-11873), issued February 27, 1989.

Joe Tolar  
JOE TOLAR

3/19/92  
DATE



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CLAIM OF BENEFICIAL USE AND SITE REPORT  
GROUND WATER RIGHT APPLICATION G-11873, PERMIT G-10861

MAR 23 1992

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WATER RESOURCES DEPT  
SALMON, OREGON

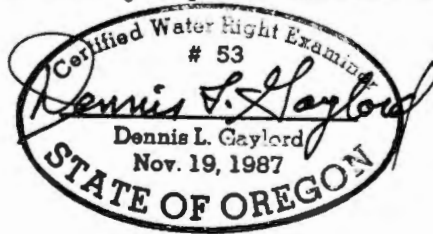
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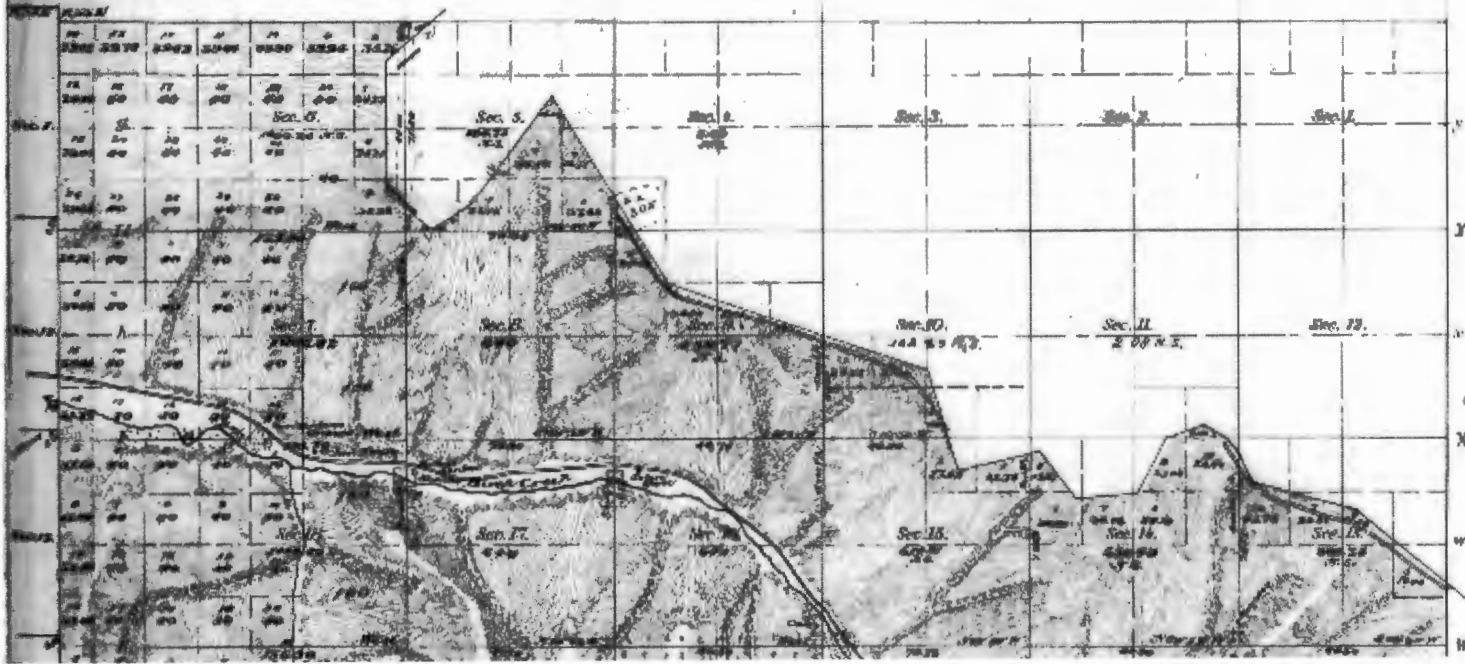
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Joe Tolar  
JOE TOLAR

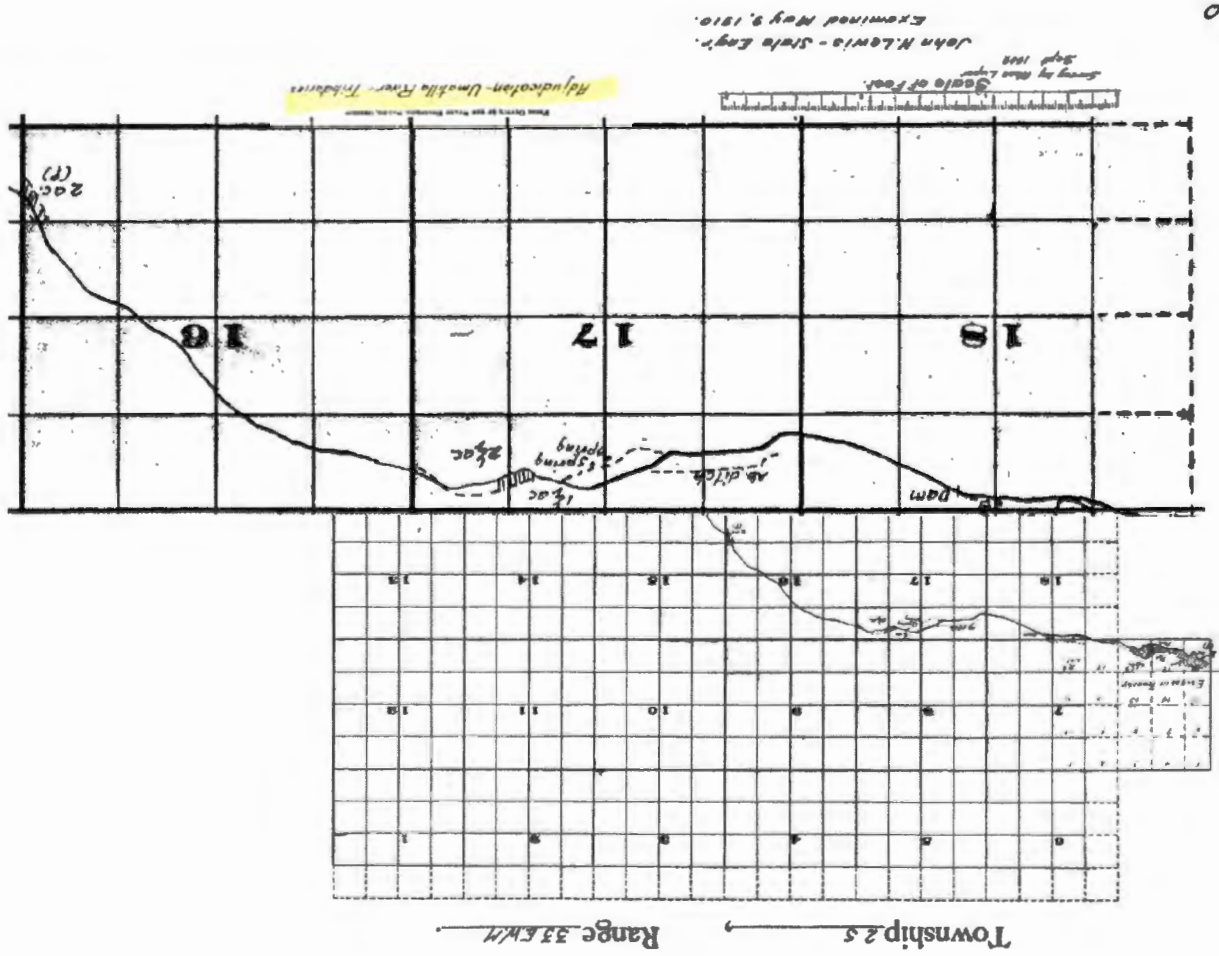
3/19/92  
DATE

Township N<sup>o</sup> 2 South Range N<sup>o</sup> 33 East of the Willamette Meridian Oregon.

G C F E D C B A



1 Decree Map



**Permit: G 10861 \***

<p>Conflict Report</p> <p>POD Characteristics</p> <p>Water Availability</p> <p style="margin-left: 20px;">E BIRCH CR &gt; BIRCH CR - AB PEARSON CR</p> <p style="margin-left: 40px;">POD: 1</p> <p>IR Checklist</p>	<p><b>Contact Information</b></p> <p>Current contact information</p> <p>OWNER:</p> <p>PIONEER RESOURCES LLC PO BOX 26139 EUGENE, OR 974020463</p> <p>OWNER:</p> <p>WILLIAM WOODFIN PO BOX 135 PILOT ROCK, OR 97868</p> <p>OWNER:</p> <p>LINDA WOODFIN PO BOX 135 PILOT ROCK, OR 97868</p> <p>OWNER:</p> <p>MILLER VALLEY LIMITED PARTNERSHIP MICHAEL MILLER 3330 HAYDEN BRIDGE RD SPRINGFIELD, OR 97477</p>	<p><b>Documents</b> <small>View all scanned documents</small></p> <p>Application: G 11873</p> <p>Received: 11/18/1988</p> <p>Permit: G 10861 document, 8888r.D38</p> <p>Signature: 2/27/1989</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">Permit Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Permit Issued</td> <td>2/27/1989</td> <td></td> <td></td> </tr> <tr> <td>Completion Date [C Date]</td> <td>10/1/1991</td> <td></td> <td></td> </tr> <tr> <td>Extension Received</td> <td>3/10/2008</td> <td>ANN REECE</td> <td></td> </tr> <tr> <td>Extension Comment Period</td> <td>4/17/2008</td> <td>ANN REECE</td> <td></td> </tr> </tbody> </table> <p>Order(s)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Order Origin</th> <th>Volume-Page</th> <th>Signature</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Miscellaneous</td> <td>7-3218</td> <td>6/28/1994</td> <td>LOUISIANA-PACIFIC CORP. ASSIGNS ALL INTEREST IN AND TO APP G-11873 / PERMIT G-10861 TO PIONEER RESOURCES, LLC.</td> </tr> </tbody> </table> <p>View right with Web Mapping</p>	Permit Workflow				Action	Date	Result	Completed By	Permit Issued	2/27/1989			Completion Date [C Date]	10/1/1991			Extension Received	3/10/2008	ANN REECE		Extension Comment Period	4/17/2008	ANN REECE		Order Origin	Volume-Page	Signature	Description	Miscellaneous	7-3218	6/28/1994	LOUISIANA-PACIFIC CORP. ASSIGNS ALL INTEREST IN AND TO APP G-11873 / PERMIT G-10861 TO PIONEER RESOURCES, LLC.																															
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<p><b>Point(s) of Diversion</b></p> <p>POD 1 - A WELL &gt; EAST BIRCH CREEK</p> <p>Description</p> <p>T-R-S-QQ: 2.00S-33.00E-17-NE NE</p> <p>Location Description: 100 FEET SOUTH &amp; 1140 FEET WEST FROM NE CORNER, SECTION 17</p> <p>POD Rate</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> </tr> </thead> <tbody> <tr> <td>0.3375</td> <td>0.3375</td> <td></td> <td></td> </tr> </tbody> </table> <p>IRRIGATION (Primary)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Priority Date</th> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> <th>Rate/Acre</th> <th>Duty</th> <th>Start Date</th> <th>End Date</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>11/18/1988</td> <td>0.3375</td> <td>0.3375</td> <td></td> <td></td> <td>1/80</td> <td>3.00000</td> <td>3/1</td> <td>10/31</td> <td></td> </tr> </tbody> </table> <p style="color: purple; font-size: 24px; margin-left: 200px;">well #1 Umat 5271</p>			Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	0.3375	0.3375			Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks	11/18/1988	0.3375	0.3375			1/80	3.00000	3/1	10/31																																				
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<p><b>Place(s) of Use</b> <small>Add TRS information</small></p> <p>Use - IRRIGATION (Primary) - 27.0 acres Priority Date: 11/18/1988</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>T-R-S</th> <th>QQ</th> <th>DLC</th> <th>Gov't Lot</th> <th>Taxlot</th> <th>Acres</th> <th>Status</th> <th>Inchoate Info</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>2.00S-33.00E-17</td> <td>NE NE</td> <td></td> <td></td> <td></td> <td>11.0</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td>2.00S-33.00E-17</td> <td>NW NE</td> <td></td> <td></td> <td></td> <td>3.0</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td>2.00S-33.00E-17</td> <td>NE NW</td> <td></td> <td></td> <td></td> <td>4.0</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td>2.00S-33.00E-17</td> <td>NW NW</td> <td></td> <td></td> <td></td> <td>4.0</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td>2.00S-33.00E-18</td> <td>NE NE</td> <td></td> <td></td> <td></td> <td>5.0</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td colspan="9">Sum of Acres: 27.0</td> </tr> </tbody> </table>			T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Inchoate Info	Remarks	2.00S-33.00E-17	NE NE				11.0	NC			2.00S-33.00E-17	NW NE				3.0	NC			2.00S-33.00E-17	NE NW				4.0	NC			2.00S-33.00E-17	NW NW				4.0	NC			2.00S-33.00E-18	NE NE				5.0	NC			Sum of Acres: 27.0								
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<p><b>Water Right Genealogy</b></p> <p>No genealogy records available for this water right, try the family link below instead.</p>																																																																	

[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000-98  
HAYDEN LAKE, IDAHO 83835

208-772-6011

is hereby issued a permit to use the waters from ONE WELL WITHIN EAST BIRCH CREEK BASIN for IRRIGATION OF 27.0 ACRES. The permit to the use of these waters has been issued under Application G-11873 with a date of priority of NOVEMBER 18, 1988. The permit is limited to not more than 151.5 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, Section 17, T 2 S, R 33 E, WM;  
480 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 17.

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.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Application G-11873

Water Resources Department

Permit G-10861

The place of use is as follows:

W.D.

	ACRES	1/4 1/4	SECTION	TOWNSHIP	RANGE, WM
primary	11.00	NE NE	17	2 S	33 E
primary	3.00	NW NE	17	2 S	33 E
primary	4.00	NE NW	17	2 S	33 E
primary	4.00	NW NW	17	2 S	33 E
primary	5.00	NE NE	18	2 S	33 E

Total: 27.00 acres.

The well shall be properly cased and grout sealed to a depth of not less than 180 feet and shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. 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.

Actual construction work shall begin on or before February 27, 1990, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Issued this date, February 27, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

WK copy

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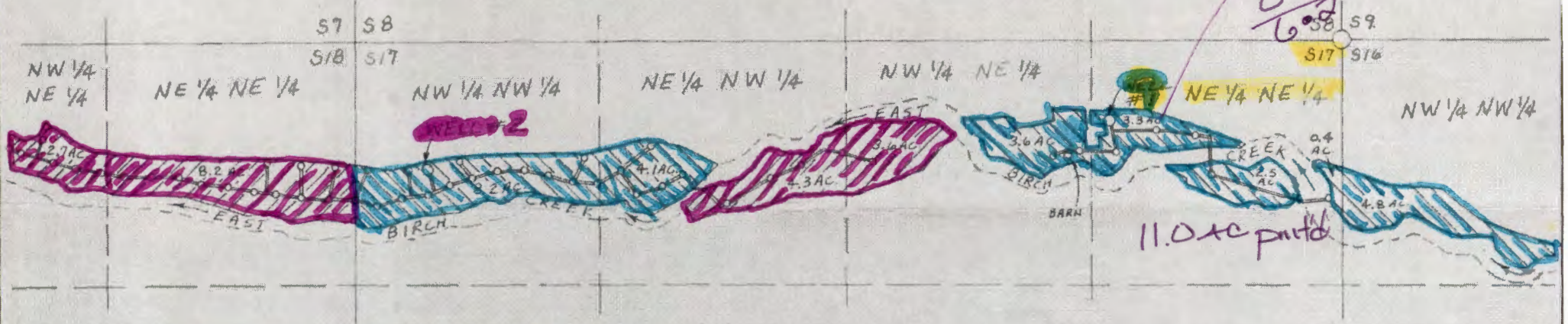
MAR 23 1962

WATER RESOURCES DEPT  
SALEM, OREGON

FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE

AND

APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T. 2 S., R. 33 E., W.M.



1  
3.2  
2.3  
0.5  
6.0  
6.2

FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861

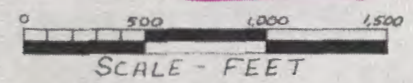
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TOTALS:		26.9 ACRES	17 ACRES

LOCATION OF WELLS

FROM SECTION CORNER 8, 9, 16 & 17:  
WELL #1 is 432' S & 1234' W  
WELL #2 is 651' S & 4881' W

LEGEND

- = SECTION CORNER TIED (FOUND MARKED STONE)
- = WELL
- = RISER
- = BURIED DISTRIBUTION LINE
- = AREA UNDER IRRIGATION - BENEFICIAL USE
- = PLACE OF USE - GROUND WATER APPLICATION

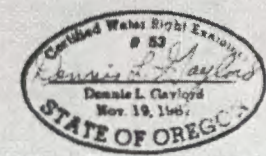


APPLICATION - PLACE OF USE  
AND SOURCE

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 517	WELL #1	3.6 ACRES	NONE
NE 1/4 NW 1/4 517	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 518	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 518	WELL #2	2.7 ACRES	NONE
TOTALS:		18.8 ACRES	5 ACRES

THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
LOUISIANA-PACIFIC  
P.O. Box 4000-9B  
HAYDEN LAKE, IDAHO  
83835



DENNIS L. GAYLORD, CWRE  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260

Previous Work  
Sheets & Copies



# Point of Diversion Characteristics

Right:	Permit: G 10861 *
Name:	PIONEER RESOURCES LLC

**TRSOO: 02.00S-33.00E-17-NENE**

County: Umatilla

Basin: Umatilla

WM District: 5

WM Region: NC

Withdrawn Area: BIRCH CREEK, UMATILLA

WAB: E BIRCH CR > BIRCH CR - AB PEARSON CR (30710325)

Priority WAB:

Rule 4D: Rules apply

Groundwater Restricted Area:

Scenic Water Way:

Division 33: UPPER COLUMBIA

Water Quality Limited: Yes

# Point of Diversion Characteristics

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RECEIVED

MAR 23 1992

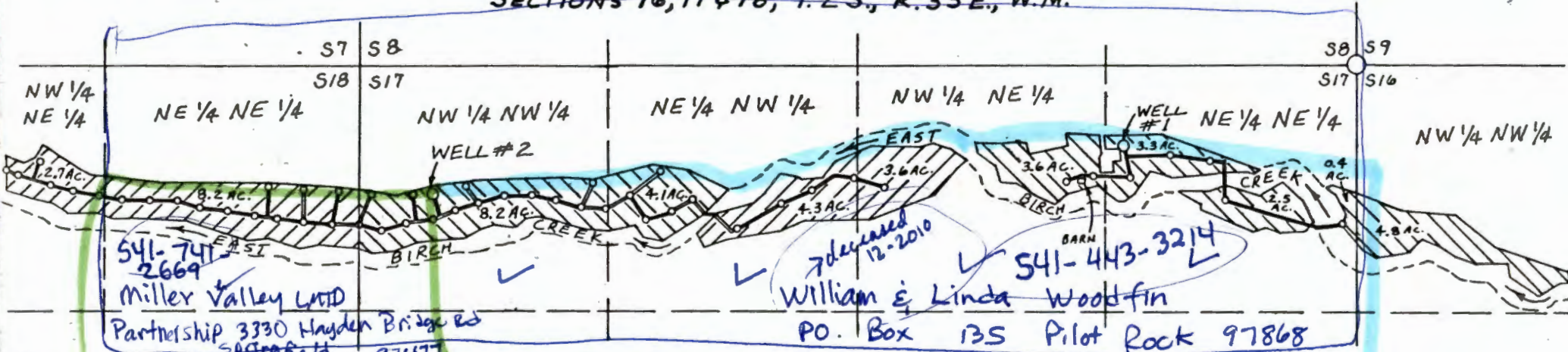
WATER RESOURCES DEPT  
SALEM, OREGON

G-10861

well 1 Unit S271  
well 2 Unit S531

one well 27 ac

FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T.2 S., R.33 E., W.M.



FINAL PROOF OF BENEFICIAL USE-APPLICATION G-11873  
PERMIT G-10861

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
TOTALS:		26.9 ACRES	17 ACRES

APPLICATION - PLACE OF USE  
AND SOURCE

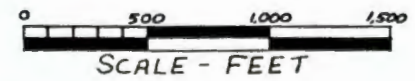
LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
TOTALS:		18.8 ACRES	5 ACRES

LOCATION OF WELLS  
FROM SECTION CORNER 8, 9, 16 & 17:  
WELL #1 is 432' S & 1234' W  
WELL #2 is 651' S & 4,881' W



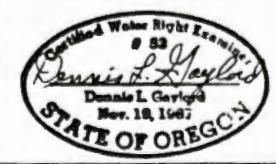
LEGEND

- = SECTION CORNER TIED (FOUND MARKED STONE)
- = WELL
- = RISER
- = BURIED DISTRIBUTION LINE
- ▨ = AREA UNDER IRRIGATION - BENEFICIAL USE
- ▨ = PLACE OF USE - GROUND WATER APPLICATION



THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
LOUISIANA-PACIFIC  
P.O. Box 4000-9B  
HAYDEN LAKE, IDAHO  
83835



DENNIS L. GAYLORD, CWRE  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260

P.O. DRAWER AA  
600 NW CEDAR STREET  
PILOT ROCK, OREGON 97868



W

William & Linda Woodfin  
P.O. Box 135  
Pilot Rock, OR 97868



0000

Water Resources Dept  
attn: Water Right Permit Extensions  
725 Summer Street N.E. Suite 1  
Salem, Or 97301

**FIRST CLASS**



## Pump Capacity Calculation Sheet

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

### Data Entry (fill in underlined blanks)

---

HP = 50  
Efficiency = 7.04  
Lift = 6  
PSI = 50

### Results Calculated

---

(hp)(efficiency) = 352  
Head based on psi = 127.0  
Total dynamic head = 133.0  
(head + lift)

**Pump Capacity = 2.65 feet per second**

# Pump Capacity Calculation Sheet

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

## Data Entry (fill in underlined blanks)

---

HP = 3  
Efficiency = 7.04  
Lift = 15  
PSI = 40

## Results Calculated

---

(hp)(efficiency) = 21.12  
Head based on psi = 101.6  
Total dynamic head = 116.6  
(head + lift)

Pump Capacity = 0.18 feet per second

*80.8 gpm*

## Pump Capacity Calculation Sheet

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

### Data Entry (fill in underlined blanks)

---

HP = 5  
Efficiency = 7.04  
Lift = 15  
PSI = 40

---

### Results Calculated

---

(hp)(efficiency) = 35.2  
Head based on psi = 101.6  
Total dynamic head = 116.6  
(head + lift)

Pump Capacity = 0.30 feet per second  
*134-6 gpm*



STATE OF OREGON

COUNTY OF UMATILLA ✓

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PIONEER RESOURCES LLC ✓  
 PO BOX 26139  
 EUGENE OREGON 97402

confirms the right to use the waters of TWO WELLS in the East Birch Creek Basin for IRRIGATION of 26.9 ACRES.

This right was perfected under Permit G-10861. The date of priority is NOVEMBER 18, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 134 GALLONS PER MINUTE (GPM), BEING 65 GPM FROM WELL 1 AND 69 GPM FROM WELL 2, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 ✓	2 S ✓	33 E ✓	WM	17 ✓	NE NE ✓	432 FEET SOUTH AND 1234 FEET WEST FROM THE NE CORNER, SECTION 17 ✓
2 ✓	2 S	33 E	WM	17	NE NE ✓	651 FEET SOUTH AND 4881 FEET WEST FROM THE NE CORNER, SECTION 17 ✓

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, 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.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
WELL 1 <i>Bold</i>					
2 S ✓	33 E ✓	WM	16 ✓	NW NW ✓	4.8 ✓
2 S ✓	33 E ✓	WM	17 ✓	NE NE ✓	6.2 ✓
2 S ✓	33 E ✓	WM	17 ✓	NW NE ✓	3.6 ✓
WELL 2 <i>Bold</i>					
2 S ✓	33 E ✓	WM	17 ✓	NE NW ✓	4.1 ✓
2 S ✓	33 E ✓	WM	17 ✓	NW NW ✓	8.2 ✓

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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 either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

The water use shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

The use of water under this right shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water right of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface water will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Department (OAR 690-507)

The wells shall be properly case and grout sealed to a depth of not less than 180 feet and shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The water user shall maintain weirs, meters, or other suitable measuring devices and keep a complete record of the amount of ground water withdrawn.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued \_\_\_\_\_.

\_\_\_\_\_  
Phillip C. Ward, Director  
Water Resources Department

# Mailing List for Certificate Scheduled Mailing Date:

**Application:** G-11873

**Permit:** G-10861

**Certificate:** \*\*\*\*\*

**Permit/Certificate Holder:**

PIONEER RESOURCES LLC  
PO BOX 26139  
Eugene OR 97402

<b>Copies Mailed</b>
<b>by:</b> _____ (STAFF)
<b>on:</b> _____ (DATE)

**Copies of Final Certificate to be sent to:**

1. Watermaster District 5, Tony G. Justus
2. Data Center (include copy of map)
3. Water Availability
4. Vault

**Other persons to receive copies: (include map):**

Dennis Gaylord, CWRE

# Mailing List for Certificate

## Scheduled Mailing Date:

Application: NOTE: Mail with Prop Cert for File G-11873  
Permit:  
Certificate:

### Permit/Certificate Holder:

THOS S GIBSON  
PILOT ROCK OR 97868

### Copies of Final Certificate to be sent to:

1. Watermaster (Proposed Cert): 5
2. Data Center (include copy of map)
3. Water Availability
4. Vault

### Other persons to receive copies: (include map):

Pioneer Resources LLC  
PO Box 16139  
Eugene, OR 97402

by Copies Mailed

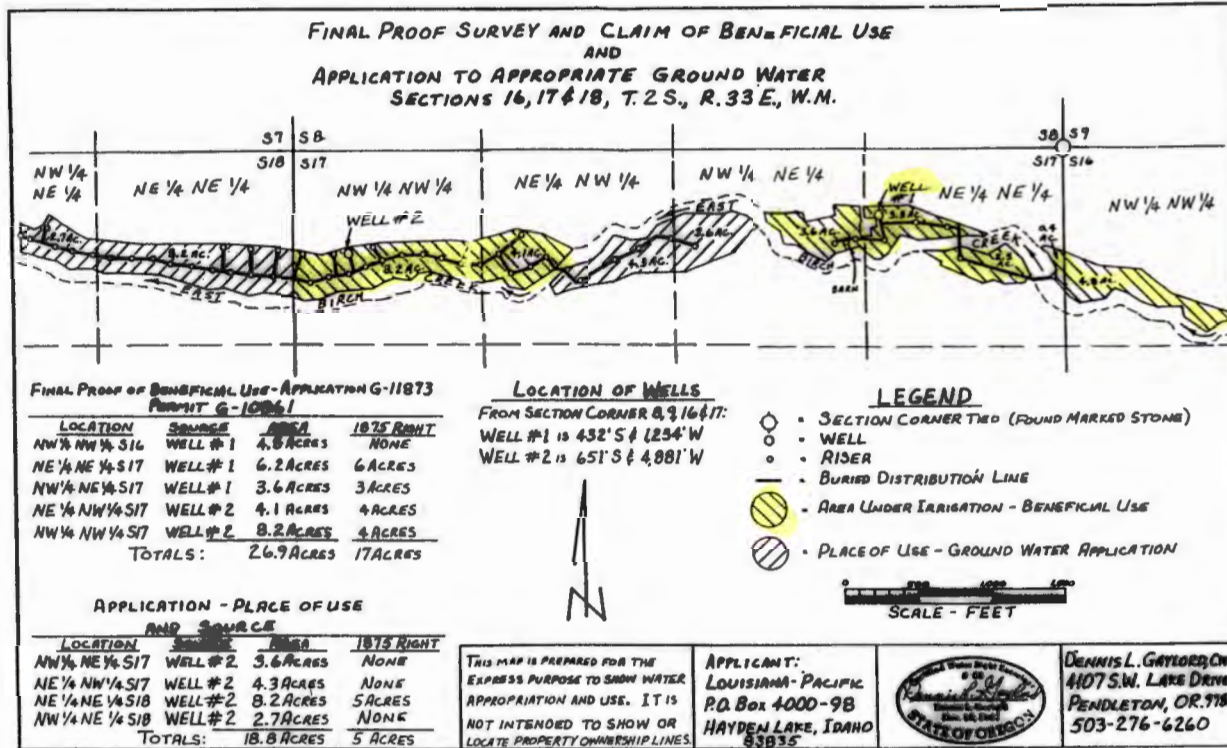
\_\_\_\_\_  
(STAFF)

on:

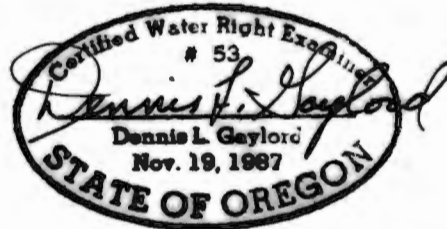
\_\_\_\_\_  
(DATE)

G 12832

84  
27  
34  
43  
190



SCALE REDUCED TO 1" = 1,320 FT.



DENNIS L. GAYLORD, CWR  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260



# Water Rights Platcard Report

Meridian: WILLAMETTE Township: 2 South Range: 33 East Section: 17 Records per Page: 100 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown QQ
<u>Select</u> Cert:2528 OR * Additional Info: THOS S GIBSON Decree: UMATILLA RIVER Cert: 2528		12/31/1875	DOMESTIC				Q(160):	*	*			*	*															
<u>Select</u> Cert:70275 OR * Additional Info: ALEX CHRISTENSEN MGR App: R76320 Cert: 70275		1/1/1993	FIRE PROTECTION																								*	
<u>Select</u> Permit:G 10861 * Additional Info: PIONEER RESOURCES LLC App: G11873 Permit: G10861		11/18/1988	IRRIGATION					11	3			4	4															
<u>Select</u> Permit:G 12242 * Additional Info: PIONEER RESOURCES LLC App: G12832 Permit: G12242		3/23/1992	IRRIGATION						3.6			4.3																
<u>Select</u> Cert:2528 OR * Additional Info: THOS S GIBSON Decree: UMATILLA RIVER Cert: 2528		12/31/1875	IRRIGATION					6	3			4	4															
<u>Select</u> Cert:2528 OR * Additional Info: THOS S GIBSON Decree: UMATILLA RIVER Cert: 2528		12/31/1875	LIVESTOCK					*	*			*	*															
<u>Select</u> Cert:70275 OR * Additional Info: ALEX CHRISTENSEN MGR App: R76320 Cert: 70275		1/1/1993	LIVESTOCK																								*	

NCR

Diminished





# Water Rights Platcard Report

*NCR*

Meridian: WILLAMETTE Township: 2 South Range: 33 East Section: 18 Records per Page: 100 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown		
							Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	QQ		
<a href="#">Select</a> <b>Cert:2528 OR *</b>		12/31/1875	DOMESTIC					*																		
Additional Info: THOS S GIBSON Decree: UMATILLA RIVER Cert: 2528																										
<a href="#">Select</a> <b>Cert:64233 RR *</b>		12/31/1895	DOMESTIC AND LIVESTOCK			1																		*		
Additional Info: MARILYN K MORRELL Decree: UMATILLA RIVER Cert: 64233																										
<a href="#">Select</a> <b>Inchoate: T 6254 CF (REG) *</b>		4/30/1895	IRRIGATION			1																		(2)		
Additional Info: MARILYN K MORRELL Decree: UMATILLA RIVER																										
<a href="#">Select</a> <b>Permit:G 10861 *</b>		11/18/1988	IRRIGATION					5																		
Additional Info: PIONEER RESOURCES LLC App: G11873 Permit: G10861																										
<a href="#">Select</a> <b>Permit:G 12242 *</b>		3/23/1992	IRRIGATION					8.2	2.7																	
Additional Info: PIONEER RESOURCES LLC App: G12832 Permit: G12242																										
<a href="#">Select</a> <b>Cert:2528 OR *</b>		12/31/1875	IRRIGATION					5																		
Additional Info: THOS S GIBSON Decree: UMATILLA RIVER Cert: 2528																										
<a href="#">Select</a> <b>Cert:15572 OR *</b>		5/25/1937	IRRIGATION						1.7																	
Additional Info: J ARVINE PORTER App: S16903 Permit: S12663 Cert: 15572																										



Permit: G 12242 *																																																							
<p>Conflict Report</p> <p>POD Characteristics</p> <p>Water Availability</p> <p>E BIRCH CR &gt; BIRCH CR - AB PEARSON CR</p> <p>POD: 1</p> <p>IR Checklist</p>	<p><b>Contact Information</b></p> <p>Current Contact Information</p> <p>OWNER: PIONEER RESOURCES LLC PO BOX 26139 EUGENE, OR 974020463</p> <p><b>Water Right Information</b></p> <p>Status: Non-Cancelled County: Umatilla File Folder Location: Salem Watermaster District: 5</p>																																																						
	<p><b>Documents</b> <small>view all gathered documents</small></p> <p>Application: G 12832</p> <p>Received: 3/23/1992</p> <p>Permit: G 12242 document, paper.mxd</p> <p>Signature: 1/26/1996</p> <table border="1"> <thead> <tr> <th colspan="4">Permit Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Permit Issued</td> <td>1/26/1996</td> <td></td> <td></td> </tr> <tr> <td>CBU Received</td> <td>7/14/2000</td> <td></td> <td>DENNIS L. GAYLORD</td> </tr> </tbody> </table> <p>Order(s)</p> <table border="1"> <thead> <tr> <th>Order Origin</th> <th>Volume-Page</th> <th>Signature</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Miscellaneous</td> <td>7-321B</td> <td>6/28/1996</td> <td>LOUISIANA-PACIFIC CORP. ASSIGNS ALL INTEREST IN AND TO APP G-12832 / PERMIT G-12242 TO PIONEER RESOURCES, LLC.</td> </tr> </tbody> </table> <p>View right with Web Mapping</p>	Permit Workflow				Action	Date	Result	Completed By	Permit Issued	1/26/1996			CBU Received	7/14/2000		DENNIS L. GAYLORD	Order Origin	Volume-Page	Signature	Description	Miscellaneous	7-321B	6/28/1996	LOUISIANA-PACIFIC CORP. ASSIGNS ALL INTEREST IN AND TO APP G-12832 / PERMIT G-12242 TO PIONEER RESOURCES, LLC.																														
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	<p><b>Place(s) of Use</b> <small>Add TRS occurrences</small></p> <p>Use - IRRIGATION (Primary) - 18.8 acres; Priority Date: 3/23/1992</p> <table border="1"> <thead> <tr> <th>T-R-S</th> <th>QQ</th> <th>DLC</th> <th>Gov't Lot</th> <th>Taxlot</th> <th>Acres</th> <th>Status</th> <th>Inchoate Info</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>2.005-33.00E-17</td> <td>NW NE</td> <td></td> <td></td> <td></td> <td>3.6</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td>2.005-33.00E-17</td> <td>NE NW</td> <td></td> <td></td> <td></td> <td>4.3</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td>2.005-33.00E-18</td> <td>NE NE</td> <td></td> <td></td> <td></td> <td>8.2</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td>2.005-33.00E-18</td> <td>NW NE</td> <td></td> <td></td> <td></td> <td>2.7</td> <td>NC</td> <td></td> <td></td> </tr> <tr> <td colspan="9">Sum of Acres: 18.8</td> </tr> </tbody> </table> <p><b>Water Right Genealogy</b></p> <p><small>--No genealogy records available for this water right, try the family link below instead.</small></p>	T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Inchoate Info	Remarks	2.005-33.00E-17	NW NE				3.6	NC			2.005-33.00E-17	NE NW				4.3	NC			2.005-33.00E-18	NE NE				8.2	NC			2.005-33.00E-18	NW NE				2.7	NC			Sum of Acres: 18.8								
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View Water Rights in same Family  
 Help understanding and working with the Water Rights Information System  
 Report Errors with Water Right Data  
 Return to WRIS Query

well 1 - umat 5271  
 well 2 - umat 5531

STATE OF OREGON  
COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000 98  
HAYDEN LAKE, ID 83835

(208) 772-6011

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12832

SOURCE OF WATER: WELL #2 IN EAST BIRCH CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 18.8 ACRES

MAXIMUM RATE/VOLUME OF ALLOWED USE: 0.235 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 23, 1992

POINT OF DIVERSION LOCATION: NW 1/4 NW 1/4, SECTION 17, T 2 S, R 33 E, W.M.; 651 FEET SOUTH AND 4881 FEET WEST FROM NE CORNER, SECTION 17

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4 3.6 ACRES  
NE 1/4 NW 1/4 4.3 ACRES  
SECTION 17  
NE 1/4 NE 1/4 8.2 ACRES  
NW 1/4 NE 1/4 2.7 ACRES  
SECTION 18

TOWNSHIP 2 SOUTH, RANGE 33 EAST, W.M.

