

Name G-16645 **ASSIGNED**  
 By MIKE WILTSHIRE  
 Address 32049 NE CORAL CREEK  
NEWBERG OR 97132

Application No. G16645  
 Permit No. G 16260  
 Certificate No. \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt No.
3/27/06	750.00	80455
10/12/17	100.00	124916

C12  
 Priority 3-27-2006  
 County \_\_\_\_\_ WM# \_\_\_\_\_

Date \_\_\_\_\_  
 DENIED \_\_\_\_\_  
 MISFILED \_\_\_\_\_  
 WITHDRAWN \_\_\_\_\_  
 CANCELLED \_\_\_\_\_

Volume	Page

FEES REFUNDED		
Date	Amount	Receipt No.

**RELATED FILES**

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

**ASSIGNMENTS**

**DEVELOPMENT** \_\_\_\_\_ Date \_\_\_\_\_  
 Completion 10-1-2012  
 Extended to \_\_\_\_\_  
 Final Proof received \_\_\_\_\_  
 Proposed Cert. Mailed \_\_\_\_\_

Date	To Whom	Address
10/13/2017	Hiland Water Corp. PO box 699 Newberg, OR 97132	

**REMARKS** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**MAP LOCATION** \_\_\_\_\_

**PHONE CALL**

2007

FOR	FRY	DATE	NOV 9	TIME	10	AM/PM
MR	MIKE W.					HERS
OF						
PHONE/MOBILE	803 789 3875	FAX				
MESSAGE	PROTEST -					
	(3)	A11# G 16645				
	503	KERRY				
	789 3875					
SIGNED	EXTNL					

- TELEPHONED
- RETURNED YOUR CALL
- PLEASE CALL
- WILL CALL AGAIN
- CAME TO SEE YOU
- WANTS TO SEE YOU

1154



# Oregon

Kate Brown, 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](http://www.wrd.state.or.us)

October 16, 2017

Hiland Water Corp.  
P.O. Box 699  
Newberg, Oregon 97132

Reference: Application G-16645, Permit G-16260

The assignment from Mike Wiltshire to Hiland Water Corp. has been recorded in the records of the Water Resources Department.

The Departments records will now show Hiland Water Corp. as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 124916 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit required complete application of water to the proposed use by October 1, 2012, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE). As of this date, the claim of beneficial use, or an application for Extension of Time has not been received by the Department. This places this permit at risk of cancelation proceedings being started.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Receipt 124916

cc: Watermaster 16

Mike Wiltshire – 32049 NE Corral Creek, Newberg, Oregon 97132  
Data Center, OWRD (cover letter & 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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

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

I, Mike Wiltshire  
 (Name of Current Holder of Record)  
32049 NE Corral Creek Newberg, OR 97132 503-538-2401  
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)
- hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)
- hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, adding an additional person)

Application # G-16645; Permit # G-16260; Transfer # \_\_\_\_\_;  
 Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;

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

Hiland Water Corp.  
 (Name of New Owner)  
PO Box 699 Newberg, OR 97132 503-554-8333  
 (Mailing Address) (City) (State) (Zip) (Phone #)

**Note:** If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below \_\_\_\_\_.

W I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 6<sup>th</sup> day of October, 20 17.  
 (Day) (Month) (Year)

Signature of Current Holder of Record \_\_\_\_\_

**Failure to provide any of the required information will result in the return of your application.**

**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 # 124916  
 For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

RECEIVED BY OWRD

WR

OCT 12 2017

SALEM, OR

Fee 12/1/17  
 M.W. 10/13/2017



Phone: 503-554-8333  
1-855-554-8333 (TF)  
Mail: P.O. Box 699  
Newberg, OR 97132  
Email: [info@hilandwater.com](mailto:info@hilandwater.com)  
Internet: [www.hilandwater.com](http://www.hilandwater.com)

October 5, 2017

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

It has recently been brought to my attention that Permit G-16260 may be cancelled soon if action is not taken. After some research, I found that this permit was obtained by Mike Wiltshire in order to develop several properties that are currently being served through Hiland's well and distribution line. Subsequently, I am submitting the accompanying Request for Assignment document, signed by Mike Wiltshire, along with the requisite \$100.00 recording fee so that this permit can be put into the name of Hiland Water Corp.

Also, I intend to file an Application for Extension of Time on this permit in order to request that its timeline correspond with Permit G-16027, which is also held by Hiland Water Corp and is attached to the same point of diversion. To that end, Bill Ferber CWRE, PE of BK Water Right Consulting has been retained by Hiland Water and is authorized to act on behalf of Hiland Water Corp. regarding this matter.

Thank you for assistance in this matter and please feel free to contact me for any reason, as needed.

Regards,

Silas Olson  
General Manager  
Hiland Water Corp.

RECEIVED BY OWRD

OCT 12 2017

SALEM, OR

Name	Mailing Address				Service Address
Kevin Potter	23885 Home Acres Rd.	Newberg	OR	97132	23885 Home Acres Rd
Andrew & Janie Coverdale	23955 Home Acres Rd.	Newberg	OR	97132	23955 Home Acres Rd
Shelly Pigman	PO Box 125	Newberg	OR	97132	23945 Home Acres Rd
Shaun Vallery	23975 Home Acres Rd.	Newberg	OR	97132	23975 Home Acres Rd
Margaret Barry	23905 Home Acres Rd	Newberg	OR	97132	23905 Home Acres Rd

RECEIVED BY OWRD

OCT 12 2017

SALEM, OR

**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 # **124916**

APPLICATION \_\_\_\_\_  
PERMIT \_\_\_\_\_  
TRANSFER \_\_\_\_\_

RECEIVED FROM: Hiiland Water Corp.  
BY: \_\_\_\_\_

APPLICATION G-16645  
PERMIT \_\_\_\_\_  
TRANSFER \_\_\_\_\_

CASH:  CHECK:# X 5700 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**  
0407 COPY & TAPE FEES \$ \_\_\_\_\_  
0410 RESEARCH FEES \$ \_\_\_\_\_  
0408 MISC REVENUE: (IDENTIFY) Assignment \$ 100.00  
TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_  
0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

EXAM FEE		RECORD FEE
\$ _____	0202	\$ _____
\$ _____	0204	\$ _____
\$ _____		

**WELL CONSTRUCTION**

EXAM FEE		LICENSE FEE
\$ _____	0219	\$ _____
\$ _____	0220	\$ _____

0201 SURFACE WATER  
0203 GROUND WATER  
0205 TRANSFER  
0218 WELL DRILL CONSTRUCTOR  
LANDOWNER'S PERMIT  
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**

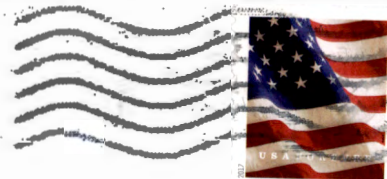
FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **124916** DATED: 10-12-17 BY: CWuetrich

Hiland Water Corp.  
P.O. Box 699  
Newberg, OR 97132

PORTLAND OR 970

10 OCT 2017 PM 2 L



97301-126673







**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

9/28/2017

RE: Application G-16645, Permit G-16260

The referenced permit above, is in the name of Mike Wiltshire. The Department has made several written attempts to contact the permit holder (October 13, 2014, and again on April 27, 2015). The Department was attempting to notify the permit holder that the completion date has expired (10/1/2012), and that a Claim of Beneficial Use was due, or submission of an extension of time application.

After some research, I had found that the permit holder was a subdivision developer and that the 5 home lots are serviced by Highland Water.

On September 27, 2017, I informed Highland Water, Micah Olson of my recent discovery and wanted to know if I was correct in that this permit should be assigned to Highland Water. Micah stated yes, and that he would have someone from the office submit an assignment and then an extension would follow.

Machelle Bamberger



# Oregon

Kate Brown, 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](http://www.wrd.state.or.us)

April 27, 2015

MIKE WILTSHIRE  
32049 NE CORAL CREEK  
NEWBURG, OR 97132

Reference: Application G-16645, Permit G-16260

Dear Permit Holder:

On October 13, 2014, the Department sent you a letter encouraging you to:

- (1) File for an extension of time;
- (2) Work with a CWRE to develop and submit a claim of beneficial use;
- (3) Voluntarily cancel the permit; and
- (4) Contact our office discussing your plans in the next 90 days.

To date, we have not heard back from you. If you decide to take none of these four actions within 90 days, the Department may begin the process of cancelling your permit in accordance with the provisions of ORS 537.260 and ORS 174.160.

Please contact our office right away so that we can assist you. Department staff Mabelle Bamberger at (503) 986-0802 or Corey Courchane at (503) 986-0825 are ready to answer your questions.

Sincerely,

Dwight French  
Water Right Services Division Administrator  
Oregon Water Resources Department

Enclosures (2)

cc: File G-16645  
OWRD Watermaster 16





# 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

October 13, 2014

MIKE WILTSHIRE  
32049 NE CORAL CREEK  
NEWBERG OR 97132

Reference: Application G-16645, Permit G-16260

Dear Permit Holder:

This letter is in regard to your water use permit referenced above. The Department would like to help you succeed in completing the development of your water use permit. Your permit required you to complete the development of your water use by 10/1/2012.

If you have not yet finished the development of your water use permit (water system construction and beneficial water use) you need to file an application for an extension of time. The Department's approval of an extension of time request provides more time to complete permit development. The current fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

If you have completed development of the water use permit, *within the development timelines in the permit or previous extension of time*, you may be ready to seek a water right certificate. A certificate is the final stage in the water right development process and provides the highest level of certainty and protection for your water rights. To obtain a water right certificate you are required to hire a certified water rights examiner (CWRE) to prepare and submit a claim of beneficial use that includes a final proof survey map of the water right development. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you no longer want the water use permit you may voluntarily cancel it, which will help the Department maintain accurate records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

I encourage you to either: (1) file for an extension of time; (2) work with a CWRE to develop and submit a claim of beneficial use; (3) voluntarily cancel the permit; or (4) contact our office in the next 90 days to discuss your plans and a schedule for progress. If you decide to take none of these four actions within 90 days of this letter, the Department may begin the process of cancelling the permit for you in accordance with the provisions of ORS 537.260 and ORS 174.160.

I have included contact information for my staff on the back of this letter so we may assist you efficiently. Should you have any questions, you may contact me directly at the address above or by telephone at 503-986-0819.

Sincerely,

Dwight French  
Water Right Services Division Administrator  
Oregon Water Resources Department

Enclosures (1)

cc: File G-16645  
OWRD Watermaster 16



Contact information for WRD staff

**Claims of Beneficial Use**

Gerry Clark: 503-986-0811

**Permit Extensions**

Municipal: Ann Reece 503-986-0834

Quasi-Municipal: Steven Parrett 503-986-0825

**Permit Cancellations**

Jerry Sauter: 503-986-0817

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

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-16645

**Final Order**

*Application History*


On MARCH 27, 2006, MIKE WILTSHIRE submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 18, 2007. The protest period closed November 2, 2007, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

**Order**

Application G-16645 therefore is approved as proposed by the Proposed Final Order, and Permit G-16260 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED December 10, 2007



for Phillip C. Ward, Director  
Water Resources Department

*Appeal Rights*

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

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

*This document was prepared by Kerry Kavanagh. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0816.*

*If you have previously filed a protest and want to know its status, please contact the Patricia McCarty at 503-986-0820.*

*If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.*

*Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.*

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MIKE WILTSHIRE  
32049 NE CORRAL CREEK  
NEWBERG, OR 97132

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

APPLICATION FILE NUMBER: G-16645

SOURCE OF WATER: WELL 1 (YAMH 53637), WELL 2, WELL 3, AND WELL 4 IN HARVEY CREEK BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE: 0.02 CUBIC FOOT PER SECOND, LIMITED TO AN ANNUAL DUTY OF 8.77 ACRE FEET

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 27, 2006

WELL LOCATIONS:

WELL 1 (YAMH 53637) - NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R3W, W.M.; 2136 FEET NORTH & 664 FEET WEST FROM SE CORNER, SECTION 24

WELL 2 - NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R3W, W.M.; 1812 FEET NORTH & 725 FEET WEST FROM SE CORNER, SECTION 24

WELL 3 - NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R3W, W.M.; 1724 FEET NORTH & 1129 FEET WEST FROM SE CORNER, SECTION 24

WELL 4 - NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R3W, W.M.; 1373 FEET NORTH & 1142 FEET WEST FROM SE CORNER, SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
SECTION 24  
TOWNSHIP 3 SOUTH, RANGE 3 WEST, W.M.

## Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit an annual report which includes the recorded water use measurements to the Department by December 1 of each year. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
  - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
    - (a) An average water level decline of three or more feet per year for five consecutive years; or
    - (b) A total water level decline of fifteen or more feet; or
    - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
  - (2) For the purpose of determining declines, a reference level set under Permit G-16027 shall be used.
  - (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
    - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
    - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.



- (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

#### STANDARD CONDITIONS

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

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

The 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.

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

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

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.

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

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

Issued December 10, 2007



for Phillip C. Ward, Director  
Water Resources Department

# Mailing List for FO Copies

Application #G-16645

---

**Original mailed to applicant with claim of beneficial use form:**

MIKE WILTSHIRE  
32049 NE CORAL CREEK  
NEWBERG OR 97132

**Copies sent to:**

1. WRD - File # G-16645
2. WRD - Ken Stahr

<b>Copies Mailed</b>	
By:	<u>AS</u> (SUPPORT STAFF)
on:	<u>12/7/07</u> (DATE)

**FO and Map Copies sent to (remember to reduce copy margins):**

3. WRD - Watermaster District #: 16
4. WRD - NW Region Well Inspector

**Copies sent to Other Interested Persons (CWRE, Agent, Commenter, etc.)**

5. Borden, John, CWRE #372, John Borden Consulting, 5597 River Street, West Linn OR 97068

**"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies**

- 1.

CASEWORKER : Kerry Kavanagh

# WATER USE PERMIT APPLICATION MAP

SE 1/4 NE 1/4 AND NE 1/4 SECTION 24, T3S, R3W, W.M.  
YAMHILL COUNTY, OREGON

IN THE NAME OF  
MIKE WILTSHIRE  
FOR  
QUASI-MUNICIPAL USE  
FROM WELLS IN THE  
WILLAMETTE RIVER BASIN

**RECEIVED**

MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

SCALE: 1"=400'

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

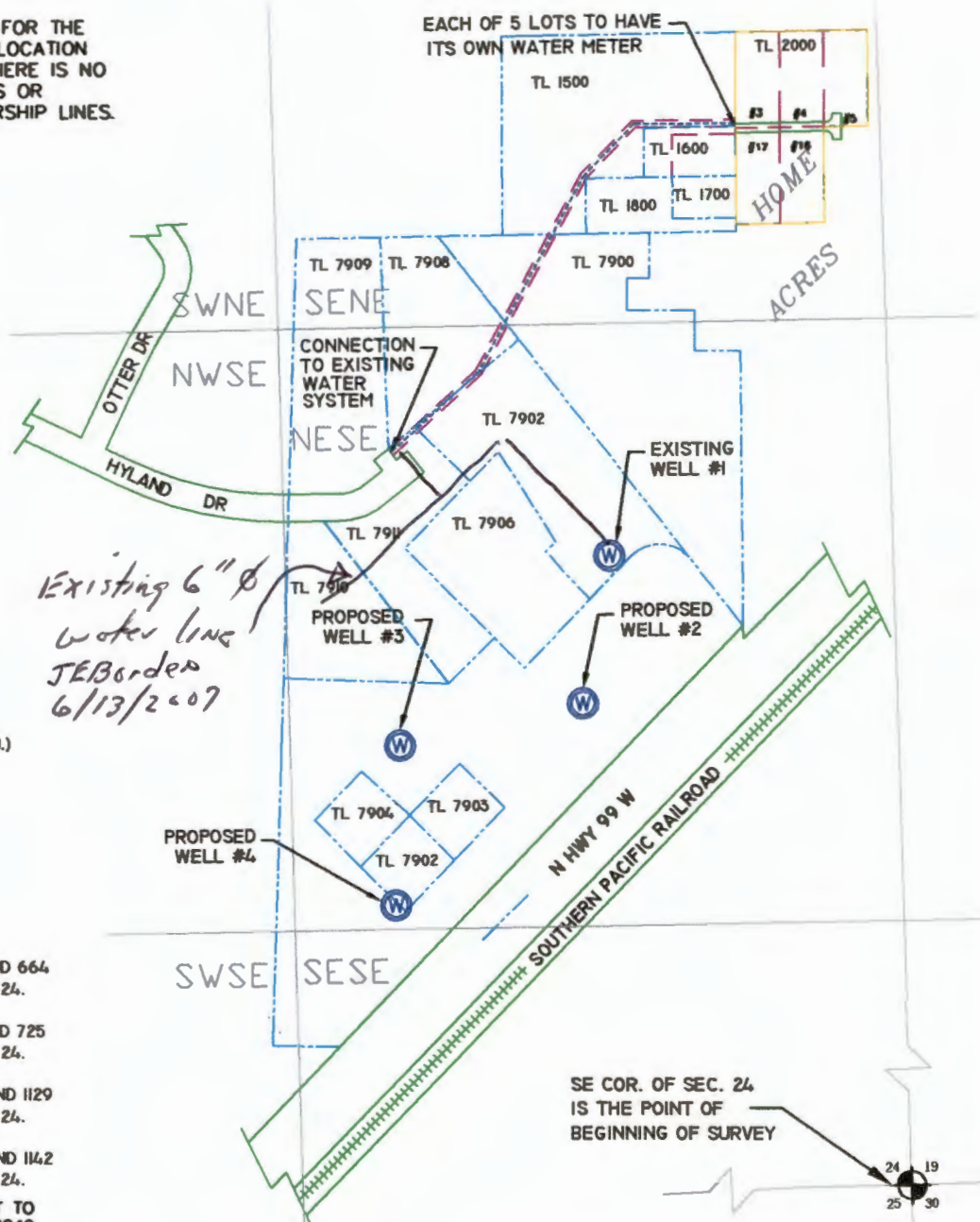
**RECEIVED**

JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

- LEGEND**
- PLACE OF USE
  - - - - - PROPERTY LINE
  - - - - - EASEMENT
  - - - - - SURVEY LINE
  - - - - - WATER LINE (P.O.U.)
  - - - - - USGS GRID
  - +++++ RAILROAD
  - W WELL (P.O.D.)

*Existing 6" Ø  
Water line  
JE Border  
6/13/2007*



**NOTES:**

- WELL #1 IS 2136 FEET NORTH AND 664 FEET WEST OF THE SE COR SEC 24.
- WELL #2 IS 1812 FEET NORTH AND 725 FEET WEST OF THE SE COR SEC 24.
- WELL #3 IS 1724 FEET NORTH AND 1129 FEET WEST OF THE SE COR SEC 24.
- WELL #4 IS 1375 FEET NORTH AND 1142 FEET WEST OF THE SE COR SEC 24.
- ALL FOUR WELLS ALSO SUBJECT TO WATER RIGHT APPLICATION G-16249, PERMIT G-16027

JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

**WILTSHIRE WATER RIGHT**

FILE PATH & NAME: J:\D:\WILTSHIRE\_WR\_PA\_031406

*appno G-16645 Permit No G-16260*

# FO Checklist

Application #: G-16645 Applicant: MIKE WILTSHIRE

- Has applicant **name and/or address changed**, or has the file been assigned? Y /  N  
If new: \_\_\_\_\_
- Were **comments** received? If so, from whom and when? NO  
Respond to significant comments, issues, or disputes related to the proposed use of water
- Verify names and mailing addresses** of all commenters, affected landowners and those who paid \$10 fee on PFO cc: list.
- Have **affected landowner(s)** been notified?  Y / N / NA If not, do not issue FO. Send a letter to affected landowner(s).
- Has ODFW asked for **screening** condition and rate  $\leq 0.5$  CFS? Y / N /  NA If yes, include fish screening form.
- Are requested **GW conditions included** in permit?  Y / N / NA If not, add condition(s) \_\_\_\_\_
- Do PFO conclusions **require modification** due to typos or errors? Y /  N What and why? \_\_\_\_\_

If in North Umpqua settlement reach and you're issuing a permit, did you update the spreadsheet(s)? Y / N /  NA

**Fees**

<u>Base Fee</u>	<u>Water Amount (Q)</u>
\$150 / \$250	1 <sup>st</sup> CFS/AF _____
\$300 / \$500	_____ Addl @ _____ + _____
_____ +	_____ = _____
(base)	(Q) (total exam fee)

EXAM FEE REQUIRED	<u>500</u>	RECORDING FEE REQUIRED	\$175 / <u>\$250</u> / \$300
EXAM FEE PAID	<u>500</u>	RECORDING FEE PAID	<u>250</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

FO type  DENIAL  FO w/ Permit # 9-16260  FO w/o permit  lacks fees  
 lacks easement  
 lacks approved dam plans & specs

Name: Kerry Kavanagh Date: 11/19/2007 Peer Reviewer: Alyssa Mucken ✓

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-16645

**Proposed Final Order**

*Summary of Recommendation:* The Department recommends that the attached draft permit be issued with conditions.

