

Form C

IMPORTANT—This form is a notice to the State Engineer 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 State Engineer 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 State Engineer, Salem, Oregon 97310, when all of the water has been applied.

Application No. G-7728

RECEIVED
OCT 24 1977
WATER RESOURCES DEPT
ALVIN JOHNSON

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Oron Holman, the holder of Permit No. G 7367

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 15 day of April, 1977

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 20 day of Oct, 1977
Oron Holman Box 617 Echo, Ore.
(Signature of Applicant) (Address)

ok
250

97820

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON L. HOLEMAN
BOX 617
ECHO OR 97826

confirms the right to use the waters of A WELL, within the UMATILLA RIVER BASIN, for IRRIGATION of 33.5 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.42 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH & 1180 FEET EAST FROM NW CORNER, SECTION 27

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, and shall be further limited to the appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	6.9
3 N	29 E	WM	27	SW NE	7.7
3 N	29 E	WM	27	NW NW	3.6
3 N	29 E	WM	27	SW NW	9.4
3 N	29 E	WM	27	SE NW	1.0
3 N	29 E	WM	28	NE NE	4.9

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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.

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered SEPTEMBER 16, 1998 at Special Order Volume 52, Page 832, approving Transfer Application 7156, and together with Certificate 75838, supercedes Certificate 53080, State record of Water Right Certificates.

Issued MAY 23 2014 .



Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director
Oregon Water Resources Department

UMAT 56538

WELL I.D. #

(1) LAND OWNER Well Number
 Name Ron Holman
 Address Box 617
 City Echo State OR Zip 97826

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other Dug

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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 25 ft.
 Explosives used Yes No Type Amount

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	

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:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					<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"/>
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"/>

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

(7) PERFORATIONS/SCREENS:

Perforations		Screens		Slot size		Number		Diameter		Tele/pipe size		Casing		Liner	
From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To

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

Yield gal/min	Drawdown	Drill stem at	Time I 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 3 N N or S Range 29 E E or W. WM.
 Section 27 NW 1/4 NW 1/4
 Tax Lot Lot Block Subdivision
 Street Address of Well (or nearest address)

(10) STATIC WATER LEVEL:
 ft. below land surface. Date
 Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES:

Depth at which water was first found

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:
 Ground Elevation

Material	From	To	SWL
The well was described in 1977 as a dug well, 25-feet deep with a 9-foot diameter steel culvert casing to a depth of 25 feet. A static water level of 15 feet was reported in 1978 but the date of measurement is unknown. The date of construction is unknown but must be no later than April of 1977.			
Geologic maps indicate that the well produces from Quaternary alluvial sediments of the Umatilla River floodplain.			