Measurement, recording and reporting conditions:

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

Application G-12832 Water Resources Department

PERMIT G-12242

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

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

#### STANDARD CONDITIONS

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

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

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

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

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

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

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

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued January 26, 1996

G. Huntington (for)  
Water Resources Department  
Martha O. Pagel  
Director

# FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE

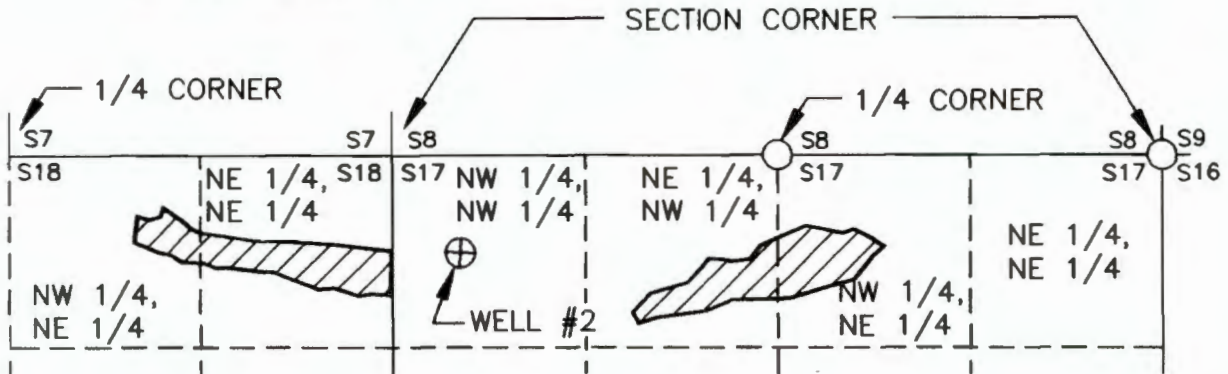
LOCATED WITHIN  
NW1/4, NE 1/4 AND NE 1/4, NW 1/4, SECTION 17  
AND  
NE 1/4, NE 1/4 AND NW 1/4, NE 1/4, SECTION 18  
T.2S., R.33E., W.M  
UMATILLA COUNTY, OREGON

APPLICATION G-12832

PERMIT G-12242

APPLICANT: PIONEER RESOURCES LLC

WELL #2 IS 700 FEET SOUTH AND 2,165 FEET WEST OF THE NORTH 1/4 CORNER OF SECTION 17, T.2S., R.33E., W.M., AND IS WITHIN THE NW 1/4, NW 1/4, SECTION 17.



FOR THE LOCATION OF BURIED LINES AND RISERS, SEE FINAL PROOF MAP FOR PERMIT G-10861

### LEGEND

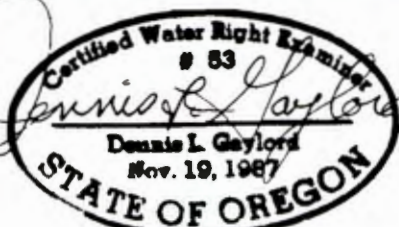
- ORIGINAL MARKED CORNER STONE FOUND & TIED
- AREA BENEFICIALLY IRRIGATED

NW 1/4, NE/14	S17	4.2 ACRES
NE 1/4, NW/14	S17	3.7 ACRES
NE 1/4, NE/14	S18	8.2 ACRES
NW 1/4, NE/14	S18	2.7 ACRES

1320' 0' 1320'  
1" = 1320'

RECORDED  
JUL 11 2000  
WATER RESOURCES DIVISION  
SALEM, OREGON

THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.



RENEWS 6/30/2001

DENNIS L. GAYLORD,  
CWRE  
71614 S.W. LAKE DRIVE  
PENDLETON, OR 97801  
(541)-276-6260 ©  
JUNE, 2000

Drawn by: Mill Creek Drafting

# Point of Diversion Characteristics

Right:	Permit: G 12242 *
Name:	PIONEER RESOURCES LLC

**TRSQQ: 02.00S-33.00E-17-NWNW**

County: Umatilla

Basin: Umatilla

WM District: 5

WM Region: NC

Withdrawn Area: BIRCH CREEK, UMATILLA

WAB: E BIRCH CR > BIRCH CR - AB PEARSON CR (30710325)

Priority WAB:

Rule 4D: Rules apply

Groundwater Restricted Area:

Scenic Water Way:

Division 33: UPPER COLUMBIA

Water Quality Limited: Yes



*STATE OF OREGON*

*COUNTY OF UMATILLA*

*PERMIT TO APPROPRIATE THE PUBLIC WATERS*

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000-98  
HAYDEN LAKE, IDAHO 83835

208-772-6011

is hereby issued a permit to use the waters from ONE WELL WITHIN EAST BIRCH CREEK BASIN for IRRIGATION OF 27.0 ACRES. The permit to the use of these waters has been issued under Application G-11873 with a date of priority of NOVEMBER 18, 1988. The permit is limited to not more than 151.5 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, Section 17, T 2 S, R 33 E, WM;  
480 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 17.

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.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Application G-11873      Water Resources Department      Permit G-10861

The place of use is as follows:

	ACRES	1/41/4	SECTION	TOWNSHIP	RANGE, WM
primary	11.00	NE NE	17	2 S	33 E
primary	3.00	NW NE	17	2 S	33 E
primary	4.00	NE NW	17	2 S	33 E
primary	4.00	NW NW	17	2 S	33 E
primary	5.00	NE NE	18	2 S	33 E

Total: 27.00 acres.

The well shall be properly cased and grout sealed to a depth of not less than 180 feet and shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. 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.

Actual construction work shall begin on or before February 27, 1990, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Issued this date, February 27, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

*STATE OF OREGON*

*COUNTY OF UMATILLA*

*PERMIT TO APPROPRIATE THE PUBLIC WATERS*

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000-98  
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The well is located as follows:

NE 1/4 NE 1/4, Section 17, T 2 S, R 33 E, WM;  
480 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 17.

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.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Application G-11873

Water Resources Department

Permit G-10861

The place of use is as follows:

	ACRES	1/4 1/4	SECTION	TOWNSHIP	RANGE, WM
primary	11.00	NE NE	17	2 S	33 E
primary	3.00	NW NE	17	2 S	33 E
primary	4.00	NE NW	17	2 S	33 E
primary	4.00	NW NW	17	2 S	33 E
primary	5.00	NE NE	18	2 S	33 E
Total:	27.00	acres.			

The well shall be properly cased and grout sealed to a depth of not less than 180 feet and shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. 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.

Actual construction work shall begin on or before February 27, 1990, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Issued this date, February 27, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

**Oregon Water Resources Department**  
**Water Right Services Division**

**PROPOSED FINAL ORDER**

In the Matter of the Application for an Extension of Time for Permit G-10861, Water Right Application G-11873, in the name of William Woodfin, Linda Woodfin, and Miller Valley Limited Partnership

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Permit Information

Application File:	G-11873
Permit:	G-10861
Basin:	7 – Umatilla / Watermaster District 5
Date of Priority:	November 18, 1988
Source of Water:	One well within East Birch Creek Basin
Purpose of Use:	Irrigation of 27.0 Acres
Maximum Rate:	151.5 gallons per minute (gpm)

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**\*\*Please read this Proposed Final Order in its entirety as it may contain additional conditions not included in the original permit. \*\***

*In Summary, the Department proposes to:*

- Grant an extension of time for complete construction of the water system from October 1, 1990, to October 1, 2018.
- Grant an extension of time to apply water to full beneficial use from October 1, 1991, to October 1, 2018<sup>1</sup>.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

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<sup>1</sup>Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

## **ACRONYM QUICK REFERENCE**

Department – Oregon Department of Water Resources  
PFO – Proposed Final Order  
cfs – cubic feet per second  
gpm – gallons per minute

## **AUTHORITY**

Generally, see **ORS 537.630** and **OAR Chapter 690 Division 315**.

**ORS 537.630(1)** provides in pertinent part that the Oregon Water Resources Department may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under **ORS 539.010(5)** and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

**ORS 539.010(5)** provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

**OAR 690-315-0040** provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

## **FINDINGS OF FACT**

### **Background**

1. Permit G-10861 was granted by the Department on February 27, 1989. The permit authorizes the use of up to 151.5 gpm of water from one well within East Birch Creek Basin for irrigation of 27.0 acres. The permit specified construction of the water system was to begin on or before February 27, 1990, be completed by October 1, 1990, and complete application of water was to be made on or before October 1, 1991.
2. A final proof survey and claim of beneficial use submitted in 1992 by Louisiana-Pacific Corporation showed two wells had been drilled and used for irrigation though the permit allowed only one well. In 2007, the Department reviewed the claim of beneficial

use and notified the permit holder (Pioneer Resources, LLC at that time) by letter dated December 21, 2007, of the issue with the second well and a conflict with an underlying surface water right. The second well (Well 2 UMAT 5531 authorized for use under Permit G-12242) may be added to Permit G-10861 through a permit amendment transfer. The surface right can be diminished at the time of certification.

3. On February 10, 2008, the permit was assigned by proof of ownership from Pioneer Resources LLC to the current permit holders William Woodfin, Linda Woodfin and Miller Valley Limited Partnership. The permit holders submitted an "Application for Extension of Time" to the Department on March 10, 2008, requesting the time to complete construction of the water system of Permit G-10861 be extended from October 1, 1990, to October 1, 1991, and the time to apply water to full beneficial use under the terms and conditions of Permit G-10861 be extended from October 1, 1991, to October 1, 1992. This is the first permit extension requested for Permit G-10861.
4. Notification of the Application for Extension of Time for Permit G-10861 was published in the Department's Public Notice dated March 18, 2008. No public comments were received regarding the extension application.
5. On May 6, 2014, the permit holder submitted an amendment to their Application for Extension of Time which requested the time to complete construction of the water system be changed from October 1, 1991 to October 1, 2018, and the time to apply water to full beneficial use of the water system be changed from October 1, 1992 to October 1, 2018. This change is needed to allow time for the permit amendment transfer process to be completed and full beneficial use of water to be made.

Review Criteria [OAR 690-315-0040]

*The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230<sup>2</sup>, 537.248<sup>3</sup>, 537.630<sup>4</sup> and/or 539.010(5)<sup>5</sup>.*

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

6. On March 10, 2008, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

7. Actual construction of Well 1 (UMAT 5271) began on April 6, 1989, prior to the February 27, 1990 deadline specified in the permit.

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<sup>2</sup>ORS 537.230 applies to surface water permits only.

<sup>3</sup>ORS 537.248 applies to reservoir permits only.

<sup>4</sup>ORS 537.630 applies to ground water permits only.

<sup>5</sup>ORS 539.010(5) applies to surface water and ground water permits.

Duration of Extension [OAR 690-315-0040(1)(c)]

*Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.*

8. As of March 10, 2008, the remaining work to be completed consists of completing a permit amendment transfer to seek Department authorization of Well 2 for use under Permit G-10861 and apply water to full beneficial use.
9. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2018, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-10861 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

*The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).*

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

*The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:*

Amount of Construction [OAR 690-315-0040(3)(a)]

10. Work was accomplished within the time allowed in the permit or previous extension as follows:
  - a. Construction of the well and water system began prior to the February 27, 1990, deadline specified in the permit including construction of Well 1, installation of a flow-meter and irrigation system, and recording of water use.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

11. The following beneficial use of water was made during the permit or previous extension time limits:
  - a. Since the issuance of Permit G-10861 on February 27, 1989, a maximum rate of 151.5 gpm of water has been appropriated for irrigation of 27.0 acres. However, only a portion of this use is from the authorized Well 1 and, therefore, is not entirely beneficial use under the permit.
  - b. Delay of full beneficial use of water under Permit G-10861 was due, in part, to insufficient yield of water from the permitted Well 1. The permit holder needs



more time in which to gain the Department's approval of Well 2 under Permit G-10861 and to apply the full quantity of water allowed under the permit to beneficial use.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

12. The water right permit holder's conformance with the permit or previous extension conditions.
  - a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

13. Financial investments made toward developing the beneficial water use.
  - a. As of March 10, 2008, the permit holder has invested approximately \$4,100 which is approximately 100 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$0 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

14. As of March 10, 2008, the permit holder has invested approximately \$4,100 which is 100 percent of the total projected cost for complete development of this project. The permit holder anticipates no additional investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

15. The Department has found good faith of the appropriator under Permit G-10861.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

*The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:*

16. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
  - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-10861;

furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The point of appropriation for Permit G-10861, located within the East Birch Creek Basin, is not located within a limited or critical ground water area. East Birch Creek is not located within or above any state or federal scenic waterway, however, it is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The point of appropriation is in an area listed by the Department of Environmental Quality as a water quality limited stream.

17. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
  - a. As of March 10, 2008, the permit holder has invested approximately \$4,100.
18. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
  - a. None have been identified.
19. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
  - a. None have been identified.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

20. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

21. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

22. None have been identified.

## CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).

2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2018, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

### PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit G-10861 from October 1, 1990, to October 1, 2018, and extend the time to apply water to beneficial use under Permit G-10861 from October 1, 1991, to October 1, 2018.

DATED: May 13, 2014

  
Dwight W. French, Administrator,  
Water Right Services Division

*If you have any questions,  
please check the information  
box on the last page for the  
appropriate names and  
phone numbers.*

### Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **June 27, 2014**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
  - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
  - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
  - e. Any citation of legal authority supporting the petitioner, if known;
  - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
  - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
  - a. Issue a final order on the extension request; or
  - b. Schedule a contested case hearing if a protest has been submitted, and:
    - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
    - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

- 
- If you have questions about statements contained in this document, please contact Steven Parrett at (503)986-0825.
  - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
  - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
  - Address any correspondence to : Water Right Services Division  
725 Summer St NE, Suite A  
Salem, OR 97301-1266
- Fax: 503-986-0901
-

Mailing List for Extension PFO Copies

PFO Date: May 13, 2014

Copies Mailed

Application G-11873  
Permit G-10861

By: BUJ  
On: 5/13/14

Original mailed to Applicant:

William Woodfin  
Linda Woodfin  
P.O. Box 135  
Pilot Rock, OR 97868

Miller Valley Limited Partnership  
3330 Hayden Bridge Road  
Springfield, OR 97477

Copies sent to:

1. WRD - App. File G-11873/ Permit G-10861

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date)

(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 5, Tony Justus

CASEWORKER: SWP

Extension PFO Checklist for  
**Other than Muni or Quasi-Municipal**  
 Water Use Permits  
 (OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 11873 Permit: G- 10861 Permit Amendment? No  Yes  T- \_\_\_\_\_

Permit Holder's Name: William C. and Linda A. Woodfin and Michael P. Miller / Miller Valley Limited

Permit Holder's Mailing Address: PO Box 135, Pilot Rock, OR 97868

Phone Number: 541-443-3214 e-mail: coyote1@yci.net

↓  
 3330 Hayden Bridge Rd  
 Springfield, OR 97477  
 Partnership

POD Location: Township 2S Range 33E Section 17 ¼¼ NENE

Drainage Basin: 7 County: Umatilla Watermaster District: 5 Watermaster: Tony Justus

Date Permit was issued: 2/27/1989 Priority Date: 11/18/1988 Date of PN: 3/18/2008

Source: One Well plus an Additional Well in East Birch Creek Basin *ALR*

Use: Irrigation of 27 acres

"Q": 151.5 Gallon Per Minute

Orig "A" Date: 2/27/1990 Orig "B" Date: 10/1/1990 Orig "C" Date: 10/1/1991

Extension request rec'd: 3/10/2008 Last Authorized "B" Date: 10/1/1990 Last Authorized "C" Date: 10/1/1991

Request Number (1, 2, 3...): 1st Proposed "B" Date: 10/1/1991 *2018* Proposed "C" Date: 10/1/1992 *2018*

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	flow meter installed 4/11/89 on Well 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	flow meter records kept on Well 1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	flow meter installed 5/22/1991 on Well 2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	flow meter records kept on Well 2
<input type="checkbox"/>	<input type="checkbox"/>	

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

- Yes No
- Work was accomplished within the time allowed in the permit or previous extension
  - Water right permit holder conformed with the permit or previous extension conditions
  - Financial investments were made toward developing the beneficial water use.
    - Amount Invested to date: \$4,700 Estimated Remaining Cost: \$0
  - Beneficial use made of the water during the permit or previous extension time limits
    - Permit holder has beneficially used 151.5  cfs  gpm  af of the total permitted quantity of water on 27.0 ~~26.9~~ acres

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes  No

Application: G- 11873 Permit: G- 10861 Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_

**Determination of the market and the present demand for water or power to be supplied:**

Identify the closest surface water or localized water basin. East Birch Creek  
Ground Water Permits: Is the POA located...  
Surface Water Permits: Is the POD located...

- Yes No
- above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
  - within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
  - within a sensitive, threatened or endangered species area Source: "/>within a critical or limited Ground Water Area? Name of area
  - in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list
  - within an area ranking  low /  moderate /  high for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

**Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?**

Yes... "Good Cause" can be found.  Approval of Extension Request  
No ... "Good Cause" cannot be found.  Denial of Extension Request

**Conditions to be included in Extension PFO (if applicable)? Yes  No**

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

- 5-year Progress Report Checkpoints (Years: \_\_\_\_\_)
- Other: \_\_\_\_\_

**Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:**

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**  
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987**  
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987**  
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

**NOTES:**

 Miller Valley Limited Partnership, Michael P. Miller, 3330 Hayden Bridge Rd, Springfield, OR 97477 (also listed as a permit holder)

The applicant added a second well, but construction was not completed by the B-date. The 2<sup>nd</sup> well will be acknowledged at certificate stage; the purpose of this extension is to increase the B date to 1991, and the C date to 1992 so that the certificate can reflect perfection of 2 wells. (A transfer application for a permit amendment will NOT be filed).

cc: Larry Nunn, Certificates, OWRD

**Extension "PFO" Dates**

Mailing / Issuance Date: \_\_\_\_\_ Protest Deadline Date: \_\_\_\_\_

Reviewer's Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Ann Reece**

---

**From:** Ann Reece  
**Sent:** Thursday, March 13, 2008 3:59 PM  
**To:** 'coyote1@uci.net'  
**Subject:** FW: Extension of Time for Permit G-10861

Ann Reece  
Water Resources Department

---

**From:** Ann Reece  
**Sent:** Thursday, March 13, 2008 3:33 PM  
**To:** Mike Miller  
**Cc:** coyote1@vci.net; Ann Reece  
**Subject:** RE: Extension of Time for Permit G-10861

Mike:

Please disregard my first reply to your e-mail. Your e-mail below will suffice to amend the extension application to "irrigated a total of 27.0 acres."

Thanks.

Ann Reece  
Water Resources Department

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**From:** Mike Miller [mailto:mikemiller@remax.net]  
**Sent:** Thursday, March 13, 2008 3:22 PM  
**To:** Ann Reece  
**Subject:** RE: Extension of Time for Permit G-10861

Hello Ann,

Thank you for calling this typo to our attention. Please amend the application to state 27 acres instead of 14.7. The Woodfin's own part of the ground and my partnership owns the other. Sorry for the inconvenience.

Thank You

Mike





**Multi-Million Dollar Producer**

Mike Miller, GRI  
Re/Max Integrity  
Principal Broker  
541-334-7653 Office  
541-741-2669 Home  
541-954-4454 Cell Phone  
541-334-1286 Fax  
Email: [cbmiller@continet.com](mailto:cbmiller@continet.com)

---

**From:** Ann Reece [mailto:[reeceal@wrд.state.or.us](mailto:reeceal@wrд.state.or.us)]  
**Sent:** Tuesday, March 11, 2008 11:59 AM  
**To:** Mike Miller  
**Cc:** [coyote1@vci.net](mailto:coyote1@vci.net)  
**Subject:** FW: Extension of Time for Permit G-10861

Mike:

I sent this e-mail to the Woodfins this morning; at the time I did not notice that you also have provided us an e-mail address.

Ann Reece  
Water Resources Department

---

**From:** Ann Reece  
**Sent:** Tuesday, March 11, 2008 10:43 AM  
**To:** 'coyote1@vci.net'  
**Cc:** Larry Nunn  
**Subject:** Extension of Time for Permit G-10861

William and Linda Woodfin:

I am reviewing the Extension of Time Application that you recently submitted for Permit G-10861. You stated on the application that you have irrigated a total of 14.7 acres. The permit allows for irrigation of a total of 27 acres. I am checking to verify the number of total acres you irrigated as of October 1, 1991. You may amend your Extension of Time Application with a response to this e-mail.

Please give me a call if you have any questions.

Sincerely,  
Ann Reece

Extensions Specialist  
Water Resources Department  
725 Summer St NE, Suite A  
Salem, OR 97301-1271  
tele: 503-986-0827  
fax: 503-986-0901

3/13/2008



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

# Application for Extension of Time for a Water Right Permit

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

*A separate extension application must be submitted for each permit as per  
 OAR 690-315-0020(2).*

*This application and a summary of review criteria and procedures that are generally applicable to this  
 application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.*

I, William C & Linda A. Woodfin  
NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

PO BOX 135 PILOT ROCK OR 97868  
ADDRESS CITY STATE ZIP

541-443-3214 coyote1@uci.net  
PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-11873  
 Permit Number G-10861  
[OAR 690-315-0020(3)(b)]

do hereby request that the time in which to:

complete construction (of diversion/appropriation works and/or purchase and installation of the  
 equipment necessary to the use of water), which time now expires on October 1, 1990, be  
 extended to October 1, 1991.

and/or the time in which to:

apply water to full beneficial use under the terms and conditions of the permit, which time now  
 expires on October 1, 1991, be extended to October 1, 1992.

**RECEIVED**

MAR 10 2008

WATER RESOURCES DEPT  
 SALEM, OREGON

**Before submitting your Application for Extension of Time, make sure the following items are included:**

- This completed Application for Extension of Time.
- Statutory fee of \$350.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

## **MAIL COMPLETED APPLICATION**

**along with the**

**\$350 STATUTORY FEE TO:**

**Water Resources Department  
Attn: Water Right Permit Extensions  
725 Summer Street NE, Suite A  
Salem, Oregon 97301**



### **GENERAL TIPS:**

- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.



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

# Application for Extension of Time for a Water Right Permit

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

*A separate extension application must be submitted for each permit as per  
 OAR 690-315-0020(2).*

*This application and a summary of review criteria and procedures that are generally applicable to this  
 application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.*

I, Michael P. Miller Miller Valley Limited Partnership  
NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

3330 Hayden Bridge Rd Springfield, OR 97477  
ADDRESS CITY STATE ZIP

541-954-4454 mike.miller@remax.net  
PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-11873  
 Permit Number G-10861  
[OAR 690-315-0020(3)(b)]

do hereby request that the time in which to:

complete construction (of diversion/appropriation works and/or purchase and installation of the  
 equipment necessary to the use of water), which time now expires on October 1, 1990, be  
 extended to October 1, 1991,

and/or the time in which to:

apply water to full beneficial use under the terms and conditions of the permit, which time now  
 expires on October 1, 1991, be extended to October 1, 1992.

**RECEIVED**  
**MAR 10 2008**  
**WATER RESOURCES DEPT**  
**SALEM OREGON**

**Before submitting your Application for Extension of Time, make sure the following items are included:**

- This completed Application for Extension of Time.
- Statutory fee of \$350.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

## **MAIL COMPLETED APPLICATION**

**along with the**

**\$350 STATUTORY FEE TO:**

**Water Resources Department  
Attn: Water Right Permit Extensions  
725 Summer Street NE, Suite A  
Salem, Oregon 97301**



### **GENERAL TIPS:**

- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

**Reference Materials Needed to Complete this Application:**

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

**Answer the Following Questions to Complete this Application for Extension of Time**

[OAR 690-315-0020(3)(d)]

1. Did the actual construction of the water system/well drilling begin within the time specified in the permit? [yes/no] yes



**TIP:** Not all permits specify a date by which construction was to begin.

Date construction began is: 5-13-91 date for well #2

Details of construction: see well log UMAT 5531

note: Sec 1/4, 1/4 are wrong

Should be Sec 17 NW 1/4 NW 1/4 not

Sec 18 NE 1/4 NE 1/4

*1/2?  
UMAT 5531*

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SALEM, OREGON

2. Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit? [yes/no] yes

A) Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.



**TIP:** The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

**CHART-A**

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
	4/11/89	well #1 in Sec. 17 NE 1/4 NE 1/4
1+2	4/11/89	cased + constructed
3	4/11	flowmeter installed
4	"	"
5	"	flowmeter keeps record
6	4/16/89	started well
7	4/11/89	complete
8	4/11/89	in use before Oct 1, 1991

*see well log UMAT 5271*

\*\* Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

B) If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

**CHART-B**

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
		Well # 2 in Sec 17 NW 1/4, NW 1/4 needs to be added
1+2	5-22-91	cased + constructed
3	5-22-91	flowmeter installed
4	"	"
5	"	flowmeter keeps record
6+7	"	started well, complete
8	"	in use before Oct 1, 1991

*see well log UMAT 5531*

\*\* Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

A) CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

**CHART-C**

INSERT DATES	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*

INSERT DATES	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
	The permit was signed - find date above signature on last page of permit.	
2-27-89		est 600-
	The permit specified "Actual Construction Work" shall begin ("A-Date") - not all permits contain this date.	
2-27-89		
10/1/91	The permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

INSERT DATES	WORK ACCOMPLISHED AFTER "C-DATE" <u>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME:</u> List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.	COST*
5-22-91	well drilled - complet	est 3500-
<b>Total Cost to Date</b>		4100

\* If exact cost is not known, you must provide your best estimate.

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SALEM, OREGON



B) If this is not your 1st Application for Extension of Time request, fill out CHART-D below (in addition to CHART-C above). Use chronological order.

### CHART-D

INSERT DATES	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/____	"Extended From" date for complete application of water used in the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
10/1/____	"Extended To" date for complete application of water resulting from the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
INSERT DATES	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
<b>Total Cost to Date</b>		

\* If exact cost is not known, you must provide your best estimate.

[OAR 690-315-0020(3)(f)]

4. Cost of project to date: \_\_\_\_\_  
(The total cost from CHART-C and CHART-D)

[OAR 690-315-0020(3)(e)(B)]

- 5. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit and/or prior extensions of time, if any, made to date.



**TIP:** Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Maximum rate = 0.34 cfs (cubic feet per second) or,

Maximum rate = 151.5 gpm (gallons per minute) or,

Acre Feet Stored = N/A AF

[OAR 690-315-0020(3)(e)(C)]

- 6. Provide the total number of acres irrigated to date under this permit.

Total acres irrigated to date: 14.7

[OAR 690-315-0020(3)(j)]

- 7. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

### CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
5-22-91	well #2 drilled + completed to accomplish the full rate of use for irrigated lands on the permit	
Year: 1991	Intend to apply water to full beneficial use under the terms and conditions of this permit.	
<b>Total Cost</b>		<u>4100-</u>

[OAR 690-315-0020(3)(g)]

- 8. Estimated remaining cost to complete the project: completed 91  
(The total cost from CHART-E)

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WATER RESOURCES DEPT  
SALEM, OREGON

9. List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances.

A) The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.

well #2 was completed w/ app G12832 permit G12242 but now adding to app G11873 permit G10861 so it changed all the dates due.

B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

C) Good faith attempts to comply with permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D) Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.

*Well #1 was not capable to irrigate all lands authorized under the permit a unforeseen event*

[OAR 690-315-0020(3)(k)]

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2, 3-A, 3-B, 7 and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Provide any other information you wish OWRD to consider while evaluating your Extension of Time Application.

*Certificate # 2528 from primary to supplemental - ground water from well # 2 to primary*

I am the permit holder, or have authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.

*William C. Woodfin*  
*Linda A. Woodfin*  
Signature

*3/4/08*  
*3/4/08*  
Date

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MAR 10 2008

WATER RESOURCES DEPT SALEM, OREGON

## Instructions for Filling Out Extension of Time Application For Water Right Permits

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The following instructions are numbered to correspond with the APPLICATION FOR EXTENSION OF TIME. Each question is shown in italics, followed by guidance that may help you respond to the question. When reviewing these instructions, it will be helpful to have a copy of your water right permit at hand.

If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).

1. *Did the actual construction of the water system /well drilling begin within the time specified in the permit? [yes/no]*

**Actual Construction** - any physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying. OAR 690-315-0020(3)(d)(A)and(B).

Each water right permit contains specific dates by which permit holders are to have completed a certain level of development of the right. Generally, these dates appear toward the end of a permit. Among the dates that may be cited are the following:

- A. **A-date:** Actual construction work shall begin on or before [date certain];
- B. **B-date:** Construction shall be completed on or before [date certain];
- C. **C-date:** Complete application of the water shall be made on or before [date certain]

For convenience, these are often referred to as the "A-date", "B-date", and "C-date", respectively. Not all permits will include all three dates. Some newer permits may not include a "B-date," and even more recent permits may not include an "A-date". However, all permits should include a "C-date". By statute, if the "A-date" is specified in a permit, a permit extension cannot be granted when there is no evidence of actions taken to begin **actual construction** by that date" with a few exceptions (permits for municipal use or projects requiring federal hydropower licenses). Permit extensions may be granted for both the B-date and C-date.

If the permit specifies an "A-date" it is very important to have written confirmation in the OWRD's official water right file that **actual construction** began on or before that "A-date". In submitting such confirmation, give dated details of all **actual construction** work completed prior to the "A-date" stipulated in the permit.

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000-98  
HAYDEN LAKE, IDAHO 83835

208-772-6011

is hereby issued a permit to use the waters from ONE WELL WITHIN EAST BIRCH CREEK BASIN for IRRIGATION OF 27.0 ACRES. The permit to the use of these waters has been issued under Application G-11873 with a date of priority of NOVEMBER 18, 1988. The permit is limited to not more than 151.5 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, Section 17, T 2 S, R 33 E, WM;  
480 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 17.

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.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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SALEM OREGON

Application G-11873      Water Resources Department      Permit G-10861

The place of use is as follows:

	ACRES	1/41/4	SECTION	TOWNSHIP	RANGE, WM
primary	11.00	NE NE	17	2 S	33 E
primary	3.00	NW NE	17	2 S	33 E
primary	4.00	NE NW	17	2 S	33 E
primary	4.00	NW NW	17	2 S	33 E
primary	5.00	NE NE	18	2 S	33 E

Total: 27.00 acres.

1  
2 The well shall be properly cased and grout sealed to a depth of not less than  
3 180 feet and shall be constructed in accordance with the General Standards for  
4 the Construction and Maintenance of Water Wells in Oregon. The works  
constructed shall include an air line and pressure gauge or an access port for  
measuring line, adequate to determine water level elevation in the well at all  
times. 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.

6  
7 Actual construction work shall begin on or before February 27, 1990, and shall  
8 be completed on or before October 1, 1990. Complete application of the water  
to the use shall be made on or before October 1, 1991.

9  
10 This permit is for the beneficial use of water. 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. It is possible that the land use you  
propose may not be allowed if it is not in keeping with the goals and the  
acknowledged plan. Your city or county planning agency can advise you  
about the land-use plan in your area.

11  
12 Issued this date, February 27, 1989.