*Application History*

On MARCH 27, 2006, MIKE WILTSHIRE submitted an application to the Department for the following water use permit:

- Amount of Water: 0.13 CUBIC FOOT PER SECOND (CFS)
- Use of Water: QUASI-MUNICIPAL USE
- Source of Water: WELL 1 (YAMH 53637), WELL 2, WELL 3, AND WELL 4 IN HARVEY CREEK BASIN
- Area of Proposed Use: YAMHILL COUNTY within SECTION 24, TOWNSHIP 3 SOUTH, RANGE 3 WEST, W.M.

On April 25, 2007, the applicant amended the proposed rate to 0.02 CFS.

On June 8, 2007, the Department mailed the applicant notice of its Initial Review, determining that "The use of 0.02 cfs, limited to an annual duty of 8.87 [sic] af, from Well 1, Well 2, Well 3, and Well 4 in Harvey Creek Basin for quasi-municipal use may be allowed during the full period requested, year-round." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On June 12, 2007, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- recommendations by other state agencies
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record

- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

*Findings of Fact*

The Willamette Basin Program allows QUASI-MUNICIPAL USE.

WELL 1 (YAMH 53637), WELL 2, WELL 3, AND WELL 4 IN HARVEY CREEK BASIN are not within or above a State Scenic Waterway.

Groundwater Findings Under OAR 690-09

The Department determined, consistent with OAR 690-09-0040(4), that the proposed ground water use will not have the potential for substantial interference with the nearby surface water sources.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
- (c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable, or of the discharge that is equaled or exceeded 80 percent of time, as determined or estimated by the Department, and if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (e) The ground water appropriation, if continued for a period of 30 days, would result in stream depletion greater than 25 percent of the rate of appropriation, if the point of appropriation is a horizontal distance less than one mile from the surface water source.

According to the Department's rules, the potential for substantial interference is assumed if (a) and either (b) or (c) or (d) or (e) are met. For this application, the Department determined that there is no potential for substantial interference, because either (a) is not met, or (b), (c), (d) or (e) are not met, or both.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. Water will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that the amount of water requested, 0.02 CFS, limited to an annual duty of 8.77 acre feet, is an acceptable amount.

The proposed well is not within a designated critical ground water area.

*Conclusions of Law*

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Willamette Basin Program, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:



- (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
- (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

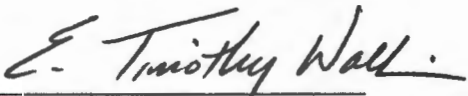
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED September 18, 2007



for Phillip C. Ward, Director  
Water Resources Department

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

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this proposed final order. Protests must be received in the Water Resources Department no later than **November 2, 2007**. Protests must be in writing, and must include the following:

- Your name, address, and telephone number;

- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the protest fee of \$350 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- *If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.*

#### Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), persons other than the applicant who support a proposed final order can request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order.

Requests for standing must be received in the Water Resources Department no later than **November 2, 2007**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the proposed final order as issued;

- A detailed statement of how the requester would be harmed if the proposed final order is modified; and
- A standing fee of \$100.00. If a hearing is scheduled, an additional fee of \$250.00 must be submitted along with a request for intervention.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and either:

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

*This document was prepared by Kerry Kavanagh. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0816.*

*If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its status, please contact the Protest Coordinator at 503-986-0820.*

*If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:*

*Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.*

DRAFT

This is not a permit.  
STATE OF OREGON

DRAFT

COUNTY OF YAMHILL

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

MIKE WILTSHIRE  
32049 NE CORRAL CREEK  
NEWBERG, OR 97132

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

APPLICATION FILE NUMBER: G-16645

SOURCE OF WATER: WELL 1 (YAMH 53637), WELL 2, WELL 3, AND WELL 4 IN HARVEY CREEK BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USES

MAXIMUM RATE: 0.02 CUBIC FOOT PER SECOND, LIMITED TO AN ANNUAL DUTY OF 8.77 ACRE FEET

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 27, 2006

WELL LOCATIONS:

WELL 1 (YAMH 53637) - NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R3W, W.M.; 2136 FEET NORTH & 664 FEET WEST FROM SE CORNER, SECTION 24

WELL 2 - NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R3W, W.M.; 1812 FEET NORTH & 725 FEET WEST FROM SE CORNER, SECTION 24

WELL 3 - NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R3W, W.M.; 1724 FEET NORTH & 1129 FEET WEST FROM SE CORNER, SECTION 24

WELL 4 - NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R3W, W.M.; 1373 FEET NORTH & 1142 FEET WEST FROM SE CORNER, SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
SECTION 24  
TOWNSHIP 3 SOUTH, RANGE 3 WEST, W.M.

## Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit an annual report which includes the recorded water use measurements to the Department by December 1 of each year. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
  - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
    - (a) An average water level decline of three or more feet per year for five consecutive years; or
    - (b) A total water level decline of fifteen or more feet; or
    - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
  - (2) For the purpose of determining declines, a reference level set under Permit G-16027 shall be used.
  - (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
    - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
    - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
    - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional

engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.

- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

#### STANDARD CONDITIONS

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

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

The 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.

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

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

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.

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

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

Issued \_\_\_\_\_, 2007

**DRAFT - THIS IS NOT A PERMIT**

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

# WATER USE PERMIT APPLICATION MAP

SE 1/4 NE 1/4 AND NE 1/4 SECTION 24, T3S, R3W, W.M.  
YAMHILL COUNTY, OREGON

IN THE NAME OF  
MIKE WILTSHIRE  
FOR  
QUASI-MUNICIPAL USE  
FROM WELLS IN THE  
WILLAMETTE RIVER BASIN

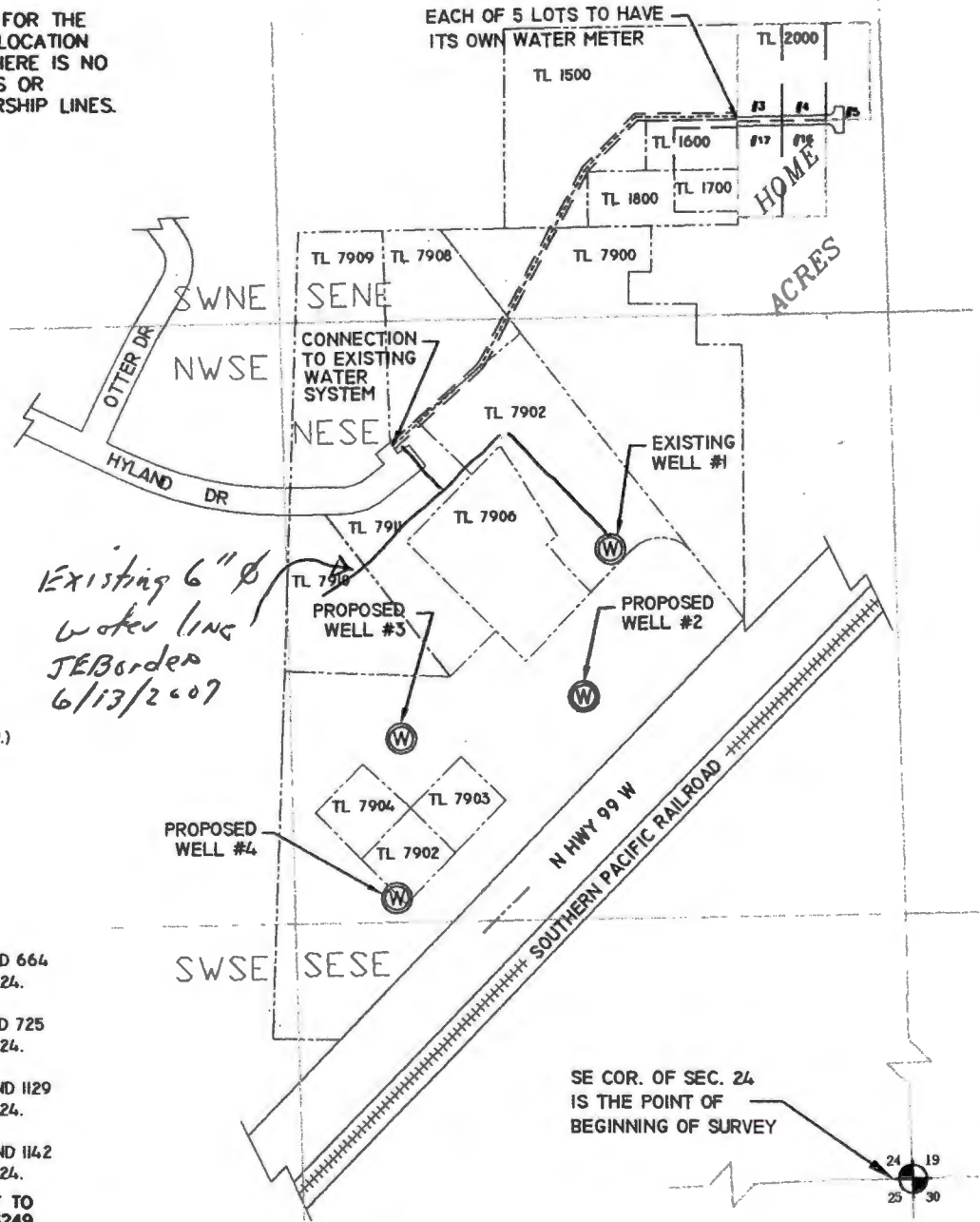
**RECEIVED**

MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

SCALE: 1"=400'

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



**RECEIVED**

JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

- LEGEND**
- PLACE OF USE
  - PROPERTY LINE
  - EASEMENT
  - SURVEY LINE
  - WATER LINE (P.O.U.)
  - USGS GRID
  - +++++ RAILROAD
  - ⊙ WELL (P.O.D.)

*Existing 6"  $\phi$  water line  
JE Borden  
6/13/2007*

**NOTES:**

WELL #1 IS 2136 FEET NORTH AND 664 FEET WEST OF THE SE COR SEC 24.

WELL #2 IS 1812 FEET NORTH AND 725 FEET WEST OF THE SE COR SEC 24.

WELL #3 IS 1724 FEET NORTH AND 1129 FEET WEST OF THE SE COR SEC 24.

WELL #4 IS 1373 FEET NORTH AND 1142 FEET WEST OF THE SE COR SEC 24.

ALL FOUR WELLS ALSO SUBJECT TO WATER RIGHT APPLICATION G-16249, PERMIT G-16027

SE COR. OF SEC. 24  
IS THE POINT OF  
BEGINNING OF SURVEY

JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

**WILTSHIRE WATER RIGHT**

FILE PATH & NAME: J31D:WILTSHIRE\_WR\_PA\_031406

*appno G-16645*



# Mailing List for PFO Copies

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Application #G-16645

PFO Date September 18, 2007

**Original mailed to applicant:**

~~MIKE WILTSHIRE~~  
32049 NE CORAL CREEK  
NEWBERG, OR 97132

Copies sent to:

- ~~1~~ WRD - File # G-16645
- ~~2~~ Water Availability: Ken Stahr

Copies Mailed
By: <u>TCB</u>
(SUPPORT STAFF)
on: <u>9/18/07</u>
(DATE)

PFO and Map Copies sent to:

- ~~3~~ WRD - NW Region Well Inspector

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

- ~~Borden, John, CWRE #372, John Borden Consulting, 5597 River Street, West Linn OR 97068~~

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

Affected Landowners (include "Notice of Proposed Final Order--Affected Landowner"):

- ~~1~~ Craig & Heather Duncan, 23495 NE Hyland Drive, Newberg, OR 97132
- ~~2~~ Glenn & Marie Compton, 23805 NE Dunberg Loop, Newberg, OR 97132
- ~~3~~ Carrie & Allen Fleming, 11205 NE Hurleys Lane, Newberg, OR 97132
- ~~4~~ Hiland Water Corporation, Attn: Melvin Olson, President, P.O. Box 699, Newberg, OR 97132

Sent via email by caseworker:

WRD - Watermaster # 16

CASEWORKER : Kerry Kavanagh

## PFO Checklist

Application #: G-16645 Applicant: MIKE WILTSHIRE

Shortcomings preventing PFO? Y /  N Should process continue?  Y / N

IR Date 6-8-07 Public Notice Date 6-12-07 Comments received? Y /  N

Was additional information requested in the IR?  Y / N If so, do we now have enough info to do the PFO?  Y / N

Was the application filed after 10/23/99? Y /  N (If not, add A date requirement)

B.O.R. or Doug Co. project Y /  N Contract in file? N contract # \_\_\_\_\_

IR identifies as DEQ 303d? Y / N /  NA Comments received? Y / N \_\_\_\_\_

Is second gw review necessary? Y /  N / NA Complete? Y / N

Water Availability OK / REDONE /  NA \_\_\_\_\_

Have conflicts been addressed? Y / N /  NA \_\_\_\_\_

Changes from IR determinations NO YES. Based on 3-27-06 memo from Bill Fujii  
Interior use = 1.57 AF & Exterior use = 7.2 AF → 1.57 AF + 7.2 AF = 8.77 AF  
rather than total listed in memo of 8.87 AF. ∴ Limit annual duty  
to 8.77 AF.

Copy to WM #16  
John Borden, CWRE  
affected landowners: Hiland Water Corp, Duncan, Compton, Flemming

Fees	Base Fee	Water Amount (Q)
	\$150 / \$250	1 <sup>st</sup> CFS/AF
	\$300 / \$500	
		_____ Addl @ _____ + _____
	_____ +	_____ = _____
	(base)	(Q) (total exam fee)

EXAM FEE REQUIRED	<u>500</u>	RECORDING FEE REQUIRED	\$175 / <input checked="" type="radio"/> \$250 / \$300
EXAM FEE PAID	<u>- 500</u>	RECORDING FEE PAID	<u>- 250</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

Name: Kerry Kavanagh Date: 9/5/2007 Peer Reviewer: Jeana Eastman

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**Date:** March 27, 2006  
**To:** Kerry Kavanagh  
**From:** Bill Fujii, Field Services Division  
**Subject:** Division 86/rate Review - Municipal and Quasi-Municipal applications  
File 16645

Field Services Division has reviewed the above referenced application for the following:

1) Shall a Water Management and Conservation Plan be required under Division 86?

No

WMCP should be required within \_\_\_\_\_ years.

*Remarks/basis of determination: Please do not apply a condition for a WMCP; although this is within an area that has limited ground water, the size of the development is not large enough to meet the established criteria.*

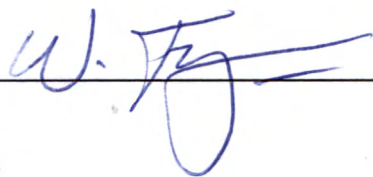
2) Is the proposed quantity of water reasonable based on information provided in Form M?

Yes

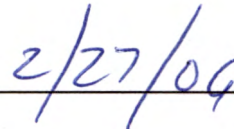
No. However, a reduced quantity of 8.87 acre foot total for the limit on annual production, will be reasonable based on information presented in Form M.

*Remarks/basis of determination: Statewide average for both interior and exterior uses is closer to 248 gallons per person per day. Average interior uses should not exceed 70 gallons per person per day. Total exterior uses should not exceed normal rate and duty for irrigation. Twenty persons should not exceed 1400 gallons per day for interior uses. This could be supplied by one gallon per minute. Normal rate for the irrigation of 2.88 acres is 0.036 cfs which is 16 gallons per minute. The interior use should not exceed 1.57 acre feet and the exterior use should not exceed 7.2 acre feet. 60 gpm is an acceptable instantaneous rate. Emergency fire fighting is an exempt use so basing the rate limit on this aspect is not needed.*

**Signature:** \_\_\_\_\_



**Date:** \_\_\_\_\_



IR - requested Land Use/Legal Des for TL 7912, 7902, 7910, 7911 & 7906

Item	Tax Lot	Own?	If No, Name & Address?	If no, easment author.?	Legal Desc?	Land Use
Well #1, #4 mainline from wells	7902	Hiland Water Corp. P.O. Box 699 (*)	YES P.O. Box 699 OR Newark 97132	YES		YES 7-14-04 Conditional use permit issued by Yamhill Co. Planning
well # 2, 3	7912					
mainline from wells	7911					
mainline from wells	7910					
existing water system	7908					
existing water system	7900	Compton	YES	YES	YES	YES
existing water system	1500	Fleming	YES	YES	YES	YES
POU	2000	YES	—	—	YES	YES

(\*) NOTE: When App G-16249 submitted 5-14-04 - TL 7905 encompassed current tax lots { 7902, 7906, 7910, 7911 }  
 { 7912, 7908, 7909 }

App G - 16645

Well 1 TL 7902  
Well 2 TL 7912  
Well 3 TL 7912  
Well 4 TL 7902

Pipeline from Hiland Water System to <sup>TL 200</sup> POW - 5 lots  
TL 7908 Duncan  
TL 7900 Compton  
TL 1500 Fleming

Q: How does water get from Well 1, Well 2, Well 3 & Well 4 to connecting point to Hiland's existing system?

- pipeline from wells  
- cross TL 7902 or TL 7906 or TL 7911?

- per map rec'd 6-13-07  
notations by John Border  
manhole from Existing Well #1  
crosses TL 7902, 7910 & 7911

WORK COPY

# WATER USE PERMIT APPLICATION MAP

SE 1/4 NE 1/4 AND NE 1/4 SECTION 24, T3S, R3W, W.M.  
YAMHILL COUNTY, OREGON

IN THE NAME OF  
MIKE WILTSHIRE  
FOR  
QUASI-MUNICIPAL USE  
FROM WELLS IN THE  
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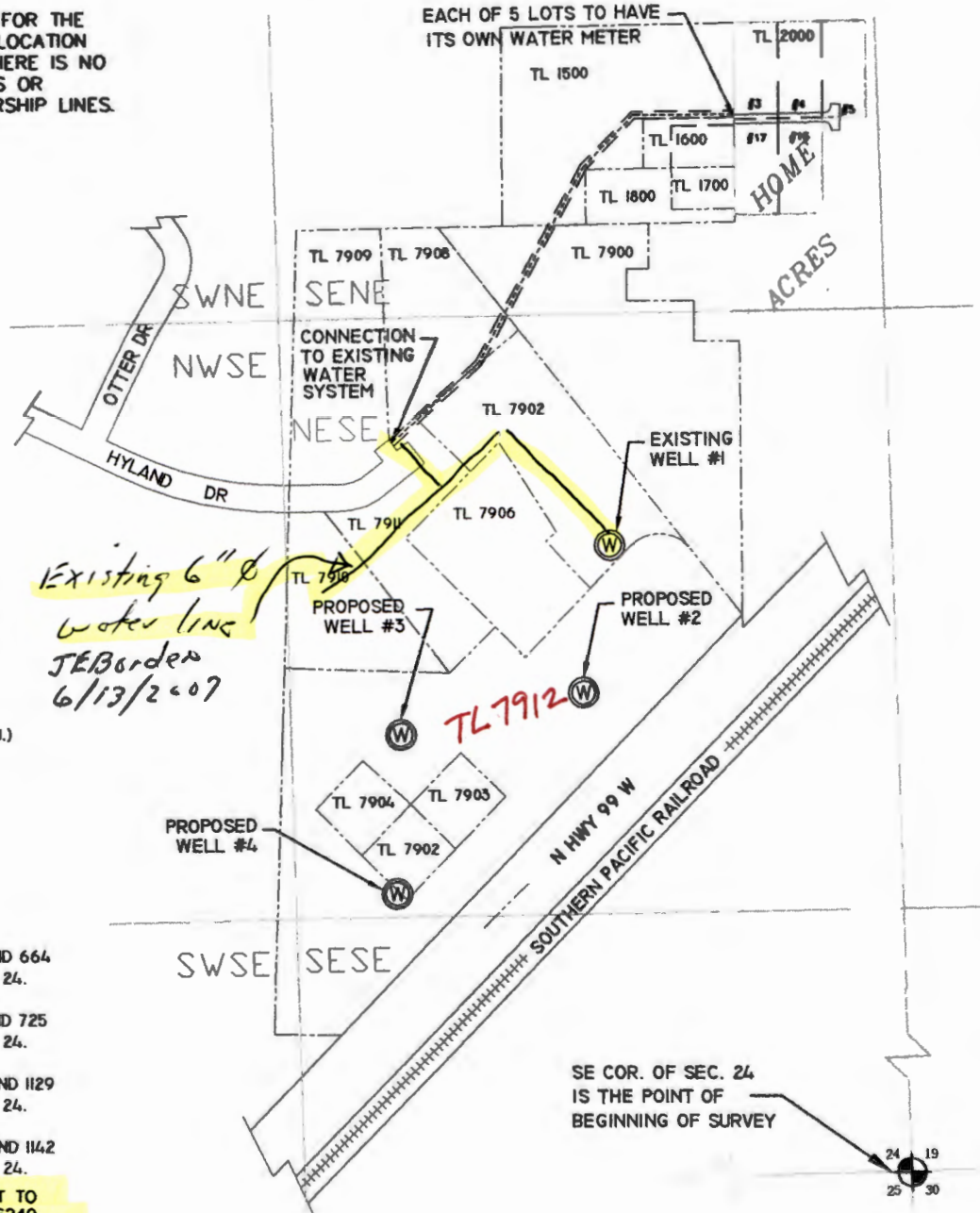
RECEIVED

MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

SCALE: 1"=400'

PREPARATION OF THIS MAP IS FOR THE  
PURPOSE OF IDENTIFYING THE LOCATION  
OF THE WATER RIGHT ONLY. THERE IS NO  
INTENT TO PROVIDE DIMENSIONS OR  
LOCATION OF PROPERTY OWNERSHIP LINES.