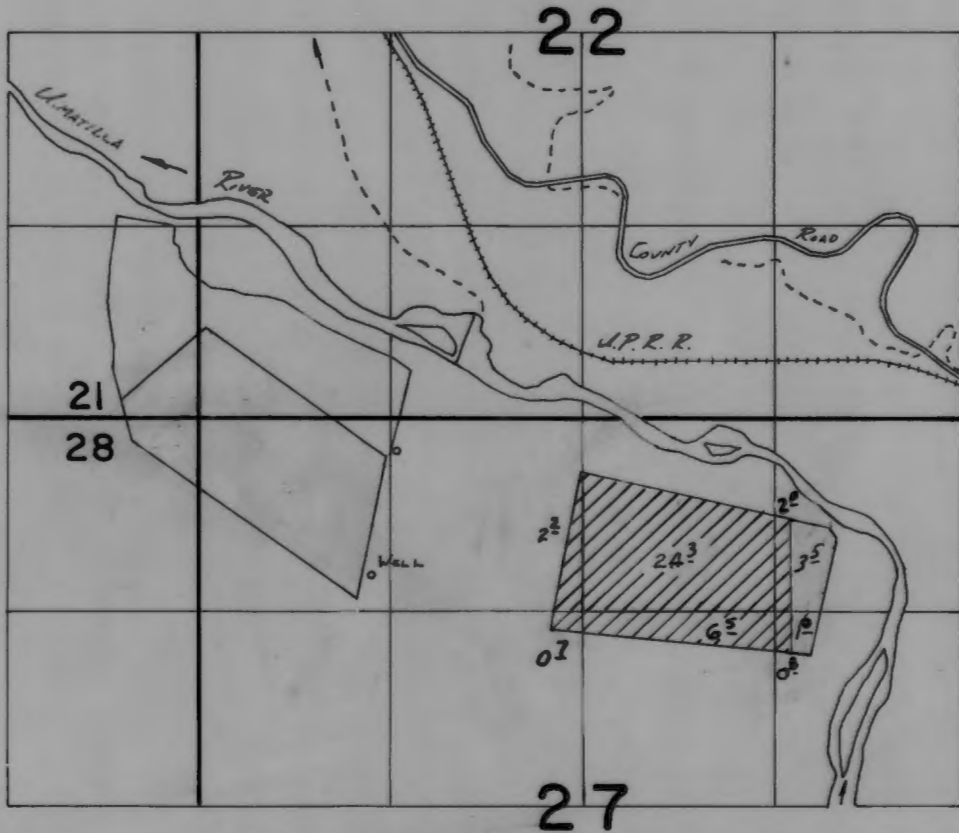
Date started Completed

SOURCE OF DATA/INFO
Water right file G-7728. This is the POA described on certificate 75838.

COMPILED BY: Karl Wozniak
Ground Water Section

DATE: January 7, 2010

T. 3N. R. 29E. W. M.



Well Loc: 1070'S. & 1180'E. FROM NW COR. SEC 27

FINAL PROOF SURVEY
UNDER

Application No. ~~G-7728~~ Permit No. ~~G-7367~~...
IN NAME OF

RON HOLEMAN

Surveyed 3-16..... 1978, by A. BARWIN.....

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON HOLEMAN
BOX 617
ECHO, OREGON 97826

confirms the right to use the waters of a WELL in the UMATILLA RIVER BASIN for IRRIGATION of 3.0 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW¼ NW¼, SECTION 27, T 3 N, R 29 E, WM; 1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER, SECTION 27.

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.

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

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

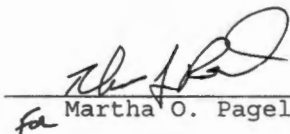
NW¼ NE¼ 2.5 ACRES
SW¼ NE¼ 0.5 ACRE
SECTION 27
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 53080, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 02 1998, approving Transfer Application 7156

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director,
affixed NOV 02 1998


for Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75838.

T-7156.LHN

file G-7728

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

CERTIFICATES FOR RESCINDING WATER RIGHT CERTIFICATES

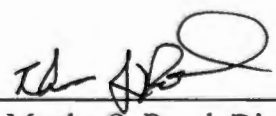
It has been pointed out that certain Water Right Certificate numbers have been used twice.
The following Water Right Certificates should not have been issued and should be rescinded:

- 75763, in the name of [redacted] Rolfe, issued August 4, 1998.
- 75794, in the name of [redacted] issued September 16, 1998.
- 75795, in the name of Ron H. [redacted] issued September 16, 1998.
- 75796, in the name of the State of Oregon, [redacted] Resources Department, issued September 17, 1998.
- 75797, in the names of F.W. McCaffery, R. [redacted] affery, and John W. Dennis, issued September 17, 1998.
- 75798, in the name of Ethel Hitchcock, issued September 17, 1998.
- 75799, in the name of J.C. Ruby, issued September 15, 1998.

I aided in the preparation of this application: Tony G-7728

The above described Water Right Certificates are rescinded and of no further force or effect. New certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed NOV 02 1998


for Martha O. Pagel, Director

G-7728

AS

STATE OF OREGON

COUNTY OF

UMATILLA

RECEIVED

APR 15 1985

WATER RESOURCES DEPT
MULTI-COUNTY OREGON

Proof of Appropriation of Water

RON HOLEMAN

of Box 617, Echo, State of Oregon 97826,
has applied beneficially the waters of
a well

a tributary of Umatilla River for the purpose of
irrigation of 36.5 acres

under Permit No. G-7367 and that the use of said waters has been completed under the
terms of said permit; that the priority of the right dates from
February 14, 1977
that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
0.46 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well.
The well is located in the NW 1/4 NW 1/4, Section 27, T3N, R29E, WM; 1070 feet
South and 1180 feet East from NW Corner, Section 27.