13  
14 /s/ WILLIAM H. YOUNG

15  
16 Water Resources Department  
17 William H. Young  
18 Director

#5

#2 Well

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

~~UMAT~~  
5531

UMAT  
5531

2S/33E/18 a/c

(START CARD) # 23057

(1) OWNER: Well Number: 2  
Name Louisiana-Pacific Corp.  
Address P.O. Box 4000-98  
City Hayden Lake State ID Zip 83835

(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 230 ft.  
Explosives used Yes  No  Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds
12"	0 193	Cement	34 193	150 sacks
8"	193 230	Bentonite	0 34	22 sacks

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:  
Casing: Diameter 8" From 11 To 193 Gauge .250  
Steel  Plastic  Welded  Threaded   
Liner: \_\_\_\_\_  
Final location of shoe(s) 193

(7) PERFORATIONS/SCREENS:

Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  
Yield gal/min 300+ Drawdown \_\_\_\_\_ Drill stem at \_\_\_\_\_ Time \_\_\_\_\_  
Temperature of water 61° Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County Umatilla Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 2S N or S, Range 33E E or W, WM.  
Section 18 NE 1/4 NE 1/4 17 NW NW  
Tax Lot 1600 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) East Birch Creek Flat Rock, OR 97868

(10) STATIC WATER LEVEL:  
6 ft. below land surface. Date 5-22-91  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 16

From	To	Estimated Flow Rate	SWL
1	34	30	15
103	117	100	15
205	230	300+	6

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
Brown clay soil	0	1	
Gravel with some cobbles	1	34	WB
Gray basalt	34	103	
Black basalt with yellow soapstone	103	117	WB
Gray basalt	117	172	
Broken gray basalt with green soapstone	172	180	
Gray basalt	180	205	
Red & gray basalt with green soapstone	205	230	WB

RECEIVED RECEIVED  
MAR 10 2008 JUN 3 1991  
WATER RESOURCES DEPT. SALEM, OREGON  
WATER RESOURCES DEPT. SALEM, OREGON

Date started 5-13-91 Completed 5-22-91

(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.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ 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.  
Signed Patrick Wallace WWC Number 1218 Date 5-29-91



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

UMAT  
 5271

APR 27 1989

WATER RESOURCES DEPT.  
 SALEM, OREGON

(START CARD) #

8339

#1 well

28/33E/Maa

(1) OWNER: Well Number \_\_\_\_\_  
 Name Louisiana-Pacific Corp.  
 Address P.O. Box 4000-98  
 City Hayden Lake State ID Zip 83835

(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 250 ft.  
 Explosives used Yes  No  Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12"	0	180	Cement	0	180	70 sacks
8"	180	250				

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
 Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Casing	Diameter	From	To	Gauge	Steel		Welded	Threaded
					✓	□		
	8"	+2	180	250	✓	□	✓	□
					□	□	□	□
					□	□	□	□
					□	□	□	□
					□	□	□	□
					□	□	□	□

Liner: \_\_\_\_\_

Final location of shoe(s) 180

(7) PERFORATIONS/SCREENS:  
 Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailor  Air  Flowing  Artesian  
 Yield gal/min 300 Drawdown \_\_\_\_\_ Drill stem at 250 Time 1 hr.

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_  
 Was a water analysis done?  Yes By whom \_\_\_\_\_  
 Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
 Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
 County Umatilla Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 2S N or S, Range 33E E or W, WM.  
 Section 17 NE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) East Birch Creek, Pilot Rock, OR 97868

(10) STATIC WATER LEVEL:  
15 ft. below land surface. Date 4-11-89  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
 Depth at which water was first found 45

From	To	Estimated Flow Rate	SWL
45	68	20	15
245	250	280	15

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
Brown clay soil	0	1	
Brown clay w/ cobbles	1	29	
Gray basalt	29	33	
Broken gray basalt	33	45	
Brown basalt	45	68	WB
Gray basalt	68	149	
Gray basalt, medium	149	245	
Broken gray basalt with green soapstone	245	250	WB

Date started 4-6-89 Completed 4-11-89

(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.

Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
 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.

Signed Petrick C. Waller WWC Number 1218  
 Date 4-20-89

**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 **91699**

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

RECEIVED FROM: WILLIAM & LINDA WOODFIN  
BY: \_\_\_\_\_

APPLICATION	<u>G-11873</u>
PERMIT	
TRANSFER	

CASH:  CHECK:#  2146 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 350.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS** PL46111

0407 COPY & TAPE FEES \$ \_\_\_\_\_  
0410 RESEARCH FEES \$ \_\_\_\_\_  
0408 MISC REVENUE: (IDENTIFY) \$ \_\_\_\_\_  
TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_  
0240 EXTENSION OF TIME \$ 350.00

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$ _____	0202 \$ _____
0203 GROUND WATER		\$ _____	0204 \$ _____
0205 TRANSFER		\$ _____	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$ _____	0219 \$ _____
LANDOWNER'S PERMIT			0220 \$ _____
OTHER (IDENTIFY)			

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **91699**

DATED: 5/10/08 BY: [Signature]



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**

North Mall Office Building

725 Summer Street NE, Suite

Salem, OR 97301-1700

503-986-0813

FAX 503-986-0813

March 18, 2008

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE # G-11873 (PERMIT # G-10861)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Kim French at (503) 986-0813. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "[www.wrd.state.or.us](http://www.wrd.state.or.us)".

Application #

Permit #

G-11873

G-10861

**Public Notice Route Slip ... New Application Extension of Time**  
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**

Money Received on: 3-10-08

◆ **Kim French...**

Added to tracking spreadsheet

**After fee is receipted and app is added to spreadsheet, route to...**

◆ **Jonnine Skaug...**

Publish on Public Notice (initial 30-day comment): Date of notice 3-18-08

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Re-file

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MAR 23 1992

CLAIM OF BENEFICIAL USE AND SITE REPORT  
GROUND WATER RIGHT APPLICATION G-11873, PERMIT G-10861

INFORMATION: This report is the final proof of claim of beneficial use of ground water as outlined in permit G-10861, dated February 27, 1989. The owner of the land and irrigation system is Louisiana-Pacific Corporation, P.O. Box 4000-98, Hayden Lake, Idaho, 83835. My principal contact with the owner has been through Mr. Joe Tolar, at Hayden Lake. The system developed by the landowner consists of two wells and two separate distribution systems. The wells and systems are shown on the accompanying Final Proof Map and are referred to herein as well # 1 and well # 2. The site investigation was conducted on February 17, 1992.

RESOURCES DEPT.  
SALMON, OREGON

Source: The source of ground water is two wells, located as follows:

Well # 1 is located 432 feet south and 1,234 feet west of the section corner common to sections 8, 9, 16 and 17, T. 2 S., R. 33 E., W.M.

Well # 2 is located 651 feet south and 4,881 feet west of the section corner common to sections 8, 9, 16 and 17, T. 2 S., R. 33 E., W.M. The section corner common to sections 7, 8, 17 and 18 was searched but not recovered, thus both wells are tied to the same section corner.

DESCRIPTION: WELL # 1: UMAT 5271

This well is 250 feet deep. It is 12 inches in diameter to a depth of 180 feet and 8 inches in diameter from 180 feet to 250 feet. It is cased with 8 inch diameter by .25 inch thick steel casing to a depth of 180 feet, and grouted with cement (70 sacks) to a depth of 180 feet. The well was tested at the time of drilling to yield 300 gallons per minute. There are two water bearing zones. One, at 45 to 68 feet, is sealed with grout. The second is at 245 to 250 feet. The static water level at time of drilling was at 15 feet below the ground surface.

There are two pumps installed in well # 1, as follows:

A 3 horsepower pump is 168 feet below the ground surface.

MOTOR: The motor is a Franklin 3 horsepower single phase 230 volt electric motor that rotates at 3,450 revolutions per minute.

PUMP: The pump is a Grundfos with a 1 1/4 inch discharge pipe. The motor/pump is rated to produce 25 gallons per minute.

A 5 horsepower pump is 147 feet below the ground surface.

MOTOR: The motor is a Franklin 5 horsepower single phase 230 volt electric that rotates at 3,450 revolutions per minute.

MAR 23 1992

PUMP: The pump is a Grundfos with a 2 inch diameter discharge pipe. The motor/pump is rated to produce 40 gallons per minute.

Both pumps are in operation when irrigating, and could move as much as 65 gallons per minute. The 3 horsepower pump, only, is used to provide water to the dwelling during times when no irrigation is being done from well # 1.

DISTRIBUTION SYSTEM: The water from well # 1 is distributed through buried pipes located as shown on the Final Proof Map. The pipes are 3 inches in diameter with risers located as shown on the Final Proof Map. The water is further distributed by the use of 3 inch diameter aluminum hand lines. The hand lines are fitted with sprinkler heads of varying sizes of nozzles. I estimate this system will distribute around 65 gallons per minute at it's maximum output.

WELL # 2:

This well is 230 feet deep. It is 12 inches in diameter to a depth of 193 feet and 8 inches in diameter from 193 feet to 230 feet. It is cased with 8 inch diameter by .25 inch thick steel casing to a depth of 193 feet, and sealed with bentonite clay (22 sacks) from the ground surface to a depth of 34 feet and grouted with cement (150 sacks) from 34 feet to a depth of 193 feet. The well was tested at the time of drilling to yield in excess of 300 gallons per minute. There are three water bearing zones. The first is from 1 foot to 34 feet below the ground surface. The second is from 103 feet to 117 feet below the ground surface. Both of these zones are sealed. The third water bearing zone is from 205 to 230 feet below the ground surface. The static water level at the time of drilling was 6 feet below the ground surface.

MOTOR/PUMP: Well # 2 is fitted with two motor/pumps. In the well is a 25 horsepower Franklin electric motor which rotates at 3,450 revolutions per minute. This motor is fitted directly to a Jacuzzi turbine pump with a 4 inch diameter discharge. At the ground surface is a booster pump. This pump is powered by a 25 horsepower Marathon electric motor which rotates at 3,470 revolutions per minute. This motor is short coupled direct to a Paco 7.1 inch diameter centrifugal pump. Intake and discharge pipes on this pump are 2 inch diameter.

DISTRIBUTION SYSTEM: Water from well # 2 is distributed by a system of buried pipes as shown on the Final Proof Map. The pipes are 5 inch diameter near the well and reduce to 4 inch diameter on the lines furthest away from the well and for all lateral lines to risers. There is a total of 5,040 feet of 5 inch diameter buried line and 2,580 feet of 4 inch diameter buried line. Water is placed on the ground directly from the

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MAR 23 1992

risers shown on the Final Proof Map using four Nelson sprinkler heads. These heads have a .60 inch diameter nozzle. Three of the heads are model QC - F100 and one is a QC - SR100. There is a Grainland model 400R flow meter on this system. The system was not in operation at the time of the site visit, but the output of this system is estimated to be in excess of 300 gallons per minute.

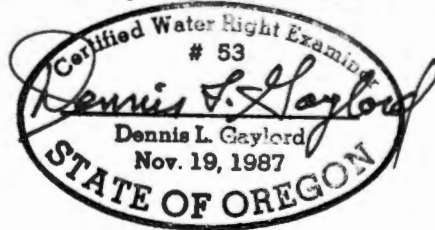
USES: Water from the two wells is beneficially used to irrigate hay crops and pasture for livestock. Water from well # 1 is also used for domestic purposes at one household and guest house/bunkhouse complex. The dwelling is located about 150 feet southwest of well # 1.

AREA:	LOCATION	SOURCE	ACRES	1875 RIGHT (ACRES)
	NW1/4NW1/4	S16 WELL # 1	4.8	NONE
	NE1/4NE1/4	S17 WELL # 1	6.2	6
	NW1/4NE1/4	S17 WELL # 1	3.6	3
	NE1/4NW1/4	S17 WELL # 2	4.1	4
	NW1/4NW1/4	S17 WELL # 2	8.2	4
		TOTALS	26.9	17

An affidavit executed on November 10, 1988 diminished the 1875 surface water right from East Birch Creek from primary to supplemental for irrigation of the above shown acreages.

The systems herein described are to be the primary source of water for irrigation of the 17 acres of land with the 1875 priority date.

The final proof survey and site inspection of the water use was completed by me on February 17, 1992 and the facts contained in this report and the accompanying Final Proof Survey Map are correct to the best of my knowledge.



I, Joe Tolar, Division Purchasing Manager for the landowner, Louisiana-Pacific Corporation, agree to the findings of the Certified Water Right Examiner and do submit this site report and the accompanying Final Proof Survey Map as my Claim of Beneficial Use of the water as provided under the terms and conditions of the permit to appropriate the public waters, number G-10861 (Application G-11873), issued February 27, 1989.

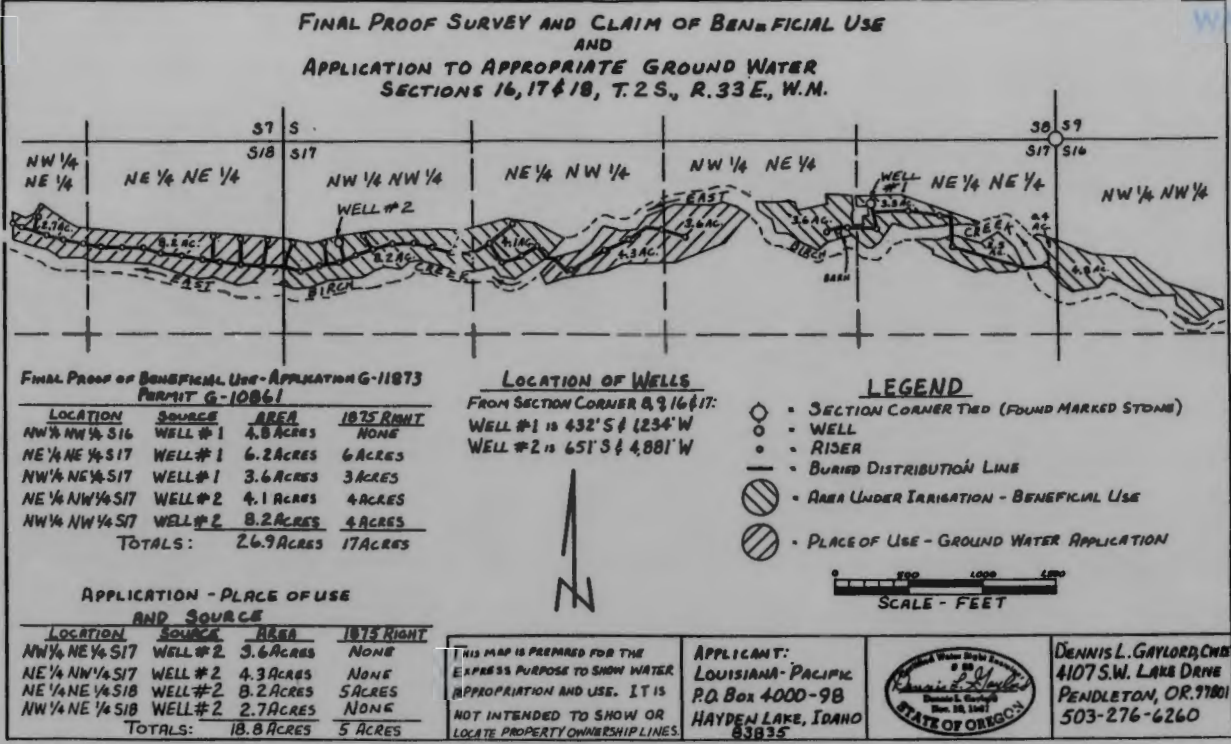
Joe Tolar  
JOE TOLAR

3/19/92  
DATE

APPROVED  
 MAR 27 1982

WATER RIGHTS DIVISION  
 SALES SECTION

C 12832  
 84  
 27  
 27  
 33  
 93  
 1901



**APPLICATION - PLACE OF USE  
 AND SOURCE**

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
<b>TOTALS:</b>		<b>18.8 ACRES</b>	<b>5 ACRES</b>

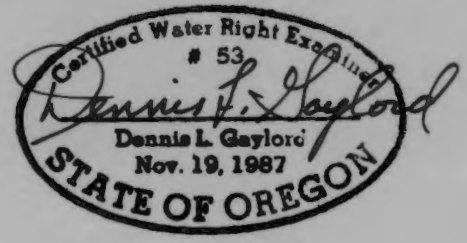
THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
 LOUISIANA-PACIFIC  
 P.O. Box 4000-9B  
 HAYDEN LAKE, IDAHO  
 83835



DENNIS L. GAYLORD, CWB  
 4107 S.W. LARK DRIVE  
 PENDLETON, OR. 97801  
 503-276-6260

SCALE REDUCED TO 1" = 1320 FT.





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MAR 23 1992

WATER RESOURCES DEPT  
SALEM, OREGON



**Louisiana-Pacific Corporation**

P.O. Box 4000-98  
Hayden Lake, Idaho 83835  
208 / 772-6011

**march 20, 1992**

**Water Rights Division  
Water Resources Department  
3850 Portland Road NE  
Salem OR 97310**

**Reference: File G-11873  
Permit G-10861**

**Gentlemen:**

**Enclosed please find the final proof survey and claim of  
beneficial use for our water use Permit G-10861.**

**I am also enclosing an application for a permit to appropriate  
ground water for another 18.8 acres that is being irrigated from  
our well #2. Enclosed please find a check in the amount of  
\$318.00 to cover this application.**

**I trust you will find this all in order as you have requested.  
If there is anything out of order or any problems of any kind -  
please notify me as soon as possible.**

**Sincerely**

**Joe Tolar,  
Divison Purchasing Manager**

**Enclosure**

**JT/po**

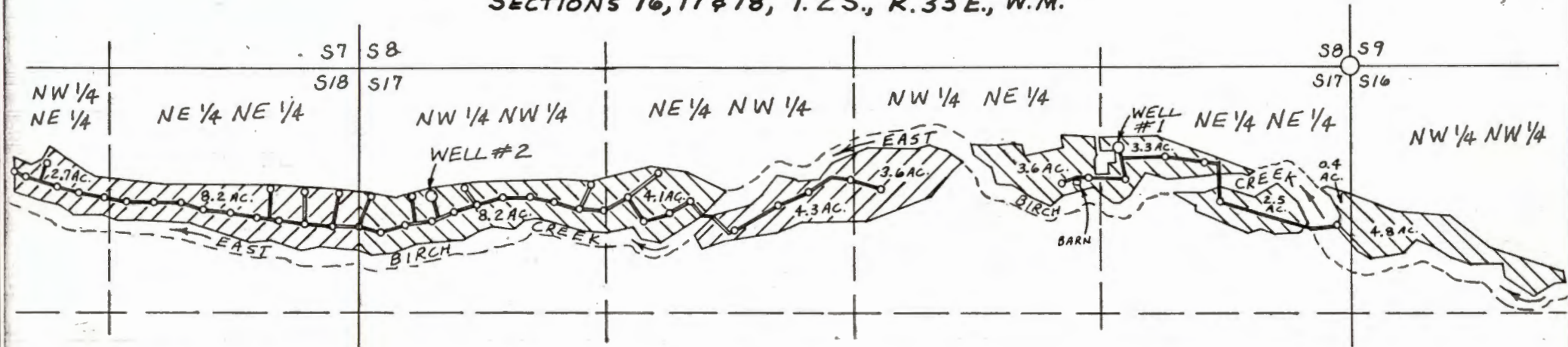
*3/24/92  
New application filed  
# G-12832  
JTB*

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MAR 23 1992

WATER RESOURCES DEPT  
SALEM, OREGON

FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T. 2 S., R. 33 E., W.M.



FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
TOTALS:		26.9 ACRES	17 ACRES

APPLICATION - PLACE OF USE  
AND SOURCE

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
TOTALS:		18.8 ACRES	5 ACRES

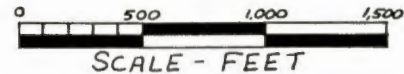
LOCATION OF WELLS

FROM SECTION CORNER 8, 9, 16 & 17:  
WELL #1 is 432' S & 1,234' W  
WELL #2 is 651' S & 4,881' W



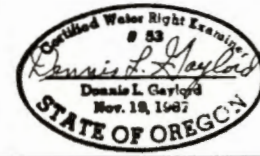
LEGEND

- = SECTION CORNER TIED (FOUND MARKED STONE)
- = WELL
- = RISER
- = BURIED DISTRIBUTION LINE
- = AREA UNDER IRRIGATION - BENEFICIAL USE
- = PLACE OF USE - GROUND WATER APPLICATION



THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
LOUISIANA-PACIFIC  
P.O. Box 4000-98  
HAYDEN LAKE, IDAHO  
83835



DENNIS L. GAYLORD, CWRE  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260

## Larry Nunn

---

**From:** Frank Dye  
**Sent:** Monday, March 03, 2008 3:35 PM  
**To:** Larry Nunn  
**Subject:** Woodfin Ext. of Time

Hello Larry,

I contacted Linda Woodfin right after our conversation this morning. She said that she is working on it right now. I gave her your phone & asked that she give you a call to let you know when you might expect it in the mail. If she didn't contact you let me know, then I will call her back in a couple of days to see if she has sent it off. Thanks

Larry,  
Frank

3/4/2008



# 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

February 14, 2008

William C. and Linda A. Woodfin  
P.O. Box 135  
Pilot Rock, Oregon 97868

Reference: Application G-11873, Permit G-10861

The partial assignment by proof from Pioneer Resources, LLC to William C. Woodfin and Linda A. Woodfin for one parcel, and to Michael P. Miller, Miller Valley Limited Partnership, 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 91448 covering the recording fee of \$50 is also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Receipt 91448

cc: Watermaster 5  
Pioneer Resources, LLC  
Michael P. Miller  
Data Center, OWRD (Complete Copy of Assignment Request)  
File





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

# Request for Assignment

By Proof of Ownership  
 (If Permit/Transfer Holder is not available)

If for multiple rights, a separate form and fee for each right will be required.

I, William C WOODFIN Michael P. Miller  
LINDA A WOODFIN MILLER VALLEY LIMITED Partnership  
 (Name of Party Requesting Assignment) 3330 HAYDEN BRIDGE RD  
PO BOX 135 PILOT ROCK OR 97868 OR Springfield, OR 97477  
 (Mailing Address) 541-443-3214 (City) (State) (Zip) (Phone #) 541-954-4454

- ...hereby request assignment of application/permit/transfer;  
 ...hereby request assignment of a portion of application/permit/transfer;  
 (You must include a map showing the portion of the application/permit/transfer to be assigned.)

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # G11873 ; Permit # G10861 ; Transfer# n/a  
 -OR-

GR Statement # n/a ; GR Certificate of Registration # n/a

Pioneer Resources  
 (Name of Permit/Transfer Holder of Record)

PO BOX 26139 Eugene OR 97402  
 (Mailing Address) (City) (State) (Zip) (Phone #)

**RECEIVED**

FEB 13 2008

WATER RESOURCES DEPT  
 SALEM, OREGON

**Note:** You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)

- I certify that I am the current owner of the property described in this application, Permit or Certificate of Registration.
- I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- I have not been able to contact the owner(s) of record for the above referenced application or water right.
- I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 10<sup>th</sup> day of FEB, 2008.

Party Requesting Assignment William C. Woodfin

Party Requesting Assignment Linda A. Woodfin

O.K. ASSIGN BY PROOF  
 PARTIAL  
 2.14.2008  
*[Signature]*

**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 # 91448  
 For Director by Jerry Sauter, Program Analyst in Water Rights Division *[Signature]*

Last updated: Aug 17, 2007

Request for Assignment

The completed "Request for Assignment form must be submitted to the Department along with a recording fee of \$50.

**RECEIVED**

FEB 04 2008

WR

WATER RESOURCES DEPT  
 SALEM, OREGON



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

# Request for Assignment

By Proof of Ownership  
(If Permit/Transfer Holder is not available)

If for multiple rights, a separate form and fee for each right will be required.

1. William C. WOODFIN  
LINDA A WOODFIN  
(Name of Party Requesting Assignment)  
PO BOX 135, PILOT ROCK OR 97868 OR Springfield, OR 97477  
(Mailing Address) 541-443-3214 (City) (State) (Zip) (Phone #) 541-954-4454

Michael P Miller  
MILLER VALLEY LIMITED Partners  
3330 HAYDEN BRIDGE RD  
Springfield, OR 97477  
541-954-4454

- ...hereby request assignment of application/permit/transfer;
- ...hereby request assignment of a portion of application/permit/transfer;  
(You must include a map showing the portion of the application/permit/transfer to be assigned.)

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # G 11873 ; Permit # G 10861 ; Transfer # N/A  
OR  
GR Statement # N/A ; GR Certificate of Registration # N/A

Pioneer Resources  
(Name of Permit/Transfer Holder of Record)  
PO BOX 26139 Evansville OR 97402  
(Mailing Address) (City) (State) (Zip) (Phone #)

**Note:** You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 597.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)

- 1) I certify that I am the current owner of the property described in this application, Permit or Certificate of Registration.
- 2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0050.
- 3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
- 4) I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 8th day of FEB, 2008.

Party Requesting Assignment [Signature]

Party Requesting Assignment \_\_\_\_\_

**DO NOT WRITE IN THIS BOX**

The completed "Request for Assignment form must be submitted to the Department along with a recording fee of \$50.

Last updated: Aug 17, 2007

Request for Assignment

**RECEIVED**

FEB 04 2008

WR

WATER RESOURCES DEPT  
SALEM, OREGON

**RECEIVED**

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **91448**

APPLICATION # \_\_\_\_\_

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

RECEIVED FROM: WILLIAM + LINDA WOODFIN  
BY: \_\_\_\_\_

APPLICATION	6-11873
PERMIT	
TRANSFER	

CASH:  CHECK:#  2128 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 50.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES PCA 46111 \$ \_\_\_\_\_  
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) assignment \$ 50.00  
TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_  
0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD) \_\_\_\_\_ \$ \_\_\_\_\_  
0231 HYDRO LICENSE FEE (FWWRD) \_\_\_\_\_ \$ \_\_\_\_\_  
HYDRO APPLICATION \_\_\_\_\_ \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

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

RECEIPT: **91448**

DATED: 2/13/08 BY: [Signature]



# 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

February 14, 2008

William C. and Linda A. Woodfin  
P.O. Box 135  
Pilot Rock, Oregon 97868

Reference: Application G-11873, Permit G-10861

The partial assignment by proof from Pioneer Resources, LLC to William C. Woodfin and Linda A. Woodfin for one parcel, and to Michael P. Miller, Miller Valley Limited Partnership, 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 91448 covering the recording fee of \$50 is also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Receipt 91448

cc: Watermaster 5  
Pioneer Resources, LLC  
Michael P. Miller  
Data Center, OWRD (Complete Copy of Assignment Request)  
File





# 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

February 5, 2008

William C. and Linda A. Woodfin  
P.O. Box 135  
Pilot Rock, Oregon 97868

Reference: Application G-11873, Permit G-10861

The Department is not able to act on the Request for Assignment you submitted, as the form is not signed and dated. The form and documentation appears to be correct and complete. Your request and check are being returned and are enclosed. Please have the parties involved sign and date the request so that the Department may process your request.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Request and check

cc: Watermaster 5  
File

**RECEIVED**  
FEB 13 2008  
WATER RESOURCES DEPT  
SALEM, OREGON

FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE

AND

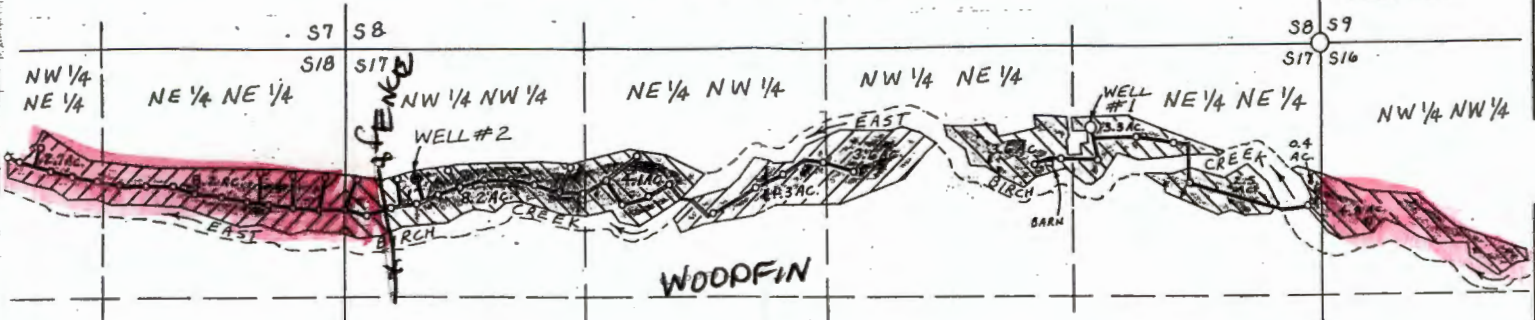
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T.2 S., R.33 E., W.M.

Application No. G-12232  
Permit No. G-12242

RECEIVED

MAR 23 1992

WATER RESOURCES DEPT.  
SALEM, OREGON



FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
W 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
W 1/4 NW 1/4 S17	WELL #2	13.2 ACRES	4 ACRES
TOTALS:		26.9 ACRES	17 ACRES

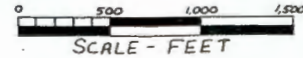
LOCATION OF WELLS

FROM SECTION CORNER 8, 9, 16 & 17:  
WELL #1 is 432' S & 1234' W  
WELL #2 is 651' S & 4,881' W



LEGEND

- = SECTION CORNER TIED (FOUND MARKED STONE)
- = WELL
- = RISER
- = BURIED DISTRIBUTION LINE
- ▨ = AREA UNDER IRRIGATION - BENEFICIAL USE
- ▩ = PLACE OF USE - GROUND WATER APPLICATION

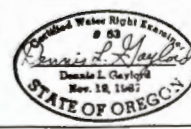


APPLICATION - PLACE OF USE  
AND SOURCE

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
TOTALS:		18.8 ACRES	5 ACRES

THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
LOUISIANA-PACIFIC  
P.O. Box 4000-98  
HAYDEN LAKE, IDAHO  
83835



DENNIS L. GAYLORD, CWRE  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260

MILLER  
**MILLER**

RECEIVED

FEB 04 2008

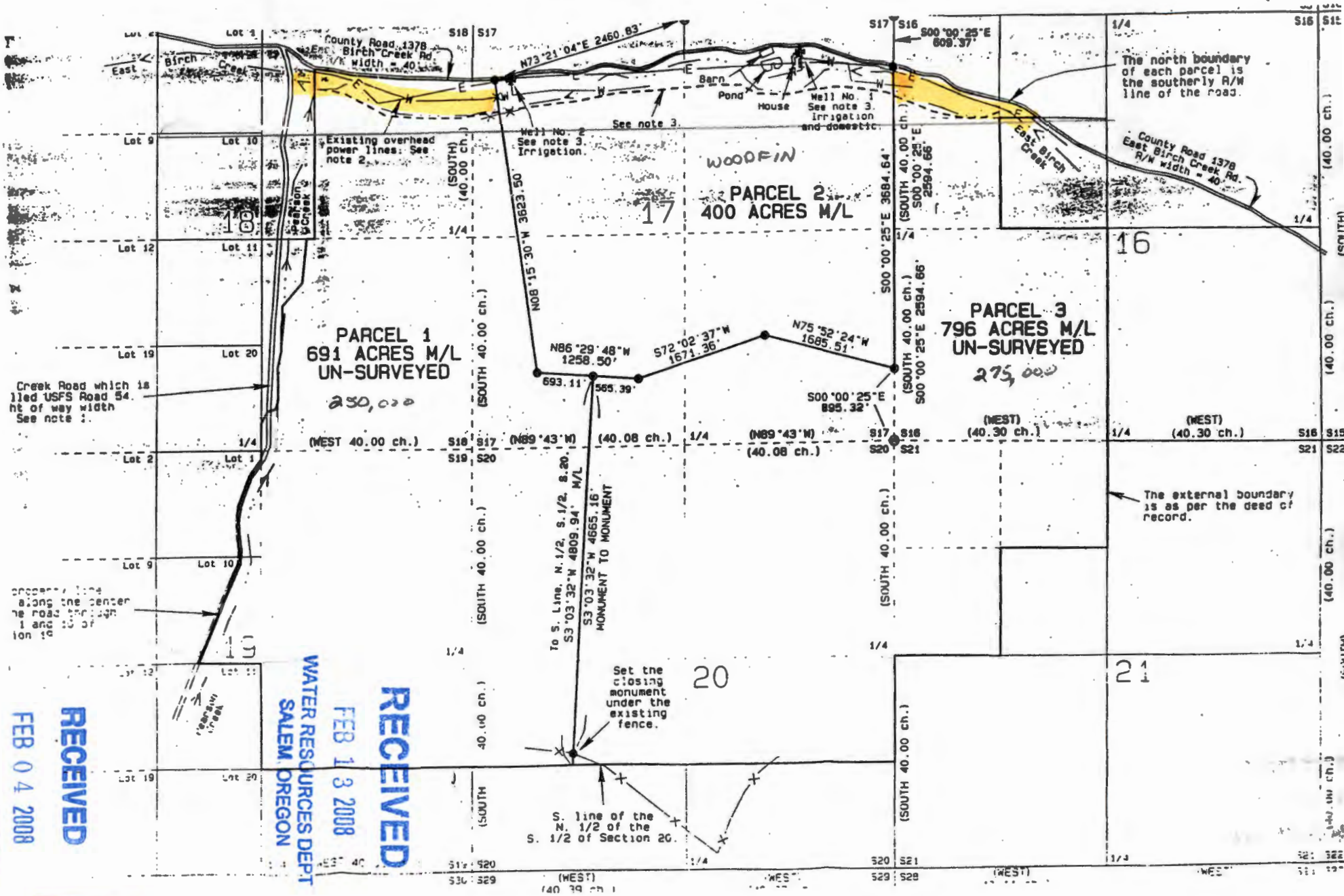
WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

# EXHIBIT A



**RECEIVED**  
 FEB 04 2008  
 WATER RESOURCES DEPT  
 SALEM, OREGON

**RECEIVED**  
 FEB 13 2008  
 WATER RESOURCES DEPT  
 SALEM, OREGON

MILLER

2005 4830386

After recording return to  
and mail tax statements to:

PIONEER ESCROW  
PO BOX 1538  
PENDLETON, OR 97801

RECEIVED

JUN 10 2005

UMATILLA COUNTY  
RECORDS



2005-4830386 1 of 3

**WARRANTY DEED**

ATR Services, Inc. and McDougal Bros., Inc., Grantor, conveys and warrants to William Woodfin and Linda A. Woodfin, Grantee, the real property described on Exhibit A, attached as a part of this deed.