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JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

- LEGEND**
- PLACE OF USE
  - PROPERTY LINE
  - EASEMENT
  - SURVEY LINE
  - WATER LINE (P.O.U.)
  - USGS GRID
  - ++++ RAILROAD
  - ⊙ WELL (P.O.D.)

**NOTES:**

WELL #1 IS 2136 FEET NORTH AND 664 FEET WEST OF THE SE COR SEC 24.

WELL #2 IS 1812 FEET NORTH AND 725 FEET WEST OF THE SE COR SEC 24.

WELL #3 IS 1724 FEET NORTH AND 1129 FEET WEST OF THE SE COR SEC 24.

WELL #4 IS 1373 FEET NORTH AND 1142 FEET WEST OF THE SE COR SEC 24.

ALL FOUR WELLS ALSO SUBJECT TO WATER RIGHT APPLICATION G-16249, PERMIT G-16027

JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

WILTSHIRE WATER RIGHT

FILE PATH & NAME: J31D:WILTSHIRE\_WR\_PA\_031406

appno G-16645

*WORK COPY*

# T3S. R3W., W.M. — SECTION 24

FAR WEST DEVELOPMENT CORPORATION

23429 N. HIGHWAY 99W  
NEWBERG, OREGON 97132

P.O.U. — PLACE OF IRRIGATION USE  
WATER USE ACREAGE

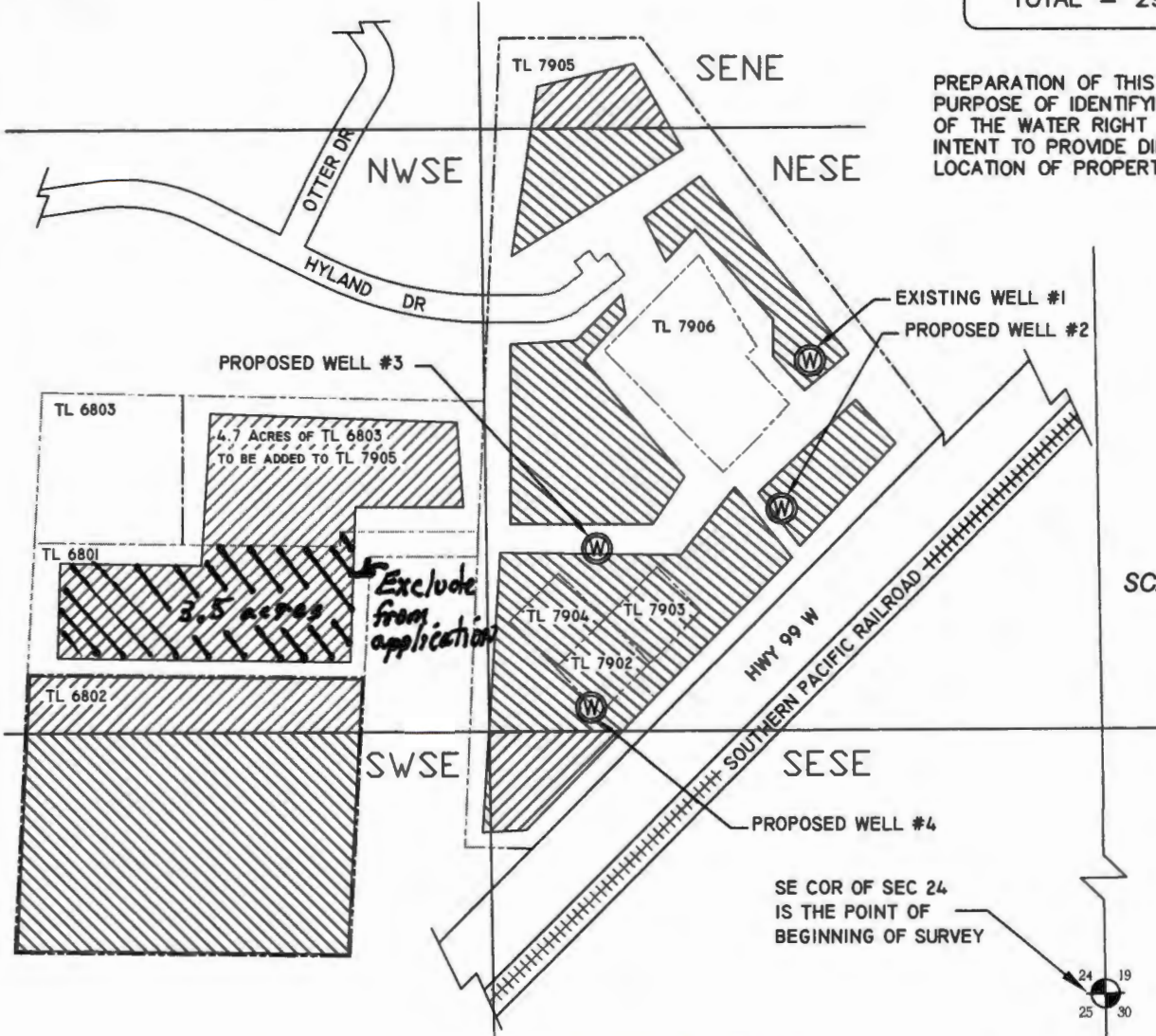
## LEGEND

- PROPERTY LINE
- USGS GRID
- +++++ RAILROAD
- ⊙ WELL (P.O.D.)
- ▨ IRRIGATION AREA (P.O.U.)

NE ¼ SE ¼	- 10.79 AC
NW ¼ SE ¼	- <del>0.72</del> AC
SE ¼ SE ¼	- 0.92 AC
SW ¼ SE ¼	- 8.32 AC
SE ¼ NE ¼	- 0.72 AC
<b>TOTAL</b>	<b>= 29.47 AC</b>

*5.26*

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*2-10-07 Assigned to Hiland Water Corp.*

**RECEIVED**

MAY 14 2004

WATER RESOURCES DEPT  
SALEM, OREGON

## FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE UNDER

Application No. X-XXXXX, Permit No. X-XXXXX  
In The Name Of  
FAR WEST DEVELOPMENT CORPORATION  
for  
Quasi-Municipal Use and  
Irrigation from wells in the Willamette River Watershed  
Surveyed XDATEXX, by John E. Borden

### NOTES:

- WELL #1 IS 2136 FEET NORTH AND 664 FEET WEST OF THE SE COR SEC 24.
- WELL #2 IS 1812 FEET NORTH AND 725 FEET WEST OF THE SE COR SEC 24.
- WELL #3 IS 1724 FEET NORTH AND 1129 FEET WEST OF THE SE COR SEC 24.
- WELL #4 IS 1373 FEET NORTH AND 1142 FEET WEST OF THE SE COR SEC 24.

*app no. G 16249  
Permit no G-16027*

JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

**HYLAND WATER RIGHT**

FILE PATH & NAME: J:\D:\Coyote-Willcuts\Hyland\HYLAND\_WR\_2000\_5\_5\_04

# IR CHECKLIST

4 wells  
- YAMH 53637  
- 3 proposed wells

Application #: G-16645 Applicant: MIKE WILTSHIRE

Use(s): QUASI-MUNICIPAL USES; FIRE PROTECTION Priority Date: March 27, 2006

If municipal or quasi-municipal:  reviewed by Bill Fujii Y / N / NA  Construction will be completed within 20 years.

Limit Quantity to 8.87 AF annual  
NO WMCP required

Is the application complete? Y / N

Prohibited by ORS 538? Y / N If so, do not do an IR; return the application & fees to the applicant.

5-7-07 NO  GW Review  surface classification triggered  PSI with stream: NO

- will not  will likely be available ...without injury... and/or within the capacity of the resource
- will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource
- The well is located in GWLA or CGWA or T1N R3E Sec 20, 21, 28, 29. (If checked, include a basin map noting POD.)

WM Dist (NWR - 1 2 16 18 20) (NCR - 3 4 5 21) (ER - 6 8 9 10) (SCR - 11 12 17) (SWR - 13 14 15 19)

DIVISION 33 Y / N / NA  Above Bonneville (if checked not allowed April 15 - September 30?)  
(If Y, attach basin map w/ pod)  Below Bonneville  
 Statewide

SW Availability  NA  80% live  50% storage \_\_\_\_\_ WID: \_\_\_\_\_

- Use DWF's nonstandard W/A memo if the source is a Drews Reservoir tributary; the Snake River; the Columbia River; the North Umpqua River below Rock Creek; or within the drainages of the Lost River, Chehalem Creek, or Champoeg Creek (including Mission & Case Creeks)

Is there a conflict? Y N NA \_\_\_\_\_

- If conflict, are rights from a different source?
- If supplemental, check for primary right on same land
- will this be making up a deficiency in rate?

Allowed under Basin Program Y / N Limitations? Y / N ODR 690-502-0160(2)

303D Y / N / NA IN GEOGRAPHIC UMATILLA Y / N BOTTLED WATER Y / N  
(cc: DEQ Regional Manager) (cc: CTUIR) (cc: DOA Food Safety Division)

Rate \_\_\_\_\_ Rate Max QR Req 0.02 cfs  
Duty \_\_\_\_\_ Season Allowed \_\_\_\_\_ Req QR

Land use: OK needs approval county notified NA

Storage Contracts:  USBOR  Army Corps of Engineers  Douglas County  NA  
contract # \_\_\_\_\_

Agent: Has the applicant authorized someone to act as an agent? Y N John Borden

Conditions: 70, 71 - reference level set by App 9-16249, LARGE

Small  $\leq 0.1$  CFS,  $\leq 9.2$  AF, **Medium**  $> 0.1$  and  $< 1.5$  CFS,  $> 9.2$  and  $< 100$  AF, **Large**  $\geq 1.5$  CFS,  $\geq 100$  AF  
Use "Medium" when the source is Siltcoos Lake Sandy Basin ground water, or stored water with a contract.  
Use "Large" when permit has 71, temp control (including NU) or HC above a SWW, Tenmile Lake, or when the applicant is a government entity  
Use "Large with totalizing flow meter" for IR permits in South Salem Hills or IR over 10 Ac. in Stage Gulch CGWA



Application #: G-16645 Applicant: MIKE WILTSHIRE

Is the stream **withdrawn**? Y / N / NA season allowed \_\_\_\_\_

**Basin Maps** have been checked Y / N **River Mile** \_\_\_\_\_

**SWW ABOVE** WITHIN NA Name \_\_\_\_\_ (If above or within, notify Parks.)

Is the source a **high priority for streamflow restoration**? Y / N / NA

\_\_\_ **Letter format** Good Limited Bad Bad w/ HC Opportunity

If in **North Umpqua settlement reach**, did you update the spreadsheet(s)? Y / N / NA

**CWRE**, representative, etc. to notify? Y / N John Borden  
WM #16, Reg Man

**Addn'l info req'd?** Y / N Land Use & Legal Desc for TL 7912(?), TL7902 & TL 7910, 7911, 7906  
(If Y, send certified)

\_\_\_ **Attachments** included? Y / N / NA \_\_\_\_\_

\_\_\_ **E-mailed Tim**, including note if negative? Y / N

**Fees**

Base Fee	Water Amount (Q)	
\$100 / \$150	<u>1<sup>st</sup> CFS/AF</u>	<u>300</u>
\$250 / \$300	___ Addl CFS/AF @ ___	+ <u>—</u>
<hr/>		
<u>300</u> (base)	+	<u>200</u> (Q) = <u>500</u> (total exam fee)

- Application G-16249 (permit G-16027) from same wells
- PFD to affected landowners

EXAM FEE REQUIRED	<u>500</u>
EXAM FEE PAID	<u>500</u>
STILL OWED	<u>0</u>

Name: Kerry Kavanagh Date: 6/8/2007 Peer Reviewer: Alyssa Mucken

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

**Analysis for Application: G16645**

**Location: 3S-3W-24-SENE**

**Uses: FP PQM P**

**Basins**

BASIN_NUM	BASIN_NAME
2	Willamette

**Records Found: 1**

**WaterMaster Districts**

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
6	16	NW	Mike McCord	725 Summer St. NE, Suite A	Salem	97301-1271	503-986-0893		503-986-0903	100755476299	2720153.87142

**Records Found: 1**

**WAB**

GAGE	BASIN	LINK1	LINK2
182	2	Water Availability: 50% 80%	Peak Flow Analysis

**Records Found: 1**

**County**

COUNTY FIPS
Yamhill 41071

**Records Found: 1**

**Groundwater Restricted Records Found: 0**

**Divison 33 Area**

DIV33
In a Div33 area

**Records Found: 1**

**Rule 4D**

RULE4D
In a Rule4D Area

**Records Found: 1**

**303D Streams Records Found: 0**

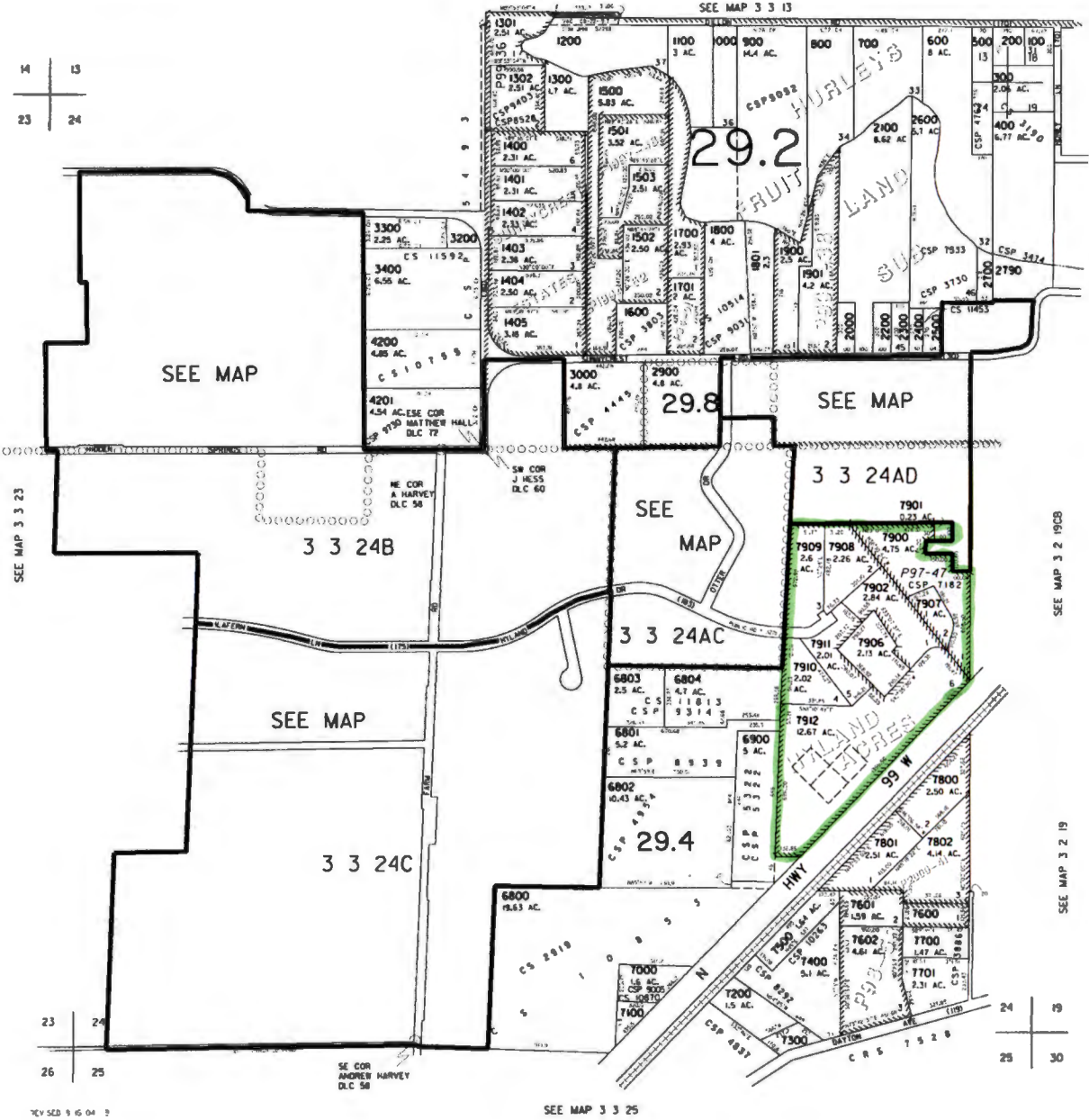
**303D Lakes Records Found: 0**

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 24 T3S R3W W.M.  
YAMHILL COUNTY

1" = 400'

3 3 24



- CANCELLED
- 2800 5700
  - 2801 5701
  - 3100 5702
  - 3101 5703
  - 3501 5704
  - 3502 5705
  - 3503 5800
  - 3600 5801
  - 3601 5900
  - 3602 6000
  - 3603 6100
  - 3604 6200
  - 3700 6201
  - 3800 6300
  - 3900 6400
  - 3901 6401
  - 4000 6500
  - 4100 6501
  - 4101 6600
  - 4102 6601
  - 4103 6602
  - 4300 6603
  - 4400 6604
  - 4500 6605
  - 4501 6606
  - 4600 6607
  - 4601 6608
  - 4602 6609
  - 4603 6610
  - 4604 6611
  - 4605 6612
  - 4700 6613
  - 4800 6614
  - 4801 6700
  - 4802 6702
  - 4803 6703
  - 4804 6704
  - 4805 6705
  - 4806 6706
  - 4900 6707
  - 5000 6708
  - 5001 6709
  - 5100 6710
  - 5101 6711
  - 5200 6712
  - 5201 7903
  - 5202 7904
  - 5203 7905
  - 5204
  - 5300
  - 5301
  - 5400
  - 5401
  - 5500
  - 5600
  - 5601
  - 5602
  - 5603
  - 5604

3 3 24

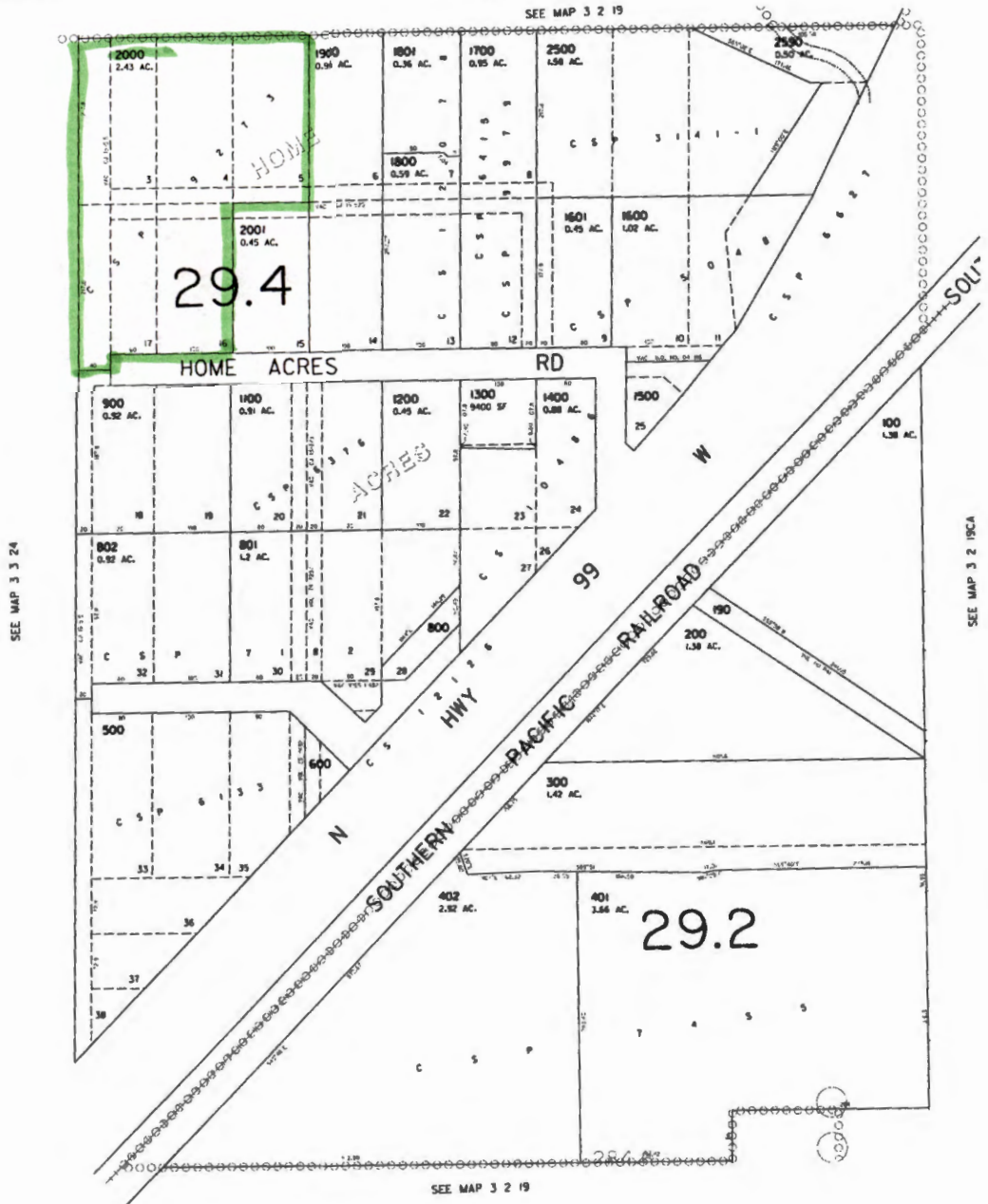
NW 1/4 SW 1/4 SEC 19 T3S R2W W.M.  
 YAMHILL COUNTY  
 1" = 100'