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 acre-feet per acre for each acre irrigated
during the irrigation season of each year, and shall be further limited to the
appropriation of water only to the extent that it does not impair or
substantially interfere with existing surface water rights of others.

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

A description of the place of use under the right, and to which such right is appurtenant, is
as follows:

- 2.0 acres NE 1/4 NE 1/4
 - 24.3 acres NW 1/4 NE 1/4
 - 6.5 acres SW 1/4 NE 1/4
 - 0.8 acre SE 1/4 NE 1/4
 - 2.2 acres NE 1/4 NW 1/4
 - 0.7 acre SE 1/4 NW 1/4
- Section 27
Township 3 North, Range 29 East, WM

I have read the above and foregoing proof of appropriation of water; I know the contents
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 8 day of April,
1985

Ron J. Holman

376-8165

RECEIVED

DEC 12 1984

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

FEB 14 1977
WATER RESOURCES DEPT.
SALEM, OREGON

7387

Permit No. G-.....

APPLICATION FOR A PERMIT

To Appropriate the Ground Waters of the State of Oregon

I, Ron Holeman (Name of applicant)
 of Box 617 Echo county of Umatilla
 (Postoffice Address)
 state of Oregon 97826, do hereby make application for a permit to appropriate the
 following described ground waters of the state of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. Give name of nearest stream to which the well, tunnel or other source of water development is
 situated Umatilla River
 (Name of stream)
 tributary of Columbia River

2. The amount of water which the applicant intends to apply to beneficial use is 0.70 0.46
 feet per second or 224 gallons per minute.
207

3. The use to which the water is to be applied is Primary Irrigation

4. The well or other source is located 1300 ft. S. and 1830 ft. E. from the NW
 corner of Section 27, Township 31, Range 29E
 (Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one well, each must be described. Use separate sheet if necessary)
 being within the NW 1/4 of Sec. 27, Twp. 31N, R. 29E
W. M., in the county of Umatilla

5. The Mainline to be 1300 feet
 (Canal or pipe line)
 in length, terminating in the _____ of Sec. _____, Twp. _____,
 (Smallest legal subdivision)
 R. _____, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is _____

DESCRIPTION OF WORKS

7. If the flow to be utilized is artesian, the works to be used for the control and conservation of the
 supply when not in use must be described.

8. The development will consist of One Well having a
 (Give number of wells, tunnels, etc.)
 diameter of 9" and an estimated depth of 25 feet. It is estimated that 25
 feet of the well will require Steel Culvert casing. Depth to water table is estimated 12
 (Kind) (Feet)

1000 LINE
 D = 25'
 S.W.L. = 15'
 DD = 2' 17"
 9' - DIAM

NZ-2MM-15
 3/14/78 RFB

Umatilla River Mills

Basin 1, Vol. 3

20860

6-2507
 3-1177
 5-199
 16-4500
 G-7708

9253

CANAL SYSTEM OR PIPE LINE—

9. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, ft.; size at intake in.; in size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

10. If pumps are to be used, give size and type Turbine

Give horsepower and type of motor or engine to be used 25 HP Electric

11. If the location of the well, tunnel, or other development work is less than one-fourth mile from a natural stream or stream channel, give the distance to the nearest point on each of such channels and the difference in elevation between the stream bed and the ground surface at the source of development

12. Location of area to be irrigated, or place of use

Township N. or S.	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
3N	29E	27	NE 1/4 NW 1/4	0.5
3N	29E	27	SE 1/4 NW 1/4	1.0
3N	29E	27	SW 1/4 NW 1/4	5.0
3N	29E	27	NE 1/4 NW 1/4	30.0
			SUPPLY 5	PRIM
		27	NE 1/4 NE 1/4	29
			NW 1/4 NE 1/4	243
			SW 1/4 NE 1/4	65
			SE 1/4 NE 1/4	08
			NE 1/4 NW 1/4	23
			SE 1/4 NW 1/4	07

Allow Found
29 55
243 243
65 65
08 18
23 23
07 07

(If more space required, attach separate sheet)

Character of soil Rocky Loam
Kind of crops raised Wheat and Hay

MUNICIPAL SUPPLY—

13. To supply the city of _____
in _____ county, having a present population of _____
and an estimated population of _____ in 19_____

ANSWER QUESTIONS 14, 15, 16, 17 AND 18 IN ALL CASES

- 14. Estimated cost of proposed works, \$ 15,000
- 15. Construction work will begin on or before February 1, 1977
- 16. Construction work will be completed on or before April 1, 1977
- 17. The water will be completely applied to the proposed use on or before October 1, 1977

18. If the ground water supply is supplemental to an existing water supply, identify any application for permit, permit, certificate or adjudicated right to appropriate water, made or held by the applicant. _____

Ron Holman
Signature of applicant

Remarks: It is intent that the water in my well flows from the Southerly
dirrection and that the Umatilla River has no bearing on my well.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for _____ correction and completion.