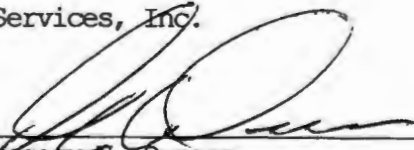
Grantor retains all timber rights and the right to go upon the Property to manage and harvest timber. \*NOT TO EXCEED 5 YEARS AS PER EARNEST AGREEMENT.

The consideration for this conveyance is \$380,000.00.

**THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND DETERMINE ANY LIMITS OR LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.**

DATE: June 8, 2005.

ATR Services, Inc.

By:   
Gregory N. Demers  
President

RECEIVED

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
County of Umatilla )

This instrument was received  
and recorded on

06-10-05 at 3:50

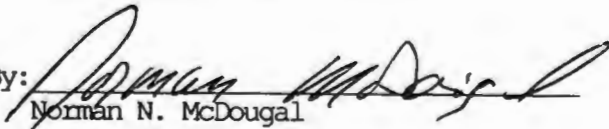
in the record of instrument  
code type DE-WD

Instrument Number 2005-4830386  
Fee 35.00

Office of County Records

  
Records Officer

McDougal Bros., Inc.

By:   
Norman N. McDougal  
President

RECEIVED

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON

9

PIONEER TITLE CO. 15904-1  
126 SE Court, Pend. OR, 97801



2005-4830386 2 of 3

STATE OF OREGON )  
 ) ss.  
County of Lane )

Personally appeared Gregory M. Demers known by me to be President of ATR Services, Inc. and acknowledge the foregoing instrument.

Date: June 8, 2005.



Maggie Turner  
Notary Public for Oregon  
My Commission Expires: 5/13/09

STATE OF OREGON )  
 ) ss.  
County of Lane )

Personally appeared Norman N. McDougal known by me to be President of McDougal Bros., Inc. and acknowledge the foregoing instrument.

Date: June 8, 2005.



Maggie Turner  
Notary Public for Oregon  
My Commission Expires: 5/13/09

RECEIVED

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT "A"



2005-4830386 3 of 3

A parcel of land lying in Section 17, Township 2 South, Range 33, East of the Willamette Meridian, Umatilla County, Oregon, described as beginning at the brass capped monument marking the Northeast corner of said Section 17; thence along the East line of said Section 17 to a 5/8" iron rebar on the Southerly right-of-way line of County Road 1378 also known as East Birch Creek Road, South  $0^{\circ}00'25''$  East, a distance of 609.37 feet, said rebar monumenting the True Point of Beginning for this description; thence continuing along said East line of Section 17 to a 5/8" iron rebar South  $0^{\circ}00'25''$  East, a distance of 3,684.64 feet; thence to a 5/8" iron rebar North  $75^{\circ}52'24''$  West, a distance of 1,685.51 feet; thence to a 5/8" iron rebar South  $72^{\circ}02'37''$  West, a distance of 1,671.36 feet; thence to 5/8" iron rebar North  $86^{\circ}29'48''$  West, a distance of 1,258.50 feet; thence to a 5/8" iron rebar on the Southerly right-of-way line of East Birch Creek Road North  $8^{\circ}15'30''$  West, a distance of 3,623.50 feet; thence generally Easterly along said Southerly right-of-way line, a distance of 5,115 feet, more or less to the point of beginning.

**RECEIVED**

FEB 13 2008

WATER RESOURCES DEPT  
SALEM OREGON

**RECEIVED**

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON

2005 4810553

4/4



2005-4810553 1 of 4

RECEIVED

MAY 10 2005



THIS SPACE RESERVED FOR RECORDER'S USE

State of Oregon )  
County of Umatilla )

This instrument was received  
and recorded on

05-10-05 at 4:00

in the record of instrument  
code type DE-WD

Instrument Number 2005-4810553  
Fee 41.00

Office of County Records

*Jeanne Hemphill*  
Records Officer

After recording return to:  
Western Pioneer Title  
P.O. Box 10146  
Eugene, OR 97440

Until a change is requested all tax statements  
shall be sent to the following address:

Michael P. Miller  
3330 Hayden Bridge Road  
Springfield, OR 97477

File No.: 7191-569792 (csl)  
Date: April 27, 2005

**STATUTORY WARRANTY DEED**

**ATR Services, Inc., an Oregon Corporation and McDougal Bros. Inc., an Oregon Corporation, Grantor, conveys and warrants to Miller Valley Limited Partnership, an Oregon Limited Partnership, as to an undivided 90% interest and Michael P. Miller, as to an undivided 10% interest, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

**See attached exhibit "A"**

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**This property is free from liens and encumbrances, EXCEPT:**

The true consideration for this conveyance is the exchange for property and other consideration.

- 1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

RECEIVED

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON

PIONEER TITLE CO. 11007-1  
126 SE Court, Pend. OR, 97801

20



2005-4810553 2 of 4

APN: 1163177

Statutory Warranty Deed  
- continued

File No.: 7191-569792 (csl)  
Date: 04/27/2005

The true consideration for this conveyance is **\$exchange for property and other consideration.**  
(Here comply with requirements of ORS 93.030)

Dated this 9th day of May, 2005.

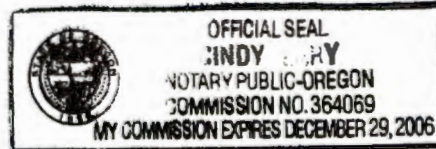
ATR Services, Inc.

By: [Signature]  
Greg Demers, President

McDougal Bros., Inc.

By: [Signature]  
Larry O. Gildea, Authorized Agent

STATE OF Oregon )  
 )ss.  
County of Lane )



This instrument was acknowledged before me on this 9th day of May, 2005  
by Greg Demers as President of ATR Services, Inc., on behalf of the Corporation.

[Signature]

Notary Public for Oregon  
My commission expires:

STATE OF Oregon )  
 )ss.  
County of Lane )



This instrument was acknowledged before me on this 9th day of May, 2005  
by Larry O. Gildea as Authorized Agent of McDougal Bros., Inc., on behalf of the Corporation.

[Signature]

Notary Public for Oregon  
My commission expires:

**RECEIVED**

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

**RECEIVED**

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON





RECEIVED 2005-4810553 3 of 4

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON**TRACT I:**TOWNSHIP 2 SOUTH, RANGE 33, E.W.M.

All that portion of the following described lands:

Section 17: West Half.

Section 20: Northwest Quarter.  
North Half of the Southwest Quarter.

lying Southerly of the Southerly right-of-way line of County Road No.1378, also known as East Birch Creek Road and lying Westerly of the following described line:

Beginning at a 5/8" iron rebar on the Southerly right-of-way line of said East Birch Creek Road, said rebar bears South 73°21'04" West, a distance of 2,460.83 feet from the North Quarter corner of said Section 17 and the True Point of Beginning for this line description; thence to a 5/8" iron rebar, South 08°15'30" East, a distance of 3,623.50 feet; thence to a 5/8" iron rebar, South 86°29'48" East, a distance of 693.11 feet; thence on a bearing of South 3°03'32" West, a distance of 4,810, more or less, to a point on the South line of the North Half of the South Half of said Section 20, and the point of terminus for this line description.

Section 18: East Half of the Northeast Quarter.  
East Half of the West Half of the Northeast Quarter.  
Southeast Quarter.

Excepting therefrom any portion lying Northerly of the Southerly right-of-way line of County Road No. 1378 also known as East Birch Creek Road.

EXCEPTING THEREFROM, beginning at center of Section 18, Township 2 South, Range 33; thence South along West line of Southeast Quarter of Section 18 a distance of 34.29 chains; thence North 28 degrees East 2.49 chains; thence North 73 degrees 10' East 1.60 chains; thence North 16 degrees 05' East 1.48 chains; thence North 0 degrees 30' East 3.27 chains; thence North 2 degrees 20' West 3.03 chains; thence North 12 degrees 35' East 3.13 chains; thence North 0 degrees 10' West 4.54 chains; thence North 7 degrees 50' East 1.51 chains; thence North 0 degrees 55' West 2.29 chains; thence North 41 degrees 00' East 5.78 chains; thence North 6 degrees East 7.83 chains; thence West 8.67 chains to the point of beginning.

ALSO EXCEPTING THEREFROM, beginning at Northwest corner of Northeast Quarter of Section 18; thence East along North line thereof, a distance of 660 feet to Northwest corner of that tract of land in Section 18 conveyed to R.G. Schubert, et ux, by deed recorded in Book 319, Page 107, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence continuing East along North line of Section 18 a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northeasterly in a straight line a distance of 250 feet to a point which is 143 feet South of North line of Section 18, when measured at right angles thereto, said point also being on West line of said Schubert Tract; thence North along West line of said Schubert Tract a distance of 143 feet to the point of beginning;



2005-4810553 4 of 4

**TRACT I (continued)**

**TOWNSHIP 2 SOUTH, RANGE 33, E.W.M.**

Section 19: Northeast Quarter.  
North Half of the Southeast Quarter.

Also the following described lands being a part of Lot 20 in Section 18; and Lots 1 and 10 in Section 19, to-wit: Commencing at center of Section 19; thence West 16 chains to bluff on West side of Pearson Creek; thence along said bluff North 20 degrees 25' East 48.82 chains to North and South center line through Section 18; thence South 45.75 chains to the place of beginning;

EXCEPTING HOWEVER that portion of said lands in Section 19, lying Westerly and of center line of the surfaced road constructed by Harris Pine Mills, Northerly and Southerly along Pearson Creek across said Section 19.

All being East of the Willamette Meridian, Umatilla County, Oregon.

**RECEIVED**

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON

**RECEIVED**

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

2005 4810554



2005-4810554 1 of 3

RECEIVED



MAY 10 2005

UMATILLA COUNTY RECORDS

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Western Pioneer Title  
P.O. Box 10146  
Eugene, OR 97440

Until a change is requested all tax statements shall be sent to the following address:

Michael P. Miller  
3330 Hayden Bridge Road  
Springfield, OR 97477

File No.: 7191-569792 (csl)  
Date: April 27, 2005

State of Oregon )  
County of Umatilla )

This instrument was received and recorded on

05-10-05 at 4:00

in the record of instrument code type DE-WD

Instrument Number 2005-4810554  
Fee 38.00

Office of County Records

*John Hamilton*  
Records Officer

**STATUTORY WARRANTY DEED**

**ATR Services, Inc., an Oregon Corporation and McDougal Bros. Inc., an Oregon Corporation, Grantor, conveys and warrants to Miller Valley Limited Partnership, an Oregon Limited Partnership, as to an undivided 90% interest and Michael P. Miller, as to an undivided 10% interest, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

**See attached exhibit "A"**

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**This property is free from liens and encumbrances, EXCEPT:**

The true consideration for this conveyance is the exchange for property and other consideration.

- 1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

RECEIVED

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON

PIONEER TITLE CO. 71007-2  
126 SE Court, Pend. OR, 97801

21



2005-4810554 2 of 3

APN: 1163177

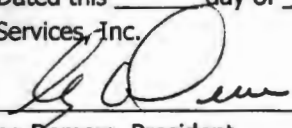
Statutory Warranty Deed  
- continued

File No.: 7191-569792 (csi)  
Date: 04/27/2005


The true consideration for this conveyance is **\$exchange for property and other consideration.**  
(Here comply with requirements of ORS 93.030)

Dated this 9th day of May, 2005.

ATR Services, Inc.

By:   
Greg Demers, President

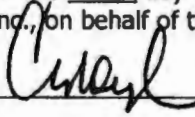
McDougal Bros., Inc.

By:   
Larry O. Gildea, Authorized Agent



STATE OF Oregon )  
)ss.  
County of Lane )

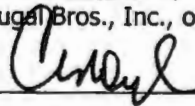
This instrument was acknowledged before me on this 9th day of May, 2005  
by Greg Demers as President of ATR Services, Inc., on behalf of the Corporation.

  
\_\_\_\_\_

Notary Public for Oregon  
My commission expires:

STATE OF Oregon )  
)ss.  
County of Lane )

This instrument was acknowledged before me on this 9th day of May, 2005  
by Larry O. Gildea as Authorized Agent of McDougal Bros., Inc., on behalf of the Corporation.

  
\_\_\_\_\_

Notary Public for Oregon  
My commission expires:



RECEIVED

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON



**TRACT II**

**TOWNSHIP 2 SOUTH, RANGE 33, E.W.M.**

All that portion of the following described lands:

Section 16: North Half of the North Half.

lying Southerly of the Southerly right-of-way line of County Road No.1378 also known as East Birch Creek Road;

Section 16: Southwest Quarter of the Northwest Quarter.  
Southwest Quarter.

Section 17: Beginning at the brass capped monument marking the Southeast corner of said Section 17; thence along the East line of said Section 17 to a 5/8" iron rebar, North 0°00'25" West, a distance of 895.32 feet; thence to a 5/8" iron rebar North 75°52'24" West, a distance of 1,685.51 feet; thence to a 5/8" iron rebar South 72°02'37" West, a distance of 1,671.36 feet; thence to a 5/8" iron rebar North 86°29'48" West, a distance of 565.39 feet; thence on a bearing of South 3°03'32" West, a distance of 884 feet, more or less to a point on the South line of said Section 17; thence Easterly along said South line, 3,837 feet, more or less to the point of beginning.

Section 20: Northeast Quarter.  
North Half of the Southeast Quarter.

All that portion of the following described lands:

Section 20: Northwest Quarter.  
North Half of the Southwest Quarter.

lying Easterly of the following described line:

Beginning at a 5/8" iron rebar on the Southerly right-of-way line of County Road No. 1378 also known as East Birch Creek Road, said rebar bears South 73°21'04" West, a distance of 2,460.83 feet from the North Quarter corner of Section 17 in said Township 2 South, Range 33, E.W.M. and the True Point of Beginning for this line description; thence to a 5/8" iron rebar, South 08°15'30" East, a distance of 3,623.50 feet; thence to a 5/8" iron rebar, South 86°29'48" East, a distance of 693.11 feet; thence on a bearing of South 3°03'32" West, a distance of 4,810, more or less, to a point on the South line of the North Half of the South Half of said Section 20, and the point of terminus for this line description.

Section 21: North Half of the Northwest Quarter.  
Southwest Quarter of the Northwest Quarter.

All being East of the Willamette Meridian, Umatilla County, Oregon.

**RECEIVED**

FEB 13 2008

WATER RESOURCES DEPT  
SALEM, OREGON

**RECEIVED**

FEB 04 2008

WATER RESOURCES DEPT  
SALEM, OREGON

Well#: #2 2S-33-17 bbd *well 2  
UMAT 553*

Owner: Bill & Linda Woodfin  
Address: PO Box 135  
City: Pilot Rock, Oregon, 97868  
(541) 443-3214

Permit No: G-12242  
Priority Date: 3/23/92

No. Of Acres: 18.8  
Duty: 56.4 acft Rate: 105 gpm

Flowmeter make: DLJ Meter  
Serial No: 05-000050  
Meter Reads in: gallons x 1000

Power Meter Serial No:  
Multiplier:

Tax Lot#: 1600  
County: Umatilla  
G.P.S. N45.39666 W118.70022

Remarks: 11/20/00 Power meter running house also. Flowmeter in the ground inside corral/pasture.

Date	Flowmeter Reading	Power Meter Reading	Use
11/20/2000	649086		
01/03/2002	669990		
12/19/2002	678743		
11/05/2003	678759		
11/17/2004	6787-?	Flowmeter had condensation	
12/29/2004	678759	Mike Corey called in reading	Broken FM?
01/09/2006	678759	PM also records house	broken FM
12/26/2006	001596000	"	4.9 acft

01/11/06: Broken FM letter sent. 01/12/06: Bill Woodfin called. He will contact PGG and get meter fixed or replaced. He will call when this is done. 01/23/2007: Per Linda Woodfin new flowmeter at house in 2006. Old meter was Hayes ID#2041152.

**Larry Nunn**

---

**From:** Frank Dye  
**Sent:** Tuesday, December 11, 2007 1:18 PM  
**To:** Larry Nunn  
**Subject:** Woodfin upper well fm G-12242  
**Attachments:** Woodfin G12242 fm.pdf

Hi Larry,

Attached is the upper fm card (permit G-12242) near their house. Thanks,

Frank

**Larry Nunn**

---

**From:** Larry Nunn  
**Sent:** Thursday, December 06, 2007 1:21 PM  
**To:** Tony Justus  
**Subject:** Meter Card for File G-11873, Permit G-10861

Tony,

I am working on the proposed certificate for this permit. It was originally Louisiana Pacific. Now it is in the name of Pioneer Resources LLC, in Eugene

The permit originally allowed one well (Well 1). The permit required special construction to insure it was a basalt well. It also required a meter.

The COBU shows 2 wells. Well 1 the original well. Well 2 is also a basalt well, built to the special standards. GW says they develop water from the same source.

The COBU only describes a meter on Well 2.

Do you have meter cards for both Wells? Do they show a meter for well 1 installed prior to 1990?

Thanks,

Larry

12/6/2007



**Larry Nunn**

---

**From:** Frank Dye  
**Sent:** Tuesday, December 11, 2007 11:09 AM  
**To:** Larry Nunn  
**Subject:** Permit G-10861 fm info  
**Attachments:** Woodfin G10861 fm.pdf

Hello Larry,

I scanned the flowmeter card for you (attached to this email). There is a flowmeter on the well. Let me know if you need anything. Thanks,

Frank

Well#: #1 2S-33-17 aab *well 1  
UMAT 5271*

Owner: Bill Woodfin  
Address: PO Box 135  
City: Pilot Rock, Oregon, 97868  
(541) 443-3214  
Permit No: G-10861  
Priority Date: 11/18/88

No. Of Acres: 27  
Duty: 81 acft Rate: 151 gpm

Flowmeter make: Grainland  
Serial No: 13331  
Meter Reads in: Gallons x 100  
Power Meter Serial No: 02362855  
Multiplier: none

Tax Lot#: 1600  
County: Umatilla  
G.P.S. N45.39584 W118.71433  
969-2154 cell Combo to gate: 1952

Remarks: 12/19/02 bad battery in meter? Talked to Mrs. Woodfin and sent letter. 1/14/03 went back to FM pulled face plate got analog reading. (7/21/03 meter gone P.G.G. sent in to be repaired. Mrs. Woodfin will report use until meter is repaired and installed.) 12/15/2003 approx. Mrs. Woodfin called - meter repaired and installed.

Date	Flowmeter Reading	Power Meter Reading	Use
11/20/2000	16068	53003	
01/03/2002	off	97154	
12/14/2002	no reading	19835	
01/14/2003	1179518 x 100	19834	
11/05/2003	meter pulled		
12/03/2003	reported use		19.99 acft
11/17/2004	73600		22.5 acft
03/01/2006	143500	033064 (014)	0.2145 acft
01/22/2007	196600	040401 (014)	.1629 acft

Old power meter #: 86-273-976. 3/1/06: Notified Bill of low reading on flowmeter. He reports he used more water. He will check the meter and call back. 01/23/2007: Per Linda Woodfin minimal use on pasture below house in 2006.

elapsed days		04 used	meter Reading	Demand	Used kWh
30	4/27-5/27	2435 KWh	8143 - 10578	33.631	34%
34	5/27-6/30	Ø	10578		
28	6/30-7/28	4346	14924	22.294	22
30	7/28-8/27	3924	18348	22.005	22
33	8/27-9/29	653	19001	21.734	22
27	9/29-10/26	295	19296	21.523	22
34	10/26-11/29	Ø	19296		
30	11/29-12/29	Ø	"		

05 11,153 04

28	5/28-6/25	1914	21210	22.022	22
58	<sup>opening</sup> 6/1 - 7/29	7387	<sup>PRN</sup> 19764 27151	21.628	22
31	7/29-8/29	1952	29103	21.95	22
30	8/29-9/28	3961	33064	21.981	22
28	9/28-10/26	Ø			
35	10/26-11/30	Ø			

05' 15,214 24.7% MORE USAGE IN 05' THAN 04'

TO: MOLLY  
FROM: BILL & LINDA

WOODFIN  
IRRIGATION WELL 04 & 05  
SUMMARY

FAX # 278-0287

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

In the Matter of the Diminution of a )  
Perfected and Developed Water )  
Right evidenced by Certificate )  
2528 )

FINAL ORDER

**Findings of Fact**

1. On November 18, 1988, the Department received an affidavit from Louisiana-Pacific Corp. stating they are the owners of the land and the water right appurtenant to it, and, upon issuance of a water use permit for use of ground water for primary irrigation, requests the diminution of the water right to supplemental irrigation. The affidavit was accompanied by the necessary copied of deeds to establish ownership.
2. Permit G-10861, in the name of Louisiana-Pacific Corporation, for use of water from a well, for [primary] irrigation, was issued February 27, 1989.
3. ORS 540.505 defines primary water right as the principal water supply for the authorized use. Supplemental water right is defined as an additional appropriation of water used in conjunction with a primary right.
4. It is clear in the record that the water right perfected under Permit G-10861 is the primary water right. Therefore the water right evidenced by Certificate 2528 should have been diminished to supplemental irrigation, in accordance with the request of the applicant, Louisiana-Pacific Corp.
5. Instructions in the file directed staff to issue an order diminishing the water right in conjunction with issuing Permit G-10861. Apparently this did not happen.
6. The right to be diminished was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Department, in Volume 3, at page 127. The date of priority is 1875.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

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

7. The right allows the use of East Birch Creek, a tributary of the Umatilla River, for irrigation of 22.0 acres, domestic, and stock use. This right is limited to 0.27 cubic foot per second of water, subject to the provisions of paragraph 33 of the decree, and all other conditions and limitations contained in the decree.
8. A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	33 E	WM	17	NE NE	6.0
2 S	33 E	WM	17	NW NE	3.0
2 S	33 E	WM	17	NE NW	4.0
2 S	33 E	WM	17	NW NW	4.0
2 S	33 E	WM	18	NE NE	5.0

9. Certificate 2528 should be cancelled, and a new certificate issued to describe the diminished water right.

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

1. The water right evidenced by Certificate 2528 is diminished to supplemental irrigation.
2. Certificate 2528 is cancelled.
3. A new certificate shall be issued to describe the diminished water right.

Issued: \_\_\_\_\_

PROPOSED

\_\_\_\_\_  
 Phillip C. Ward, Director  
 Water Resources Department

SOUTHWORTH CO. U.S.A.  
75% COTTON FIBER CONTENT

A F F I D A V I T

RECEIVED

STATE OF IDAHO )  
                  ) ss.  
County of Kootenai )

NOV 18 1988

WATER RESOURCES DEPT.  
SALEM, OREGON

(I), (We), Louisiana-Pacific Corp. , being first  
duly sworn, depose and say that (I am), (we are) the owner(s)  
of a water right and the land to which it is appurtenant,  
which is for the use of not to exceed .27 cubic foot of  
water per second from East Birch Creek for the irrigation of

- 6 Acres NE $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 3 Acres NW $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 4 Acres NE $\frac{1}{4}$  NW $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 4 Acres NW $\frac{1}{4}$  NW $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 5 Acres NE $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 18

under a priority date of 1875, as evidenced by the certificate  
recorded at Page 2528. (I), (We) wish to diminish the character  
of the water right from Primary Irrigation to Supplemental  
Irrigation. We are in the process of filing for a Primary  
Permit from a well.

The above change contingent upon approval of the ground  
water application to a permit.

IN WITNESS WHEREOF, (I), (We) have hereunto set (my)  
(our) hand(s) this 10<sup>th</sup> day of November, 1988.

Joe R. Tolson

Subscribed and sworn to before me this 10<sup>th</sup> day  
of November, 1988.

Lea Bennett  
Notary Public for Idaho

My commission expires 1-20-92



PERMANENT RECORD

To: Bruce Estes

Order approving change

should be same date or

shortly after approval

date for report G-11873

STATE OF OREGON.

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That THOS. S. GIBSON of Pilot Rock State of Oregon has a right to the use of the waters of East Birch Creek, a tributary of the Umatilla River,

for the purpose of the irrigation of 22 acres of land, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 3, at page 127; that the priority of the right hereby confirmed dates from 1875

that the amount of water to which such right is entitled and hereby confirmed for the purpose aforesaid, is limited to an amount actually beneficially used for said purpose, and shall not exceed 0.27 cubic feet per second, subject to the provisions of paragraph 33 of said decree and all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 6 acres in the Northeast quarter of Northeast quarter; 3 acres in the Northwest quarter of Northeast quarter; 4 acres in the Northeast quarter of Northwest quarter and 4 acres in the Northwest quarter of Northwest quarter of Section Seventeen, and 5 acres in the Northeast quarter of Northeast quarter of Section Eighteen, Township Two South, Range Thirty-three East of Willamette Meridian, in Umatilla County, Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

WITNESS the seal and signature of the State Water Board, affixed this 29th day of December, 1919.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By Percy A. Cupper State Engineer, President

Attest:

R.W. Potter, Secretary





# 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

December 21, 2007

Pioneer Resources, LLC  
PO Box 26139  
Eugene, OR 97402

Reference: File G-11873, Permit G-10861

We are reviewing the Claim of Beneficial Use submitted for your Permit G-10861. This permit is for use of a well for irrigation of lands located along East Birch Creek, in Umatilla County. The permit was originally in the name of Louisiana-Pacific Corporation. There are some issues which must be resolved before we may issue a proposed certificate.

The claim describes the use of two wells for irrigation; each with its separation delivery system. The permit only allowed one well. Our Ground Water Section reviewed the information provided and the associated well logs. Their opinion is that both wells develop water from the same ground water source. We may be able to issue a certificate that includes both wells.

The permit required that construction of the water system be completed by October 1, 1990 (B-date). The well log indicates that the second well was not drilled until May 1991. That is after the B-date. In order for the second well, and lands irrigated from that well, to be included in the certificate, an extension of time will be required. You may request an extension of time using the form found on the Department's website at:

[http://www1.wrd.state.or.us/pdfs/extension\\_form2007.pdf](http://www1.wrd.state.or.us/pdfs/extension_form2007.pdf)

We do not know if an extension of time request would be approved. If the extension of time request is not approved, the resulting water right will be greatly reduced. If the extension of time request is approved, and additional conditions are placed on the permit, a new Claim of Beneficial Use may need to be submitted in accordance with the current rules.

Another issue is the underlying surface water right. At the time of the application there was a surface water right for use of water from East Birch Creek for irrigation on a portion of the land. Louisiana-Pacific Corporation submitted an affidavit requesting the surface water right be diminished to supplemental irrigation. The diminution was so that the ground water right would be the primary irrigation right. Instructions in the file directed staff to issue a diminution order at the time the permit was issued. Apparently that did not happen. If you do not object, we propose to issue the diminution order at the time the certificate is issued.

Please submit the extension of time application, including the required fees, within 60 days. If we do not receive the extension request, we may prepare a proposed certificate for the reduced water right.

Pioneer Resources, LLC  
Reference: File G-11873, Permit G-10861  
December 21, 2007

Page 2

We brought in Larry Nunn, to review these and other claims. If you have any questions, you may call Larry between 9:00am and 2:00pm, at 503-986-0809. Or you may call me at 503-986-0811.

Sincerely,

*Larry Nunn*  
for Gerry Clark  
Natural Resource Specialist

cc: Tony Justus, Watermaster 5  
Bill Woodfin

A F F I D A V I T

RECEIVED

STATE OF IDAHO )  
 ) ss.  
County of Kootenai )

NOV 18 1988

WATER RESOURCES DEPT.  
SALEM, OREGON

(I), (We), Louisiana-Pacific Corp. , being first  
duly sworn, depose and say that (I am), (we are) the owner(s)  
of a water right and the land to which it is appurtenant,  
which is for the use of not to exceed .27 cubic foot of  
water per second from East Birch Creek for the irrigation of

- 6 Acres NE $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 3 Acres NW $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
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- 4 Acres NW $\frac{1}{4}$  NW $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 5 Acres NE $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 18

under a priority date of 1875, as evidenced by the certificate  
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The above change contingent upon approval of the ground  
water application to a permit.

IN WITNESS WHEREOF, (I), (We) have hereunto set (my)  
(our) hand(s) this 10<sup>th</sup> day of November, 1988.

Joe R. Tolson

Subscribed and sworn to before me this 10<sup>th</sup> day  
of November, 1988.

Lea Bennett  
Notary Public for Idaho

My commission expires 1-20-92

R&ADJ

Oregon

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

ADDRESS SERVICE REQUESTED

RECEIVED

DEC 31 2007

WATER RESOURCES DEPT  
SALEM, OREGON



02 1M \$00.41<sup>0</sup>  
0004234377 DEC 21 2007  
MAILED FROM ZIP CODE 97309

G-11873  
Pioneer Resources, LLC  
PO Box 26139  
Eugene OR 97402

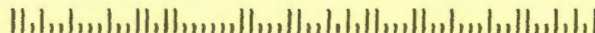
NIXIE 974 DC 1 00 12/29/07

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 97301126673 \*1089-04335-21-41

9740290463 8039

9740263256



STATE OF OREGON  
 COUNTY OF UMATILLA  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOS S GIBSON  
 PILOT ROCK OR 97868

confirms the right to use the waters of EAST BIRCH CREEK, tributary to the UMATILLA RIVER for SUPPLEMENTAL IRRIGATION of 22.0 ACRES, DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1875.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.270 CUBIC FEET PER SECOND, subject to the provisions of paragraph 33 of said decree and all other conditions and limitations contained in said decree, or its equivalent in case of rotation, measured at the point of diversion.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	33 E	WM	17	NE NE	6.0
2 S	33 E	WM	17	NW NE	3.0
2 S	33 E	WM	17	NE NW	4.0
2 S	33 E	WM	17	NW NW	4.0
2 S	33 E	WM	18	NE NE	5.0

This certificate is issued to confirm the diminution of a water right approved by an order of the Water Resources Director entered \_\_\_\_\_, at Special Order Volume \_\_\_\_\_, Page \_\_\_\_\_, and supersedes Certificate 2528, State record of Water Right Certificates.

The right to the use of the water for the above pupose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_.

\_\_\_\_\_  
 Phillip C. Ward, Director

**NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW**

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



# 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

December 21, 2007

Pioneer Resources, LLC  
PO Box 26139  
Eugene, OR 97402

Reference: File G-11873, Permit G-10861

We are reviewing the Claim of Beneficial Use submitted for your Permit G-10861. This permit is for use of a well for irrigation of lands located along East Birch Creek, in Umatilla County. The permit was originally in the name of Louisiana-Pacific Corporation. There are some issues which must be resolved before we may issue a proposed certificate.

The claim describes the use of two wells for irrigation; each with its separation delivery system. The permit only allowed one well. Our Ground Water Section reviewed the information provided and the associated well logs. Their opinion is that both wells develop water from the same ground water source. We may be able to issue a certificate that includes both wells.

The permit required that construction of the water system be completed by October 1, 1990 (B-date). The well log indicates that the second well was not drilled until May 1991. That is after the B-date. In order for the second well, and lands irrigated from that well, to be included in the certificate, an extension of time will be required. You may request an extension of time using the form found on the Department's website at:

[http://www1.wrd.state.or.us/pdfs/extension\\_form2007.pdf](http://www1.wrd.state.or.us/pdfs/extension_form2007.pdf)

We do not know if an extension of time request would be approved. If the extension of time request is not approved, the resulting water right will be greatly reduced. If the extension of time request is approved, and additional conditions are placed on the permit, a new Claim of Beneficial Use may need to be submitted in accordance with the current rules.

Another issue is the underlying surface water right. At the time of the application there was a surface water right for use of water from East Birch Creek for irrigation on a portion of the land. Louisiana-Pacific Corporation submitted an affidavit requesting the surface water right be diminished to supplemental irrigation. The diminution was so that the ground water right would be the primary irrigation right. Instructions in the file directed staff to issue a diminution order at the time the permit was issued. Apparently that did not happen. If you do not object, we propose to issue the diminution order at the time the certificate is issued.

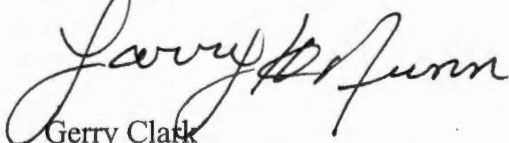
Please submit the extension of time application, including the required fees, within 60 days. If we do not receive the extension request, we may prepare a proposed certificate for the reduced water right.

Pioneer Resources, LLC  
Reference: File G-11873, Permit G-10861  
December 21, 2007

Page 2

We brought in Larry Nunn, to review these and other claims. If you have any questions, you may call Larry between 9:00am and 2:00pm, at 503-986-0809. Or you may call me at 503-986-0811.

Sincerely,

  
for Gerry Clark  
Natural Resource Specialist

cc: Tony Justus, Watermaster 5  
Bill Woodfin

RECEIVED

MAR 23 1992

WATER  
RESOURCES  
DEPARTMENT

*Joe Tolson*

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

JAN 16 1992

LOUISIANA-PACIFIC CORP  
HAYDEN LAKE, ID

January 13, 1992

Louisiana-Pacific Corporation  
PO Box 4000-98  
Hayden Lake, ID 83835

REFERENCE: File G-11873

This letter is in regard to your water use Permit G-10861. As we pointed out to you in our letter of April 16, 1992, your claim of beneficial use must be received in this office by April 3, 1992.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before April 3, 1992, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

TES:tcb

cc: Robert DeBow, Watermaster District #5

CERTIFIED - RETURN RECEIPT REQUESTED





**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address.      2.  Restricted Delivery  
(Extra charge)      (Extra charge)

3. Article Addressed to:  
Louisiana-Pacific Corporation  
PO Box 4000-98  
Hayden Lake, ID 83835

File: G-11873

4. Article Number  
P-56464

Type of Service:

- Registered       Insured  
 Certified       COD  
 Express Mail       Return Receipt  
for Merchandise

Always obtain signature of addressee  
or agent and DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

Marcia Raper 1-16-92

8. Addressee's Address (ONLY if  
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS



**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE  
USE, \$300

RETURN  
TO



Print Sender's name, address, and ZIP Code in the space below.