3 2 19CB  
 NEWBERG

THIS MAP WAS PREPARED FOR  
 ASSESSMENT PURPOSE ONLY

TL2000

- CANCELLED  
 400  
 700  
 1000  
 1601  
 2100  
 2200  
 2300  
 2400  
 2501  
 2502

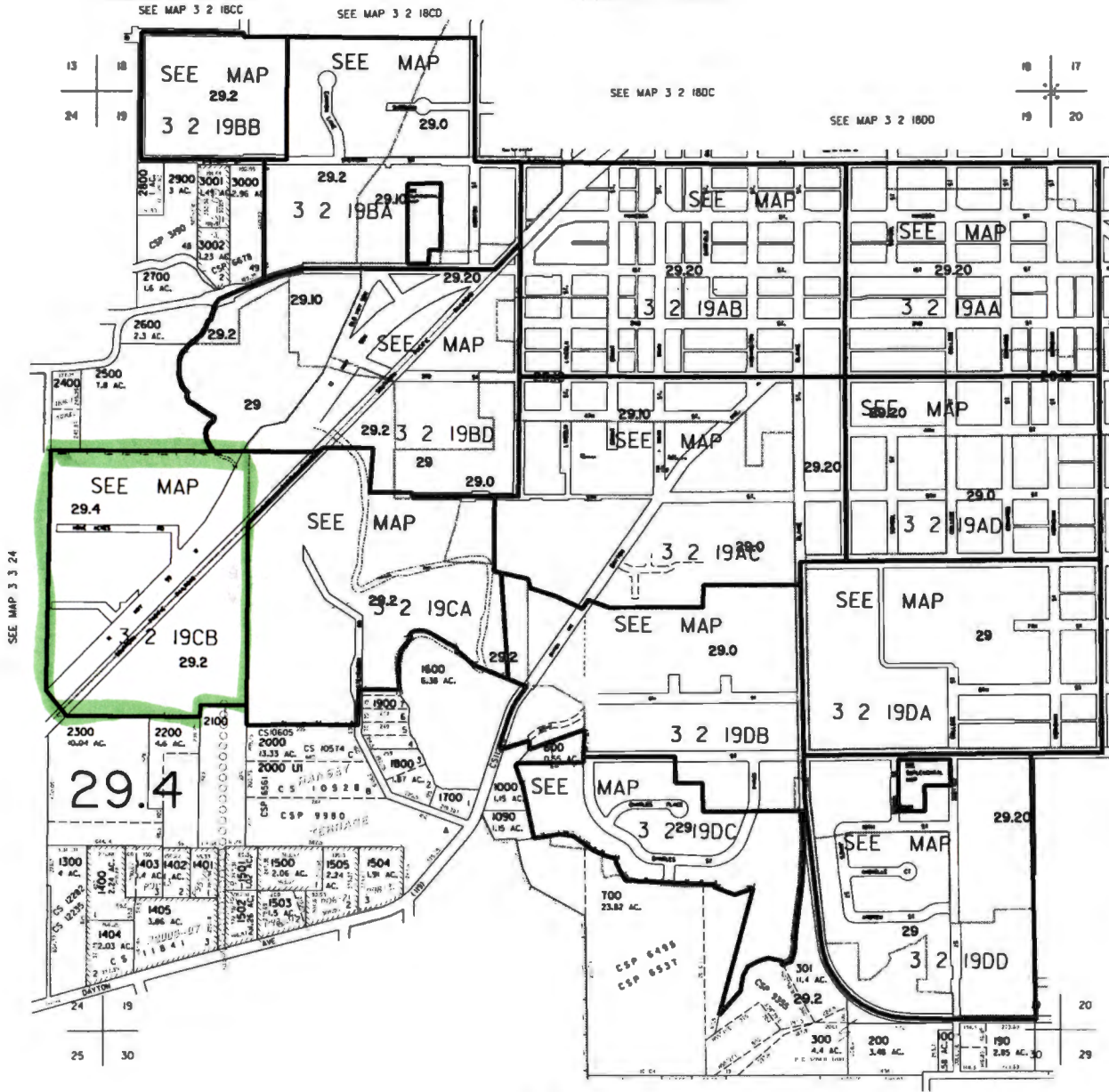


3 2 19CB

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 19 T3S R2W W.M.  
YAMHILL COUNTY

3 2 19  
& NEWBERG  
INDEX



- CANCELLED
- 101
  - 400
  - 500
  - 600
  - 701
  - 702
  - 703
  - 900
  - 901
  - 902
  - 1100
  - 1200
  - 3100
  - 3200
  - 3300
  - 3400
  - 3500
  - 3501
  - 3502

SEE MAP 3 2 18CC  
SEE MAP 3 2 18CD  
SEE MAP 3 2 18DC  
SEE MAP 3 2 18DD  
SEE MAP 3 2 20BB  
SEE MAP 3 2 20BC  
SEE MAP 3 2 20CB  
SEE MAP 3 2 20CC

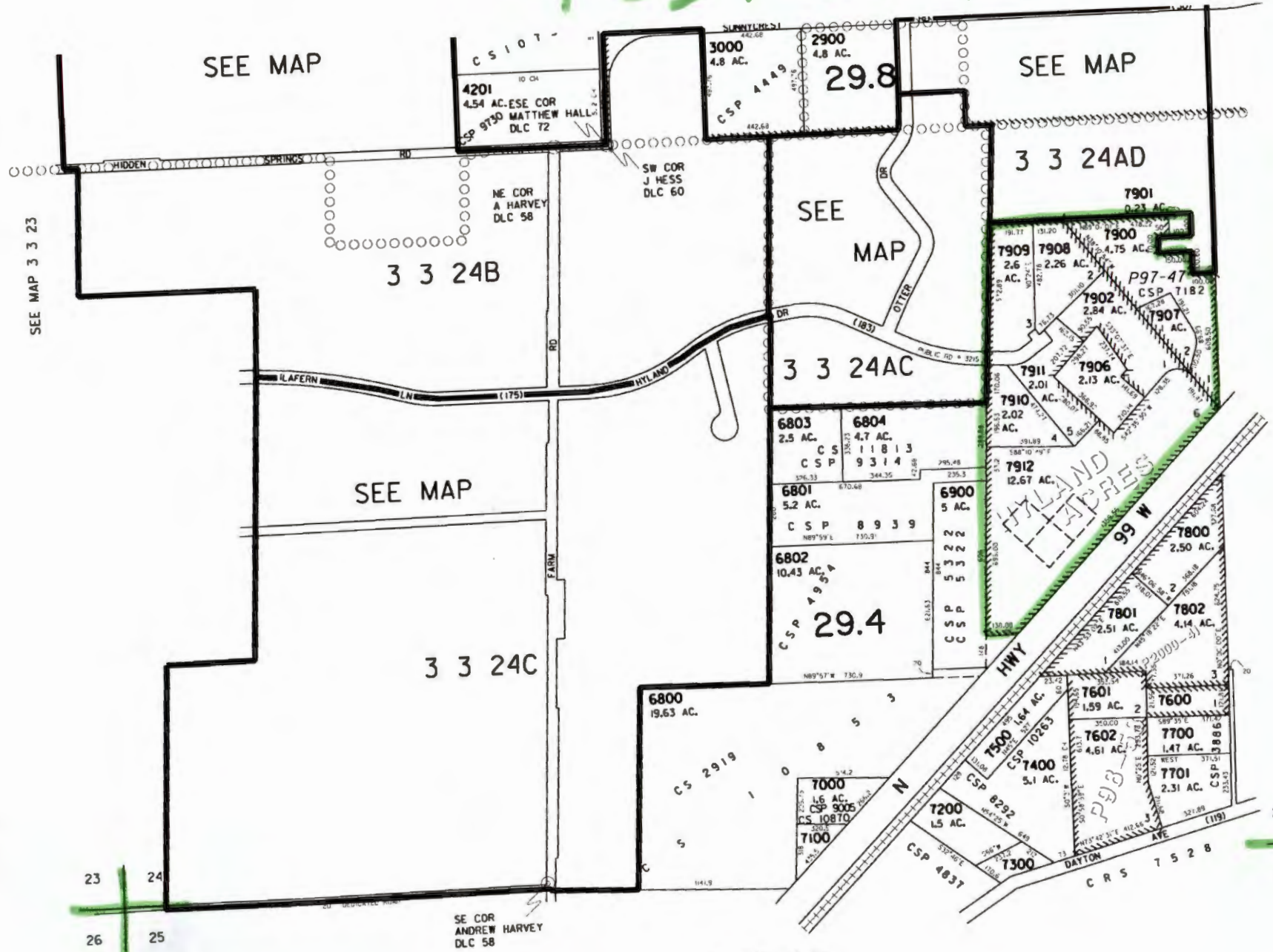
SEE MAP 3 3 24

SEE MAP 3 2 30

REV SCD 5 3 26 31

3 2 19

# T35 R3W, W.M.



SEE MAP

SEE MAP

SEE MAP

SEE MAP

3 3 24C

SEE MAP 3 3 25

SEE MAP 3 2 19C

SEE MAP 3 2 19

REVISED 9-15-04 BH



# Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 South Range: 3 West Section: 24 Records per Page: 6 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	Unknown
							Q(160): NE	NE	NE	NE	NE	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	QQ
<u>Select</u> <b>Permit:G 12170 *</b>		2/1/1994	DOMESTIC																				
Additional Info: HILLVIEW ACRES WATER DISTRICT App: G13605 Permit: G12170																							
<u>Select</u> <b>Cert:5051 OR *</b>		8/10/1922	DOMESTIC											*									
Additional Info: DALE M/FRANK D HASKIN App: S8571 Permit: S5595 Cert: 5051																							
<u>Select</u> <b>App:G 16346 *</b>		11/23/2004	DOMESTIC												*	*							
Additional Info: BLACK FAMILY VINEYARD LLC App: G16346																							
<u>Select</u> <b>Cert:17099 OR *</b>		3/28/1947	DOMESTIC INCLUDING LAWN AND GARDEN		58												*						
Additional Info: R F/MARIAN F BIBBEE App: S22378 Permit: S17644 Cert: 17099																							
<u>Select</u> <b>App:G 16645 *</b>		3/27/2006	FIRE PROTECTION						*														
Additional Info: MIKE WILTSHIRE App: G16645																							
<u>Select</u> <b>Permit:R 11963 *</b>		3/18/1996	FISH CULTURE											*	*								
Additional Info: LEE BINSCHUS App: R81020 Permit: R11963																							

*SUBJECT FILE*

1 2 3 4 5 6 7 8

Acreege Legend: 12.25 Regular acreege ±2.25 Acreege is on a canceled right (12.25) Acreege is part of a transfer and has not been proven up on yet (Inchoate) \* Acreege is not specified

# Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 South Range: 3 West Section: 24 Records per Page: 6 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown
<u>Select</u> <b>Cert:61792 OR *</b> Additional Info: WAYNE & ETHEL SELIVANOW App: S50627 Permit: S37498 Cert: 61792		6/8/1973	FROST PROTECTION		60			0.1	0.7															
<u>Select</u> <b>Permit:G 15589 *</b> Additional Info: SUNNYCREST MEADOWS WATER ASSOCIATION App: G15862 Permit: G15589		10/28/2002	GROUP DOMESTIC							*					*	*					*			
<u>Select</u> <b>Permit:S 51428 *</b> Additional Info: CHRIS BOWER App: S71038 Permit: S51428		12/7/1990	IRRIGATION															2.7						
<u>Select</u> <b>Cert:11985 OR *</b> Additional Info: DOUGLAS DICKIE App: S16006 Permit: S11841 Cert: 11985		8/22/1935	IRRIGATION			13					0.5													
<u>Select</u> <b>Cert:14145 OR *</b> Additional Info: ROBERT THIEL App: S16855 Permit: S12615 Cert: 14145		4/26/1937	IRRIGATION								2.8													
<u>Select</u> <b>Cert:15141 OR *</b> Additional Info: NEAL W HAZELTON App: S19493 Permit: S15072 Cert: 15141		8/30/1941	IRRIGATION											2.7										

1 2 3 4 5 6 7 8

Acreeage Legend: 12.25 Regular acreeage    12.25 Acreeage is on a canceled right    (12.25) Acreeage is part of a transfer and has not been proven up on yet (inchoate)    \* Acreeage is not specified



# Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 South Range: 3 West Section: 24 Records per Page: 6 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		
Select <b>Cert:21550 OR *</b>		7/18/1950	IRRIGATION		72									4.4	1.1											
Additional Info: ROY & MAUDE MARSHALL App: S25003 Permit: S19706 Cert: 21550																										
Select <b>Cert:21784 OR *</b>		6/4/1951	IRRIGATION								0.5															
Additional Info: DONALD R COOKE App: S26003 Permit: S20554 Cert: 21784																										
Select <b>Cert:22481 OR CN</b>		8/31/1949	IRRIGATION CN		59					7												8				
Additional Info: DOUGLAS R DICKIE App: S24070 Permit: S19198 Cert: 22481																										
Select <b>Cert:22481 OR CN</b>		8/31/1949	IRRIGATION CN		60					2.4																
Additional Info: DOUGLAS R DICKIE App: S24070 Permit: S19198 Cert: 22481																										
Select <b>Cert:22552 OR *</b>		10/2/1953	IRRIGATION		59						1															
Additional Info: FRED RADER App: S28829 Permit: S22686 Cert: 22552																										
Select <b>Cert:27478 OR *</b>		9/17/1956	IRRIGATION		60			8.3			0.3															
Additional Info: WALTER D WRIGHT App: S31125 Permit: S24477 Cert: 27478																										

1 2 3 4 5 6 7 8

Acreage Legend:

12.25 Regular  
acreage

~~12.25~~ Acreage is on a  
canceled right

(12.25) Acreage is part of a transfer and has not been  
proven up on yet (Inchoate)

\* Acreage is not  
specified

### Water Rights Platcard Report

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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	NE	NW	SW	SE	Unkown QQ				
Select <b>Cert:30542 OR *</b> Additional Info: RICHARD I GETSINGER App: S35113 Permit: S27486 Cert: 30542		7/12/1961	IRRIGATION		60		1.6																													
Select <b>Cert:33497 OR *</b> Additional Info: J MILLARD LESLIE App: S37078 Permit: S27652 Cert: 33497		9/11/1961	IRRIGATION		58									0.1	0.4	16.9	2.6																			
Select <b>Cert:36255 OR *</b> Additional Info: ELMER/EILEEN ERBE App: S38950 Permit: S28909 Cert: 36255		8/5/1963	IRRIGATION		72							5.4	4.3		1.5																					
Select <b>Cert:42778 OR *</b> Additional Info: CARROLL H/LULA DAILEY App: S50982 Permit: S37320 Cert: 42778		7/30/1973	IRRIGATION		58										0.15																					
Select <b>Cert:49750 RR *</b> Additional Info: DONALD COOKE App: S24070 Permit: S19198 Cert: 49750		8/31/1949	IRRIGATION		59						7																									
Select <b>Cert:49750 RR *</b> Additional Info: DONALD COOKE App: S24070 Permit: S19198 Cert: 49750		8/31/1949	IRRIGATION		60						2.4	4																								

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
<u>Select</u> Cert:53419 OR * Additional Info: EDMUND/LEONA KOTH App: S51491 Permit: S38864 Cert: 53419		11/20/1973	IRRIGATION		59					0.3												1		
<u>Select</u> Cert:61792 OR * Additional Info: WAYNE & ETHEL SELIVANOW App: S50627 Permit: S37498 Cert: 61792		6/8/1973	IRRIGATION		60			1.5	3.1															
<u>Select</u> Cert:61837 OR * Additional Info: CRAIG WASSON App: S63270 Permit: S47510 Cert: 61837		2/18/1983	IRRIGATION		60			0.8																
<u>Select</u> Permit:G 15589 * Additional Info: SUNNYCREST MEADOWS WATER ASSOCIATION App: G15862 Permit: G15589		10/28/2002	IRRIGATION							5.3					5.3	16.5						7.6		
<u>Select</u> App:G 16346 * Additional Info: BLACK FAMILY VINEYARD LLC App: G16346		11/23/2004	IRRIGATION													2	1							
<u>Select</u> Permit:G 16027 * Additional Info: FAR WEST DEVELOPMENT CORP. App: G16249 Permit: G16027		5/14/2004	IRRIGATION							0.72											10.79	5.26	8.32	0.92

1 2 3 4 5 6 7 8

Acreage Legend: 12.25 Regular acreage    12.25 Acreage is on a canceled right    (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate)    \* Acreage is not specified

# Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 South Range: 3 West Section: 24 Records per Page: 6 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):				NE				NW				SW				SE				Unkown QQ				
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE									
Select Permit:R 11963 *		3/18/1996	LIVESTOCK																*	*											
Additional Info: LEE BINSCHUS App: R81020 Permit: R11963																															
Select Cert:29157 OR *		11/28/1958	MUNICIPAL USES																		*										
Additional Info: CITY OF DUNDEE App: G1217 Permit: G1263 Cert: 29157																															
Select Cert:48100 OR *		7/20/1970	MUNICIPAL USES				*	*	*	*																					
Additional Info: CITY OF NEWBERG App: G5254 Permit: G5276 Cert: 48100																															
Select Cert:48101 OR CN		8/6/1970	MUNICIPAL USES	CN			*	*	*	*																					
Additional Info: CITY OF NEWBERG App: G5277 Permit: G5277 Cert: 48101																															
Select Cert:68620 CF *		8/6/1970	MUNICIPAL USES				*	*	*	*																					
Additional Info: CITY OF NEWBERG App: G5277 Permit: G5277 Cert: 68620																															
Select Permit:G 13876 *		5/3/1991	MUNICIPAL USES				*			*											*					*					
Additional Info: BOB KNORR App: G12515 Permit: G13876																															

Acreage Legend:

12.25 Regular  
acreage

~~12.25~~ Acreage is on a  
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Meridian: WILLAMETTE Township: 3 South Range: 3 West Section: 24 Records per Page: 6 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
<u>Select</u> <b>Claim:SW 641 *</b>		11/30/1905	MUNICIPAL USES				*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Additional Info: CITY OF NEWBERG Claim: SW641																								
<u>Select</u> <b>Permit:G 13980 *</b>		10/27/1999	NURSERY USES																					2.6
Additional Info: J D PIERCE App: G15055 Permit: G13980																								
<u>Select</u> <b>Permit:G 15809 *</b>		8/8/2003	QUASI-MUNICIPAL USES												*									
Additional Info: HILAND WATER CORP. INC. App: G16067 Permit: G15809																								
<u>Select</u> <b>Permit:G 16027 *</b>		5/14/2004	QUASI-MUNICIPAL USES						*											*	*	*	*	
Additional Info: FAR WEST DEVELOPMENT CORP. App: G16249 Permit: G16027																								
<u>Select</u> <b>App:G 16645 *</b>		3/27/2006	QUASI-MUNICIPAL USES						*															
Additional Info: MIKE WILTSHIRE App: G16645																								
<u>Select</u> <b>Permit:R 11963 *</b>		3/18/1996	RECREATION												*	*								
Additional Info: LEE BINSCHUS App: R81020 Permit: R11963																								