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before May 31, 1977.

WITNESS my hand this 30th day of March, 1977.

RECEIVED
MAY 20 1977
WATER RESOURCES DEPT.
SALEM, OREGON

JAMES E. SEMSON
Director
By *Vest R. Garner*
Vestal R. Garner ASSISTANT

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS 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 0.46 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 a well

fr. b. Umatilla River

The use to which this water is to be applied is irrigation of 300 acres

If for irrigation, this appropriation shall be limited to 1/80th 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 1 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others,

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

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.

The priority date of this permit is February 14, 1977

Actual construction work shall begin on or before September 12, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1978

Complete application of the water to the proposed use shall be made on or before October 1, 1978

WITNESS my hand this 12th day of September 1977

James E. Serna
Water Resources Director STATE ENGINEER

Application No. G- 7728
Permit No. G- 7367

PERMIT
TO APPROPRIATE THE GROUND
WATERS OF THE STATE
OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 14 day of Feb 1977, at 9:00 o'clock A. M.

Returned to applicant: _____
Approved: _____
Recorded in book No. _____ of _____
Ground Water Permits on page _____

STATE ENGINEER
Drainage Basin No. 7 page 81

RECEIVED

DEC 12 1984

WATER RESOURCES DEPT
SALEM, OREGON

INFO: CONTACTED RON HOLEMAN.

DIVERSION

POINT: DUG WELL - DEPTH - 25' S.W.L. = 15'
DRAWDOWN = 2' DIAM = 9'

PUMP &

MOTOR: CENTURY 25 HP @ 3550 RPM

JACUZZI CDD, 5" x 4"

PIPE: 4200' 3" ALUM

2390' 4" ALUM

1530' 5" ALUM

1250' BURIED 5" P.V.C.

HEADS: 58 RB 30's $\frac{1}{4}$ " x 0

33 RB 30's $\frac{3}{8}$ " x 0

37 RB 30's $\frac{3}{16}$ " x 0 & $\frac{1}{4}$ " x 0

5 NELSON F43 $\frac{3}{16}$ " x 0

5 NELSON F43 $\frac{1}{4}$ " x 0

LIFT: +5 to +15', MOSTLY +5'