WATER RESOURCES DEPARTMENT  
3850 PORTLAND ROAD NE  
SALEM OR 97310



January 13, 1992

Louisiana-Pacific Corporation  
PO Box 4000-98  
Hayden Lake, ID 83835

REFERENCE: File G-11873

This letter is in regard to your water use Permit G-10861. As we pointed out to you in our letter of April 16, 1992, your claim of beneficial use must be received in this office by April 3, 1992.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before April 3, 1992, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

TES:tcb

cc: Robert DeBow, Watermaster District #5

CERTIFIED - RETURN RECEIPT REQUESTED



November 2, 1995

JOE TOLAR  
c/o LOUISIANA-PACIFIC CORP.  
P.O. BOX 4000-98  
HAYDEN LAKE, ID 83835

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File applications G-12832 & G-11873

Dear Mr. Tolar,

We have received your letter dated October 30, 1995 requesting amendment to file G-12832. It will be sufficient to cover the underlying 1875 right on 5 acres in the NE 1/4 NE 1/4 section 18.

However, after reviewing the nearby, (similar) groundwater application G-11873, I find in the file an application map from David Krumbein, CWRE showing what I believe to be all the 1875 water rights. This map along with an affidavit diminishing the older right certificate 2528 to supplemental was the basis for the issuance of permit G-10861.

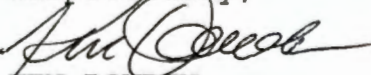
The affidavit shows, in part, 5 acres in the NE 1/4 NE 1/4 of section 18 to be supplemental to application G-11873, although there were no lands to cover it as this new application was not submitted as of that date. My request for your amending the new application may have been premature if your intent is to have this new application, along with the other groundwater application remain, as you originally intended, to be the primary, underlying right. A copy of the affidavit will be placed in this file G-12832.

Currently, the final proof survey (on permit G-10861) portion of the map from Dennis Gaylord shows lands outside the permitted boundaries. The allowable acreage will be handled at a later date when a certificate is issued.

I propose to go ahead with the generation of the Proposed Final Order of file G-12832, and, with your approval, identify all lands as primary irrigation and rely on the intent of the affidavit dated November 10, 1988 as per our telephone conversation today.

Please verify in writing your request to invalidate your letter of October 30, 1995 in regards to this 5 acres; then once processed, would go back to its original status as requested in the affidavit.

Respectfully,



KEN DOWDEN  
WATER RIGHTS/ADJUDICATION DIVISION



enclosures: affidavit from file G-11873, map

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

April 16, 1991

Louisiana-Pacific Corporation  
PO Box 4000-98  
Hayden Lake, ID 83835

REFERENCE: File G-11873

We have received your notice that complete application of water has been made under Permit G-10861.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before April 3, 1992. A list of certified examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739.

MS:tcb

enclosure





Louisiana-Pacific Corporation

RECEIVED

MAR 14 1990

WATER RESOURCES DEPT,  
SALEM, OREGON

P.O. Box 4000-98  
Hayden Lake, Idaho 83835  
208/772-6011

March 12, 1990

Water Resources Department  
3850 Portland Road N.E.  
Salem, Oregon 97310

Gentlemen:

Please find enclosed our "Notice of Beginning", and "Notice of Completion" of our water well on Permit No. G10861, application No. G11873.

Apparently due to an oversight on my part this information was not sent to you at the proper time.

I apologize for any inconvenience this may have caused you, and hope that this has not affected our permit in any way.

If there is any more information you need please be sure to contact me.

Sincerely

Joe Tolar,  
Louisiana-Pacific Corp.

JT/po

Enclosure

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

MAR 14 1990  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

UMAT 5271 = well 1  
 (START CARD) # 8339

(1) OWNER: Well Number: \_\_\_\_\_  
 Name Louisiana-Pacific Corp.  
 Address P.O. Box 4000-98  
 City Hayden Lake State ID Zip 83835

(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 250 ft.  
 Explosives used Yes  No  Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
	12" 0 180	Cement	0 180	70 sacks
	8" 180 250			

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
 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	
					✓		✓		✓		✓	
Casing	8"	12	180	250								
Liner												

Final location of shoe(s) 180

(7) PERFORATIONS/SCREENS:

Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailor  Air  Flowing Artesian  
 Yield gal/min 300 Drawdown \_\_\_\_\_ Drill stem at 250 Time 1 hr.

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_  
 Was a water analysis done?  Yes By whom \_\_\_\_\_  
 Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
 Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
 County Umatilla Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 25 N or S, Range 33E E or W, WM.  
 Section 17 NE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) East Birch Creek, Pilot Rock, OR 97868

(10) STATIC WATER LEVEL:  
15 ft. below land surface. Date 4-11-89  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 45

From	To	Estimated Flow Rate	SWL
45	68	20	15
245	250	280	15

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
Brown clay soil	0	1	
Brown clay w/ cobbles	1	29	
Gray basalt	29	33	
Broken gray basalt	33	45	
Brown basalt	45	68	WB
Gray basalt	68	149	
Gray basalt, medium	149	245	
Broken gray basalt with green soapstone	245	250	WB

Date started 4-6-89 Completed 4-11-89

(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 1218  
 Signed Petrick C. Waller Date 4-20-89

*STATE OF OREGON*

*COUNTY OF UMATILLA*

*PERMIT TO APPROPRIATE THE PUBLIC WATERS*

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000-98  
HAYDEN LAKE, IDAHO 83835

208-772-6011

is hereby issued a permit to use the waters from ONE WELL WITHIN EAST BIRCH CREEK BASIN for IRRIGATION OF 27.0 ACRES. The permit to the use of these waters has been issued under Application G-11873 with a date of priority of NOVEMBER 18, 1988. The permit is limited to not more than 151.5 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, Section 17, T 2 S, R 33 E, WM;  
480 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 17.

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.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

**RECEIVED**

AUG - 9 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Application G-11873

Water Resources Department

Permit G-10861



The place of use is as follows:

	ACRES	1/41/4	SECTION	TOWNSHIP	RANGE, WM
primary	11.00	NE NE	17	2 S	33 E
primary	3.00	NW NE	17	2 S	33 E
primary	4.00	NE NW	17	2 S	33 E
primary	4.00	NW NW	17	2 S	33 E
primary	5.00	NE NE	18	2 S	33 E

Total: 27.00 acres.

The well shall be properly cased and grout sealed to a depth of not less than 180 feet and shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. 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.

Actual construction work shall begin on or before February 27, 1990, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Issued this date, February 27, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

**RECEIVED**

AUG - 9 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

August 15, 1996

WATER  
RESOURCES  
DEPARTMENT

PIONEER RESOURCES LLC  
PO BOX 26139  
EUGENE OR 97402-0463

REFERENCE: Files G-11873 & G-12832

The assignments of Permits G-10861 and G-12242 from Louisiana Pacific Corporation to you have been recorded in the records of the Water Resources Department. Our records have been changed accordingly and the original assignments are enclosed.

Our receipts number 5261 and 5262 covering the \$20 recording fee have been sent to Louisiana Pacific Corporation.

Sincerely,

Dallas S. Miller  
Water Rights Specialist

DSM:jh

enclosures

cc: Tony Justus, Watermaster  
Dennis Gaylord, CWRE  
Louisiana Pacific Corporation



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

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT #

**5262**

158 12TH ST. N.E.

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

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

RECEIVED FROM:

*Louisiana-Pacific*

BY:

APPLICATION

*11873*

PERMIT

*10861*

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)



*50-937*

TOTAL REC'D

*\$ 1022*

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

**REDUCTION OF EXPENSE**

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

**0427 WRD OPERATING ACCT**

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

*PCA66111  
assignment*

*\$ 1022*

TC165

DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201

SURFACE WATER

\$

0202

\$

0203

GROUND WATER

\$

0204

\$

0205

TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218

WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

**0437 WELL CONST. START FEE**

0211

WELL CONST START FEE

\$

CARD #

0210

MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

**0539 LOTTERY PROCEEDS**

1302

LOTTERY PROCEEDS

\$

**0467 HYDRO ACTIVITY**

LIC NUMBER

0233

POWER LICENSE FEE (FW/WRD)

\$

0231

HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT #

**5262**

DATED:

*8-9-96*

BY:

*Flax*

IM 5883


**Louisiana-Pacific Corporation**  
 NORTHERN DIVISION

No. 943842

INVOICE DATE	INVOICE NUMBER	VENDOR NUMBER	INVOICE AMOUNT	DISCOUNT	AMOUNT PAID
7/25/96	PERMIT	95020	10.00		10.00
			10.00	.00	10.00 *

**RECEIVED**

AUG - 9 1996

 WATER RESOURCES DEPT.  
 SALEM, OREGON

DETACH BEFORE DEPOSITING

AUG - 9 1996

REQUEST FOR ASSIGNMENT

WATER RESOURCES DEPT.

SALEM, OREGON

COPY

I, (permit holder/applicant) LOUISIANA-PACIFIC CORP.  
P.O. BOX 4000-98 HAYDEN LAKE KOTENAI ID 83835 (208)772-6011  
(mailing address) (city) (county) (state) (zip) (phone)

CHECK ONE

-hereby assign all my interest in and to application/permit;

-hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);

-hereby assign a portion of my interest in and to the entire application/permit;

Application # G-12832, Permit # G-12242: Or GR Statement # \_\_\_\_\_, GR Certificate of Registration # \_\_\_\_\_ as filed in the office of the Water Resources Director, to:

PIONEER RESOURCES, LLC

(name of new owner)

P.O. BOX 26139 EUGENE LANE OR 97402-0463 (541) 465-4890  
(address) (city) (county) (state) (zip) (phone)

( Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form. )

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

Witness my hand this 28 day of June 19 96.

applicant/permit holder [Signature]

applicant/permit holder \_\_\_\_\_

The completed assignment must be submitted to the Water Resources Department, together with a recording fee of \$10. Additional pages will cost \$5 per page.

STATE OF OREGON, )

WATER RESOURCES DEPARTMENT

County of Marion. )

158 12 TH STREET NE  
SALEM, OREGON 97310-0210

I certify that the within was received by me on the 9th day of August, 19 96 at 8 o'clock PM, and was recorded in the Miscellaneous Records, Vol. 7 Page 3218

Water Resources Director

OK  
JSM

RECEIVED  
MAR 14 1990

NO 8339

"START CARD"

NOTICE OF BEGINNING OF WELL CONSTRUCTION

(as required by ORS 537.762)

This form must be completed, signed by both the owner (or authorized agent) and constructor, and the original delivered to the Water Resources Department prior to commencement of construction, alteration or abandonment of each well.

Owner's Name and Mailing Address Louisiana-Pacific Corp.  
P.O. Box 4000-98  
Hayden Lake, ID 83835

Proposed Commencement Date 4-6-89

Proposed Well Depth 400', Diameter 8"  
and Use:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Other

Proposed Well Location: County Umatilla  
Township 2S (N or S) Range 33E (E or W) Section 17

At least 2 of these must be provided

- NE 1/4 of NE 1/4 of above section
- street address of well location East Birch Creek  
Pilot Rock, OR 97868
- tax lot number of well location \_\_\_\_\_
- attach approved map with location identified.  
(see reverse of this form for approved maps)

We hereby certify that we have read the back of this form, and that to the best of our knowledge the information provided herein is accurate and the well is being properly located from septic tanks and septic drain fields.

x [Signature]  
Owner's Signature

x Patrick Wallace  
Bonded Water Well Constructor

Ranch MANAGER  
Title  
4-5-89  
Date

License No. 1218  
Company Wallace Drilling

Note: This is not a Water Right application. The owner is responsible for obtaining a Water Right through the Water Resources Department if required.

The business or activity of constructing new wells or altering existing wells is declared to be a business or activity affecting the public welfare, health and safety. The Water Resources Commission has been charged with the administration of the rights of appropriation and use of the ground water resources of the State, and the prevention of waste and contamination of all underground waters. This is partly accomplished by the licensing of well constructors and the promulgation of rules governing well construction, alteration, abandonment, maintenance and use. Ultimately the landowner of the property where the well is constructed is responsible for the condition of the well.

Specific requirements are detailed in "Rules and Regulations Prescribing General Standards For The Construction and Maintenance of Wells In Oregon" which is available from the Water Resources Department, 3850 Portland Road NE, Salem, OR 97310, Phone (503) 378-3739.

The following summarized requirements are highlighted:

1. The well constructor is to be licensed (or landowner permitted) and bonded to insure that the well is constructed to minimum well construction standards.
2. The well shall not be located within 50 feet of any septic tank or within 100 feet of any sewage disposal area.
3. The top of the well casing or pitless unit shall extend at least 12 inches above the finished ground surface or pumphouse floor.
4. On new well construction, generally a minimum 18 foot deep upper drillhole must be constructed either a minimum 2 or 4 inches (depending on grouting method used) larger in diameter than the well casing, and a grout seal placed in this annulus. Grout material shall be neat cement or, under special circumstances, dry granular bentonite. Additional seal depths are required where geologic conditions necessitate and additional standards apply to artesian wells.
5. A well report (well log) shall be prepared by the constructor for each well constructed, altered or abandoned. In addition to other information, the log shall accurately reflect the well's final location. A copy of the log shall be filed with the Water Resources Department within 30 days after completion of construction.
6. The landowner shall maintain all wells in a condition whereby they are not a hazard to life or property nor a source of contamination to the ground water supply.
7. All wells shall be equipped with a usable access port with a minimum diameter of 3/4 inch. If an airline is installed, it must enter the well in a location other than the access port. If the well constructor does not install a pump in the well, the landowner will be required to provide the access port.

Approved Maps (the map submitted must have the following identified: a. map publisher, b. map title, c. date of the map's revision/update, and d. scale): 1. United States Department of the Interior Geological Survey 7.5 minutes series (topographic) (15 minute series will be accepted if a 7.5 minute series has not yet been printed for the area within the last 5 years). These maps are available at many bookstores, office supply stores, and government agencies. 2. Cadastral maps, 8½ x 11 size, in the most detailed scale available that has been printed in the last 5 years. These maps are available at the Department of Revenue, County offices (tax assessor), and sometimes through title insurance companies, real estate agents and/or the landowner.

TOWNSHIP 25, RANGE 33E, W. M.

SECTION 17

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
6	3			4	4											Decree, Vol. 3	Page 127	2528
11°	3°			4°	4°											G-11873		2

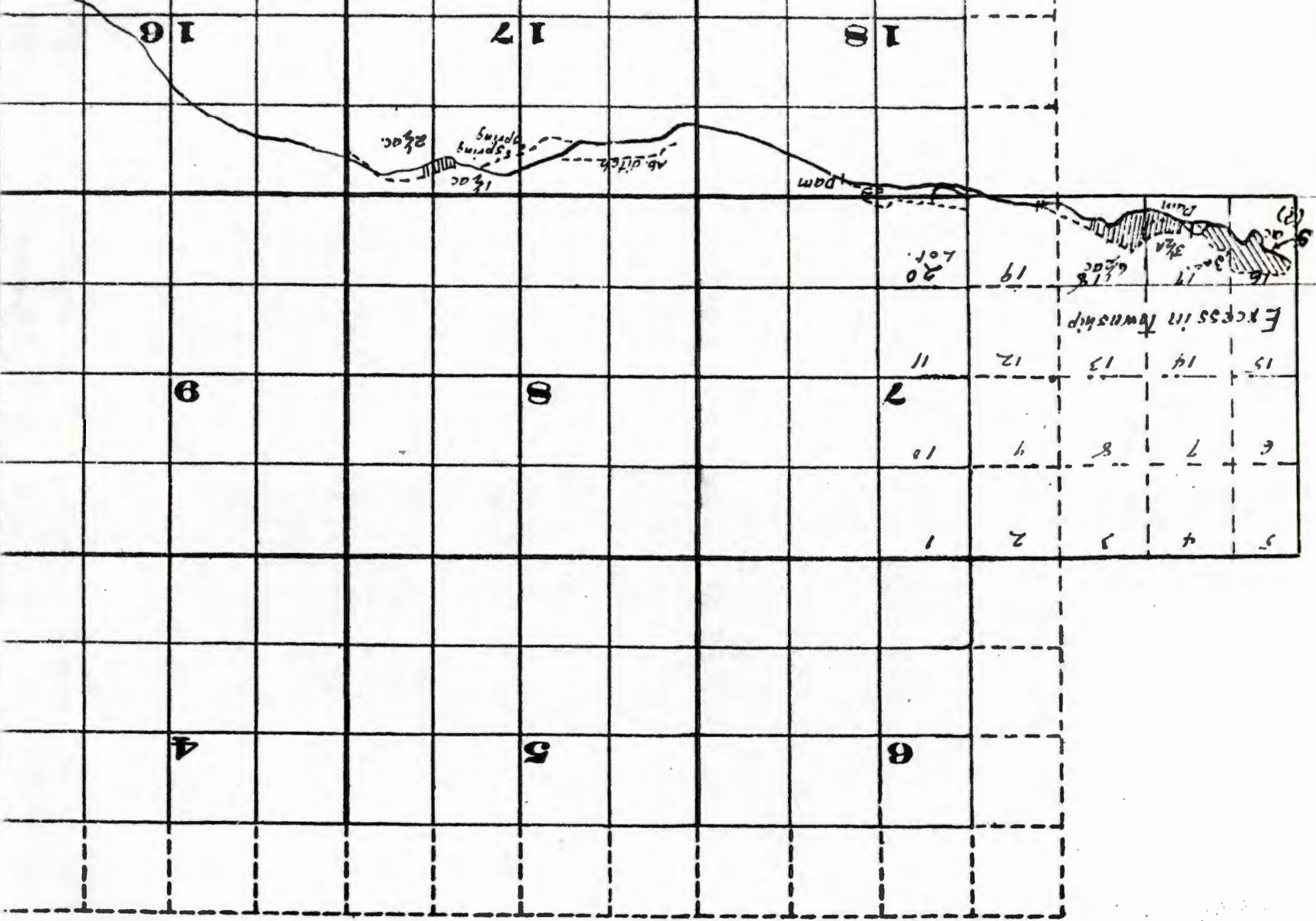
TOWNSHIP 2 S, RANGE 33 E, W. M.

North half SECTION 18

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR				EGAL SUBDIVISION AS SHOWN				OR GOVERNMENT PLAT IF OTHER THAN 40				ACRES						
40 40 40 40				36 32 40 40				40 40 40 40				1						
5																Decree, Vol. 3	Page 127	2528
																Decree, Vol. 3	Page 127	2569
	1.7	x		2	4.3			Part surveyed								16903	12663	15572
	2.8			6	1.6											61611	45865	
5°																G-11873		2

(SEE BACK OF CARD FOR PLAT OF SECTION)





Excess in Township

16

17

18

9

8

7

4

3

6

Lot.

19

6 1/2 ac.

3/4 ac.

1/2 ac.

11

12

13

14

15

10

9

8

7

6

1

2

3

4

5

dam

Ab. ditch

Spring

2 1/2 ac.

1/2 ac.

Dam

(2)

RECEIVED

QUITCLAIM DEED - STATUTORY FORM  
(Individual or Corporation)

R 157 PAGE 1607

132624

NOV 18 1988

S6 RANCHES, INC., AN OREGON CORPORATION  
Grantor, conveys and warrants to LOUISIANA PACIFIC, A DELAWARE CORPORATION

WATER RESOURCES DEPT.  
SALEM, OREGON

Grantee, all right, title and interest in and to the following described real property: Including any and all interest in any timber located on the property: Township 2 South Range 33, Section 18 described as beginning at the Northwest corner of the Northeast Quarter of said Section 18; thence East along the North line thereof, a distance of 660 feet to the Northwest corner of that tract of land in Section 18, conveyed to R. G. Schubert, etux, by Deed recorded in Book 319, Page 107, Deed Records, and the true point of beginning of this description; thence continuing East along the North line of said Section 18 a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northwesterly in a straight line a distance of 250 feet to a point which is 143 feet South of the North line of said Section 18, when measured at right angles thereto, said point also being on the West line of the said Schubert tract mentioned hereinabove; thence North along the West line of the said Schubert tract a distance of 143 feet to the point of beginning. All being in Umatilla County, Oregon.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

WATER RESOURCES TITLE 18383E

The true consideration for this conveyance is \$ Clearing Title (Here comply with the requirements of ORS 93.030).

Dated this 9th day of August 1987 if a corporate grantor, it has caused its name to be signed by order of its board of directors.

S6 RANCHES, INC.  
BY: R.G. Schubert, President

STATE OF OREGON, )  
County of ) ss.  
Personally appeared the above named )  
and acknowledged the foregoing instrument to be ) voluntary act and deed.

STATE OF OREGON, County of Umatilla ) ss.  
Personally appeared R.G. Schubert ) and  
who, being duly sworn, )  
each for himself and not one for the other, did say that the former is )  
the President ) president and that the latter is the )  
secretary of the S6 Ranches, INC )  
a corporation, and that said instrument )  
was signed in behalf of said corporation by authority of its board of directors; )  
and each of them acknowledged said instrument to be a voluntary act and )  
deed.

Notary Public for Oregon  
My commission expires:

Before me:  
Notary Public for Oregon  
My commission expires: 7/31/89



\* If the consideration consists of or includes other property or value, add the following:  
\* The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (Indicate which).

S6 RANCHES, INC.  
Rt. 2, Box 1168  
Milton Freewater, OR 97862  
Grantor's Name and Address

LOUISIANA PACIFIC  
111 S. W. Fifth Avenue  
Portland, OR 97204  
Grantee's Name and Address

Alter recording return to:  
HOMESTEAD, TITLE & ESCROW CO., INC.  
P. O. Box 1475  
Pendleton, OR 97801  
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address:  
LOUISIANA PACIFIC  
111 S. W. Fifth Avenue  
Portland, OR 97204  
Name, Address, Zip

STATE OF OREGON }  
COUNTY OF UMATILLA } ss.  
I, J. Dean Fouquette, Sr., County Clerk, )  
certify that this instrument was received and )  
recorded )  
ON SEP. 10. 1987 )  
at 9:56 o'clock A.M. in the record )  
of DEEDS of said County in )  
Book Page )  
R157 1607 )  
J. DEAN FOUQUETTE, SR. )  
County Clerk )  
By Betty Browning Deputy )  
Page 16 No. 132624 )

FILED  
J. DEAN FOUQUETTE, SR.  
UMATILLA COUNTY CLERK  
1987 SEP 10 A 9 56

R140 PAGE 529

QUITCLAIM DEED — STATUTORY FORM  
(Individual or Corporation)

121207 RECEIVED

REGISTERED TITLE 18383 E

..... S6 RANCHES, INC., AN OREGON CORPORATION  
Grantor, conveys and warrants to LOUISIANA PACIFIC, A DELAWARE CORPORATION ..... NOV 18 1988

.....  
Grantee, all right, title and interest in and to the following described real property: including any and all  
interest in any timber located on the property: WATER RESOURCES DEPT.  
SALEM, OREGON

See Exhibit "A", Attached

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

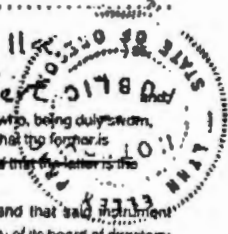
The true consideration for this conveyance is \$ .....-0-..... (Here comply with the requirements of ORS 83.030\*)

Dated this ..... 11th ..... day of ..... July ..... 19 86 as a corporate grantor, it has caused its name to be signed by order of its board of directors.

*R.G. Schubert pres. S6 Ranches*

STATE OF OREGON, )  
County of ..... ) ss.  
..... 19 )  
Personally appeared the above named .....  
.....  
..... and acknowledged the foregoing instrument to be ..... voluntary act and deed.

STATE OF OREGON, County of *Umatilla*  
*July 11 19 86*  
Personally appeared *R.G. Schubert* 0178 And  
who, being duly sworn,  
each for himself and not one for the other, did say that the former is  
the president and the latter is the  
secretary of the  
S6 Ranches, Inc. a corporation, and that said instrument  
was signed in behalf of said corporation by authority of its board of directors;  
and each of them acknowledged said instrument to be its voluntary act and  
deed.



Before me:  
.....  
Notary Public for Oregon  
My commission expires: .....

Before me:  
*Reynolds Ellen Prag*  
Notary Public for Oregon  
My commission expires: *6-18-89*

\* If the consideration consists of or includes other property or value, add the following:  
\* The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (Indicate which)\*.

S6 Ranches, Inc.  
Rt. 2, Box 116B  
Milton-Freewater, Or  
Grantor's Name and Address

Louisiana Pacific  
111 S.W. Fifth Ave.  
Portland, Oregon 97204  
Grantee's Name and Address

After recording return to:  
Homestead Title and Escrow Company  
Pendleton, Branch  
#86-110P  
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address.

Louisiana Pacific  
111 S.W. Fifth Ave.  
Portland, Oregon 97204  
Name, Address, Zip

Application No. *2-11873*  
Permit No. G10861

RECEIVED

R 140 PAGE 530

NOV 18 1988

Township 2 South, Range 33 East of the Willamette Meridian, Umatilla County, Oregon  
Section 5: Lots 9, 12, 14 and 15; Southwest Quarter of Southeast Quarter; WATER RESOURCES DEPT. SALEM, OREGON

Section 6: That portion of the Southwest Quarter of the Southeast Quarter lying South of the present existing county Road; That portion of Lot 5 lying South of the present existing County Road.

Section 7: Parcel I:

Northeast Quarter;  
Southeast Quarter, EXCEPTING THEREFROM the following:

Beginning at the Southwest corner of the Southeast Quarter of said Section 7; thence North along the West line thereof, a distance of 942 feet; thence East at right angles to the West line of the Southeast Quarter of said Section 7, a distance of 617 feet; thence Southeasterly in a straight line a distance of 435 feet to a point which measured 925 feet East of the West line of the Southeast Quarter of said Section 7, when measured at right angles thereto; thence South and parallel to the West line of the said Southeast Quarter a distance of 635 feet to a point on the South line of the said Southeast Quarter; thence West along the South line of the Southeast Quarter a distance of 925 feet to the Southwest corner of the Southeast Quarter of said Section 7 and the point of beginning.

Parcel II:

All that portion of the Southeast Quarter described as:

Beginning at the Southwest corner of the Southeast Quarter of said Section 7; thence North along the West line thereof, a distance of 942 feet; thence East at right angles to the West line of the Southeast Quarter of said Section 7 a distance of 617 feet; thence Southeasterly in a straight line a distance of 435 feet to a point which measured 925 feet East of the West line of the Southeast Quarter of said Section 7, when measured at right angles thereto; thence South and parallel to the West line of the said Southeast Quarter a distance of 635 feet to a point on the South line of the said Southeast Quarter; thence West along the South line of the Southeast Quarter a distance of 925 feet to the Southwest corner of the Southeast Quarter of said Section 7 and the point of beginning;

Excepting therefrom: The South 200 feet of the West Half of the Southwest Quarter of the Southeast Quarter of Section 7, Township 2 South, Range 33, East of the Willamette Meridian, Umatilla County, Oregon

Application No. 8-11873  
Permit No. G10861

Section 8: All;

Section 9: Lots 6 and 7; Southwest Quarter of Northwest Quarter; South One-half;

Section 10: Lots 5, 6 and 7; South Half of Southwest Quarter;

Section 14: Lot 5;

Section 15: Lots 3 and 4; South Half of Northeast Quarter; East Half of Northwest Quarter; Northwest Quarter of the Northwest Quarter;

Section 16: North Half of Northeast Quarter; Northeast Quarter of Northwest Quarter; West Half of Northwest Quarter; Southwest Quarter;

Section 17: All

NOV 18 1988

Section 18: East Half of Northeast Quarter; East Half of West Half of Northeast Quarter; Southeast Quarter;

**EXCEPTING THEREFROM:** Beginning at the center of Section 18, Township 2 South, Range 33; running thence South along the West line of the Southeast Quarter of said Section 18, a distance of 34.29 chains; thence North 28° East 2.49 chains; thence North 73°10' East 1.60 chains; thence North 16°05' East 1.48 chains thence North 0°30' East 3.27 chains; thence North 2°20' West 3.03 chains; thence North 12°35' East 3.13 chains; thence North 0°10' West 4.54 chains; thence North 7°50' East 1.51 chains; thence North 0°55' West 2.29 chains; thence North 41°00' East 5.78 chains; thence North 6°05' East 7.83 chains; thence West 8.67 chains to the point of beginning.

**ALSO EXCEPTING THEREFROM:** Beginning at the Northwest corner of the Northeast Quarter of said Section 18; thence East along the North line thereof, a distance of 660 feet to the Northwest corner of that tract of land in Section 18, conveyed to R. G. Schubert, et ux, by Deed recorded in Book 319, Page 107, Deed Records, and the true point of beginning of this description; thence continuing East along the North line of said Section 18; a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northwesterly in a straight line a distance of 250 feet to a point which is 143 feet South of the North line of said Section 18, when measured at right angles thereto, said point also being on the West line of the said Schubert tract mentioned hereinabove; thence North along the West line of the said Schubert tract a distance of 143 feet to the point of beginning.

Section 19: Northeast Quarter; North Half of Southeast Quarter;

Also, the following described lands being a part of Lot 20 in Section 18; and Lots 1 and 10 in Section 19, to-wit: Commencing at the center of said Section 19; thence running West 16 chains to bluff on the West side of Pearson Creek so called; thence along said bluff North 20°25' East 48.82 chains to the North and South center line through said Section 18; thence South 45.75 chains to place of beginning; **EXCEPTING** however that portion of said lands in Section 19, lying Westerly of the center line of the surfaced road constructed by Harris Pine Mills, Northerly and Southerly along Pearson Creek across said Section 19;

Section 20: North One-Half; North Half of South Half;

Section 21: North Half of Northwest Quarter; Southwest Quarter of Northwest Quarter.

**Encumbrances:** Property is assessed as Farm Use Land. If the land becomes disqualified an additional tax may be levied;

The Rights of the the public in and to that portion of the premises herein described lying within the limits of County Roads and Public Roads.

Easement as recorded in Book 180, Page 98; Easement as recorded in Book 182, Page 83; Easement as recorded in Book 160, Page 112; Assignment of easement as recorded in Book 208, Page 131; Easement as recorded in Book 185, Page 348; Easement as recorded in Book 194, Page 92; Timber Deed recorded in Book 208, Page 63; Easement as recorded in Book 230, Page 26; Oil and Gas Lease as recorded on Reel 84, Page 1449.

Taxes for the fiscal year 1986-87 a lien in an amount to be determined by not yet payable.

Application No. *2-11823*

Permit No. G10861

R148 PAGE 057

WARRANTY DEED - STATUTORY FOR (INDIVIDUAL or CORPORATION)

126337

RECEIVED

R. C. SCHUBERT aka ROBERT G. SCHUBERT AND BETTY L. SCHUBERT

NOV 18 1988

Grantor, conveys and warrants to LOUISIANA PACIFIC, a Delaware Corporation

WATER RESOURCES DEPT SALEM, OREGON

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Township 2 South Range 33, Section 18 described as beginning at the Northwest corner of the Northeast Quarter of said Section 18; thence East along the North line thereof, a distance of 660 feet to the Northwest corner of that tract of land in Section 18, conveyed to R. G. Schubert, etux, by Deed recorded in Book 319, Page 107, Deed Records, and the true point of beginning of this description; thence continuing East along the North line of said Section 18 a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northwesterly in a straight line a distance of 250 feet to a point which is 143 feet South of the North line of said Section 18, when measured at right angles thereto, said point also being on the West line of the said Schubert tract mentioned hereinabove; thence North along the West line of the said Schubert tract a distance of 143 feet to the point of beginning. All being in Umatilla County, Oregon.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

Encumbrances: Property is assessed as Farm Use Land. If the land becomes disqualified an additional tax may be levied; The rights of the public in and to that portion of the premises here in described lying within the limits of County Roads and Public Roads; Easement recorded Book 180, Page 98; Easement recorded Book 182, Page 83; Easement recorded in Book 160, Page 112; Assignment of easement recorded Book 208, Page 131; Easement recorded in Book 185, Page 348; Easement as recorded in Book 194, Page 92; Timber Deed recorded in Book 208, Page 63; Easement recorded in Book 230, Page 28, 021 and Gas Lease as recorded on Rec. 84, Page 1449. The true consideration for this conveyance is \$ Clearing Title (Here comply with the requirements of ORS 93.030).

Dated this 31st day of December, 1988; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

R. G. SCHUBERT ROBERT G. SCHUBERT Betty L. Schubert BETTY L. SCHUBERT STATE OF OREGON, County of Umatilla Personally appeared the above named R. G. Schubert & Betty L. Schubert and acknowledged the foregoing instrument to be their voluntary act and deed.

STATE OF OREGON, County of Umatilla ss. Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of the a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon My commission expires: 11/18/90

Before me: Notary Public for Oregon My commission expires:

\* If the consideration consists of or includes other property or value, add the following: "The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which)".