*SUBJECT FILE*

1 2 3 4 5 6 7 8

Acreege Legend: 12.25 Regular acreege    12.25 Acreege is on a canceled right    (12.25) Acreege is part of a transfer and has not been proven up on yet (inchoate)    \* Acreege is not specified



# Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 South Range: 3 West Section: 24 Records per Page: 6 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	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	QQ		
Select	Permit:G 11457 *	12/7/1990	SUPPLEMENTAL IRRIGATION (Suppl'mtl)															2.7								
Additional Info: CHRIS BOWER App: G12331 Permit: G11457																										
1 2 3 4 5 6 7 8																										

Acreage Legend: 12.25 Regular acreage ±2.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) \* Acreage is not specified

**690-502-0160**

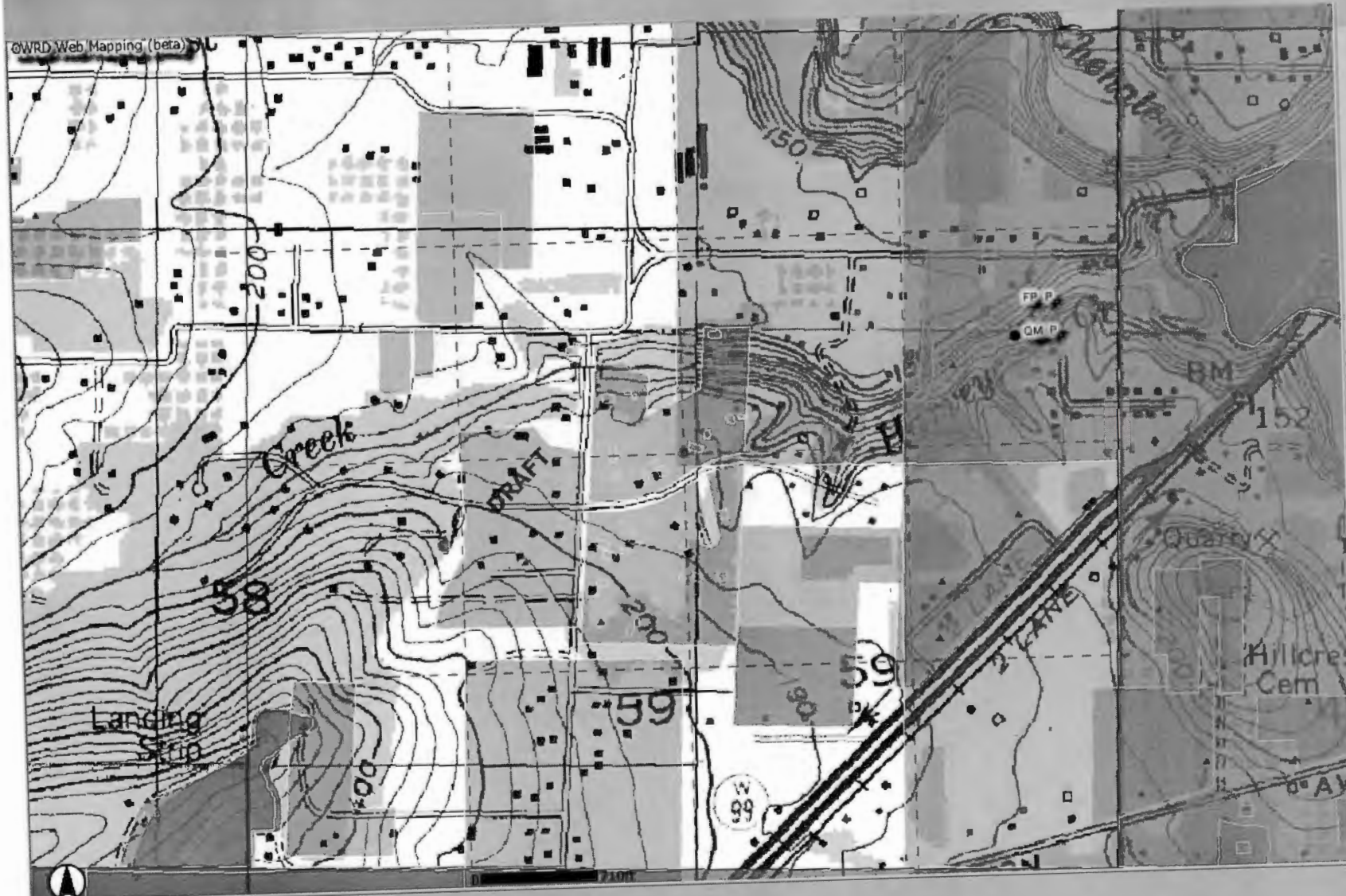
**Groundwater Classifications and Conditions**

(1) Use of groundwater from the basalt aquifer within the Cooper-Bull Mountain Critical Groundwater Area shall be as described in the State Engineer's order designating the Cooper-Bull Mountain Critical Groundwater Area dated May 17, 1974.

(2) Groundwater Classification: The groundwater resources of the Willamette Basin are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses except as described in OAR 690-502-0170 to 690-502-0210.

# Application G-16645

©WRD Web Mapping (beta)



- ### Legend
- WAB
  - Township
  - Sections
  - ▲ Points of Diversion (Willamette)
  - Place of Use (Willamette)
  - Roads
    - Ferry
    - Secondary
    - Primary
  - U.S.
  - Interstate
  - State
  - Other
  - Groundwater Restricted
  - LMI
  - CRT
  - WITH
  - CLAS
  - Other
  - Quad Maps

[Return](#)

ACCEPTED

# Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application: <u>G 16645</u>	County: <u>YAMHILL</u>
Priority Date: <u>3-27-2006</u>	Township: <u>3 S</u>
Use(s): <u>QUASI MUNI</u>	Range: <u>3 W</u>
	Section: <u>24</u>
	POA 1/4: <u>SEE MAP</u>
Rate: <u>0.13 CFS QM</u>	POU 1/4: <u>SEE MAP</u>
<u>\$ FIRE COMPONENT of QM</u> <u>0.5570 CFS</u>	

Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

Source listed

Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is located .....or..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE: An easement or agreement DOES NOT need to be submitted at this time, however a statement declaring the existence of written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work is required at this time. Easement or agreement will be required before a permit will be issued.**

If a groundwater application...is the groundwater development section completed, including copies of well logs?

Proposed Use of the water.... Is each proposed use identified?

Has the appropriate "Supplemental Form" for each proposed use been completed, if applicable?

- Form I (Irrigation)
- Form M (Municipal or Quasi-Municipal)
- Form R (Mining)
- Form Q (Commercial or Industrial)
- Spring Description Sheet (if source is a Spring)

Amount of water from each source listed in GPM, CFS or AF?

Acreage being proposed, if applicable.

- Season being requested by applicant.
- Water management section has been completed? If system has not been designed, the applicant may estimate this information.
- Resource protection system completed on Surface Water application?
- Are the dates of construction indicated? Proposed dates for the Beginning of construction, completion of construction, and complete application of water to the proposed use(s) If system already completed, applicant should indicate existing. Applicant may indicate in other than dates, these timelines.
- Is the application signed in ink by the applicant? If the application is in the name of an organization or corporation, the authorized agent with title or authority, must sign the application. If more than one applicant named, both/all must sign or application is incomplete.
- Legal description included? A copy of the deed, land sales contract or title insurance policy can provide this information. We cannot accept a copy of the tax bill.
- A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application? Date should be within 6 months.
- Does the map meet map requirements of OAR 690-310-050? *CURE JOHN BORDEN*

- Town, Range, Sec, 1/4 1/4 and Tax Lot #
- Reference corner on map
- 1/4 1/4's clearly identified
- POU clearly identified location of place of use where water is to be used. ie: domestic, industrial stock, irr, etc.
- Scale of the Map, not less than 4" = 1 mile
- North Directional Symbol (not fatal if omitted)
- Location of each diversion point, well or dam
- Location Coordinates for each POP(S) by reference to a recognized public land survey corner
- Number of acres per 1/4 1/4, if Irrigation *ALL WITHIN QM BOUNDARIES*

Other fees enclosed?

Total Paid \$ 750

Base Fee \$ 300  
 plus \$ 200  
 plus \$ \_\_\_\_\_

Total Amount of Water Requested: 0.13 CFS QM  
 & FILE COMPONENT QM  
0.5570 CFS

Total Exam Fee \$ 500

Total Exam Fee \$ <u>500</u>	Recording Fee \$ <u>250</u>
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Completeness Check by: NJM Date: 3-27-2006

**PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS**

TO: Water Rights Section Date May 7, 2007  
 FROM: Ground Water/Hydrology Section Marc Norton  
 SUBJECT: Application G- 16645 Reviewer's Name Supersedes review of December 12, 2006  
 Date of Review(s)

**PUBLIC INTEREST PRESUMPTION; GROUNDWATER**

**OAR 690-310-130 (1)** The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525. Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. **This review is based upon available information and agency policies in place at the time of evaluation.**

**A. GENERAL INFORMATION:** Applicant's Name: Mike Wiltshire County: Yamhill

- A1. Applicant(s) seek(s) 0.02 cfs from 4 well(s) in the Willamette River Basin,  
Harvey Creek – Willamette River subbasin Quad Map: Newberg
- A2. Proposed use: Quasi Municipal Seasonality: year-round
- A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	<b>YAMH53637</b>	<b>1</b>	<b>CRB</b>	<b>0.13</b>	<b>03S/03W-24 NE SE</b>	<b>2136' N, 664' E fr SE cor S 24</b>
2	<b>Proposed</b>	<b>2</b>	<b>CRB</b>	<b>0.13</b>	<b>03S/03W-24 NE SE</b>	<b>2136' N, 664' E fr SE cor S 24</b>
3	<b>Proposed</b>	<b>3</b>	<b>CRB</b>	<b>0.13</b>	<b>03S/03W-24 NE SE</b>	<b>2136' N, 664' E fr SE cor S 24</b>
4	<b>Proposed</b>	<b>4</b>	<b>CRB</b>	<b>0.13</b>	<b>03S/03W-24 NE SE</b>	<b>2136' N, 664' E fr SE cor S 24</b>
5						

\* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	165	14	67	02/27/04	242	0 - 60	+1.5 - 60	2 - 242	202 - 222 & 232 - 242	60	----	Air
2												
3												
4												

Use data from application for proposed wells.

A4. **Comments: See conceptual model discussion for more details on geology and ground water. Well #1 is completed in the Columbia River Basalts. Where ever this aquifer has been developed for large uses, ground water levels usually decline over time. Wells #2, #3, & #4 have not been constructed. The application indicates that the basalts are the intended aquifer for the proposed wells. One permit has already been issued for the same use from these wells. Additional applications are expected as more property is developed. Application G-16249, permit G-16027, priority date = 5/14/2004, for 0.33 cfs – irrigation and 0.13 cfs for quasi-municipal and further limited to 16,500 gpd. The applicant has reduced the requested discharge rate from 0.11 cfs to 0.02 cfs.**

A5.  **Provisions of the Willamette River** Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water  are, or  are not, activated by this application. (Not all basin rules contain such provisions.)  
 Comments: The wells are, or will be, completed in the CRB. Aquifers in the CRB are typically confined, as confirmed by information on the Water Well Report for well #1.

A6.  Well(s) # \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, tap(s) an aquifer limited by an administrative restriction.  
 Name of administrative area: \_\_\_\_\_  
 Comments: \_\_\_\_\_

**B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070**

B1. Based upon available data, I have determined that ground water\* for the proposed use:

- a.  is over appropriated,  is not over appropriated, or  cannot be determined to be over appropriated during any period of the proposed use. \* This finding is limited to the ground water portion of the over-appropriation determination as prescribed in OAR 690-310-130;
- b.  will not or  will likely be available in the amounts requested without injury to prior water rights. \* This finding is limited to the ground water portion of the injury determination as prescribed in OAR 690-310-130;
- c.  will not or  will likely to be available within the capacity of the ground water resource; or
- d.  will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:
- i.  The permit should contain condition #(s) 7B – Interference, 7I – Resource Protection + large monitor;
  - ii.  The permit should be conditioned as indicated in item 2 below.
  - iii.  The permit should contain special condition(s) as indicated in item 3 below;

- B2. a.  Condition to allow ground water production from no deeper than \_\_\_\_\_ ft. below land surface;
- b.  Condition to allow ground water production from no shallower than \_\_\_\_\_ ft. below land surface;
- c.  Condition to allow ground water production only from the \_\_\_\_\_ ground water reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
- d.  Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): \_\_\_\_\_

- B3. Ground water availability remarks: See conceptual model discussion for more details on geology and ground water. The proposed use of water for this application will be developed from the aquifers of the Columbia River Basalts. Where ever large stresses have been placed on the CRB aquifers, declines have occurred. I reviewed ground water level trends in 17 wells completed in the basalt aquifers near the proposed use. Most of the data comes from wells with permit conditions that require annual water level measurements. Many of the wells are located higher up in the system and show precipitation trends: higher water levels in 96 and 97 (floods) and lower water levels in 2001 (drought). There are several that are showing declines over the past 10 years; one that has exceeded the decline limits in the permit (YAMH 4640). This proposed use is for quasi-municipal (year-round). Water level collected at the proposed well has been collected since 2004; too short a time frame to support a long-term supply. The ground water level in Well #1 is at a similar elevation to ground water levels in the Red Hills Estates wells after deepening of the Red Hill Wells. The supply is limited at the Red Hills wells with low yields. There is limited data after the deepening to show that the lower aquifer will be a long term source. There has been considerable hydrogeologic work done recently for the City of Dundee and Ground Water Application G-16346. A pump test was conducted by the applicant (G-16346) Ground water levels were measured in several of the City of Dundee's wells during the test. The City shut Well #3 down (YAMH 4549) for about 24 hours prior to the measurement. The water level is down about 10 to 15 feet from the late 1970s. The yield is very limited (about 35 gpm) with about 230 feet of drawdown. Preliminary analysis of the aquifer test indicates that there was minimal interference with neighboring wells. The reason for the lack of interference could be the wells are completed in different aquifers. The different aquifers are the result of well depth or construction or geologic structures. Recharge to the aquifers becomes much harder because of the isolation. This means that the isolated aquifers are more susceptible to overdraft.
- A nearby subdivision, Red Hills Estates, had to have both wells deepened and file for a new water right as the original shallow basalt aquifer failed over time. Water level elevations are very similar to elevations in the applicant's wells. The Department recently issued a permit, G-16027, for 0.5 cfs from the same wells. Additional applications are expected as the development expands ownership of property. The basalt aquifers in this area can not sustain large development. The Department recently issued two permits in this aquifer and another application is being considered. The resource can not withstand the total development permitted. Additional permits will exacerbate the problem. The applicant reduced the requested discharge rate from 0.11 cfs to 0.02 cfs. Reference level are set by G-16249.

**C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040**

C1. 690-09-040 (1): Evaluation of aquifer confinement:

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	CRB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Proposed well -- CRB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Proposed well -- CRB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Proposed well -- CRB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

**Basis for aquifer confinement evaluation:** Well #1 is completed in the Columbia River Basalts. Where ever this aquifer has been developed for large uses, ground water levels usually decline over time. Wells #2, #3, & #4 have not been constructed. The application indicates that the basalts are the intended aquifer for the proposed wells.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Harvey Creek	100	105	930	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	2	Chehalem Creek	100	85	2100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	3	Willamette River	100	55	6800	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Basis for aquifer hydraulic connection evaluation:** According to the well log, YAMH53637, ground water was first encountered in the basalts at a depth of 158 feet below land surface or about 20 feet below the bottom of the Willamette River. The aquifer is not hydraulically connected to the streams noted above within the reaches listed.

Water Availability Basin the well(s) are located within: WILLAMETTE R > COLUMBIA R - AB MOLALLA R

C3a. 690-09-040 (4): Evaluation of stream impacts for each well that has been determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% natural flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked  box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < ¼ mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
		<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"/>			<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"/>		<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"/>



C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Complete only if Q is distributed among wells. Otherwise same evaluation and limitations apply as in C3a above.

SW #	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
	<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"/>
	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

C4a. **690-09-040 (5):** Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

**Basis for impact evaluation:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C4b. **690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.**

C5.  **If properly conditioned**, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:  
i.  The permit should contain condition #(s) \_\_\_\_\_;  
ii.  The permit should contain special condition(s) as indicated in "Remarks" below;

C6. **SW / GW Remarks and Conditions** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**References Used:** See conceptual model discussion for more details.

Gannett and Caldwell, 1998, Geologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington, USGS Professional Paper 1424-A

Woodward, Gannett and Vaccaro, 1998, Hydrogeologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington, USGS Professional Paper 1424-B

Walton, William, 1962, Selected Analytical Methods for Well and Aquifer Evaluation, Bulletin 49, Illinois State Water Resources.

Freeze and Cherry, 1979, Groundwater, Prentice-Hall, Inc.

Conlon and Others, 2005, Ground-Water Hydrology of the Willamette Basin, Oregon, Scientific Report 2005-5168, USGS.

**D. WELL CONSTRUCTION, OAR 690-200**

D1. Well #: \_\_\_\_\_ Logid: \_\_\_\_\_

D2. **THE WELL does not meet current well construction standards based upon:**

- a.  review of the well log;
- b.  field inspection by \_\_\_\_\_;
- c.  report of CWRE \_\_\_\_\_;
- d.  other: (specify) \_\_\_\_\_

D3. **THE WELL construction deficiency:**

- a.  constitutes a health threat under Division 200 rules;
- b.  commingles water from more than one ground water reservoir;
- c.  permits the loss of artesian head;
- d.  permits the de-watering of one or more ground water reservoirs;
- e.  other: (specify) \_\_\_\_\_

D4. **THE WELL construction deficiency is described as follows:** \_\_\_\_\_

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

D5. **THE WELL** a.  was, or  was not constructed according to the standards in effect at the time of original construction or most recent modification.

b.  I don't know if it met standards at the time of construction.

D6.  **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**

D7.  Well construction deficiency has been corrected by the following actions: \_\_\_\_\_

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

\_\_\_\_\_, 200\_\_\_\_\_  
(Enforcement Section Signature)

D8.  **Route to Water Rights Section (attach well reconstruction logs to this page).**

\_\_\_\_\_

LIST OF WELLS WITH HYDROGRAPHS IN COLUMBIA RIVER BASALTS.

LOCATION	LOG ID #	LSD ELEVATION	WELL DEPTH	DISTANCE & DIRECTION	OWNER
3.00S 3.00W24	YAMH 53637	165	242	0	APPLICANT
3.00S 3.00W26ACC	YAMH 4549	401	471	7,600' SW	CITY OF DUNDEE
3.00S 3.00W28DCC	YAMH 1725	680	295	18,100' SW	KNUDSEN VINYARDS
3.00S 3.00W28DCA	YAMH 1713	640	395	17,500' SW	KNUDSEN VINYARDS
3.00S 3.00W35DCA2	YAMH 2925	162	656	12,200' SSW	WIS ADAIR ESTATE
3.00S 3.00W33BD	YAMH 1820	820	245	21,000' SW	LAURENT-PERRIER CHAMPAGNE
3.00S 3.00W34	YAMH 4640	210	455	15,100' SW	LOFQUIST WALT JR
3.00S 3.00W35DCA	YAMH 52895	163	490	12,800' SW	FULQUARTZ PARK LLC
3.00S 3.00W26AB	YAMH 4548	565	710	5,900' W	RED HILLS ESTATES
3.00S 3.00W26AB	YAMH 121	500	680	5,800' W	RED HILLS ESTATES
3.00S 3.00W26CC	YAMH 1934	300	165	10,100' SW	BERGSTROM VINEYARDS
3.00S 3.00W27AA	YAMH 2859	540	395	10,400' W	PINE RIDGE ASSOCIATION
3.00S 3.00W27CD	YAMH 3848	370	390	13,500' SW	PINE RIDGE WINERY
3.00S 3.00W34CC	YAMH 4652	500	245	18,500' SW	DOMAINE DROUHIN OREGON
3.00S 3.00W28AD	YAMH 50771	830	558	15,300' W	STEVE WHITESIDE
3.00S 3.00W27CD	YAMH 51997	415	235	13,300' SW	PINE RIDGE WINERY
4.00S 3.00W03BB	YAMH 1701	430	318	18,900' SW	DOMAINE DROUHIN OREGON

WELLS WITH HYDROGRAPHS - WATER LEVEL TRENDS & COMMENTS

LOG ID #	WATER LEVEL TRENDS
YAMH 4549	23' of decline from 1976 to 2006, very low yield.
YAMH 1725	92 - 2004 = 8.2' decline; 95 - 2004 = 20.7' decline; significant 2001 drought impact; overall - declining! No 06.
YAMH 1713	Data shows a water level rise since construction in 92; no data since 2000.
YAMH 2925	Stable water level; does not show climatic signals from 96, 97, or 2001.
YAMH 1820	Data shows slight decline, 92 - 2004 = 4.6'; does show climatic signal; No 2006 data.
YAMH 4640	Data shows slight decline, 96 - 2004 = 13'; some climatic signal but highest WL in 1999; No 2006 data.
YAMH 52895	Data since 2002 only.
YAMH 4548	Minimal data; Original well log and deepening only. Well deepened 200' in 04, WL dropped 120'.
YAMH 121	Minimal data; Original well log, deepening, and pumping WL only; over 200' decline.
YAMH 1934	Minimal data; Original well log (fall WL) and two spring WLs affected by pumping; increase of 20'; No 05 or 06.
YAMH 2859	Data shows decline, 93 - 2004 = 41.2'; <b>has triggered both 15' and 25' decline conditions</b> ; No 2006 data.
YAMH 3848	Data shows slight rise (6') since 95; drought did impact water level, 2006 data shows rise.
YAMH 4652	Data shows decline & climatic signal; 88 - 04 = 41.9'; No decline condition in permit; No 2006 data.
YAMH 50771	Data shows decline, 97 - 04 = 6'; 97 was fall measurement; No or weak climatic signal; No 2006 data.
YAMH 51997	Minimal data; climatic signal, shows drought impact and recovery since then.
YAMH 1701	Data shows decline & climatic signal, 97 - 04 = 61.8'; <b>has triggered 25' decline condition</b> ; No 2006 data.