CROP: PASTURE, ALFALFA

TIE: NZ-2MM-15

MARCH 14 1978

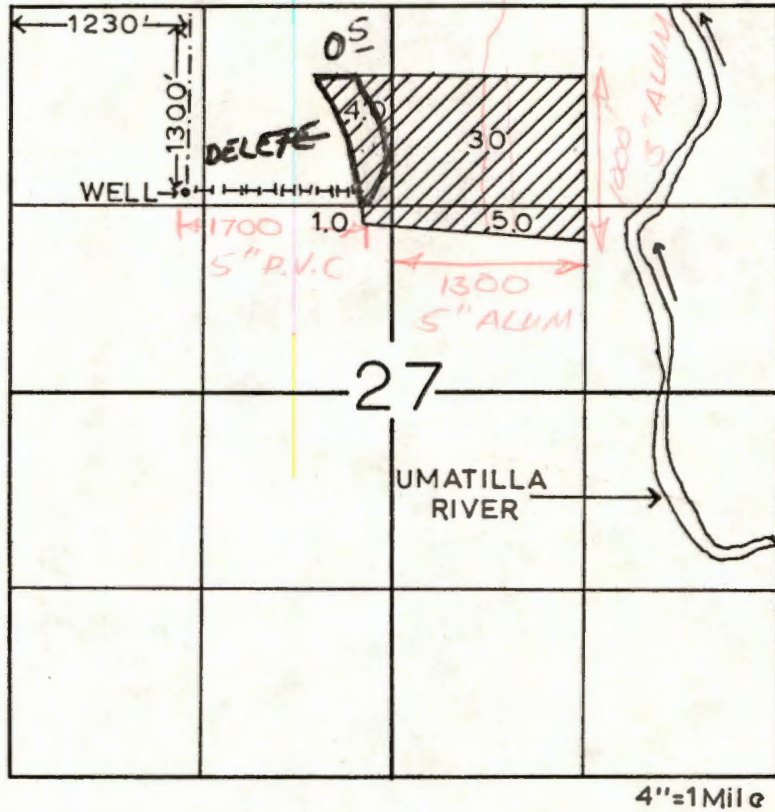
Robert J. Swann

FIELD ENGINEER

RECEIVED
DEC 12 1984
WATER RESOURCES DEPT
SALEM, OREGON

T. 3N R. 29E

DELETE 3.5 AC in NE NW
SEE AUTHORIZATION LTR.
R.G.M.



Application No. G-7728
Permit No. G 7367

RECEIVED
FEB 14 1977
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

DEC 12 1984

WATER RESOURCES DEPT
SALEM, OREGON

$$Q = \frac{eP}{\gamma H} = \frac{(0.8)(25)(350)}{62.4(22 + 2.31 \times 45)} = 1.4 \text{ cfs}$$

$$Q_{\text{SPR}} = 0.81 \text{ cfs @ 45 psi}$$

ASSUME 80 psi;

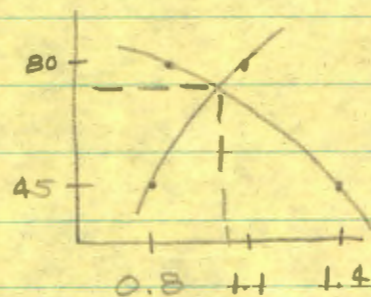
$$Q = \frac{(0.8)(25)(350)}{62.4(22 + 2.31 \times 80)} = 0.85 \text{ cfs}$$

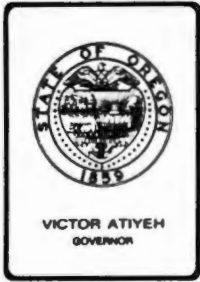
$$Q_{\text{SPR}} = 1.11 \text{ cfs @ 80 psi}$$

$$Q_{\text{OPERATE}} = 1.0 \text{ cfs @ 70 psi}$$

$$Q_{\text{INCREASE}} = \frac{36 \pm}{80} = 0.46 \text{ cfs}$$

$$Q_{\text{ALLOW}} = 0.46 \text{ cfs}$$





Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

March 6, 1985

Ron Holeman
Box 617
Echo, OR 97826

Dear Mr. Holeman:

REFERENCE: Files G-7728 and G-8976

Enclosed is the Proof of Appropriation of Water under your Water Right Permits G-7367 and G-8369.

The data contained in the proof is based on an inspection and survey of your project made by a representative of this office. It defines the extent to which use of water has been completed within the terms of your permit. The proof should be carefully examined, dated and signed, then returned to this office.

Upon receipt of the signed proof, a Certificate of Water Right will be issued confirming the right. This will be forwarded to you after our records are brought up to date.

You may keep the map print for your records.

