



State of Oregon
Water Resources Department
 158 12th Street NE, Salem, OR 97310
 (503)378-8455 • (800)624-3199
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

1. APPLICANT INFORMATION

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A. Individuals

Applicant: _____
First Last

Co-applicant: _____
First Last

Mailing address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: FAIRVIEW ACRES DAIRY FARMS INC.

Name and title of person applying: RICHARD OBRIST - PRES

Mailing address of organization: 7615 TRASK RIVER ROAD
TILLAMOOK Oregon 97141
City State Zip

Phone: 503-842-2930 503-842-4603
Day Evening

*Fax: 503-842-0457 ^{cell} *E-Mail address: 503-801-3231

*Optional information

App. No. <u>G-16103</u>	For Department Use	Date <u>9/26/03</u>
Permit No. _____		

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Ground water Development.")
- No Please check the appropriate box below.
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.

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List the names and mailing addresses of all affected landowners.*

N/A

**If more than 25 landowners are involved, a list is not required. See instructions.*

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 1 B. Name of nearest surface water body: Trask River
~~Wilson River~~

C. Distance from well(s) to nearest stream or lake: 1) ABOUT 1 MILE

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

2) _____ 3) _____ 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: _____

Address: See ATTACHED

Completion date: _____

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2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	8"	8" Steel	+2-176	110-172	20'	27'	101'	3/4" Plug	180'

F. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

N - A

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- • If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal or quasi-municipal**, attach Form M
- If your proposed use is **commercial/industrial**, attach Form Q

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B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	GROUND	IRRIGATION	300'	100000/A	300

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 300
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: MARCH 1 - OCTOBER 31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: ~~159.2~~ 145.2
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What equipment will you use to pump water from your well(s)?
 Pump (give horsepower and pump type) 30 HP SUB
 Other means (describe) _____

B. Transport

How will you transport water to your place of use?
 Ditch or canal (give average width and depth)
Width _____ Depth _____
Is the ditch or canal to be lined? Yes No
 Pipe (give diameter and total length)
Diameter 5" PVC Length 1500'
 Other (describe) _____

Ground Water/4
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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? 2 HARD HOSE TRAVELERS each with 1300' of 4" HOSE

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

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Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Using HARD HOSE TRAVELERS I CAN DO IRRIGATION WITH HIGH PRESSURE SPRINKLERS MOVING AT AN ADJUSTED RATE OF SPEED.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin COMPLETED - SEE WELL REPORT

Proposed date construction will be completed " "

Proposed date beneficial water use will begin AS SOON AS POSSIBLE

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

LOCAL WATER MASTER GREG BEAMAN LOOKED OVER THIS APPLICATION BEFORE I SIGNED. HOPE EVERYTHING IS OK

Thank you, Richard Obust
503-842-2930

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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9. SIGNATURE

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

Richard Obrist

Signature of Applicant

6-27-03

Date

Signature of Co-applicant

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



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

**CERTIFIED
RETURN RECEIPT REQUESTED**

March 5, 2004

FAIRVIEW ACRES DAIRY FARMS INC
RICHARD OBRIST
7615 TRASK RIVER RD
TILLAMOOK, OR 97141

(503)842-4603

Reference: File G-16103

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except where otherwise noted below.
2. The use of water from A WELL IN TRASK RIVER BASIN for IRRIGATION USE ON 145.2 ACRES is a **classified use** under OAR 690-501, the North Coast Basin Program.
3. The Department has also determined, based upon available data, that the use of groundwater will likely be available in the amounts requested without injury to prior rights and/or within the capacity of the resource.
4. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely an unnamed tributary of Trask River. Therefore limitations to the surface water source must be applied to this application also.

5. Surface water **is not available** during the period July 1 through November 30 and during the month of May.
6. Your proposed use falls within a high priority area for streamflow restoration under the Oregon Plan for Salmon & Watersheds.
7. The Department has determined there are deficiencies with the application map submitted. Please refer to the **ADDITIONAL INFORMATION REQUIRED** section below for specific information.

Summary of Allowable Water Use

Because items #4 and #5 above are unfavorable, the use of 0.668 CUBIC FOOT PER SECOND of water from A WELL IN TRASK RIVER BASIN for IRRIGATION USE ON 145.2 ACRES is not allowable, and it appears unlikely that you will be issued a permit. At this time, you must decide whether to proceed or to withdraw your application as described below.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

Additional Information Required:

- Please submit one map showing the location of the well as well as the number of acres proposed to be irrigated by quarter-quarter section.

Please submit this information no later than Thursday, April 8, 2004. If you are unable to submit the information listed above, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above or a request for an administrative hold from processing by this date, we may reject your application consistent with ORS 537.153 or ORS 537.621. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, March 19, 2004**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. 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.
 - 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.
2. The tentative priority date for this application is September 26, 2003.

WARNING: This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oda.state.or.us/nrd/water_quality/index.html to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at 503-986-0801. Feel free to call me at 503-986-0816 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.

Sincerely,

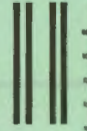
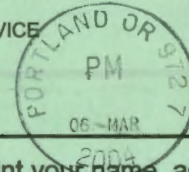
A handwritten signature in black ink that reads "Kerry Lefever". The signature is written in a cursive, flowing style.

Kerry Lefever
Water Right Application Caseworker

enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-16103
wab 1-71235
pou 1-71235
gw A

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

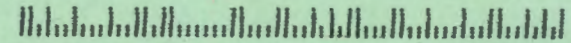
• Sender: Please print your name, address, and ZIP+4 in this box •

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MAR 08 2004

WATER RESOURCES DEPT
WATER RESOURCES DEPARTMENT
205 SUMMER STREET NE SUITE A
SALEM, OREGON SALEM OR 97301-1271

57301+1266



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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. Article Addressed to:

G-16103

RICHARD OBRIST
 FAIRVIEW ACRES DAIRY FARMS INC.
 7615 TRASK RIVER RD
 TILLAMOOK OR 97141

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Handwritten Signature]* Agent Addressee

B. Received by (Printed Name) *R OBRIST* C. Date of Delivery *3-6-04*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label) **7003 2260 0006 9769 9181**