**Conceptual Model -- Generalized Ground Water Flow Systems.**

Marc Norton

January 8, 2004

Based on:

*OWRD GRID - Ground water Resource Information Distribution**OWRD Ground Water Database**Memo on Recommended Vertical Hydraulic Conductivity Values for the Willamette Silt Hydrogeologic Unit When Using the Hunt Analytical Model, Karl Wozniak, January 6, 2004.**Ground-Water Resources of the Willamette Valley, Oregon, 1942, Water-Supply Paper 890, Piper.**Hydrogeologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington, 1998, US Geological Survey Professional Paper 1424 B, Woodward, Gannett, and Vaccaro.***GENERALIZED GEOLOGY**

The Willamette Lowland in Oregon and Washington encompasses 3,700 square mile and includes the low-lying parts of the Willamette Valley in Oregon and most of Clark county in Washington. About 70% of the population of Oregon and Clark County reside in the lowlands. The lowland is 145 miles long and averages 10 to 15 miles in width. Water is recharged to the Willamette Lowland aquifer system primarily through the direct infiltration of precipitation on the lowland. The regional water-table map shows an overall pattern of ground-water flow to the major streams, indicating that the base flow of these streams is sustained by ground water discharge. This ground-water discharge fully supports the base flow of streams that head in the lowland and partially support the base flow of the other streams.

**HYDROGEOLOGIC UNITS**

The aquifer system is composed of five hydrogeologic units, from oldest to youngest:

- 1) the basement confining unit,
- 2) the Columbia River basalt aquifer,
- 3) the Willamette confining unit,
- 4) the Willamette aquifer, and
- 5) the Willamette silt unit.

The basement-confining unit forms the lateral and basal boundary to the Willamette aquifer system. The basement-confining unit includes all the stratigraphic units that underlie either the Columbia River Basalt Group in the northern part of the basin or the basin-fill deposits in the southern part. The unit is composed of marine sedimentary rocks and volcanic rocks of the Coast and Cascade ranges. The basement-confining unit is generally a low yielding aquifer where wells develop water primarily from fractures in the rock. Ground water can be found under unconfined conditions in the highlands and under confined conditions with greater depth and lower elevations. Yields are generally less than 10 gpm and usually decrease over time. The deeper the well, the greater the chance of brackish water being encountered.

The Columbia River basalt aquifer overlies the basement-confining unit and consists of layers of basalt flows of the Columbia River Basalt Group. The thickness of the aquifer generally is several hundred feet but locally is as much as 1000 feet. Ground water in the basalts is generally under confined conditions except in the foot-hills

where they may be unconfined. Well yields vary from tens to hundreds of gallons per minutes. Brackish water has been encountered in several areas, particularly with depth.

The Willamette confining unit consists primarily of fine-grained, distal alluvial fan and low-gradient stream deposits. The fine-grained deposits are considered a regional confining unit because of their wide spread occurrence and low permeability. Ground water in the Willamette confining unit is generally under confined conditions and well yields are very low to "dry".

The Willamette aquifer consists primarily of coarse-grained proximal alluvial-fan and braided-stream deposits. The greatest thickness, and coarsest materials of the Willamette aquifer outside of the Portland Basin occur in six major alluvial fans that were deposited where major streams from the Cascade Range enter the Willamette Lowland. Ground water in the Willamette aquifer unit varies from unconfined to confined conditions, depending on location and depth. Vertical gradients are usually downward except near major streams. Deposits of lower permeable material can act as a confining layer but are generally of limited aerial extent.

The Willamette silt unit is deposited throughout much of the Willamette Lowland by glacial-outburst floods. The deposits range in thickness from 0 to 130 feet. They consist primarily of silt and fine sand of relatively uniform lithology. Ground water in the Willamette silt unit is generally under unconfined conditions and well yields are low, less than 5 to 10 gpm.

## STRUCTURAL BASINS

Outcrops of folded and faulted basalt within the Willamette Valley divide the lowland into four separate areas or structural basins -- from north to south, **the Portland Basin, the Tualatin Basin, the central Willamette Valley, and the southern Willamette valley**. Each of these areas has decidedly different hydrologic and hydrogeologic properties. The aquifer system in each basin, although hydraulically connected through a series of restrictive water gaps, is distinctive.

Tualatin Basin. The Columbia River basalt aquifer and the Willamette confining unit are the only regional hydrogeologic units above the basement-confining unit in the Tualatin Basin. The Columbia River basalt aquifer underlies the entire basin, and its upper surface forms a sediment-filled bowl-like depression.

The Central Willamette Valley All five of the hydrogeologic units occur in the central Willamette Valley. The Columbia River basalt aquifer underlies the entire central Willamette Valley, except for small areas along the far eastern margin. A number of faults have been mapped in the central Willamette Valley, some of which offset the aquifer, and numerous other faults have been mapped in the uplands surrounding the basin where the aquifer crops out. The Willamette aquifer in the central Willamette Valley contains three major alluvial fans -- the Salem fan, the Molalla fan, and the Canby fan. The Willamette Silt unit overlies most of the central valley with a maximum thickness of about 130 feet near the center and thins towards the south and near the margins of the basin.

The Southern Willamette Valley In the southern Willamette Valley, all of the regional hydrogeologic units are present; however, the Columbia River basalt aquifer occurs only in the Stayton area. The Willamette confining unit is thinner in the southern Willamette Valley than elsewhere in the Willamette Lowland. The Willamette aquifer contains the Lebanon fan and the Stayton fan. The Willamette aquifer is much thinner (averaging only about 20 to 40 feet thick) between the alluvial fans of the southern Willamette Valley. The Willamette Silt unit covers most of the southern Willamette Valley and generally thin towards the south.

**Doug Woodcock**

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**From:** John Borden [jeborden@comcast.net]  
**Sent:** Wednesday, April 25, 2007 4:31 PM  
**To:** Doug Woodcock  
**Subject:** RE: Application G-16645 -- Mike Wiltshire

Doug, thanks for the note. My responses are in **magenta**, below.

-----Original Message-----

**From:** Doug Woodcock [mailto:woodcode@wrđ.state.or.us]  
**Sent:** Wednesday, April 25, 2007 9:36 AM  
**To:** John Borden  
**Subject:** RE: Application G-16645 -- Mike Wiltshire  
**Importance:** High

John-

You suggested that a rate reduction may be acceptable to your client. Can you send me an email requesting to amend the application to 0.02 cfs? This would allow use for 5 houses and some small irrigation. **We may make this work, yet. Doug, per your request (and with the prior approval of my client Mike Wiltshire), please amend the pending water use permit application to 0.02 cfs.**

(Also, I don't recall, is there a reason you're not going with a new well and an exempt use for these lots?) **Yes. Mike Wiltshire probably has better explained it to you already, but Wiltshire drilled a well on subject property. The well has a high iron content and also may not have the capacity ("Q") to serve the five lots in any case. After he explored the possibility of connecting to the municipal water systems (i.e. the City of Dundee -- and I think Newberg also --) Mr. Wiltshire decided that Hiland Water Corporation's water system looked like the only feasible option (Far West Development Corporation recently assigned their water use permit to Hiland Water Corporation). So after obtaining Hiland Water Corporation's approval to do so, Wiltshire applied for a water use permit from Hiland's wells.**

Please let me know if you need additional information.

John Borden

Let me know what you think.

Doug

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**From:** John Borden [mailto:jeborden@comcast.net]  
**Sent:** Monday, April 09, 2007 4:56 PM  
**To:** Doug Woodcock  
**Subject:** RE: Application G-16645 -- Mike Wiltshire

Doug, now that we know Mr. Wiltshire does not own the intervening tax lots, what's next?

Thanks,

John Borden

-----Original Message-----

**From:** Doug Woodcock [mailto:woodcode@wrđ.state.or.us]

**Sent:** Monday, April 09, 2007 7:54 AM  
**To:** John Borden  
**Subject:** RE: Application G-16645 -- Mike Wiltshire

John-

In a discussion with water rights staff and transfers staff, amending G-16645 onto G-16249 can't work because the (water right) properties are not contiguous. This might sound crazy, but if Mike Wiltshire owns TL 7900 and 7902 would he consider including them (in a small fashion) as part of the application? In my simple mind, this makes them contiguous.

Let me know.

Doug

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**From:** John Borden [mailto:jeborden@comcast.net]  
**Sent:** Friday, March 09, 2007 3:49 PM  
**To:** WOODCOCK Douglas E  
**Subject:** Application G-16645 -- Mike Wiltshire

-->

Doug, when we visited by phone in early January, you indicated that subject application would be arriving at the Water Rights Section shortly. Kerry Kavanagh says she has not seen it.

So I'm checking back with you in the hopes that it can be sent to her. As you can imagine, Mr. Wiltshire is sweating bullets.

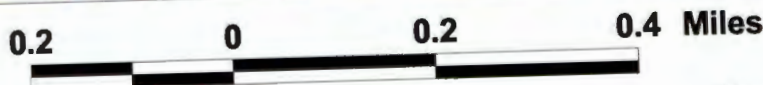
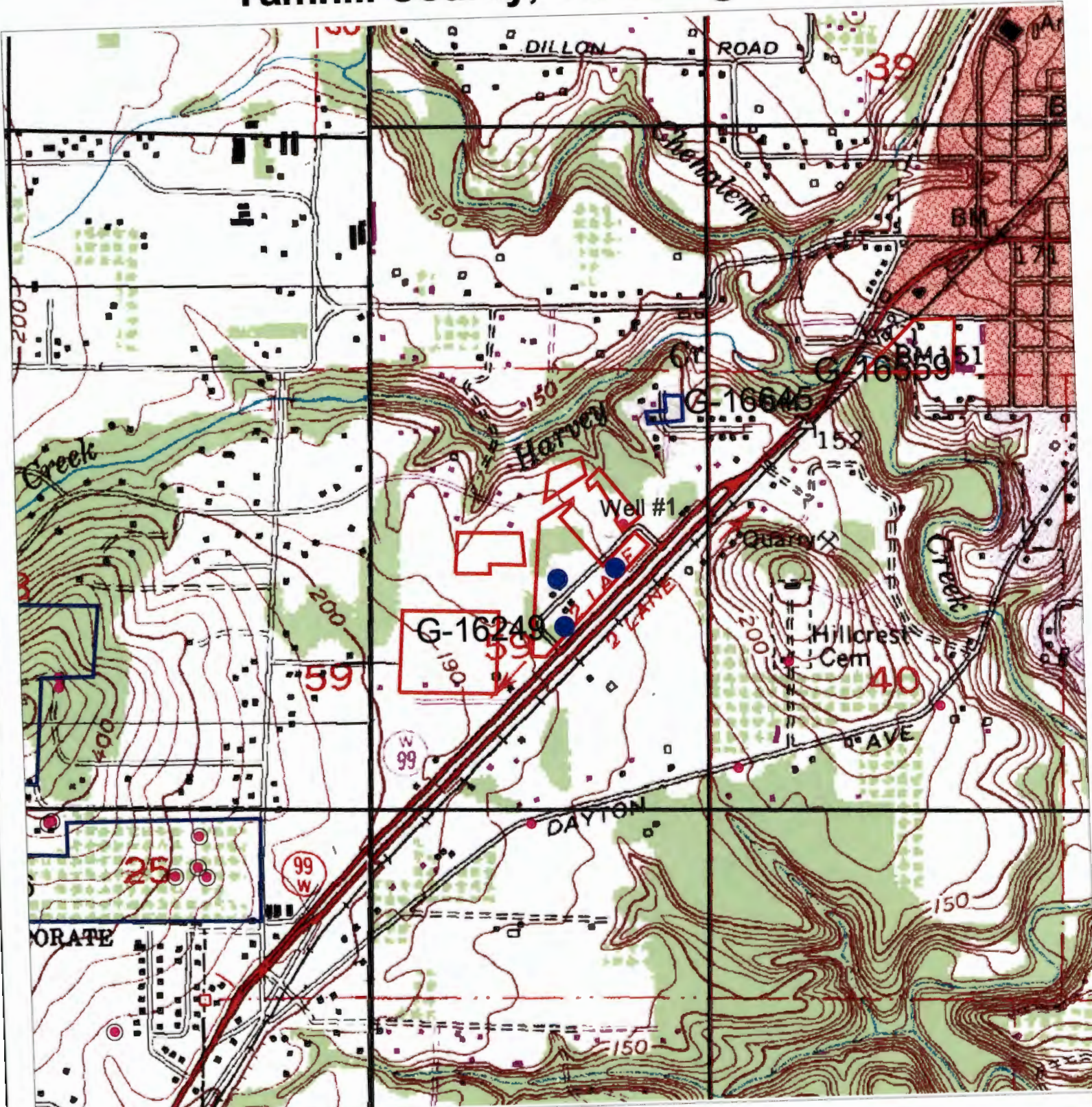
Please let me know if I can or need to supply additional information.

Thanks,

John Borden



# Locations of Ground Water Application G-16645 Yamhill County, Newberg Quad



- Wells.shp
- obswells
- C
- N
- Gwra.shp



1:12000 Scale

This product is for informational purposes and may not have been prepared for, or be suitable for legal engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



**PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS**

TO: Water Rights Section Date December 12, 2006

FROM: Ground Water/Hydrology Section Marc Norton  
Reviewer's Name

SUBJECT: Application G- 16645 Supersedes review of \_\_\_\_\_  
Date of Review(s)

**PUBLIC INTEREST PRESUMPTION; GROUNDWATER**

**OAR 690-310-130 (1)** *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525. Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. This review is based upon available information and agency policies in place at the time of evaluation.*

**A. GENERAL INFORMATION:** Applicant's Name: Mike Wiltshire County: Yamhill

A1. Applicant(s) seek(s) 0.13 cfs from 4 well(s) in the Willamette River Basin,  
Harvey Creek - Willamette River subbasin Quad Map: Newberg

A2. Proposed use: Quasi Municipal Seasonality: year-round

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	YAMH53637	1	CRB	0.13	03S/03W-24 NE SE	2136' N, 664' E fr SE cor S 24
2	Proposed	2	CRB	0.13	03S/03W-24 NE SE	2136' N, 664' E fr SE cor S 24
3	Proposed	3	CRB	0.13	03S/03W-24 NE SE	2136' N, 664' E fr SE cor S 24
4	Proposed	4	CRB	0.13	03S/03W-24 NE SE	2136' N, 664' E fr SE cor S 24
5						

\* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	165	14	67	02/27/04	242	0 - 60	+1.5 - 60	2 - 242	202 - 222 & 232 - 242	60	---	Air
2												
3												
4												

Use data from application for proposed wells.

A4. **Comments:** See conceptual model discussion for more details on geology and ground water. Well #1 is completed in the Columbia River Basalts. Where ever this aquifer has been developed for large uses, ground water levels usually decline over time. Wells #2, #3, & #4 have not been constructed. The application indicates that the basalts are the intended aquifer for the proposed wells. One permit has already been issued for the same use from these wells. Additional applications are expected as more property is developed. Application G-16249, permit G-16027, priority date = 5/14/2004, for 0.33 cfs - irrigation and 0.13 cfs for quasi-municipal and further limited to 16,500 gpd.

A5.  **Provisions of the Willamette River** Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water  are, or  are not, activated by this application. (Not all basin rules contain such provisions.)

Comments: The wells are, or will be, completed in the CRB. Aquifers in the CRB are typically confined, as confirmed by information on the Water Well Report for well #1.

A6.  Well(s) # \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, tap(s) an aquifer limited by an administrative restriction. Name of administrative area: \_\_\_\_\_  
 Comments: \_\_\_\_\_

**B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070**

B1. Based upon available data, I have determined that ground water\* for the proposed use:

- a.  is over appropriated,  is not over appropriated, or  cannot be determined to be over appropriated during any period of the proposed use. \* This finding is limited to the ground water portion of the over-appropriation determination as prescribed in OAR 690-310-130;
- b.  will not or  will likely be available in the amounts requested without injury to prior water rights. \* This finding is limited to the ground water portion of the injury determination as prescribed in OAR 690-310-130;
- c.  will not or  will likely to be available within the capacity of the ground water resource; or
- d.  will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:
- i.  The permit should contain condition #(s) \_\_\_\_\_;
  - ii.  The permit should be conditioned as indicated in item 2 below.
  - iii.  The permit should contain special condition(s) as indicated in item 3 below;

- B2. a.  Condition to allow ground water production from no deeper than \_\_\_\_\_ ft. below land surface;
- b.  Condition to allow ground water production from no shallower than \_\_\_\_\_ ft. below land surface;
- c.  Condition to allow ground water production only from the \_\_\_\_\_ ground water reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
- d.  Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): \_\_\_\_\_

- B3. Ground water availability remarks: See conceptual model discussion for more details on geology and ground water. The proposed use of water for this application will be developed from the aquifers of the Columbia River Basalts. Where ever large stresses have been placed on the CRB aquifers, declines have occurred. I reviewed ground water level trends in 17 wells completed in the basalt aquifers near the proposed use. Most of the data comes from wells with permit conditions that require annual water level measurements. Many of the wells are located higher up in the system and show precipitation trends: higher water levels in 96 and 97 (floods) and lower water levels in 2001 (drought). There are several that are showing declines over the past 10 years; one that has exceeded the decline limits in the permit (YAMH 4640). This proposed use is for quasi-municipal (year-round). Water level collected at the proposed well has been collected since 2004; too short a time frame to support a long-term supply. The ground water level in Well #1 is at a similar elevation to ground water levels in the Red Hills Estates wells after deepening of the Red Hill Wells. The supply is limited at the Red Hills wells with low yields. There is limited data after the deepenings to show that the lower aquifer will be a long term source.

There has been considerable hydrogeologic work done recently for the City of Dundee and Ground Water Application G-16346. A pump test was conducted by the applicant (G-16346) Ground water levels were measured in several of the City of Dundee's wells during the test. The City shut Well #3 down (YAMH 4549) for about 24 hours prior to the measurement. The water level is down about 10 to 15 feet from the late 1970s. The yield is very limited (about 35 gpm) with about 230 feet of drawdown. Preliminary analysis of the aquifer test indicates that there was minimal interference with neighboring wells. The reason for the lack of interference could be the wells are completed in different aquifers. The different aquifers are the result of well depth or construction or geologic structures. Recharge to the aquifers becomes much harder because of the isolation. This means that the isolated aquifers are more susceptible to overdraft.

A nearby subdivision, Red Hills Estates, had to have both wells deepened and file for a new water right as the original shallow basalt aquifer failed over time. Water level elevations are very similar to elevations in the applicant's wells. The Department recently issued a permit, G-16027, for 0.5 cfs from the same wells. Additional applications are expected as the development expands ownership of property. The basalt aquifers in this area can not sustain large development. The Department recently issued two permits in this aquifer and another application is being considered. The resource can not withstand the total development permitted. Additional permits will exacerbate the problem.

**C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040**

C1. 690-09-040 (1): Evaluation of aquifer confinement:

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	CRB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Proposed well -- CRB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Proposed well -- CRB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Proposed well -- CRB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

**Basis for aquifer confinement evaluation:** Well #1 is completed in the Columbia River Basalts. Where ever this aquifer has been developed for large uses, ground water levels usually decline over time. Wells #2, #3, & #4 have not been constructed. The application indicates that the basalts are the intended aquifer for the proposed wells.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Harvey Creek	100	105	930	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	2	Chehalem Creek	100	85	2100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	3	Willamette River	100	55	6800	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Basis for aquifer hydraulic connection evaluation:** According to the well log, YAMH53637, ground water was first encountered in the basalts at a depth of 158 feet below land surface or about 20 feet below the bottom of the Willamette River. The aquifer in not hydraulically connected to the streams noted above within the reaches listed.