Sincerely,

BRUCE A. ESTES, Supervisor
Survey/Certificate Section
Water Rights Division

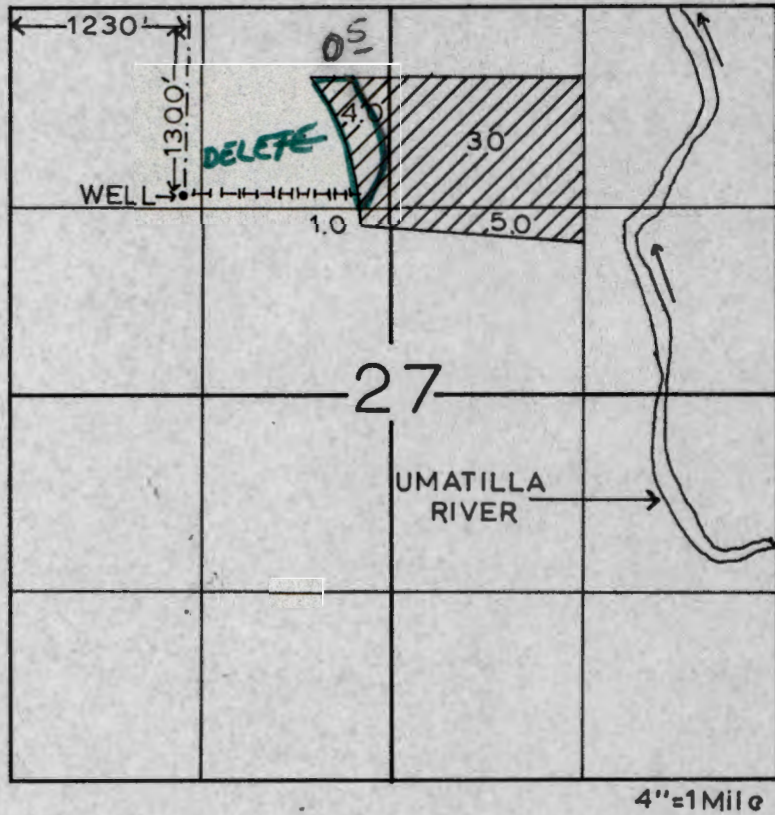
BAE:wpc
690-10-132
4611A

Our field examiner found a total of 41.0 acres claimed irrigated in connection with Permit G-7367, which exceeds the limit of 36.5 acres under the permit. If you intend to establish a legal water right for the additional 4.5 acres, a permit must be obtained. We will assist in making an application for a permit for the additional land at your request.

The 4.5 acres overacreage is displayed on the map copy as an unhachured area. If this area is not located where you prefer it to be, please notify us as it may be possible to locate the area elsewhere on your lands.

T. 3N R. 29E

DELETE 3⁵ AC IN NE NW
SEE AUTHORIZATION LTR.
R.G.M.



Application No. G-7728
Permit No. G 7367

RECEIVED
FEB 14 1977
WATER RESOURCES DEPT
SALEM, OREGON

September 22, 1977

Ron Holeman
Box 617,
Echo, OR 97826

G 7728

7367

378-3066

G-7728

7 June 1977

Ron Holeman
Box 617
Echo, Oregon 97826

Dear Mr. Holeman:

Thank you for returning your application No. G-7728.

As requested in your letter of May 18, 1977, I have amended your map by deleting the 3.5 acres described by permit No. 40208.

Your application is now satisfactory and a permit will be issued in 30 to 60 days.

Sincerely,

Vestal R. Garner
Water Rights Engineer

RM/
VRG:lcj

RECEIVED
MAY 20 1977
WATER RESOURCES DEPT.
SALEM, OREGON

May 18, 1977

Water Resources Department
1178 Chemeketa St. N.E.
Salem, Oregon 97310

Dear Mr. Garner;

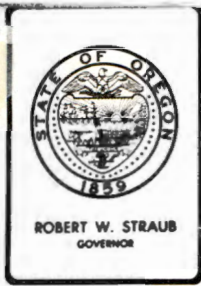
This is in regards to Application G-7728. I give you my permission to delete 3.5 Acres on my application previously covered in Permit 40208. The acreage is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 3N, Range 29E. Please make the correction to my map.

The lands in Application G-7728 is not pertinent to any Umatilla River filing.

Ron Holeman

Ron Holeman

MILLERS FALLS
EZEKIEL
COTTON CONTENT



Water Resources Department

1178 CHEMEKETA STREET N.E., SALEM, OREGON 97310 PHONE 378-3066

March 30, 1977

File G-7728
53887

Ron L. Holeman
Box 617
Echo, OR 97826

Dear Mr. Holeman:

We have received your map, fees of \$33.00, and your application for a permit to use 0.5 cubic foot of water per second from a well for irrigation of 40 acres. For reference, your application is No. G-7728.

A permit can be issued for your proposed use of water. However, there is a slight conflict between the lands described by your application and the lands described by permit No. 40208.

Permit No. 40208 was issued to you, and is for the use of water from a spring for supplemental irrigation of 146 acres. A copy of your map in support of the application is enclosed.

I am also enclosing a copy of your application map for G-7728. The area shown on the map shaded yellow is in conflict with the permit for use of water from the spring. If the land shaded in yellow is to be irrigated from the spring, the use of water in this area from the well must be described as supplemental. If the land is not to be irrigated from the spring, I would appreciate a statement to this effect in the remarks section of the ground water application.