SCHUBERT Grantor's Name and Address Louisiana Pacific 111 S. W. Fifth Avenue Portland, OR 97204 Grantee's Name and Address After recording return to: Homestead Title & Escrow Co., Inc. P. O. Box 1475 Pendleton, OR 97801 Name, Address, Zip Until a change is requested all tax statements shall be sent to the following address: Louisiana Pacific 111 S. W. Fifth Avenue Portland, OR 97204 Name, Address, Zip

STATE OF OREGON, COUNTY OF UMATILLA. I, J. Dean Fouquette, Sr., County Clerk, certify that this instrument was received and recorded ON JAN -8 1987 at 3:30 o'clock P.M. in the record of 01225 of said County in Book R148 Page 57 J. DEAN FOUQUETTE, SR. County Clerk By Betty L. Schubert Deputy Filed 12/28/88 No. 126337

FILED J. DEAN FOUQUETTE, SR. UMATILLA COUNTY CLERK 1987 JAN -8 P 3 30

WARRANTY DEED - STATUTRY FORM (INDIVIDUAL or CORPORATION)

R 140 PAGE 525

121206

RECEIVED

NOV 18 1988

18383 K  
HOMESTEAD TITLE

R.G. SCHUBERT AKA ROBERT G. SCHUBERT AND BETTY L. SCHUBERT  
Grantor, conveys and warrants to ... LOUISIANA PACIFIC, A DELAWARE CORPORATION  
Grantee, the following described real property free of encumbrances except as specifically set forth herein:

WATER RESOURCES DE SALEM, OREGON

SEE EXHIBIT "A", ATTACHED

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

Encumbrances: SEE EXHIBIT "A"

The true consideration for this conveyance is \$ 302,000.00 (Here comply with the requirements of ORS 93.030\*).

Dated this 11th day of July, 1986; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

R.G. Schubert aka Robert G. Schubert and Betty L. Schubert

STATE OF OREGON, County of Umatilla July 11, 1986

STATE OF OREGON, County of Personally appeared

Personally appeared the above named R.G. Schubert, AKA Robert G. Schubert and Betty L. Schubert

who, being duly sworn, did say that the former is the president and that the latter is the secretary of the

and acknowledged the foregoing instrument to be his/her voluntary act and deed.

a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon My commission expires: 6-18-89

Before me: Notary Public for Oregon My commission expires:

\* If the consideration consists of or includes other property or value, add the following: "The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which)".

R.G. and Betty L. Schubert  
Grantor's Name and Address

Louisiana Pacific  
111 S.W. Fifth Ave.  
Portland, Oregon 97204  
Grantee's Name and Address

After recording return to:  
Homestead Title and Escrow Company  
Permit No. Branch  
86-110P  
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address:  
Louisiana Pacific  
111 S.W. Fifth Ave.  
Portland, Oregon 97204  
Name, Address, Zip

Application No. 11873  
Permit No. G10861

RECEIVED

Township 2 South, Range 33 East of the Willamette Meridian, Umatilla County, Oregon NOV 18 1988

Section 5: Lots 9, 12, 14 and 15; Southwest Quarter of Southeast Quarter;

WATER RESOURCES DEPT  
SALEM, OREGON

Section 6: That portion of the Southwest Quarter of the Southeast Quarter lying South of the present existing county Road; That portion of Lot 5 lying South of the present existing County Road.

Section 7: Parcel I:

Northeast Quarter;  
Southeast Quarter, EXCEPTING THEREFROM the following:

Beginning at the Southwest corner of the Southeast Quarter of said Section 7; thence North along the West line thereof, a distance of 942 feet; thence East at right angles to the West line of the Southeast Quarter of said Section 7, a distance of 617 feet; thence Southeasterly in a straight line a distance of 435 feet to a point which measured 925 feet East of the West line of the Southeast Quarter of said Section 7, when measured at right angles thereto; thence South and parallel to the West line of the said Southeast Quarter a distance of 635 feet to a point on the South line of the said Southeast Quarter; thence West along the South line of the Southeast Quarter a distance of 925 feet to the Southwest corner of the Southeast Quarter of said Section 7 and the point of beginning.

Parcel II:

All that portion of the Southeast Quarter described as:

Beginning at the Southwest corner of the Southeast Quarter of said Section 7; thence North along the West line thereof, a distance of 942 feet; thence East at right angles to the West line of the Southeast Quarter of said Section 7 a distance of 617 feet; thence Southeasterly in a straight line a distance of 435 feet to a point which measured 925 feet East of the West line of the Southeast Quarter of said Section 7, when measured at right angles thereto; thence South and parallel to the West line of the said Southeast Quarter a distance of 635 feet to a point on the South line of the said Southeast Quarter; thence West along the South line of the Southeast Quarter a distance of 925 feet to the Southwest corner of the Southeast Quarter of said Section 7 and the point of beginning;

Excepting therefrom: The South 200 feet of the West Half of the Southwest Quarter of the Southeast Quarter of Section 7, Township 2 South, Range 33, East of the Willamette Meridian, Umatilla County, Oregon.

Section 8: All;

Section 9: Lots 6 and 7; Southwest Quarter of Northwest Quarter; South One-half;

Section 10: Lots 5, 6 and 7; South Half of Southwest Quarter;

Application No. 9-11823  
Permit No. G10861

Section 14: Lot 5;

Section 15: Lots 3 and 4; South Half of Northeast Quarter; East Half of Northwest Quarter; Northwest Quarter of the Northwest Quarter;

Section 16: North Half of Northeast Quarter; Northeast Quarter of Northwest Quarter; West Half of Northwest Quarter; Southwest Quarter;

Section 17: All



P.1  
RECEIVED

Section 18: East Half of Northeast Quarter; East Half of West Half of Northeast Quarter; Southeast Quarter; NOV 18 1988

WATER RESOURCES DE  
EM, OREGON

EXCEPTING THEREFROM: Beginning at the center of Section 18, Township 12 N, Range 33; running thence South along the West line of the Southeast Quarter of said Section 18, a distance of 34.29 chains; thence North 28° East 2.49 chains; thence North 73°10' East 1.60 chains; thence North 16°05' East 1.48 chains; thence North 0°30' East 3.27 chains; thence North 2°20' West 3.03 chains; thence North 12°35' East 3.13 chains; thence North 0°10' West 4.54 chains; thence North 7°50' East 1.61 chains; thence North 0°55' West 2.29 chains; thence North 41°00' East 5.78 chains; thence North 6°05' East 7.83 chains; thence West 8.67 chains to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at the Northwest corner of the Northeast Quarter of said Section 18; thence East along the North line thereof, a distance of 860 feet to the Northwest corner of that tract of land in Section 18, conveyed to R. G. Schubert, et ux, by Deed recorded in Book 319, Page 107, Deed Records, and the true point of beginning of this description; thence continuing East along the North line of said Section 18, a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northwesterly in a straight line a distance of 250 feet to a point which is 143 feet South of the North line of said Section 18, when measured at right angles thereto, said point also being on the West line of the said Schubert tract mentioned hereinabove; thence North along the West line of the said Schubert tract a distance of 143 feet to the point of beginning.

Section 19: Northeast Quarter; North Half of Southeast Quarter; Also, the following described lands being a part of Lot 20 in Section 18; and Lots 1 and 10 in Section 19, to-wit: Commencing at the center of said Section 19; thence running West 16 chains to bluff on the West side of Pearson Creek so called; thence along said bluff North 20°25' East 48.82 chains to the North and South center line through said Section 18; thence South 45.75 chains to place of beginning; EXCEPTING however that portion of said lands in Section 19, lying Westerly of the center line of the surfaced road constructed by Harris Pine Mills, Northerly and Southerly along Pearson Creek across said Section 19;

Section 20: North One-Half; North Half of South Half;

Section 21: North Half of Northwest Quarter; Southwest Quarter of Northwest Quarter.

Encumbrances: Property is assessed as Farm Use Land. If the land becomes disqualified an additional tax may be levied;

The Rights of the the public in and to that portion of the premises herein described lying within the limits of County Roads and Public Roads.

Easement as recorded in Book 180, Page 98; Easement as recorded in Book 182, Page 83; Easement as reocrded in Book 160, Page 112; Assignment of easement as recorded in Book 208, Page 131; Easement as recorded in Book 185, Page 348; Easement as recorded in Book 194, Page 9 Timber Deed recorded in Book 208, Page 63; Easement as recorded in Book 230, Page 26; Oil and Gas Lease as recorded on Reel 84, Page 1449.

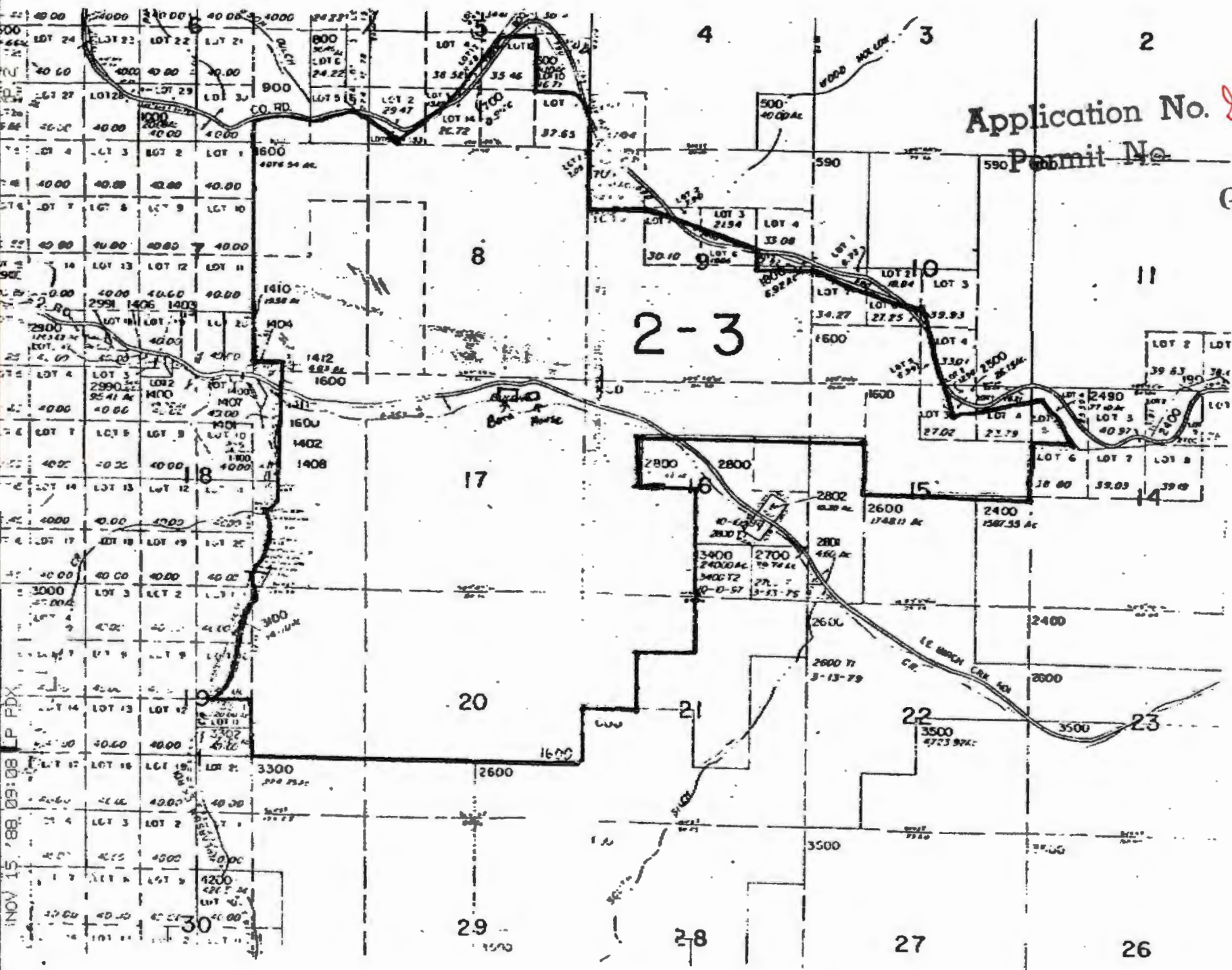
Taxes for the fiscal year 1986-87 a lien in an amount to be determined but not yet payable.

Application No. 2-11873  
Permit No. G10861

Application No. **8-11873**

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

**G10861**



NOV 15 '88 09:08 LP PDX

SCHUBERT PROPERTY

*STATE OF OREGON*

*COUNTY OF UMATILLA*

*PERMIT TO APPROPRIATE THE PUBLIC WATERS*

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000-98  
HAYDEN LAKE, IDAHO 83835

208-772-6011

is hereby issued a permit to use the waters from ONE WELL WITHIN EAST BIRCH CREEK BASIN for IRRIGATION OF 27.0 ACRES. The permit to the use of these waters has been issued under Application G-11873 with a date of priority of NOVEMBER 18, 1988. The permit is limited to not more than 151.5 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, Section 17, T 2 S, R 33 E, WM;  
480 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 17.

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.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The place of use is as follows:

	ACRES	1/4 1/4	SECTION	TOWNSHIP	RANGE, WM
primary	11.00	NE NE	17	2 S	33 E
primary	3.00	NW NE	17	2 S	33 E
primary	4.00	NE NW	17	2 S	33 E
primary	4.00	NW NW	17	2 S	33 E
primary	5.00	NE NE	18	2 S	33 E

Total: 27.00 acres.

The well shall be properly cased and grout sealed to a depth of not less than 180 feet and shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. 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.

Actual construction work shall begin on or before February 27, 1990, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

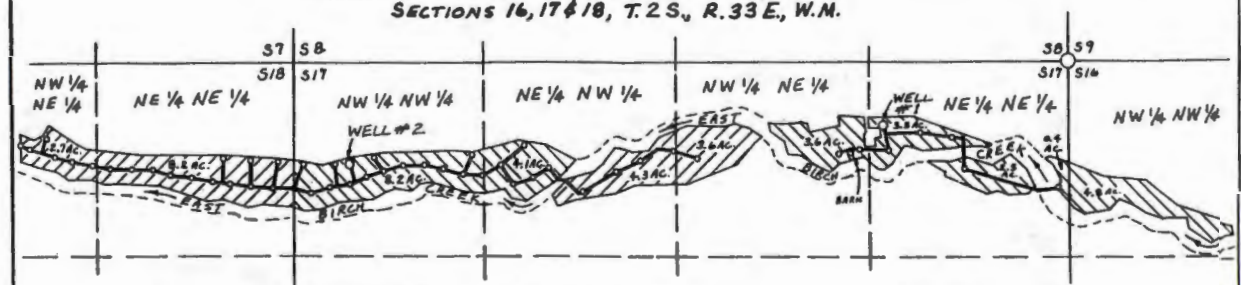
Issued this date, February 27, 1989.

---

Water Resources Department  
William H. Young  
Director

WATER RESOURCES DEPT  
SALEM, OREGON

FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T.2 S., R.33 E., W.M.



FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
TOTALS:		26.9 ACRES	17 ACRES

LOCATION OF WELLS  
FROM SECTION CORNER S 9 1/4 16 17:  
WELL #1 IS 432' S & 1234' W  
WELL #2 IS 651' S & 4881' W

**LEGEND**

- - SECTION CORNER TIED (FOUND MARKED STONE)
- - WELL
- - RISER
- - BURIED DISTRIBUTION LINE
- ▨ - AREA UNDER IRRIGATION - BENEFICIAL USE
- ▩ - PLACE OF USE - GROUND WATER APPLICATION

SCALE - FEET  
0 500 1000 1500

APPLICATION - PLACE OF USE  
AND SOURCE

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
TOTALS:		18.8 ACRES	5 ACRES

THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
LOUISIANA-PACIFIC  
P.O. BOX 4000-9B  
HAYDEN LAKE, IDAHO  
83835



DENNIS L. GAYLORD, C.E.  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

March 10, 1989

Louisana-Pacific Corporation  
PO Box 4000-98  
Hayden Lake, ID 83835

REFERENCE: File G-11873

ENCLOSED: Permit G-10861

### PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Your permit has been recorded in this office, but you should hold the original permit as evidence of your water right. If the land is sold, an assignment to the new owner must be recorded in this office. Assignment blanks will be furnished upon request.

The permit fixes time limits for beginning of construction, completion of construction and complete application of water to beneficial use. The law requires that you begin actual construction within one year from the date of issuance of the permit or your right will be lost. The Water Resources Director is authorized to extend the time for completion of construction and for complete application of water upon proper showing, but has no authority to extend the time limit for beginning of construction.

Forms A, B and C may be attached for submitting (A) Notice of Beginning of Construction, (B) Notice of Completion of Construction and (C) Notice of Complete Application of Water. If your application has stated that construction has already been started, or that construction work is completed, or that complete application of water has been made, only the required forms will be attached.

The start of the drilling operation or other means of constructing the well will be considered as beginning of construction. If no canal system or other permanent type of distribution works is employed, the acquisition and installation of all the machinery or equipment necessary for the project will be considered as completion of construction.

When complete application of water has been made, Form C should be submitted as the first step in proof of appropriation. When proof satisfactory to the Water Resources Director has been made, the right will be confirmed by issuance of a certificate. The certificate will limit the right to the extent that water has been applied to beneficial use in accordance with the terms of the permit.

The permit requires that an access port or other installation be provided to allow the measurement of the water level within the well at any time. Sketches of suggested methods of installation are attached.

Sincerely,

WILLIAM H. YOUNG  
Director

WHY:wpc  
enclosures  
0032B/1

RECEIVED

DEC 29 1988

WATER RESOURCES DEPT.  
SALEM, OREGON



Louisiana-Pacific Corporation

P.O. Box 4000-98  
Hayden Lake, Idaho 83835  
208/772-6011

December 27, 1988

Wayne J. Overcash, Water Rights Specialist  
Water Resources Department  
3850 Portland Road NE  
Salem, Oregon 97310

Reference: File G11873

Dear Mr. Overcash:

In response to your letter of December 16, 1988 concerning our application for water rights in the Birch Creek Area I offer the following:

Construction of the proposed well has not begun and will not begin until water rights are established.

Proposed well will be grout sealed and cased to a depth of 180 feet.

If any further information from me is needed please inform me as soon as possible. It is our plan to proceed with the proposed well in late February or March of 1989 if possible.

Sincerely

Joe Tolar,  
Louisiana Pacific Corporation

JT/pa



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

December 16, 1988

Joe Tolar, Division Purchasing Manager  
Louisiana-Pacific Corporation  
P.O. Box 4000-98  
Hayden Lake, Idaho 83835

REFERENCE: File G-11873

The application you submitted for Louisiana-Pacific Corporation for a permit to appropriate 0.3375 cubic foot per second from one well for irrigation of 27.0 acres has been filed and for reference numbered G-11873. The legal descriptions of properties, affidavit to provide for diminishing an existing right to a supplemental status and fees of \$334 were also received. Our Receipt 56646 is enclosed.

The Umatilla Basin Program (OAR 690-80) adopted by the Water Resources Commission in July of 1988 classified the surface waters of the Birch Creek. Permits that may be issued to provide for the use of such surface waters for irrigation is now limited to the irrigation of a lawn or garden not to exceed 1/2 acre in area.

We will need more information on the construction features of the proposed well before the application can be considered for approval. Due to the potential for interference with surface water by the proposed use of water from a well as located in the application, well construction features will very definitely need to be considered if it is intended to use the amount of water you have requested without causing interference with surface waters in the Birch Creek stream basin.

If it is determined that the well is constructed in such a manner that may allow adverse interference with surface waters, rejection of the application after a hearing is a possibility. However, if it determined from information available that interference is insignificant, a permit may be issued, but will contain a condition stating that the well will be regulated or use stopped if adverse interference is found.



Joe Tolar  
December 16, 1988  
Page 2

As a minimum, we suggest that the well be properly cased and grout sealed to a depth of 180 feet. Constructed as such may still result in interference with surface waters, but the interference would probably be insignificant. If you should have any questions regarding this matter, please call or write and advise us of a telephone number and time you can be reached.

We will hold action on the application for a reasonable length of time pending receipt of a reply advising of additional information on the proposed construction features of the well.

Sincerely,

WAYNE J. OVERCASH  
Water Rights Specialist

Enclosure

WJO

cc: David H. Krumbein

TO: JOHN WOODRUFF, PERMITTING SEC. DATE: NOV. 21, 1988

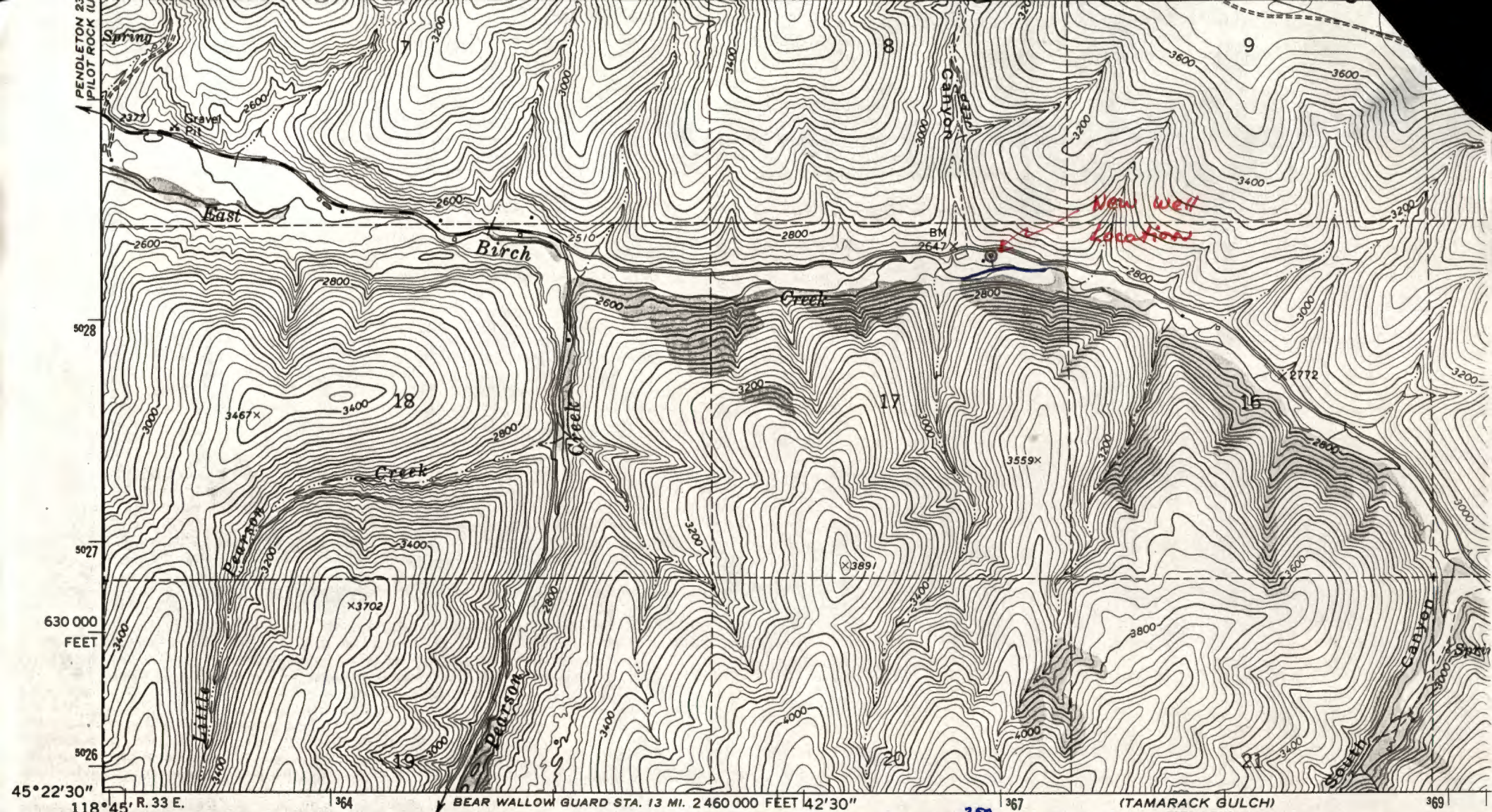
FROM: DONN MILLER <sup>DM</sup>

SUBJECT: PRE-FILED APPLICATION FOR LOUISIANA-PACIFIC CORP.  
RECEIVED NOV. 18, 1988

This application seeks to divert 151.5 gpm for irrigation from a new well at T2S/R33W-17aa in Umatilla County. You have forwarded the application to me since there is a classification on nearby Birch Creek which would not allow the use. Therefore, my review is on the question of ground water/surface water connection.

The application is not clear with regard to the well. It appears that the well is not yet constructed and I find no log in the file. However, the application includes several important descriptors of the well. In particular the location is said to be 400' from the stream and the water level in the well is 25' below land surface datum. Similarly, the elevation difference from the well to the stream is 25'. The application does not indicate the number of feet of casing in the well but talks about a total depth of 375'. A well at this location would seem to derive most of its water from basalt. The casing, sealing depth, basalt fracturing, basalt lateral continuity of flow and dips of flows are important factors. All things considered, the construction of the well will be very important in judging the gw/sw connection.

The potential for interference with surface water exists at this site. Well construction will aid in the determination whether interference is substantial or insignificant. I propose that we communicate the well construction issue to the applicant and propose a construction which will aid in an insignificant interference determination. As a minimum, I suggest that the well be cased and grouted to a depth of 180'. At the prevailing dip of about 2 degrees to the northwest, that casing and sealing will prevent the diversion of water from rocks which outcrop less than 1 mile from the well. That construction may still lead to an interference with the stream but it would probably be insignificant. We must have a well report before I can render a final opinion.



According to this topo, well location is ~~200~~<sup>250</sup> ' from stream.

Mapped, edited, and published by the Geological Survey

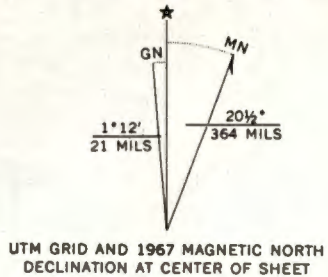
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1965. Field checked 1967

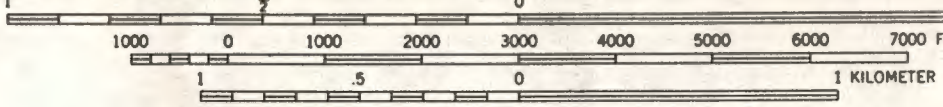
Polyconic projection. 1927 North American datum  
10,000-foot grid based on Oregon coordinate system, north zone

1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue

Fine red dashed lines indicate selected fence lines



UTM GRID AND 1967 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 40 FEET  
DOTTED LINES REPRESENT 20-FOOT CONTOURS  
DATUM IS MEAN SEA LEVEL

Louisiana Pacific Corp. Appl.

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



Louisiana-Pacific Corporation

RECEIVED

NOV 18 1988

WATER RESOURCES DEPT.  
SALEM, OREGON

P.O. Box 4000-98  
Hayden Lake, Idaho 83835  
208/772-6011

November 16, 1988

Application No. *241873*  
Permit No.

Water Rights Division  
Water Resources Department  
3850 Portland Road NE  
Salem, Oregon 97310

Gentlemen:

Please find enclosed our application, legal description, fees and affidavit for ground water rights to property owned by Louisiana Pacific Corporation in Umatilla County, Oregon.

Please direct any correspondence pertaining to this application to myself:

Joe Tolar  
C/O Louisiana Pacific Corporation  
P.O. Box 4000-98  
Hayden Lake, Idaho 38835  
Phone (208) 772-6011

Thank you

Joe Tolar,  
Division Purchasing Manager

JT/pa

Enclosures

*Brinda*

QUITCLAIM DEED - STATUTORY FORM  
(Individual or Corporation)

RECEIVED

R 157 PAGE 1607

132624

NOV 18 1988

S6 RANCHES, INC., AN OREGON CORPORATION  
Grantor, conveys and warrants to LOUISIANA PACIFIC, A DELAWARE CORPORATION

WATER RESOURCES DEPT  
SALEM, OREGON

Grantee, all right, title and interest in and to the following described real property: Including any and all interest in any timber located on the property: Township 2 South Range 33, Section 18 described as beginning at the Northwest corner of the Northeast Quarter of said Section 18; thence East along the North line thereof, a distance of 660 feet to the Northwest corner of that tract of land in Section 18, conveyed to R. G. Schubert, etux, by Deed recorded in Book 319, Page 107, Deed Records, and the true point of beginning of this description; thence continuing East along the North line of said Section 18 a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northwesterly in a straight line a distance of 250 feet to a point which is 143 feet South of the North line of said Section 18, when measured at right angles thereto, said point also being on the West line of the said Schubert tract mentioned hereinabove; thence North along the West line of the said Schubert tract a distance of 143 feet to the point of beginning. All being in Umatilla County, Oregon.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

The true consideration for this conveyance is \$ Clearing Title (Here comply with the requirements of ORS 93.030).

Dated this 9th day of August, 1987, if a corporate grantor, it has caused its name to be signed by order of its board of directors.

S6 RANCHES INC.  
BY: R. G. Schubert, President

WESTSB TITLE 18383E

STATE OF OREGON, )  
County of ) ss.  
19 )  
Personally appeared the above named

STATE OF OREGON, County of Umatilla, ) ss.  
9-9-87 )  
Personally appeared R.G. Schubert and

and acknowledged the foregoing instrument to be voluntary act and deed.

who, being duly sworn, each for himself and not one for the other, did say that the former is the President president and that the latter is the secretary of the S6 RANCHES, INC a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be voluntary act and deed.

Before me:  
Notary Public for Oregon  
My commission expires:

Before me:  
Notary Public for Oregon  
My commission expires: 7/21/89



\* If the consideration consists of or includes other property or value, add the following:  
The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (Indicate which).

S6 RANCHES, INC.  
Rt. 2, Box 116B  
Milton Freewater, OR 97862  
Grantor's Name and Address

STATE OF OREGON, )  
COUNTY OF UMATILLA, ) ss.  
I, J. Dean Fouquette, Sr., County Clerk,  
certify that this instrument was received and recorded

LOUISIANA PACIFIC  
111 S. W. Fifth Avenue  
Portland, OR 97204  
Grantee's Name and Address

ON SEP. 10, 1987  
at 9:56 o'clock A.M. in the record  
of DEEDS of said County in  
Book Page  
R157 1607

After recording return to:  
HOMESTEAD, TITLE & ESCROW CO., INC.  
P. O. Box 1475  
Pendleton, OR 97801  
Name, Address, Zip

J. DEAN FOUQUETTE, SR.  
County Clerk  
By: Beth Brown, Deputy  
Fee \$ 16 No. 132624

Until a change is requested all tax statements shall be sent to the following address:  
LOUISIANA PACIFIC  
111 S. W. Fifth Avenue  
Portland, OR 97204  
Name, Address, Zip

FILED  
J. DEAN FOUQUETTE, SR.  
UMATILLA COUNTY CLERK  
1987 SEP 10 A 9 56

HST-5

R 140 PAGE 529

QUITCLAIM DEED -- STATUTORY FORM  
(Individual or Corporation)

121207

HOMESTEAD TITLE R 383 E

S6 RANCHES, INC. AN OREGON CORPORATION  
Grantor, conveys and warrants to LOUISIANA PACIFIC, A DELAWARE CORPORATION

RECEIVED

Grantee, all right, title and interest in and to the following described real property: including any and all interest in any timber located on the property:

NOV 18 1988

See Exhibit "A", Attached

WATER RESOURCES DEPT.  
SALEM, OREGON

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

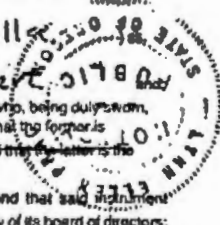
The true consideration for this conveyance is \$ -0- (Here comply with the requirements of ORS 93.030).

Dated this 11th day of July, 1986, if a corporate grantor, it has caused its name to be signed by order of its board of directors.

*R.G. Schubert, pres. S6 Ranches*

STATE OF OREGON, )  
County of ) ss.  
Personally appeared the above named )  
and acknowledged the foregoing instrument to be ) voluntary act and deed.

STATE OF OREGON, County of Umatilla  
Personally appeared R.G. Schubert July 11, 1986  
w/o. being duly sworn, each for himself and not one for the other, did say that the former is the president and the latter is the secretary of the S6 Ranches, Inc., a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.



Before me:  
Notary Public for Oregon  
My commission expires:

Before me:  
*Reynor Ellen Prag*  
Notary Public for Oregon  
My commission expires: 6-18-89

\* If the consideration consists of or includes other property or value, add the following:  
\* The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which)\*.

S6 Ranches, Inc.  
Rt. 2, Box 116B  
Milton-Freewater, Or  
Grantor's Name and Address

Louisiana Pacific  
111 S.W. Fifth Ave  
Portland, Oregon 97204  
Grantee's Name and Address

After recording return to:  
Homestead Title and Escrow Company  
Pendleton, Branch  
#66-110P  
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address.

Louisiana Pacific  
111 S.W. Fifth Ave  
Portland, Oregon 97204  
Name, Address, Zip

RECEIVED

Township 2 South, Range 33 East of the Willamette Meridian, Umatilla County, Oregon

NOV 18 1988

Section 5: Lots 9, 12, 14 and 15; Southwest Quarter of Southeast Quarter;

Section 6: That portion of the Southwest Quarter of the Southeast Quarter lying South of the present existing county Road;  
That portion of Lot 5 lying South of the present existing County Road.WATER RESOURCES DIVISION  
SALEM, OREGON

Section 7: Parcel I:

Northeast Quarter;  
Southeast Quarter, EXCEPTING THEREFROM the following:

Beginning at the Southwest corner of the Southeast Quarter of said Section 7; thence North along the West line thereof, a distance of 942 feet; thence East at right angles to the West line of the Southeast Quarter of said Section 7, a distance of 617 feet; thence Southeasterly in a straight line a distance of 435 feet to a point which measured 925 feet East of the West line of the Southeast Quarter of said Section 7, when measured at right angles thereto; thence South and parallel to the West line of the said Southeast Quarter a distance of 635 feet to a point on the South line of the said Southeast Quarter; thence West along the South line of the Southeast Quarter a distance of 925 feet to the Southwest corner of the Southeast Quarter of said Section 7 and the point of beginning.

Parcel II:

All that portion of the Southeast Quarter described as:

Beginning at the Southwest corner of the Southeast Quarter of said Section 7; thence North along the West line thereof, a distance of 942 feet; thence East at right angles to the West line of the Southeast Quarter of said Section 7 a distance of 617 feet; thence Southeasterly in a straight line a distance of 435 feet to a point which measured 925 feet East of the West line of the Southeast Quarter of said Section 7, when measured at right angles thereto; thence South and parallel to the West line of the said Southeast Quarter a distance of 635 feet to a point on the South line of the said Southeast Quarter; thence West along the South line of the Southeast Quarter a distance of 925 feet to the Southwest corner of the Southeast Quarter of said Section 7 and the point of beginning;

Excepting therefrom: The South 200 feet of the West Half of the Southwest Quarter of the Southeast Quarter of Section 7, Township 2 South, Range 33, East of the Willamette Meridian, Umatilla County, Oregon.