Water Availability Basin the well(s) are located within: WILLAMETTE R > COLUMBIA R - AB MOLALLA R

C3a. 690-09-040 (4): Evaluation of stream impacts for each well that has been determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% *natural* flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked  box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < ¼ mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
		<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"/>			<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"/>		<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"/>

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Complete only if Q is distributed among wells. Otherwise same evaluation and limitations apply as in C3a above.

SW #	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
	<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"/>
	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

C4a. **690-09-040 (5):** Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

**Basis for impact evaluation:** \_\_\_\_\_  
\_\_\_\_\_  
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**C4b. 690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.**

- C5.  **If properly conditioned**, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:
  - i.  The permit should contain condition #(s) \_\_\_\_\_;
  - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;

**C6. SW / GW Remarks and Conditions** \_\_\_\_\_  
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**References Used:** See conceptual model discussion for more details.

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Gannett and Caldwell, 1998, Geologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington, USGS Professional Paper 1424-A

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Woodward, Gannett and Vaccaro, 1998, Hydrogeologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington, USGS Professional Paper 1424-B

---

Walton, William, 1962, Selected Analytical Methods for Well and Aquifer Evaluation, Bulletin 49, Illinois State Water Resources.

---

Freeze and Cherry, 1979, Groundwater, Prentice-Hall, Inc.

---

Conlon and Others, 2005, Ground-Water Hydrology of the Willamette Basin, Oregon, Scientific Report 2005-5168, USGS.

**D. WELL CONSTRUCTION, OAR 690-200**

D1. Well #: \_\_\_\_\_ Logid: \_\_\_\_\_

D2. **THE WELL does not meet current well construction standards based upon:**

- a.  review of the well log;
- b.  field inspection by \_\_\_\_\_;
- c.  report of CWRE \_\_\_\_\_;
- d.  other: (specify) \_\_\_\_\_

D3. **THE WELL construction deficiency:**

- a.  constitutes a health threat under Division 200 rules;
- b.  commingles water from more than one ground water reservoir;
- c.  permits the loss of artesian head;
- d.  permits the de-watering of one or more ground water reservoirs;
- e.  other: (specify) \_\_\_\_\_

D4. **THE WELL construction deficiency is described as follows:** \_\_\_\_\_

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D5. **THE WELL** a.  was, or  was not constructed according to the standards in effect at the time of original construction or most recent modification.

b.  I don't know if it met standards at the time of construction.

D6.  **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**

D7.  Well construction deficiency has been corrected by the following actions: \_\_\_\_\_

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\_\_\_\_\_, 200\_\_\_\_.  
(Enforcement Section Signature)

D8.  **Route to Water Rights Section (attach well reconstruction logs to this page).**

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LIST OF WELLS WITH HYDROGRAPHS IN COLUMBIA RIVER BASALTS.

LOCATION	LOG ID #	LSD ELEVATION	WELL DEPTH	DISTANCE & DIRECTION	OWNER
3.00S 3.00W24	YAMH 53637	165	242	0	APPLICANT
3.00S 3.00W26ACC	YAMH 4549	401	471	7,600' SW	CITY OF DUNDEE
3.00S 3.00W28DCC	YAMH 1725	680	295	18,100' SW	KNUDSEN VINYARDS
3.00S 3.00W28DCA	YAMH 1713	640	395	17,500' SW	KNUDSEN VINYARDS
3.00S 3.00W35DCA2	YAMH 2925	162	656	12,200' SSW	WIS ADAIR ESTATE
3.00S 3.00W33BD	YAMH 1820	820	245	21,000' SW	LAURENT-PERRIER CHAMPAGNE
3.00S 3.00W34	YAMH 4640	210	455	15,100' SW	LOFQUIST WALT JR
3.00S 3.00W35DCA	YAMH 52895	163	490	12,800' SW	FULQUARTZ PARK LLC
3.00S 3.00W26AB	YAMH 4548	565	710	5,900' W	RED HILLS ESTATES
3.00S 3.00W26AB	YAMH 121	500	680	5,800' W	RED HILLS ESTATES
3.00S 3.00W26CC	YAMH 1934	300	165	10,100' SW	BERGSTROM VINEYARDS
3.00S 3.00W27AA	YAMH 2859	540	395	10,400' W	PINE RIDGE ASSOCIATION
3.00S 3.00W27CD	YAMH 3848	370	390	13,500' SW	PINE RIDGE WINERY
3.00S 3.00W34CC	YAMH 4652	500	245	18,500' SW	DOMAINE DROUHIN OREGON
3.00S 3.00W28AD	YAMH 50771	830	558	15,300' W	STEVE WHITESIDE
3.00S 3.00W27CD	YAMH 51997	415	235	13,300' SW	PINE RIDGE WINERY
4.00S 3.00W03BB	YAMH 1701	430	318	18,900' SW	DOMAINE DROUHIN OREGON

WELLS WITH HYDROGRAPHS - WATER LEVEL TRENDS & COMMENTS

LOG ID #	WATER LEVEL TRENDS
YAMH 4549	23' of decline from 1976 to 2006, very low yield.
YAMH 1725	92 - 2004 = 8.2' decline; 95 - 2004 = 20.7' decline; significant 2001 drought impact; overall - declining! No 06.
YAMH 1713	Data shows a water level rise since construction in 92; no data since 2000.
YAMH 2925	Stable water level; does not show climatic signals from 96, 97, or 2001.
YAMH 1820	Data shows slight decline, 92 - 2004 = 4.6'; does show climatic signal; No 2006 data.
YAMH 4640	Data shows slight decline, 96 - 2004 = 13'; some climatic signal but highest WL in 1999; No 2006 data.
YAMH 52895	Data since 2002 only.
YAMH 4548	Minimal data; Original well log and deepening only. Well deepened 200' in 04, WL dropped 120'.
YAMH 121	Minimal data; Original well log, deepening, and pumping WL only; over 200' decline.
YAMH 1934	Minimal data; Original well log (fall WL) and two spring WLs affected by pumping; increase of 20'; No 05 or 06.
YAMH 2859	Data shows decline, 93 - 2004 = 41.2'; <b>has triggered both 15' and 25' decline conditions</b> ; No 2006 data.
YAMH 3848	Data shows slight rise (6') since 95; drought did impact water level, 2006 data shows rise.
YAMH 4652	Data shows decline & climatic signal; 88 - 04 = 41.9'; No decline condition in permit; No 2006 data.
YAMH 50771	Data shows decline, 97 - 04 = 6'; 97 was fall measurement; No or weak climatic signal; No 2006 data.
YAMH 51997	Minimal data; climatic signal, shows drought impact and recovery since then.
YAMH 1701	Data shows decline & climatic signal, 97 - 04 = 61.8'; <b>has triggered 25' decline condition</b> ; No 2006 data.

**Conceptual Model -- Generalized Ground Water Flow Systems.**

Marc Norton

January 8, 2004

Based on:

*OWRD GRID - Ground water Resource Information Distribution**OWRD Ground Water Database**Memo on Recommended Vertical Hydraulic Conductivity Values for the Willamette Silt Hydrogeologic Unit When Using the Hunt Analytical Model, Karl Wozniak, January 6, 2004.**Ground-Water Resources of the Willamette Valley, Oregon, 1942, Water-Supply Paper 890, Piper.**Hydrogeologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington, 1998, US Geological Survey Professional Paper 1424 B, Woodward, Gannett, and Vaccaro.***GENERALIZED GEOLOGY**

The Willamette Lowland in Oregon and Washington encompasses 3,700 square mile and includes the low-lying parts of the Willamette Valley in Oregon and most of Clark county in Washington. About 70% of the population of Oregon and Clark County reside in the lowlands. The lowland is 145 miles long and averages 10 to 15 miles in width. Water is recharged to the Willamette Lowland aquifer system primarily through the direct infiltration of precipitation on the lowland. The regional water-table map shows an overall pattern of ground-water flow to the major streams, indicating that the base flow of these streams is sustained by ground water discharge. This ground-water discharge fully supports the base flow of streams that head in the lowland and partially support the base flow of the other streams.

**HYDROGEOLOGIC UNITS**

The aquifer system is composed of five hydrogeologic units, from oldest to youngest:

- 1) the basement confining unit,
- 2) the Columbia River basalt aquifer,
- 3) the Willamette confining unit,
- 4) the Willamette aquifer, and
- 5) the Willamette silt unit.

The basement-confining unit forms the lateral and basal boundary to the Willamette aquifer system. The basement-confining unit includes all the stratigraphic units that underlie either the Columbia River Basalt Group in the northern part of the basin or the basin-fill deposits in the southern part. The unit is composed of marine sedimentary rocks and volcanic rocks of the Coast and Cascade ranges. The basement-confining unit is generally a low yielding aquifer where wells develop water primarily from fractures in the rock. Ground water can be found under unconfined conditions in the highlands and under confined conditions with greater depth and lower elevations. Yields are generally less than 10 gpm and usually decrease over time. The deeper the well, the greater the chance of brackish water being encountered.

The Columbia River basalt aquifer overlies the basement-confining unit and consists of layers of basalt flows of the Columbia River Basalt Group. The thickness of the aquifer generally is several hundred feet but locally is as much as 1000 feet. Ground water in the basalts is generally under confined conditions except in the foot-hills

where they may be unconfined. Well yields vary from tens to hundreds of gallons per minutes. Brackish water has been encountered in several areas, particularly with depth.

The Willamette confining unit consists primarily of fine-grained, distal alluvial fan and low-gradient stream deposits. The fine-grained deposits are considered a regional confining unit because of their wide spread occurrence and low permeability. Ground water in the Willamette confining unit is generally under confined conditions and well yields are very low to "dry".

The Willamette aquifer consists primarily of coarse-grained proximal alluvial-fan and braided-stream deposits. The greatest thickness, and coarsest materials of the Willamette aquifer outside of the Portland Basin occur in six major alluvial fans that were deposited where major streams from the Cascade Range enter the Willamette Lowland. Ground water in the Willamette aquifer unit varies from unconfined to confined conditions, depending on location and depth. Vertical gradients are usually downward except near major streams. Deposits of lower permeable material can act as a confining layer but are generally of limited aerial extent.

The Willamette silt unit is deposited throughout much of the Willamette Lowland by glacial-outburst floods. The deposits range in thickness from 0 to 130 feet. They consist primarily of silt and fine sand of relatively uniform lithology. Ground water in the Willamette silt unit is generally under unconfined conditions and well yields are low, less than 5 to 10 gpm.

## STRUCTURAL BASINS

Outcrops of folded and faulted basalt within the Willamette Valley divide the lowland into four separate areas or structural basins -- from north to south, **the Portland Basin, the Tualatin Basin, the central Willamette Valley, and the southern Willamette valley**. Each of these areas has decidedly different hydrologic and hydrogeologic properties. The aquifer system in each basin, although hydraulically connected through a series of restrictive water gaps, is distinctive.

Tualatin Basin. The Columbia River basalt aquifer and the Willamette confining unit are the only regional hydrogeologic units above the basement-confining unit in the Tualatin Basin. The Columbia River basalt aquifer underlies the entire basin, and its upper surface forms a sediment-filled bowl-like depression.

The Central Willamette Valley All five of the hydrogeologic units occur in the central Willamette Valley. The Columbia River basalt aquifer underlies the entire central Willamette Valley, except for small areas along the far eastern margin. A number of faults have been mapped in the central Willamette Valley, some of which offset the aquifer, and numerous other faults have been mapped in the uplands surrounding the basin where the aquifer crops out. The Willamette aquifer in the central Willamette Valley contains three major alluvial fans -- the Salem fan, the Molalla fan, and the Canby fan. The Willamette Silt unit overlies most of the central valley with a maximum thickness of about 130 feet near the center and thins towards the south and near the margins of the basin.

The Southern Willamette Valley In the southern Willamette Valley, all of the regional hydrogeologic units are present; however, the Columbia River basalt aquifer occurs only in the Stayton area. The Willamette confining unit is thinner in the southern Willamette Valley than elsewhere in the Willamette Lowland. The Willamette aquifer contains the Lebanon fan and the Stayton fan. The Willamette aquifer is much thinner (averaging only about 20 to 40 feet thick) between the alluvial fans of the southern Willamette Valley. The Willamette Silt unit covers most of the southern Willamette Valley and generally thin towards the south.

# HYDROGRAPH OF WYLAND WELL #1

FAR WEST DEVELOPMENT CORP - GW PERMIT G-16027

OWRD LOGID YAMH 53637

03S/03W-24

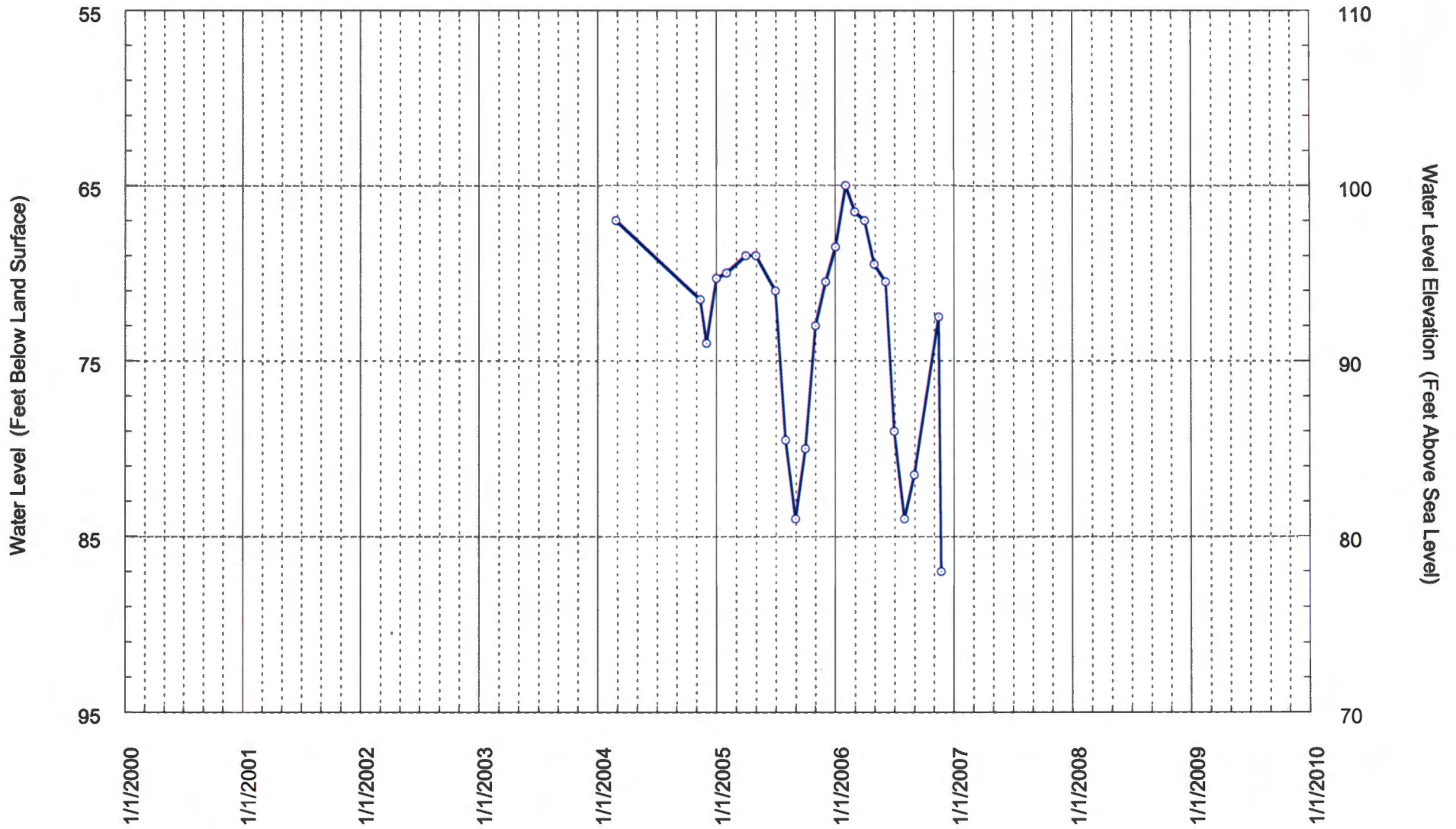
Far West Development Well #2

Lithology: basalt

Aquifer: CRBG

Land surface elevation: 165'

Well Depth: 242'