Our records also show a right to irrigate 19 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ from the Umatilla River, and also a permit to use water from McKay Reservoir for irrigation of 19 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and for supplemental irrigation of 31 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 16 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27.

If any of the right or permit to use of water from Umatilla River in McKay Reservoir is appurtenant to the land described by your application No. G-7728, your new application must be amended to show the use of water from the well as supplemental to the existing right.

I am returning your application along with the two maps for possible amendment. Application No. G-7728 is endorsed so that in order to retain its priority date, it must be received in this office on or before May 31, 1977.

Sincerely,

Vestal R. Garner
Water Rights Engineer

~~G-8~~
G-7728
OUT ESU 8/9/04
30292

5/11/20 11:05:52

bjs

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF UMATILLA

ROLLAND HOLEMAN,
Plaintiff,

Case No. CV950538

v.

STIPULATED ORDER FOR DISMISSAL WITH
PREJUDICE

STATE OF OREGON, acting by and through
its Water Resources Department,

Defendants.

The Parties stipulate to a complete dismissal of the above-captioned cause with prejudice,
and without costs or fees to any party as the matter has been fully compromised and resolved
between the parties.

IT IS SO STIPULATED:

STEPHEN M. BLOOM, OSB#77118
Attorney for Plaintiff

KAREN L. MOYNAHAN, OSB# 95492
Assistant Attorney General
Of Attorneys for Defendants

Jon Paul
This judge order &
stipulated agreement
should be in the
W.R. files for
Per. D-8369 + 7367
App. Holeman
G-8976 Settlement -
G-7728 with word

RECEIVED

JUN 07 2004

WATER RESOURCES DEPT.
SALEM, OREGON

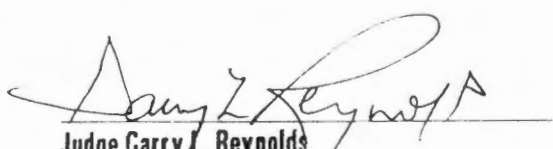
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

ORDER

It appearing to the Court that this matter has been fully compromised and resolved, now, therefore:

IT IS HEREBY ORDERED that the above-entitled cause is dismissed with prejudice, and without costs or attorney fees to either party.

DATED this 24 day of March, 1999.


Judge Garry L. Reynolds
Circuit Court Judge

Submitted by: Karen L. Moynahan
Assistant Attorney General
Of Attorneys for Defendants

Approved as to Form: Stephen M. Bloom
Attorney for Plaintiff

SETTLEMENT AGREEMENT

This agreement memorializes a settlement which has been reached between Rolland Holeman and the Oregon Water Resources Department. The Terms of this agreement are set forth below.

A. RECITALS

1. Rolland Holeman (hereinafter, "Holeman") is the owner of real property located in Umatilla County, Oregon and the holder of ground water rights for three wells on that property, being Permit Nos. G-8369 and G-7367, Certificate Nos. 53082 and 53080.

2. On June 1, 1995, the Oregon Water Resources Department (hereinafter, "WRD") advised Holeman that he was required to terminate the use of his three wells for irrigation due to a call for water by the West Extension Irrigation District, a holder of a surface water right with a priority date senior to the priority date for Holeman's ground water rights.

3. On or about June 13, 1995, Holeman filed a petition for judicial review against the State of Oregon, acting through its Water Resources Department, in the Circuit Court of the State of Oregon for Umatilla County, being Case No. CV 95-0538, alleging that his three wells were not hydraulically connected to the Umatilla River or to McKay Creek, and that the order requiring him to cease his use of his wells was therefore erroneous.

4. On June 13, 1995, the Circuit Court issued a temporary restraining order against the Water Resources Department, restraining it from enforcing its order pending a hearing on Holeman's motion for a preliminary injunction.

5. Following a hearing, the court entered a preliminary injunction continuing the restraining order during the pendency of the litigation. Holeman's hydrogeologist, James D.

Graham, was ordered to complete a study which he was then conducting and to report his findings to the State.