Section 8: All;

Section 9: Lots 6 and 7; Southwest Quarter of Northwest Quarter; South One-half;

Section 10: Lots 5, 6 and 7; South Half of Southwest Quarter;

Section 14: Lot 5;

Section 15: Lots 3 and 4; South Half of Northeast Quarter; East Half of Northwest Quarter; Northwest Quarter of the Northwest Quarter;

Section 16: North Half of Northeast Quarter; Northeast Quarter of Northwest Quarter; West Half of Northwest Quarter; Southwest Quarter;

Section 17: All

RECEIVED

NOV 16 1988

Section 18: East Half of Northeast Quarter; East Half of West Half of Northeast Quarter; Southeast Quarter;

EXCEPTING THEREFROM: Beginning at the center of Section 18, Township 57 South, Range 33; running thence South along the West line of the Southeast Quarter of said Section 18, a distance of 34.29 chains; thence North 28° East 2.49 chains; thence North 73°10' East 1.60 chains; thence North 16°05' East 1.48 chains thence North 0°30' East 3.27 chains; thence North 2°20' West 3.03 chains; thence North 12°35' East 3.13 chains; thence North 0°10' West 4.54 chains; thence North 7°50' East 1.51 chains; thence North 0°55' West 2.29 chains; thence North 41°00' East 5.78 chains; thence North 6°05' East 7.83 chains; thence West 8.67 chains to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at the Northwest corner of the Northeast Quarter of said Section 18; thence East along the North line thereof, a distance of 660 feet to the Northwest corner of that tract of land in Section 18, conveyed to R. G. Schubert, et ux, by Deed recorded in Book 319, Page 107, Deed Records, and the true point of beginning of this description; thence continuing East along the North line of said Section 18; a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northwesterly in a straight line a distance of 250 feet to a point which is 143 feet South of the North line of said Section 18, when measured at right angles thereto, said point also being on the West line of the said Schubert tract mentioned hereinabove; thence North along the West line of the said Schubert tract a distance of 143 feet to the point of beginning.

Section 19: Northeast Quarter; North Half of Southeast Quarter; Also, the following described lands being a part of Lot 20 in Section 18; and Lots 1 and 10 in Section 19, to-wit: Commencing at the center of said Section 19; thence running West 16 chains to bluff on the West side of Pearson Creek so called; thence along said bluff North 20°25' East 48.82 chains to the North and South center line through said Section 18; thence South 45.75 chains to place of beginning; EXCEPTING however that portion of said lands in Section 19, lying Westerly of the center line of the surfaced road constructed by Harris Pine Mills, Northerly and Southerly along Pearson Creek across said Section 19;

Section 20: North One-Half; North Half of South Half;

Section 21: North Half of Northwest Quarter; Southwest Quarter of Northwest Quarter.

Encumbrances: Property is assessed as Farm Use Land. If the land becomes disqualified an additional tax may be levied;

The Rights of the the public in and to that portion of the premises herein described lying within the limits of County Roads and Public Roads.

Easement as recorded in Book 180, Page 98; Easement as recorded in Book 182, Page 83; Easement as reocrded in Book 160, Page 112; Assignment of easement as recorded in Book 208, Page 131; Fasement as recorded in Book 185, Page 348; Easement as recorded in Book 194, Page 92 Timber Deed recorded in Book 208, Page 63; Fasement as recorded in Book 230, Page 26; Oil and Gas Lease as recorded on Reel 84, Page 1449.

Taxes for the fiscal year 1986-87 a lien in an amount to be determined by not yet payable.



R148 PAGE 057

WARRANTY DEED - STATUTORY FOR (INDIVIDUAL or CORPORATION)

126337 RECEIVED

R. C. SCHUBERT aka ROBERT G. SCHUBERT AND BETTY L. SCHUBERT

NOV 18 1988

Grantor, conveys and warrants to LOUISIANA PACIFIC, a Delaware Corporation

WATER RESOURCES DEPT. SALEM, OREGON

Grantee, the following described real property free of encumbrances except as specifically set forth herein: Township 2 South Range 33, Section 18 described as beginning at the Northwest corner of the Northeast Quarter of said Section 18; thence East along the North line thereof, a distance of 660 feet to the Northwest corner of that tract of land in Section 18, conveyed to R. C. Schubert, etux, by Deed recorded in Book 319, Page 107, Deed Records, and the true point of beginning of this description; thence continuing East along the North line of said Section 18 a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northwesterly in a straight line a distance of 250 feet to a point which is 143 feet South of the North line of said Section 18, when measured at right angles thereto, said point also being on the West line of the said Schubert tract mentioned hereinabove; thence North along the West line of the said Schubert tract a distance of 143 feet to the point of beginning. All being in Umatilla County, Oregon.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

Encumbrances: Property is assessed as Farm Use Land. If the land becomes disqualified an additional tax may be levied; The rights of the public in and to that portion of the premises here in described lying within the limits of County Roads and Public Roads; Easement recorded Book 180, Page 98; Easement recorded Book 182, Page 83; Easement recorded in Book 160, Page 112; Assignment of easement recorded Book 208, Page 131; Easement recorded in Book 185, Page 348; Easement as recorded in Book 194, Page 92; Timber Deed recorded in Book 208, Page 63; Easement recorded in Book 230, Page 26. Oil and Gas Lease as recorded on Reel 84, Page 1449. The true consideration for this conveyance is \$ Clearing Title (Here comply with the requirements of ORS 93.030).

Dated this 31st day of December, 1986; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

R.G. SCHUBERT ROBERT G. SCHUBERT Betty L. Schubert BETTY L. SCHUBERT STATE OF OREGON, County of Yuma, 1987 Personally appeared the above named R.G. Schubert & Betty L. Schubert

Betty L. Schubert STATE OF OREGON, County of Yuma, 1986 Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of the

and acknowledged the foregoing instrument to be a voluntary act and deed.

a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon My commission expires: 11/18/90

Before me: Notary Public for Oregon My commission expires:

\* If the consideration consists of or includes other property or value, add the following: "The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which)".

SCHUBERT Grantor's Name and Address Louisiana Pacific 111 S. W. Fifth Avenue Portland, OR 97204 Grantee's Name and Address After recording return to: Homestead Title & Escrow Co., Inc. P. O. Box 1475 Pendleton, OR 97801 Name, Address, Zip Until a change is requested all tax statements shall be sent to the following address: Louisiana Pacific 111 S. W. Fifth Avenue Portland, OR 97204 Name, Address, Zip

STATE OF OREGON, COUNTY OF UMATILLA, } ss I, J. Dean Fouquette, Sr., County Clerk, certify that this instrument was received and recorded ON JUL -8 1987 at 3:30 o'clock P.M. in the record of said County in Book R148 Page 57 J. DEAN FOUQUETTE, SR. County Clerk By Betty L. Schubert Deputy Fees \$ 17.50 No. 126337

FILED J. DEAN FOUQUETTE, SR. UMATILLA COUNTY CLERK NSJ JAN -8 P 3 30

WARRANTY DEED - STATUTORY FORM (INDIVIDUAL or CORPORATION)

R 140 PAGE 525

1212 RECEIVED

18323 E HOMESTEAD TITLE

R.G. SCHUBERT AKA ROBERT G. SCHUBERT AND BETTY L. SCHUBERT

Grantor, conveys and warrants to LOUISIANA PACIFIC, A DELAWARE CORPORATION 110V 18 1988

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

WATER RESOURCES DEPT. SALEM, OREGON

SEE EXHIBIT "A", ATTACHED

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

Encumbrances: SEE EXHIBIT "A"

The true consideration for this conveyance is \$ 302,000.00 (Here comply with the requirements of ORS 93.030).

Dated this 11th day of July, 1986; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

R.G. Schubert AKA Robert G. Schubert and Betty L. Schubert

STATE OF OREGON, County of Umatilla July 11, 1986

STATE OF OREGON, County of, 19

Personally appeared the above named R.G. Schubert AKA Robert G. Schubert and Betty L. Schubert and acknowledged the foregoing instrument to be his/her voluntary act and deed.

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of the corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon My commission expires: 6-18-89

Before me: Notary Public for Oregon My commission expires:

\* If the consideration consists of or includes other property or value, add the following: "The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which)".

R.G. and Betty L. Schubert Grantor's Name and Address

Louisiana Pacific 111 S.W. Fifth Ave Portland, Oregon 97204 Grantee's Name and Address

After recording return to: Homestead Title and Escrow Company 86-110P Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address: Louisiana Pacific 111 S.W. Fifth Ave Portland, Oregon 97204 Name, Address, Zip

R 140 PAGE 526

NOV 18 1988

Township 2 South, Range 33 East of the Willamette Meridian, Umatilla County, Oregon

WATER RESOURCES DEPT.  
SALEM, OREGON

Section 5: Lots 9, 12, 14 and 15; Southwest Quarter of Southeast Quarter;

Section 6: That portion of the Southwest Quarter of the Southeast Quarter lying South of the present existing county Road;  
That portion of Lot 5 lying South of the present existing County Road.

Section 7: Parcel I:

Northeast Quarter;

Southeast Quarter, EXCEPTING THEREFROM the following:

Beginning at the Southwest corner of the Southeast Quarter of said Section 7; thence North along the West line thereof, a distance of 942 feet; thence East at right angles to the West line of the Southeast Quarter of said Section 7, a distance of 617 feet; thence Southeasterly in a straight line a distance of 435 feet to a point which measured 925 feet East of the West line of the Southeast Quarter of said Section 7, when measured at right angles thereto; thence South and parallel to the West line of the said Southeast Quarter a distance of 635 feet to a point on the South line of the said Southeast Quarter; thence West along the South line of the Southeast Quarter a distance of 925 feet to the Southwest corner of the Southeast Quarter of said Section 7 and the point of beginning.

Parcel II:

All that portion of the Southeast Quarter described as:

Beginning at the Southwest corner of the Southeast Quarter of said Section 7; thence North along the West line thereof, a distance of 942 feet; thence East at right angles to the West line of the Southeast Quarter of said Section 7 a distance of 617 feet; thence Southeasterly in a straight line a distance of 435 feet to a point which measured 925 feet East of the West line of the Southeast Quarter of said Section 7, when measured at right angles thereto; thence South and parallel to the West line of the said Southeast Quarter a distance of 635 feet to a point on the South line of the said Southeast Quarter; thence West along the South line of the Southeast Quarter a distance of 925 feet to the Southwest corner of the Southeast Quarter of said Section 7 and the point of beginning;

Excepting therefrom: The South 200 feet of the West Half of the Southwest Quarter of the Southeast Quarter of Section 7, Township 2 South, Range 33, East of the Willamette Meridian, Umatilla County, Oregon.

Section 8: All;

Section 9: Lots 6 and 7; Southwest Quarter of Northwest Quarter; South One-half;

Section 10: Lots 5, 6 and 7; South Half of Southwest Quarter;

Section 14: Lot 5;

Section 15: Lots 3 and 4; South Half of Northeast Quarter; East Half of Northwest Quarter; Northwest Quarter of the Northwest Quarter;

Section 16: North Half of Northeast Quarter; Northeast Quarter of Northwest Quarter; West Half of Northwest Quarter; Southwest Quarter;

Section 17: All

NOV 18 1988

Section 18: East Half of Northeast Quarter; East Half of West Half of Northeast Quarter; Southeast Quarter;

**EXCEPTING THEREFROM:** Beginning at the center of Section 18, Township 2 South, Range 33; running thence South along the West line of the Southeast Quarter of said Section 18, a distance of 34.29 chains; thence North 28° East 2.49 chains; thence North 73°10' East 1.60 chains; thence North 16°05' East 1.48 chains; thence North 0°30' East 3.27 chains; thence North 2°20' West 3.03 chains; thence North 12°35' East 3.13 chains; thence North 0°10' West 4.54 chains; thence North 7°50' East 1.51 chains; thence North 0°55' West 2.29 chains; thence North 41°00' East 5.78 chains; thence North 6°05' East 7.83 chains; thence West 8.67 chains to the point of beginning.

**ALSO EXCEPTING THEREFROM:** Beginning at the Northwest corner of the Northeast Quarter of said Section 18; thence East along the North line thereof, a distance of 660 feet to the Northwest corner of that tract of land in Section 18, conveyed to R. G. Schubert, et ux, by Deed recorded in Book 319, Page 107, Deed Records, and the true point of beginning of this description; thence continuing East along the North line of said Section 18, a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northwesterly in a straight line a distance of 250 feet to a point which is 143 feet South of the North line of said Section 18, when measured at right angles thereto, said point also being on the West line of the said Schubert tract mentioned hereinabove; thence North along the West line of the said Schubert tract a distance of 143 feet to the point of beginning.

Section 19: Northeast Quarter; North Half of Southeast Quarter;  
Also, the following described lands being a part of Lot 20 in Section 18; and Lots 1 and 10 in Section 19, to-wit: Commencing at the center of said Section 19; thence running West 16 chains to bluff on the West side of Pearson Creek so called; thence along said bluff North 20°25' East 48.82 chains to the North and South center line through said Section 18; thence South 45.75 chains to place of beginning;  
**EXCEPTING** however that portion of said lands in Section 19, lying Westerly of the center line of the surfaced road constructed by Harris Pine Mills, Northerly and Southerly along Pearson Creek across said Section 19;

Section 20: North One-Half; North Half of South Half;

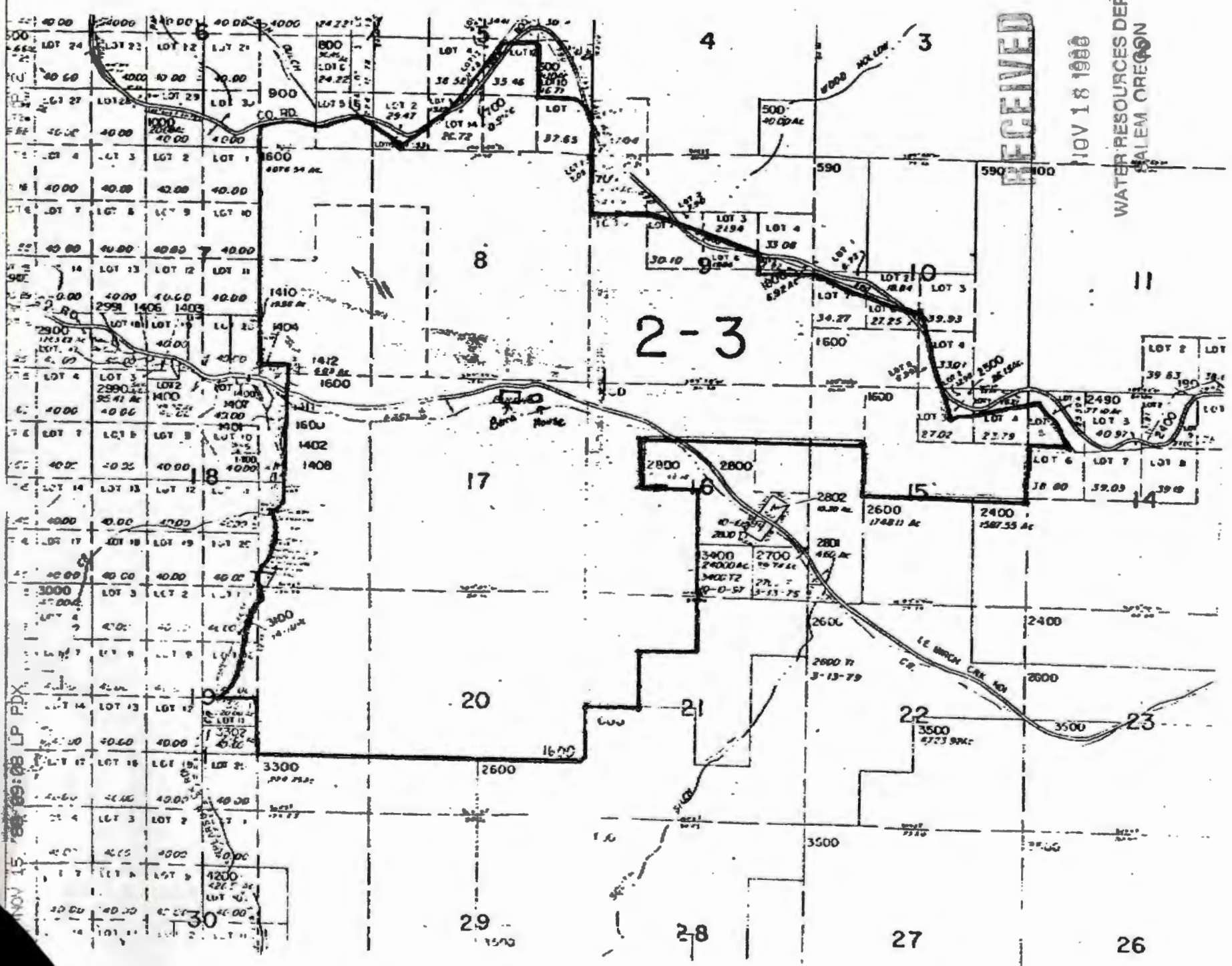
Section 21: North Half of Northwest Quarter; Southwest Quarter of Northwest Quarter.

**Encumbrances:** Property is assessed as Farm Use Land. If the land becomes disqualified an additional tax may be levied;

The Rights of the the public in and to that portion of the premises herein described lying within the limits of County Roads and Public Roads.

Easement as recorded in Book 180, Page 98; Easement as recorded in Book 182, Page 83; Easement as recorded in Book 160, Page 112; Assignment of easement as recorded in Book 208, Page 131; Easement as recorded in Book 185, Page 348; Easement as recorded in Book 194, Page 9; Timber Deed recorded in Book 208, Page 63; Easement as recorded in Book 230, Page 26; Oil and Gas Lease as recorded on Reel 84, Page 1449.

Taxes for the fiscal year 1986-87 a lien in an amount to be determined but not yet payable.



RECEIVED

NOV 18 1966

WATER RESOURCES DEPT.  
SALEM OREGON

NOV 15 8 59 AM '66 LP PDX

SCHUBERT PROPERTY

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Court)

This is to Certify, That THOS. S. GIBSON of Pilot Rock State of Oregon 97868 has a right to the use of the waters of East Birch Creek, a tributary of the Umatilla River,

for the purpose of the irrigation of 22 acres of land, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 3, at page 127 ; that the priority of the right hereby confirmed dates from 1875

that the amount of water to which such right is entitled and hereby confirmed for the purpose s aforesaid, is limited to an amount actually beneficially used for said purpose s, and shall not exceed 0.27 cubic feet per second, subject to the provisions of paragraph 33 of said decree and all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 6 acres in the Northeast quarter of Northeast quarter; 3 acres in the Northwest quarter of Northeast quarter; 4 acres in the Northeast quarter of Northwest quarter and 4 acres in the Northwest quarter of Northwest quarter of Section Seventeen, and 5 acres in the Northeast quarter of Northeast quarter of Section Eighteen, Township Two South, Range Thirty-three East of Willamette Meridian, in Umatilla County, Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

WITNESS the seal and signature of the State Water Board, affixed this 29th day of December, 1919.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By Percy A. Cupper State Engineer, President

Attest:

R.W. Potter, Secretary

Memorandum

October 22, 2007

TO: Groundwater Section

FROM: Larry Nunn

SUBJECT: Same Source Determination File G-11873, Permit G-10861

I am reviewing the COBU for Permit G-10861. The permit allowed the use one well for irrigation of 27.0 acres along East Birch Cr in Umatilla County. The permit was conditioned to require the well be cased and grout sealed to at least 180 feet.

The claim describes two wells, both cased and sealed to at least 180 feet. I do not find a well log for the second well in the well log database.

To determine if the second well can be included in proposed certificate, we need to know if the second well develops water from the same ground water source as the first well.

Attached is a copy of the COBU and well log for Well 1. There may be additional information about well 2 in file G-12832. File G12832 is checked out to Zack (probably Zack McMillan) and should be in the Groundwater Section.

UMAT 5271 not attached here  
# 2 is UMAT 5531 (attached) appears to be mislocated by the driller.

Both wells develop the same source.

RECEIVED

CLAIM OF BENEFICIAL USE AND SITE REPORT  
GROUND WATER RIGHT APPLICATION G-11873, PERMIT G-10861

MAR 23 1992

INFORMATION: This report is the final proof of claim of beneficial use of ground water as outlined in permit G-10861, dated February 27, 1989. The owner of the land and irrigation system is Louisiana-Pacific Corporation, P.O. Box 4000-98, Hayden Lake, Idaho, 83835. My principal contact with the owner has been through Mr. Joe Tolar, at Hayden Lake. The system developed by the landowner consists of two wells and two separate distribution systems. The wells and systems are shown on the accompanying Final Proof Map and are referred to herein as well # 1 and well # 2. The site investigation was conducted on February 17, 1992.

Source: The source of ground water is two wells, located as follows:

Well # 1 is located 432 feet south and 1,234 feet west of the section corner common to sections 8, 9, 16 and 17, T. 2 S., R. 33 E., W.M.

Well # 2 is located 651 feet south and 4,881 feet west of the section corner common to sections 8, 9, 16 and 17, T. 2 S., R. 33 E., W.M. The section corner common to sections 7, 8, 17 and 18 was searched but not recovered, thus both wells are tied to the same section corner.

DESCRIPTION: WELL # 1:

This well is 250 feet deep. It is 12 inches in diameter to a depth of 180 feet and 8 inches in diameter from 180 feet to 250 feet. It is cased with 8 inch diameter by .25 inch thick steel casing to a depth of 180 feet, and grouted with cement (70 sacks) to a depth of 180 feet. The well was tested at the time of drilling to yield 300 gallons per minute. There are two water bearing zones. One, at 45 to 68 feet, is sealed with grout. The second is at 245 to 250 feet. The static water level at time of drilling was at 15 feet below the ground surface.

There are two pumps installed in well # 1, as follows:

A 3 horsepower pump is 168 feet below the ground surface.

MOTOR: The motor is a Franklin 3 horsepower single phase 230 volt electric motor that rotates at 3,450 revolutions per minute.

PUMP: The pump is a Grundfos with a 1 1/4 inch discharge pipe. The motor/pump is rated to produce 25 gallons per minute.

A 5 horsepower pump is 147 feet below the ground surface.

MOTOR: The motor is a Franklin 5 horsepower single phase 230 volt electric that rotates at 3,450 revolutions per minute.



MAR 23 1992

PUMP: The pump is a Grundfos with a 2 inch diameter discharge pipe. The motor/pump is rated to produce 40 gallons per minute. WATER RESOURCES DEPT  
CLATSOP COUNTY, OREGON

Both pumps are in operation when irrigating, and could move as much as 65 gallons per minute. The 3 horsepower pump, only, is used to provide water to the dwelling during times when no irrigation is being done from well # 1.

*No meter -*

DISTRIBUTION SYSTEM: The water from well # 1 is distributed through buried pipes located as shown on the Final Proof Map. The pipes are 3 inches in diameter with risers located as shown on the Final Proof Map. The water is further distributed by the use of 3 inch diameter aluminum hand lines. The hand lines are fitted with sprinkler heads of varying sizes of nozzles. I estimate this system will distribute around 65 gallons per minute at it's maximum output.

#### WELL # 2:

This well is 230 feet deep. It is 12 inches in diameter to a depth of 193 feet and 8 inches in diameter from 193 feet to 230 feet. It is cased with 8 inch diameter by .25 inch thick steel casing to a depth of 193 feet, and sealed with bentonite clay (22 sacks) from the ground surface to a depth of 34 feet and grouted with cement (150 sacks) from 34 feet to a depth of 193 feet. The well was tested at the time of drilling to yield in excess of 300 gallons per minute. There are three water bearing zones. The first is from 1 foot to 34 feet below the ground surface. The second is from 103 feet to 117 feet below the ground surface. Both of these zones are sealed. The third water bearing zone is from 205 to 230 feet below the ground surface. The static water level at the time of drilling was 6 feet below the ground surface.

MOTOR/PUMP: Well # 2 is fitted with two motor/pumps. In the well is a 25 horsepower Franklin electric motor which rotates at 3,450 revolutions per minute. This motor is fitted directly to a Jacuzzi turbine pump with a 4 inch diameter discharge. At the ground surface is a booster pump. This pump is powered by a 25 horsepower Marathon electric motor which rotates at 3,470 revolutions per minute. This motor is short coupled direct to a Paco 7.1 inch diameter centrifugal pump. Intake and discharge pipes on this pump are 2 inch diameter.

DISTRIBUTION SYSTEM: Water from well # 2 is distributed by a system of buried pipes as shown on the Final Proof Map. The pipes are 5 inch diameter near the well and reduce to 4 inch diameter on the lines furthest away from the well and for all lateral lines to risers. There is a total of 5,040 feet of 5 inch diameter buried line and 2,580 feet of 4 inch diameter buried line. Water is placed on the ground directly from the

RECEIVED

MAR 23 1992

risers shown on the Final Proof Map using four Nelson sprinkler heads. These heads have a .60 inch diameter nozzle. Three of the heads are model QC - F100 and one is a QC - SR100. There is a Grainland model 400R flow meter on this system. The system was not in operation at the time of the site visit, but the output of this system is estimated to be in excess of 300 gallons per minute.

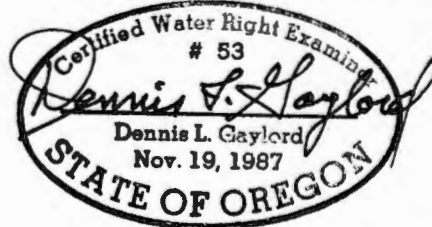
USES: Water from the two wells is beneficially used to irrigate hay crops and pasture for livestock. Water from well # 1 is also used for domestic purposes at one household and guest house/bunkhouse complex. The dwelling is located about 150 feet southwest of well # 1.

AREA:	LOCATION	SOURCE	ACRES	1875 RIGHT (ACRES)
	NW1/4NW1/4	S16 WELL # 1	4.8	NONE
	NE1/4NE1/4	S17 WELL # 1	6.2	6
	NW1/4NE1/4	S17 WELL # 1	3.6	3
	NE1/4NW1/4	S17 WELL # 2	4.1	4
	NW1/4NW1/4	S17 WELL # 2	8.2	4
	TOTALS		26.9	17

An affidavit executed on November 10, 1988 diminished the 1875 surface water right from East Birch Creek from primary to supplemental for irrigation of the above shown acreages.

The systems herein described are to be the primary source of water for irrigation of the 17 acres of land with the 1875 priority date.

The final proof survey and site inspection of the water use was completed by me on February 17, 1992 and the facts contained in this report and the accompanying Final Proof Survey Map are correct to the best of my knowledge.

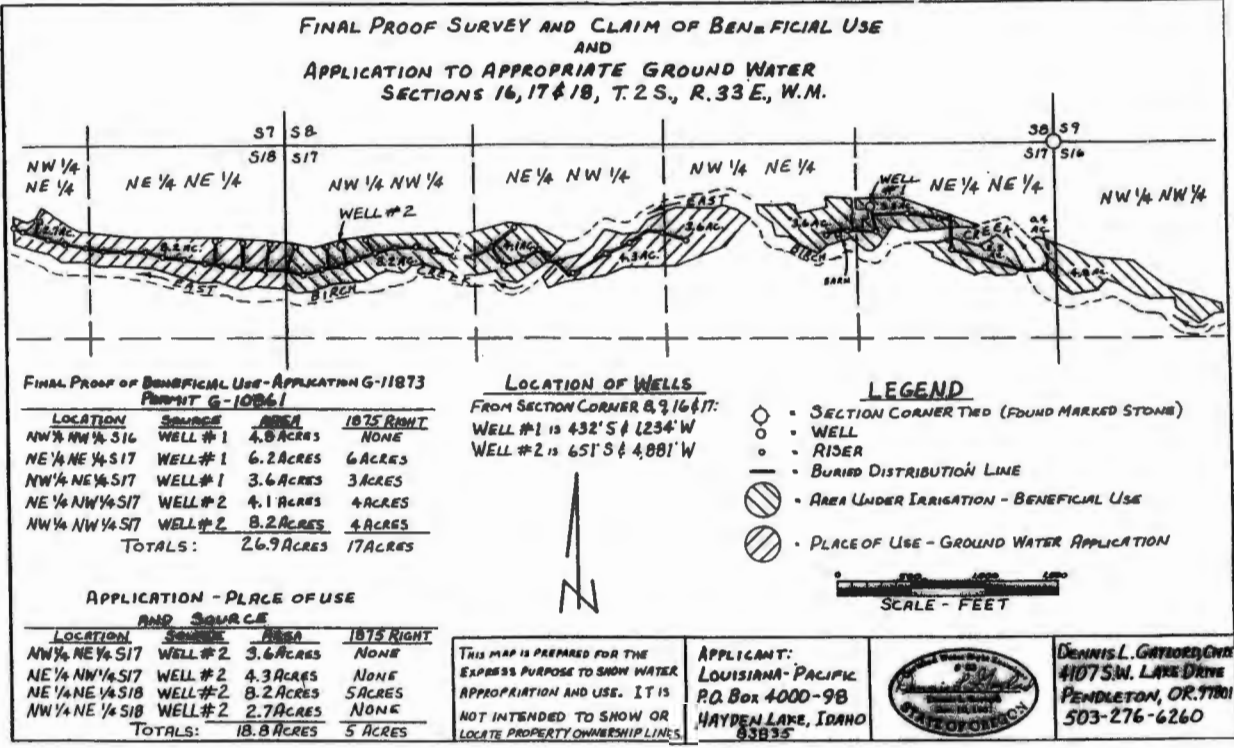


I, Joe Tolar, Division Purchasing Manager for the landowner, Louisiana-Pacific Corporation, agree to the findings of the Certified Water Right Examiner and do submit this site report and the accompanying Final Proof Survey Map as my Claim of Beneficial Use of the water as provided under the terms and conditions of the permit to appropriate the public waters, number G-10861 (Application G-11873), issued February 27, 1989.

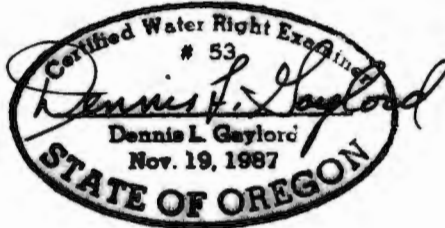
Joe Tolar  
JOE TOLAR

3/19/92  
DATE

12832  
 1961  
 43  
 33  
 27  
 484



SCALE REDUCED TO 1" = 1,320 ft.



THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
 LOUISIANA-PACIFIC  
 P.O. Box 4000-98  
 HAYDEN LAKE, IDAHO 83835



DENNIS L. GAYLOR, CIVIL  
 4107 S.W. LAKE DRIVE  
 PENDLETON, OR. 97151  
 503-276-6260

*STATE OF OREGON*

*COUNTY OF UMATILLA*

*PERMIT TO APPROPRIATE THE PUBLIC WATERS*

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000-98  
HAYDEN LAKE, IDAHO 83835

208-772-6011

is hereby issued a permit to use the waters from ONE WELL WITHIN EAST BIRCH CREEK BASIN for IRRIGATION OF 27.0 ACRES. The permit to the use of these waters has been issued under Application G-11873 with a date of priority of NOVEMBER 18, 1988. The permit is limited to not more than 151.5 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, Section 17, T 2 S, R 33 E, WM;  
480 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 17.

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.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights of others.

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to appropriation of water only to the extent such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Application G-11873      Water Resources Department      Permit G-10861

The place of use is as follows:

	ACRES	1/4 1/4	SECTION	TOWNSHIP	RANGE, WM
primary	11.00	NE NE	17	2 S	33 E
primary	3.00	NW NE	17	2 S	33 E
primary	4.00	NE NW	17	2 S	33 E
primary	4.00	NW NW	17	2 S	33 E
primary	5.00	NE NE	18	2 S	33 E

Total: 27.00 acres.

The well shall be properly cased and grout sealed to a depth of not less than 180 feet and shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. 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.

Actual construction work shall begin on or before February 27, 1990, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Issued this date, February 27, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

#5

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

~~UMAT~~  
5531

UMAT  
5531

2S/33E/18 aa

(START CARD) # 23057

(1) OWNER:

Well Number: 2  
Name: Louisiana-Pacific Corp.  
Address: P.O. Box 4000-98  
City: Hayden Lake State: ID Zip: 83835

(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 230 ft.  
Explosives used Yes No  Type Amount

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
12"	0 193	Cement	34 193	150 sacks
8"	193 230	Bentonite	0 34	22 sacks

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

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	SEAL			
				Steel	Plastic	Welded	Threaded
Casing: 8"	11	193	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s): 193

(7) PERFORATIONS/SCREENS:

Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Telo/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Pump  Bailer  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
300+		230	1 hr.

Temperature of water 61° Depth Artesian Flow Found \_\_\_\_\_

Was a water analysis done?  Yes By whom \_\_\_\_\_

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

Salty  Muddy  Odor  Colored  Other \_\_\_\_\_

Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:

County Umatilla Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 2S Nor S. Range 33E E or W. WM.  
Section 18 NE 1/4 NE 1/4  
Tax Lot 1600 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) East Birch Creek  
Filot Rock, OR 97868

(10) STATIC WATER LEVEL:

6 ft. below land surface. Date 5-22-91  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 16

From	To	Estimated Flow Rate	SWL
1	34	30	15
103	117	100	15
205	230	300+	6

(12) WELL LOG:

Ground elevation \_\_\_\_\_

Material	From	To	SWL
Brown clay soil	0	1	
Gravel with some cobbles	1	34	WB
Gray basalt	34	103	
Black basalt with yellow soapstone	103	117	WB
Gray basalt	117	172	
Broken gray basalt with green soapstone	172	180	
Gray basalt	180	205	
Red & gray basalt with green soapstone	205	230	WB

RECEIVED

JUN 3 1991

WATER RESOURCES DEPT.  
SALEM, OREGON

Date started 5-13-91 Completed 5-22-91

(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.

Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ 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.

Signed Patrick Wallace WWC Number 1218 Date 5-29-91

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

UMAT  
 5271

APR 27 1989

WATER RESOURCES DEPT.  
 SALEM, OREGON

28/33E/Maa  
 8339

(START CARD) #

(1) OWNER: Well Number: \_\_\_\_\_  
 Name Louisiana-Pacific Corp.  
 Address P.O. Box 4000-98  
 City Hayden Lake State ID Zip 83835

(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 250 ft.  
 Explosives used: Yes  No  Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
	12" 0 180	Cement	0 180	70 sacks	
	8" 180 250				

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_

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	
				✓	□	□	□	□	□	□	□
Casing:	8"	±2 180.250		✓	□	□	□	□	□	□	□
Liner:				□	□	□	□	□	□	□	□

Final location of shoe(s) 180

(7) PERFORATIONS/SCREENS:  
 Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailor  Air  Flowing  Artesian  
 Yield gal/min 300 Drawdown \_\_\_\_\_ Drill stem at 250 Time 1 hr.

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_  
 Was a water analysis done?  Yes By whom \_\_\_\_\_  
 Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
 Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
 County Umatilla Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 2S N or S, Range 33E E or W, WM.  
 Section 17 NE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) East Birch Creek, Pilot Rock, OR 97868

(10) STATIC WATER LEVEL:  
15 ft. below land surface. Date 4-11-89  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
 Depth at which water was first found 45

From	To	Estimated Flow Rate	SWL
<u>45</u>	<u>68</u>	<u>20</u>	<u>15</u>
<u>245</u>	<u>250</u>	<u>280</u>	<u>15</u>

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
<u>Brown clay soil</u>	<u>0</u>	<u>1</u>	
<u>Brown clay w/cobbles</u>	<u>1</u>	<u>29</u>	
<u>Gray basalt</u>	<u>29</u>	<u>33</u>	
<u>Broken gray basalt</u>	<u>33</u>	<u>45</u>	
<u>Brown basalt</u>	<u>45</u>	<u>68</u>	<u>WB</u>
<u>Gray basalt</u>	<u>68</u>	<u>149</u>	
<u>Gray basalt, medium</u>	<u>149</u>	<u>245</u>	
<u>Broken gray basalt with green soapstone</u>	<u>245</u>	<u>250</u>	<u>WB</u>

Date started 4-6-89 Completed 4-11-89

(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 1218  
 Signed Patrick C. Waller Date 4-20-89

Application No. G-11873

Permit No. G10861

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIVED

NOV 18 1988

Application for a Permit to Appropriate Groundwater

WATER RESOURCES DEPT.  
SALEM, OREGON

Applicant: Louisiana-Pacific Corporation

Mailing address: P.O. Box 4000-98

Hayden Lake Idaho 83835 (208) 772-6011  
City State Zip Phone No.

I hereby make application for a permit to appropriate the following described groundwaters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.):

One water well with casing

Use of water: Irrigation

Amount of water: .3375 CFS or 151.5 GPM  
(cubic feet per second) (gallons per minute)

Diameter of well: 8" Depth in feet: 375' *Proposed*

Type and size of well casing: Steel 8" No. of feet: \_\_\_\_\_

Estimated depth to water: 25'  
(feet)

Type of access port or measuring device: Air Line

Wells to be drilled by: Wallace Drilling

Address: Hermiston Oregon 97838  
City State Zip

If the water well is flowing artesian, describe your water control and conservation works: \_\_\_\_\_

If development is less than 1/4 mile from a natural stream, give the following:

Distance from development to stream: 400'

Elevation difference between streambed and development: 25'

Note: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells.

200<sup>00</sup> 22  
100<sup>00</sup> 10  
34 17  
334



**2. LOCATION** (if there is more than one well or source, describe on another sheet):

480 feet South and 1140 feet West  
(N or S) (E or W)

from the NE corner of Section 17  
(Public Land Survey Corner)

located within the NE 1/4 of the NE 1/4 of Section 17

Township 2 S., Range 33 E, WM. Tax Lot 1600  
2S 33

in Umatilla County.

**3. PLACE OF USE** (attach additional sheets, if necessary):

Township	Range	Section	¼ ¼ Section	Tax Lot No.	Use	Use or acres to be irrigated
2S	33E	17	NE¼, NE¼	1600	Irrigation	11.0
2S	33E	17	NW¼, NE¼	1600	Irrigation	3.0
2S	33E	17	NE¼, NW¼	1600	Irrigation	4.0
2S	33E	17	NW¼, NW¼	1600	Irrigation	4.0
2S	33E	18	NE¼, NE¼	1600	Irrigation	5.0

**4. DESCRIPTION OF WATER-DELIVERY SYSTEM:**

Length and dimensions of supply ditch or pipeline: Approx. 200' of 4" sprinkler pipe

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Size and type of pump and motor: 5 HP to 7½HP single phase electric motor.

---

Type of irrigation system (check appropriate box):  Flood  Wheel line

Hand line  Drip  Other \_\_\_\_\_

Other systems: \_\_\_\_\_

Proposed date construction will begin: Approx. February, 1989

Proposed date of completion of system: March, 1989

Proposed date water use will be completed: \_\_\_\_\_

Is this groundwater source supplemental to another supply? NO

If so, identify the supply and the existing water right: Certificate No. 2528, Pg. 75

in decree of 1875, from Birch Creek.

Comments: An affidavit is being filed to diminish the character of the surface water rights on the following property from primary irrigation to supplemental irrigation, contingent upon the approval of this application.

- 6 Acres NE $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 3 Acres NW $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 4 Acres NE $\frac{1}{4}$  NW $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 4 Acres NW $\frac{1}{4}$  NW $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 5 Acres NE $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 18

LOUISIANA PACIFIC CORP. BY *[Signature]*  
 Signature of Applicant  
PURCHASING MANAGER  
PO BOX 4000-98 HAYDEN LAKE, ID. 83835

**NOTE:** This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Application No. 2-11873

Permit No. G10861

PC

9-11873

CT 803

(DO NOT WRITE IN THIS SPACE)

Dear Applicant:

I certify that I have examined the foregoing application, together with any accompanying information. I am returning it to you for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In order to retain your priority, you must return this application with the requested corrections or additions on or before \_\_\_\_\_, 19 \_\_\_\_

Date: \_\_\_\_\_, 19 \_\_\_\_

WATER RESOURCES DEPARTMENT

By: \_\_\_\_\_

RECEIVED at Oregon Water Resources Department on: November 18, 19 88  
at 8:00 o'clock AM/PM.

Application No. 9-11873 Permit No. \_\_\_\_\_

### Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, **SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD** and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 151.5 gallons per minute cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from one well.

The use to which this water is to be applied is irrigation of 270 acres.

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

Use of water under this permit shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to the appropriation of water only to the extent that such appropriation does not interfere with or deplete the flow of Birch Creek or any tributary thereof; any depletion of surface waters will require the well to be shut down, since waters of Birch Creek and tributaries thereof have been withdrawn from further appropriation except for certain uses by the Umatilla Basin Program adopted by the Water Resources Commission (OAR 690-80).

*make UMA of 25 acres not Birch Creek in variables*

The well shall be properly cased and grout sealed to a depth of not less than 180 feet and shall be constructed in accordance with the General Standards for \_\_\_\_\_

*make OK*  
*← AS5 position above*  
*← winding*  
*ie,*  
**A**  
*ML*

keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is November 18, 1988

Actual construction work shall begin on or before \_\_\_\_\_ and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19\_\_\_\_\_

Complete application of the water to the proposed use shall be made on or before October 1, 19\_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

STATE OF OREGON  
Office of the Water Resources Director  
Salem, Oregon 97310

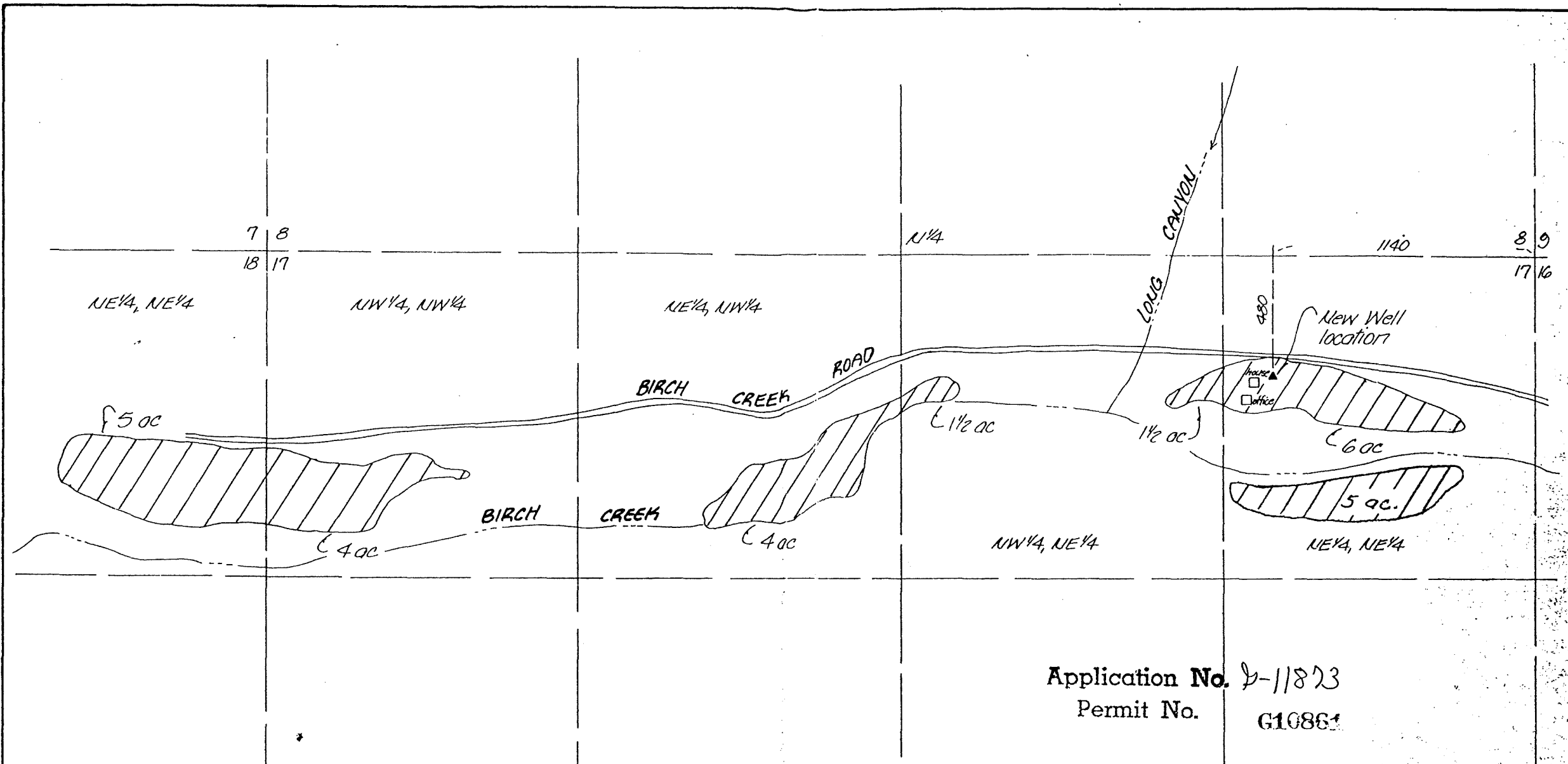
The terms of your water right permit No. 6-10861, require you to begin on or before February 27, 1990 actual construction of the works and/or the purchase and installation of the pump and other equipment necessary to your use of water. We have not received the notice of beginning of construction. If you have begun such work you should promptly fill out, sign and forward the notice (Form A) which was attached to your permit.

In case you failed to begin construction work, your right has been lost. In order that the records of this office may be complete without strict notice procedure, a statement of the fact and authorization to cancel the permit would be greatly appreciated.

WATER RESOURCES DEPT.  
3850 PORTLAND ROAD N.E.  
SALEM, OREGON 97310




Louisiana-Pacific Corp.  
P.O. Box 4000-98  
Hayden Lake, ID  
83835




Application No. D-11823  
 Permit No. G10861

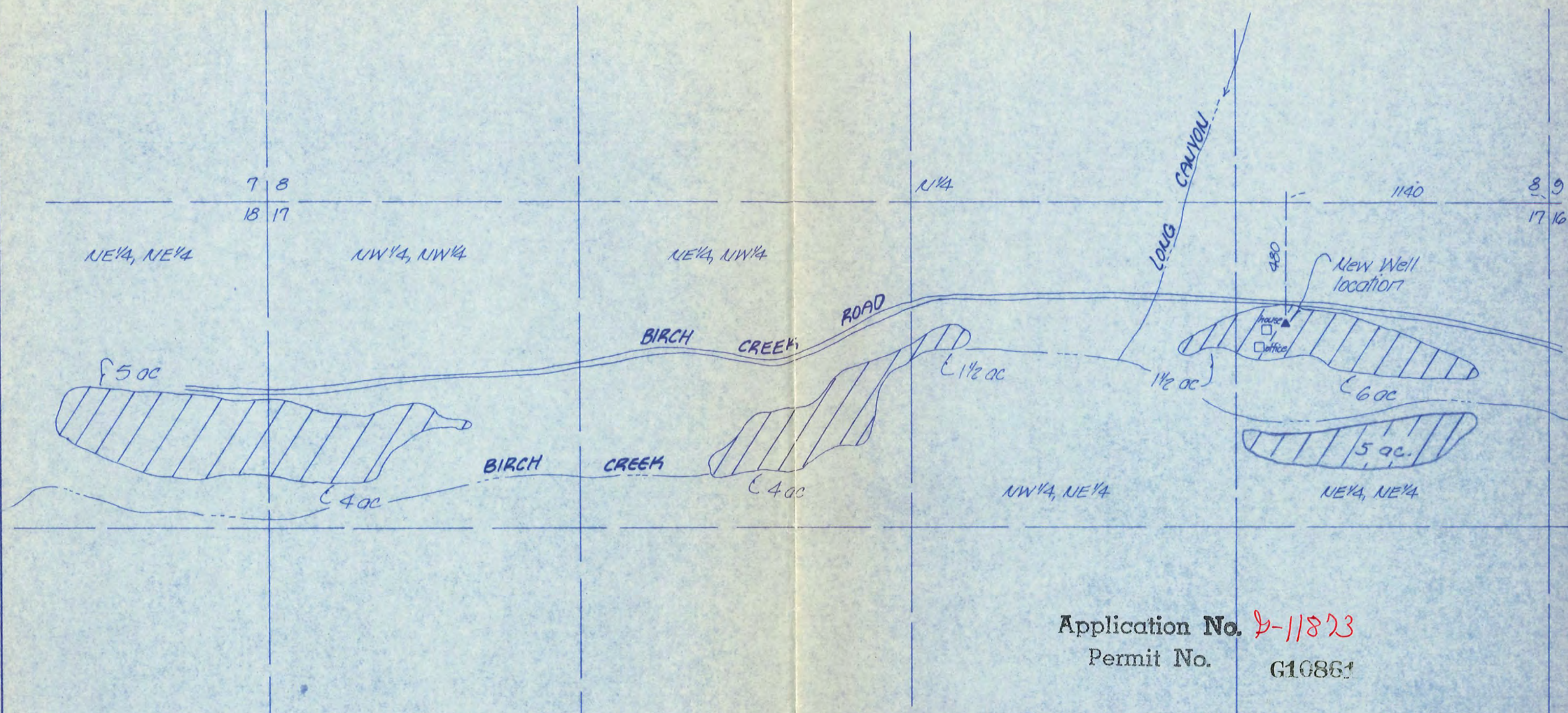
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 NOV 18 1968  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

 denotes irrigated lands

<b>K</b> KRUMBEIN ENGINEERING LTD. ENGINEERS - SURVEYORS - PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1"=400'	Dwn. By MJD	Dwg. No. E-11823	Revision
	Date 11-7-68	Ckd. By DMS	Job No. 20-75	Revision

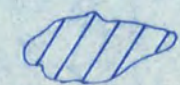
Water Right Application for  
 LOUISIANA PACIFIC







Application No. **D-11823**  
 Permit No. **G16861**

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 WATER RESOURCES DEPT.  
 SALEM, OREGON

 denotes irrigated lands

 <b>KRUMBEIN ENGINEERING LTD.</b> ENGINEERS - SURVEYORS - PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1"=400'	Drn. By MLD	Drng. No. 88-43	Revision 1
	Date 11-1-88	Ckd. By CHK	Job No. 88-43	Revision 2

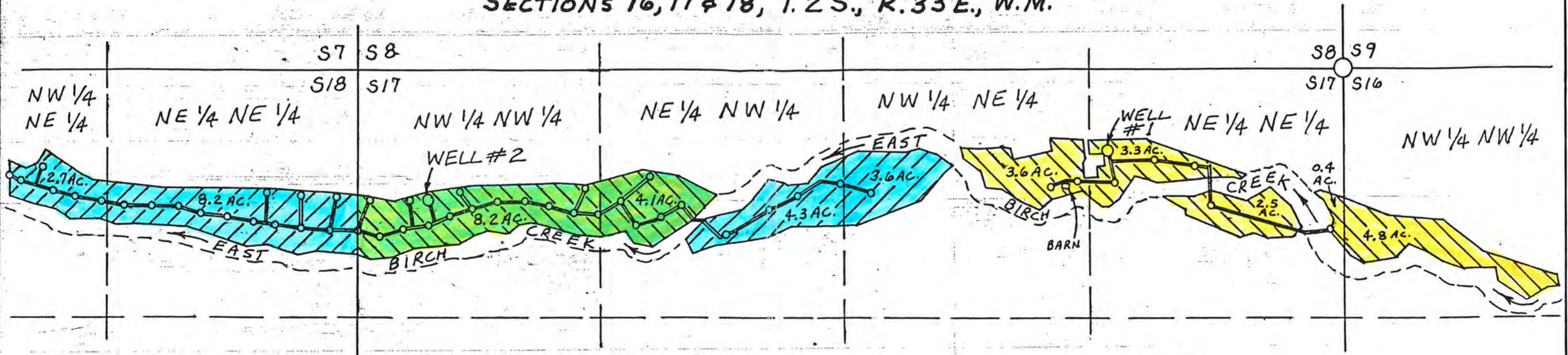
Water Right Application for  
**LOUISIANA PACIFIC**



NE 1/4, NE 1/4, Sec. 17, T25, R33E, W.M.



**FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T. 2 S., R. 33 E., W.M.**



**FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861**







LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
<b>TOTALS:</b>		<b>26.9 ACRES</b>	<b>17 ACRES</b>

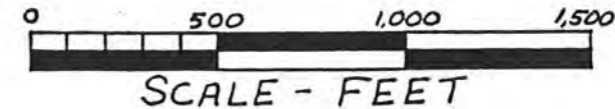
**LOCATION OF WELLS**

FROM SECTION CORNER 8, 9, 16 & 17:  
WELL #1 IS 432' S & 1,234' W  
WELL #2 IS 651' S & 4,881' W



**LEGEND**

-  = SECTION CORNER TIED (FOUND MARKED STONE)
-  = WELL
-  = RISER
-  = BURIED DISTRIBUTION LINE
-  = AREA UNDER IRRIGATION - BENEFICIAL USE
-  = PLACE OF USE - GROUND WATER APPLICATION

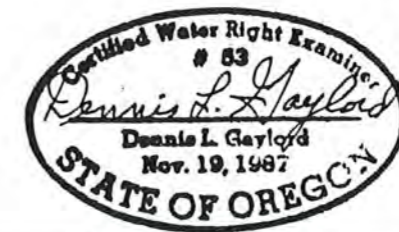


**APPLICATION - PLACE OF USE  
AND SOURCE**

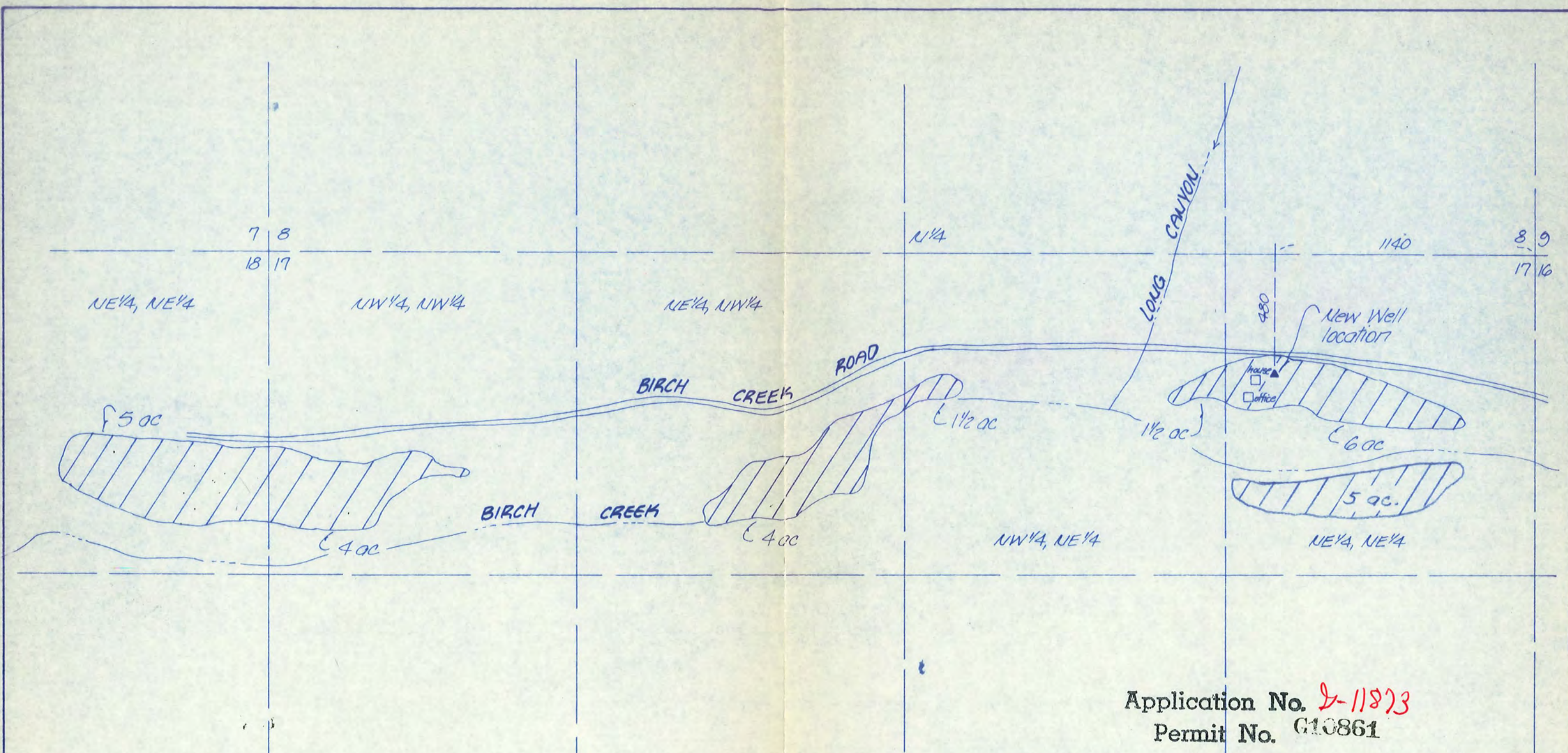
LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
<b>TOTALS:</b>		<b>18.8 ACRES</b>	<b>5 ACRES</b>

THIS MAP IS PREPARED FOR THE EXPRESS PURPOSE TO SHOW WATER APPROPRIATION AND USE. IT IS NOT INTENDED TO SHOW OR LOCATE PROPERTY OWNERSHIP LINES.

APPLICANT:  
LOUISIANA-PACIFIC  
P.O. Box 4000-98  
HAYDEN LAKE, IDAHO  
83835





DENNIS L. GAYLORD, CWRE  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260




Application No. **D-11873**  
 Permit No. **G10861**

NOV 18 1988  
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 WATER RESOURCES DEPT.  
 SALEM, OREGON

 denotes irrigated lands

 <b>KRUMBEIN ENGINEERING LTD.</b> ENGINEERS - SURVEYORS - PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1"=400'	Drn. By MLD	Drng. No. 88015	Revision 1
	Date 11-1-88	Ckd. By CHK	Job No. 88-43	Revision 2

Water Right Application for  
**LOUISIANA PACIFIC**



NE 1/4, NE 1/4, Sec. 17, T2S, R33E, W.M.

RECEIVED

MAR 23 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T. 2 S., R. 33 E., W.M.



FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861

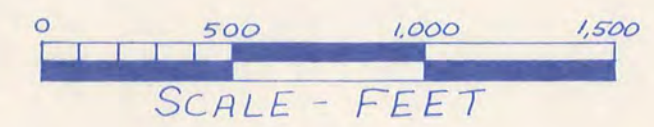
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NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
TOTALS:		26.9 ACRES	17 ACRES

LOCATION OF WELLS  
FROM SECTION CORNER 8, 9, 16 & 17:  
WELL #1 is 432' S & 1,234' W  
WELL #2 is 651' S & 4,881' W



LEGEND

- = SECTION CORNER TIED (FOUND MARKED STONE)
- = WELL
- = RISER
- = BURIED DISTRIBUTION LINE
- = AREA UNDER IRRIGATION - BENEFICIAL USE
- = PLACE OF USE - GROUND WATER APPLICATION



APPLICATION - PLACE OF USE  
AND SOURCE

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
TOTALS:		18.8 ACRES	5 ACRES

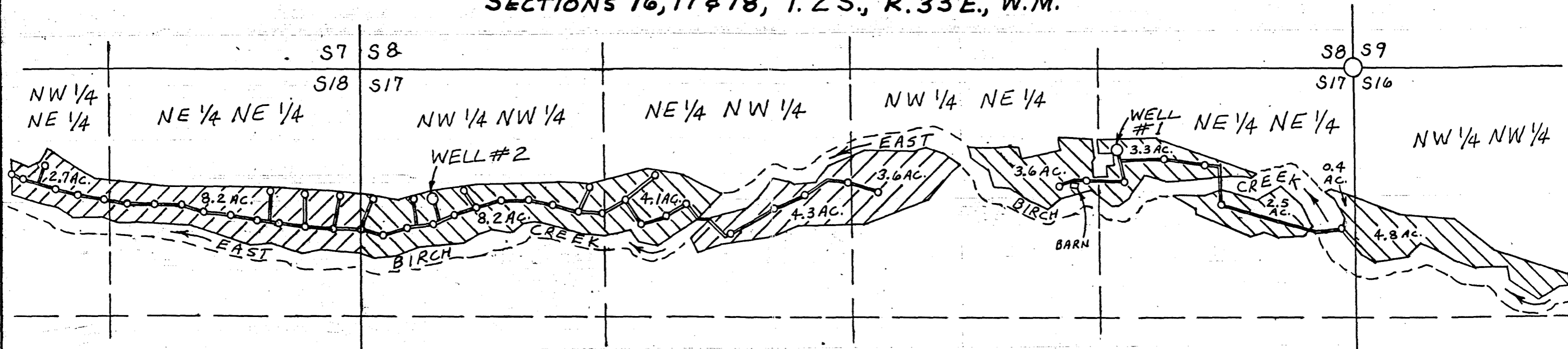
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APPLICANT:  
LOUISIANA-PACIFIC  
P.O. Box 4000-98  
HAYDEN LAKE, IDAHO  
83835



DENNIS L. GAYLORD, CWRE  
4107 S.W. LAKE DRIVE  
PENDLETON, OR. 97801  
503-276-6260

**FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T. 2 S., R. 33 E., W.M.**



**FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861**

LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
<b>TOTALS:</b>		<b>26.9 ACRES</b>	<b>17 ACRES</b>

**APPLICATION - PLACE OF USE  
AND SOURCE**







LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NE 1/4 S17	WELL #2	3.6 ACRES	NONE
NE 1/4 NW 1/4 S17	WELL #2	4.3 ACRES	NONE
NE 1/4 NE 1/4 S18	WELL #2	8.2 ACRES	5 ACRES
NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
<b>TOTALS:</b>		<b>18.8 ACRES</b>	<b>5 ACRES</b>

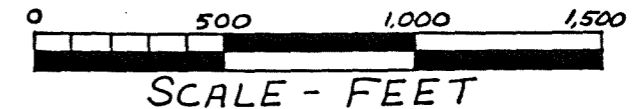
**LOCATION OF WELLS**

FROM SECTION CORNER 8, 9, 16 & 17:  
WELL #1 is 432' S & 1,234' W  
WELL #2 is 651' S & 4,881' W



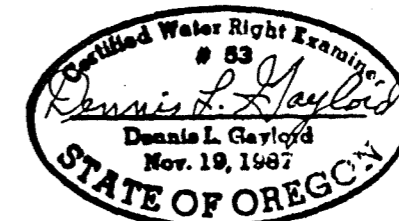
**LEGEND**

-  = SECTION CORNER TIED (FOUND MARKED STONE)
-  = WELL
-  = RISER
-  = BURIED DISTRIBUTION LINE
-  = AREA UNDER IRRIGATION - BENEFICIAL USE
-  = PLACE OF USE - GROUND WATER APPLICATION



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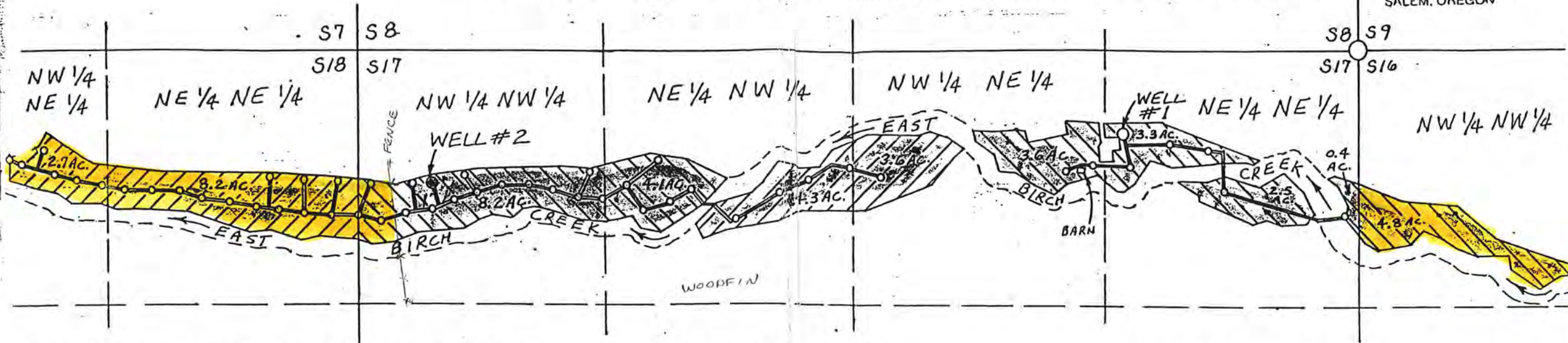
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SECTIONS 16, 17 & 18, T.2 S., R.33 E., W.M.

Application No. G-12832  
Permit No. G-12242

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SALEM, OREGON



FINAL PROOF OF BENEFICIAL USE - APPLICATION G-11873  
PERMIT G-10861

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NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	18.2 ACRES	4 ACRES
TOTALS:		26.9 ACRES	17 ACRES

APPLICATION - PLACE OF USE  
AND SOURCE

LOCATION	SOURCE	AREA	1875 RIGHT
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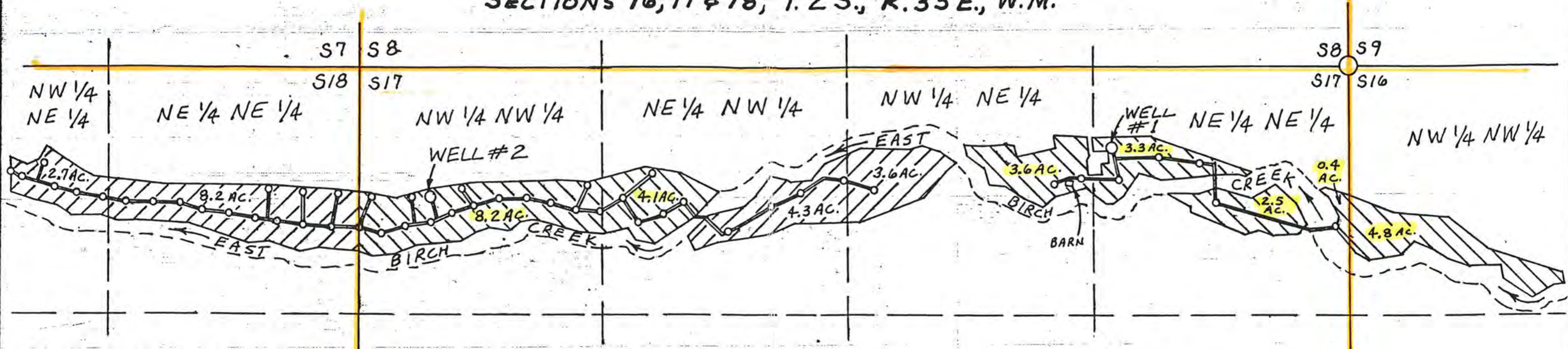
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NW 1/4 NE 1/4 S18	WELL #2	2.7 ACRES	NONE
<b>TOTALS:</b>		<b>18.8 ACRES</b>	<b>5 ACRES</b>

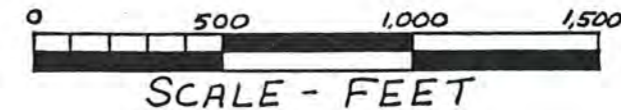
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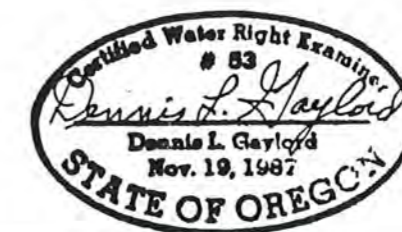
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