6. Since that time, Holeman and WRD have exchanged information and data, and their agents have met on a number of occasions to attempt to resolve their differences. The experts employed by Holeman and WRD have been unable to agree on the degree of interference between the subject wells and the Umatilla River system, although they have made sincere efforts to come to such an agreement. Based upon the information available and accepted methods of modelling, Mr. Graham has concluded that the degree of interference is less than 5%, while WRD has concluded that the degree of interference is 60% or greater. The parties have come to the conclusion that without additional data collection and analysis, reasonable scientific minds may differ as to the degree of interference, and that it would be impossible for a judge, without the considerable training in hydraulics and hydrogeology at the disposal of the parties, to come to a rational conclusion regarding which scientific analysis is more nearly correct. Nonetheless, Holeman and WRD desire to settle their differences on a mutually agreeable basis in order to put an end to the time and expense involved in litigation and to bring certainty to the regulation of the wells at issue.

B. AGREEMENTS

1 After the date of this agreement, when there is insufficient water for a senior water right to the waters of the Umatilla River, Holeman will thereafter continuously pump 60% of the rate of water being used directly into the Umatilla River to preserve the river flow for the benefit of those senior appropriators. Holeman will immediately notify the Watermaster of the number of acres being irrigated and the water use data at that point in time under each permit and will at no time thereafter pump more water from his wells than allowed by permit for that

number of acres. At no time will Holeman pump more water from his wells than the rate and duty allowed under his ground water permits.

2. Totalizing flow meters which meet the general specifications of the Department shall be installed at Well #1 (Permit G-7367, NW/4, NW/4, Sec. 27, T. 3N., R. 29E.), Wells #2 (#1 on Permit G-8369) and #3 (#2 on Permit G-8369, both wells in SE/4, SE/4, Sec. 21, T. 3N., R. 29E.) and at the discharge pipe proposed to convey water from Well #3 to the Umatilla River. The mitigation for both permits shall come from Well #2. The location and installation of the meters shall be subject to prior approval by the watermaster. Flow meter totals shall be read and recorded at the beginning and end of each irrigation season and upon receiving notice from the Department that mitigation is required. Water use data and acres irrigated shall be used by the Watermaster to compute the unused duty. If detailed information is not provided to establish specific duty already applied, the duty will be computed by prorating water used for the total acres irrigated. Flow meter totals and rates shall be recorded daily at times when water is being used during the mitigation period (the period of time after the call is made), and reported to the watermaster monthly within 10 working days of the end of the month during the irrigation season. A report detailing all flow meter readings shall be submitted to the Department in Salem and to the watermaster in Pendleton following each irrigation season, but prior to the end of each calendar year. The frequency of reporting may be increased at the request of the Director. Department staff shall have access to read the flow meters.

3. Flow meters shall be fully operational and accurate. The wells shall not be pumped without accurate and operational flow meters. If the flow meter(s) fails to function properly, the well shall be shut off and the watermaster notified. The well may resume pumping

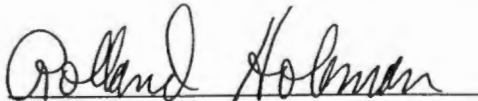
after a fully operational and accurate flow meter is installed and approved by the Watermaster. It is advised that spare flow meters are kept on hand.

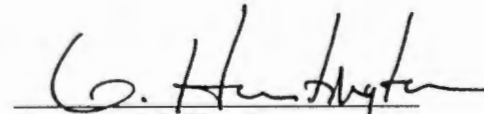
4. The suit currently pending between the parties in the Umatilla County Circuit Court will be dismissed with prejudice and without costs to either party immediately upon the execution of this agreement.

5. Each party will bear their own attorney fees and other litigation costs.

6. Any violation of the terms of this agreement by Holeman shall render the mitigation portion null and void for the remainder of the season and both ground water rights will be subject to regulation in favor of senior surface water rights.


7. This agreement shall affect only the water right(s) described herein and shall have no effect or relevance to any other water right(s).

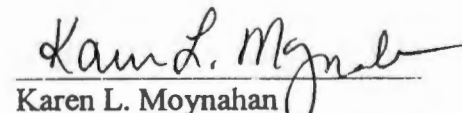

Rolland Holeman
Petitioner


Geoffrey M. Huntington
Deputy Director
Water Resources Department

Approved as to Form:

Approved as to Form:


Stephen M. Bloom, Esq.
Attorney for Petitioner


Karen L. Moynahan
Assistant Attorney General
Attorney for State of Oregon

TRI30744/KLM/cls