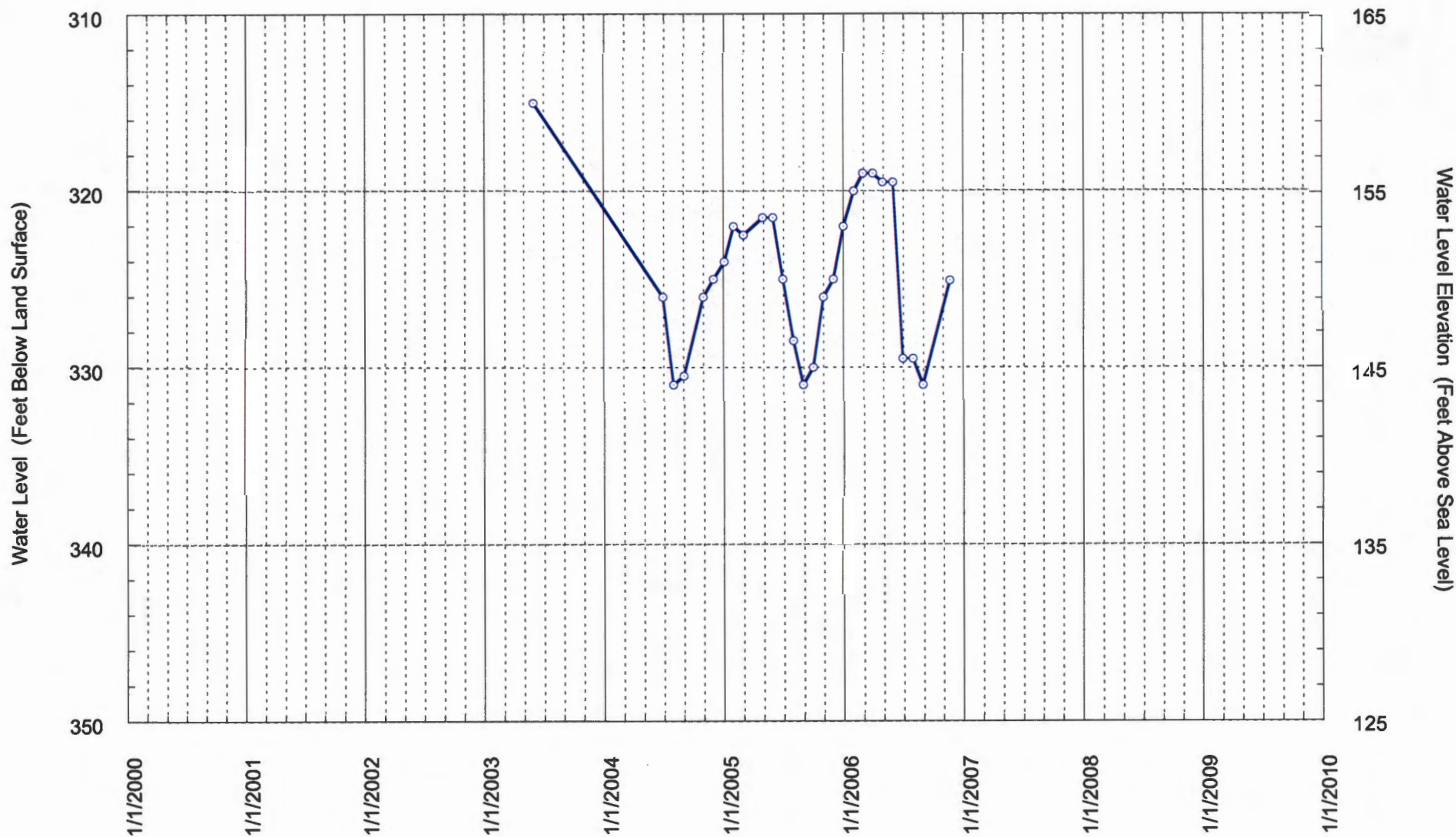
# HYDROGRAPH OF FRYER HILL WELL #1

## HILAND WATER CORP - GW PERMIT G-16067

### OWRD LOGID YAMH 53380

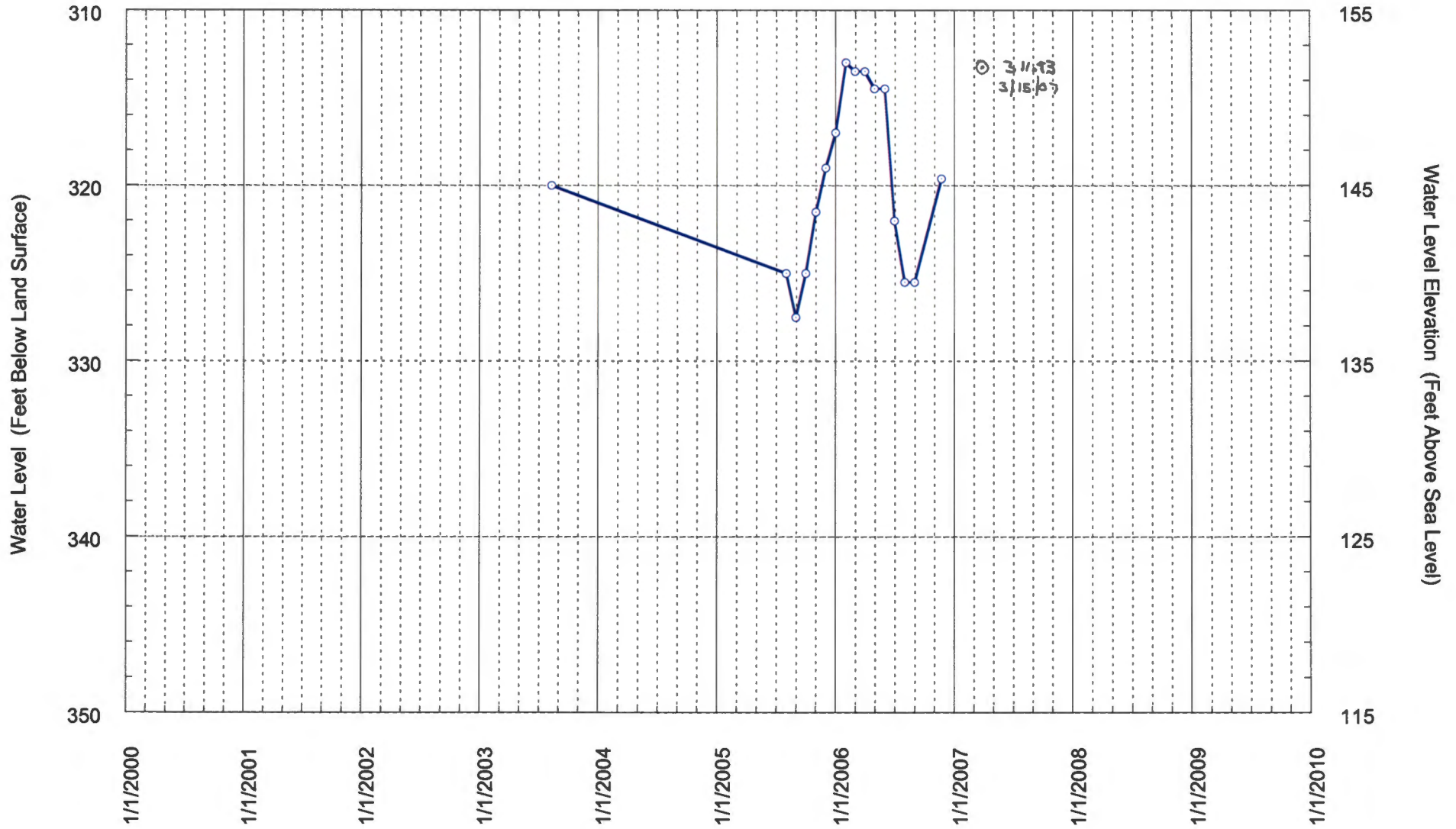
#### 03S/03W-24CCB1

Hyland Water Corp - Fryer Hill Well #1  
Lithology: basalt  
Aquifer: CRBG  
Land surface elevation: 475'  
Well Depth: 550'



# HYDROGRAPH OF FRYER HILL WELL #2 HILAND WATER CORP - GW PERMIT G-16067 OWRD LOGID YAMH 53421 03S/03W-24CCB2

Hyland Water Corp - Fryer Hill Well #2  
Lithology: basalt  
Aquifer: CRBG  
Land surface elevation: 465'  
Well Depth: 486'

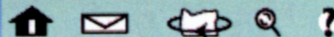


# Ground Water



Oregon Water Resources Department

(503)378-8455 • 158 12th St. NE, Salem, OR 97310



## Hydrograph for State Well YAMH 121

Well Location	3.0033.00M26RB
Oregon Water Resources Department Well Log ID	YAMH 121
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	680
Land surface elevation, in feet above mean sea level	500
Primary use of well	PUBLIC SUPPLY

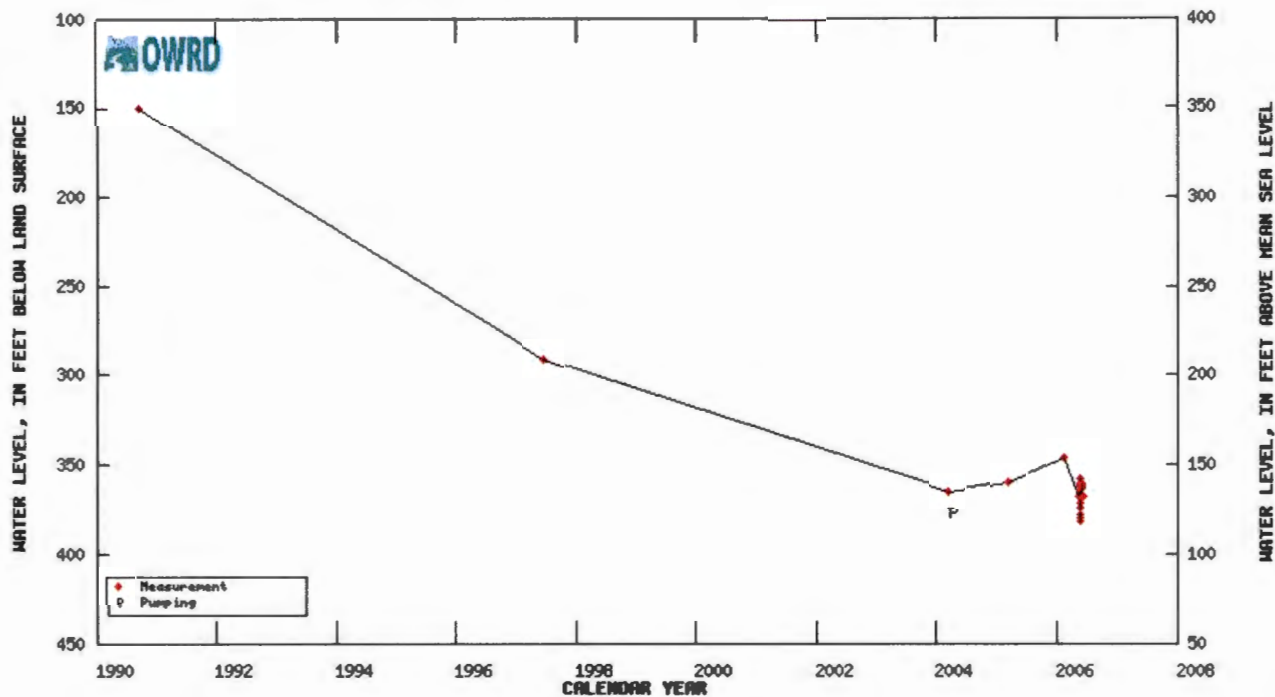


Table showing water-level data for State Well YAMH 121

*Similar Elev.*

*Red Hills Estates*



### Hydrograph for State Well YAMH 4548

<b>Well Location</b>	<b>9.8053, 80M268B</b>
<b>Oregon Water Resources Department Well Log ID</b>	<b>YAMH 4548</b>
<b>Oregon Water Resources Department State Observation Well Number</b>	<b>----</b>
<b>Well depth, in feet below land surface</b>	<b>710</b>
<b>Land surface elevation, in feet above mean sea level</b>	<b>570</b>
<b>Primary use of well</b>	<b>PUBLIC SUPPLY</b>

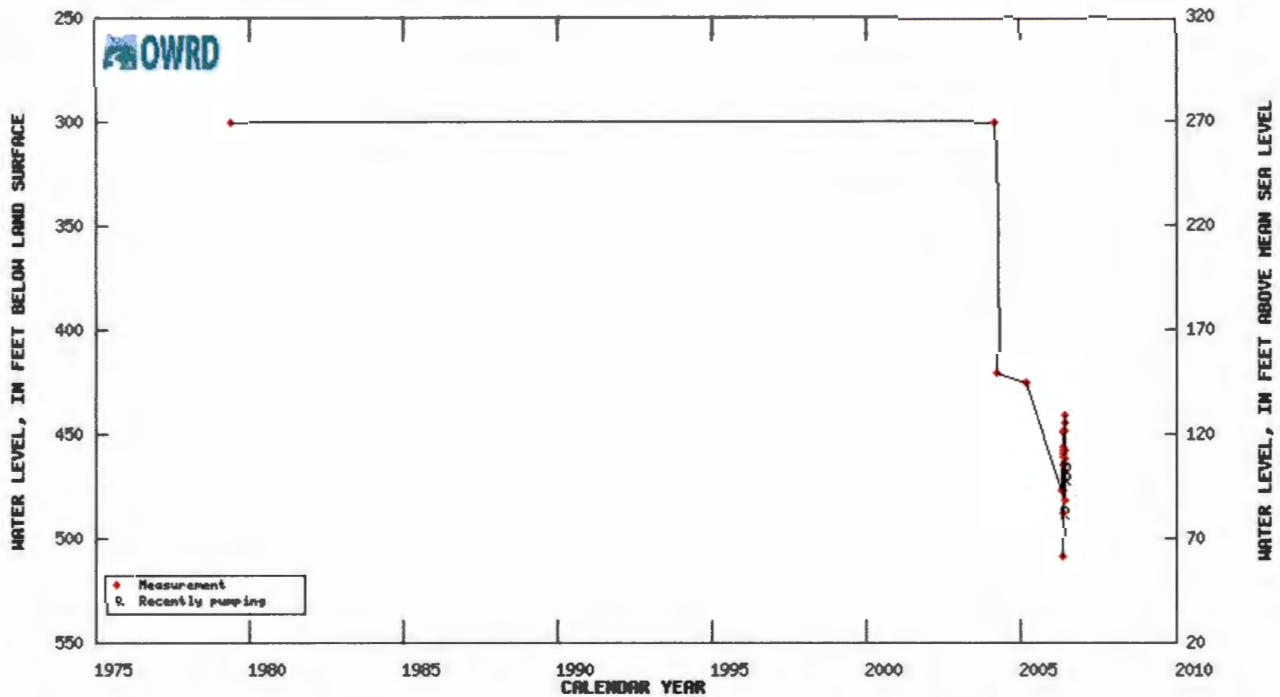


Table showing water-level data for State Well YAMH 4548

*Similar Elevation*

*Red Hills Est. after deepening*





### Hydrograph for State Well YAMH 52895

<b>Well Location</b>	<b>3.0053.00M350CA</b>
<b>Oregon Water Resources Department Well Log ID</b>	<b>YAMH 52895</b>
<b>Oregon Water Resources Department State Observation Well Number</b>	<b>----</b>
<b>Well depth, in feet below land surface</b>	<b>490</b>
<b>Land surface elevation, in feet above mean sea level</b>	<b>163</b>
<b>Primary use of well</b>	<b>UNUSED</b>

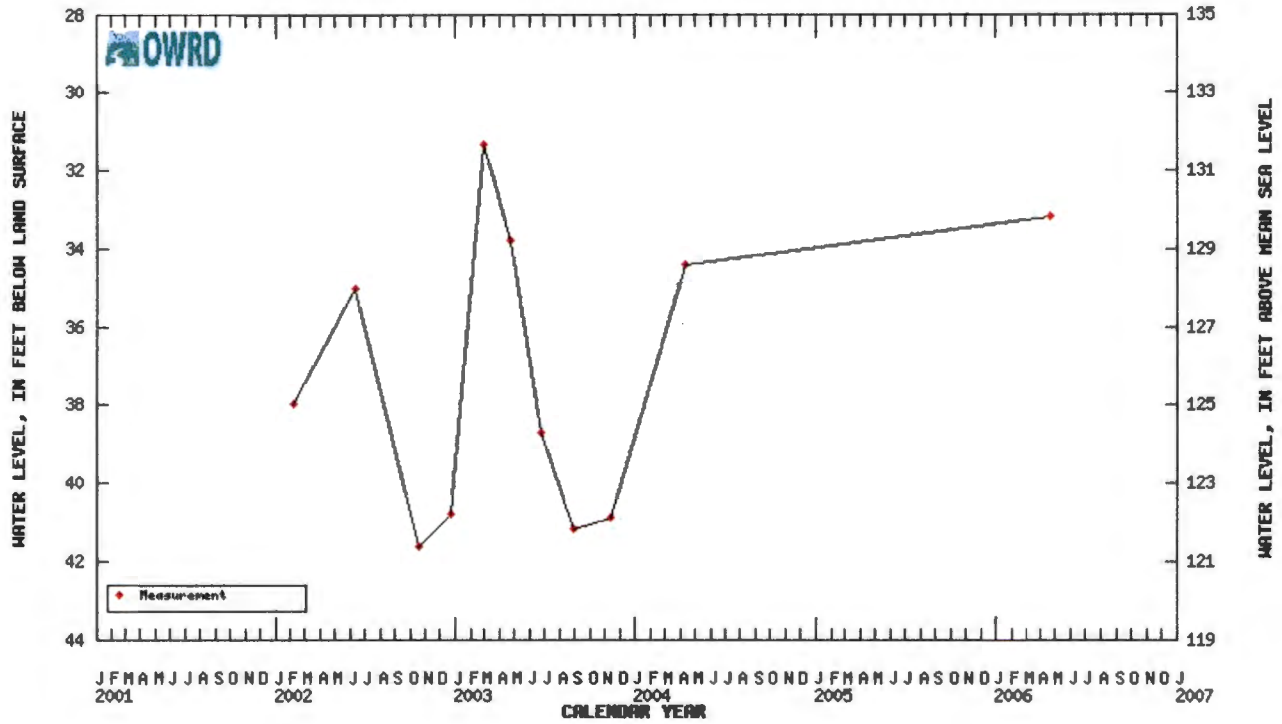


Table showing water-level data for State Well YAMH 52895

*Similar Elev.*



**Hydrograph for State Well YAMH 4640**

Well Location	3.0053.00434
Oregon Water Resources Department Well Log ID	YAMH 4640
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	455
Land surface elevation, in feet above mean sea level	210
Primary use of well	DOMESTIC

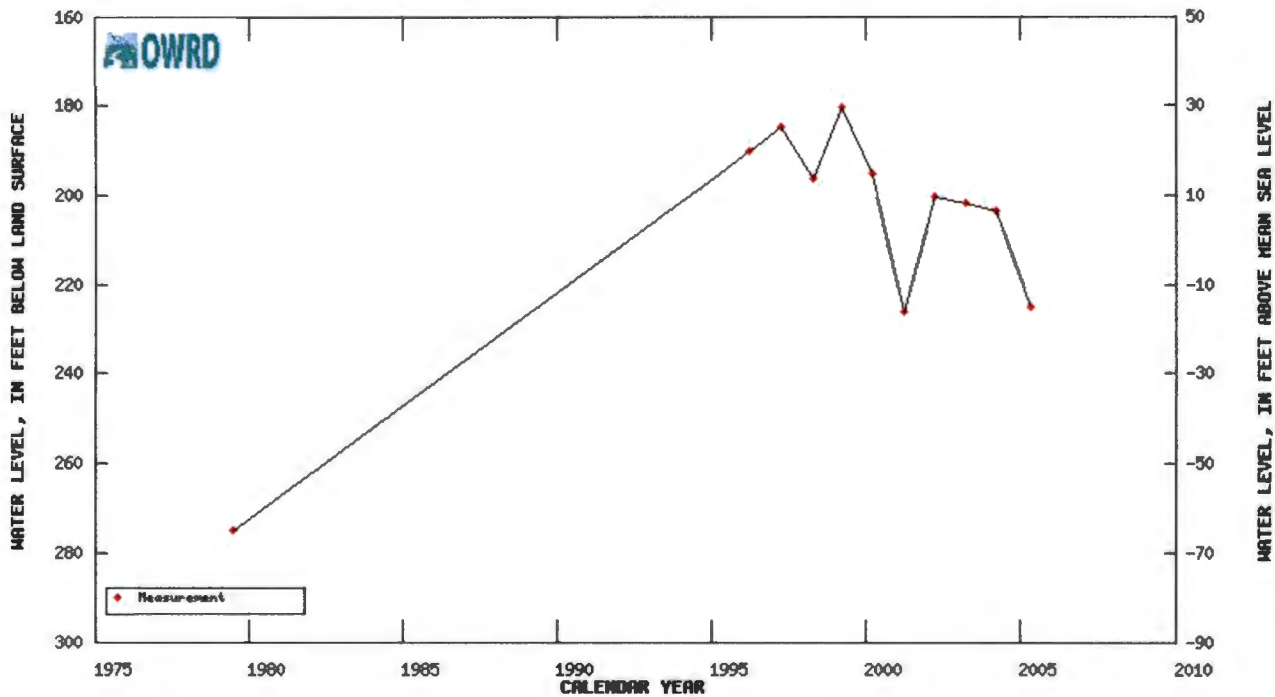


Table showing water-level data for State Well YAMH 4640

*Similar Elevation*



### Hydrograph for State Well YAMH 2925

Well Location	3.8853, 88W350CA2
Oregon Water Resources Department Well Log ID	YAMH 2925
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	656
Land surface elevation, in feet above mean sea level	162
Primary use of well	IRRIGATION

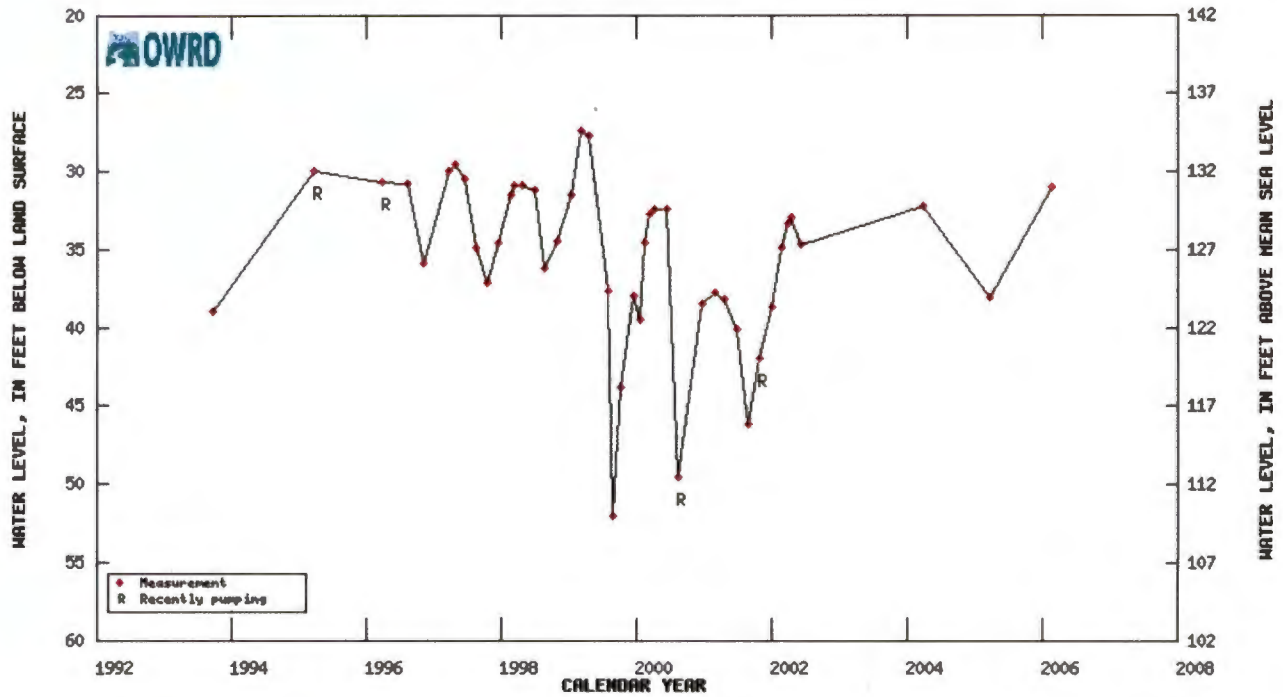


Table showing water-level data for State Well YAMH 2925

*Similar Elevation*



### Hydrograph for State Well YAMH 4652

Well Location	3,0853,08W34CC
Oregon Water Resources Department Well Log ID	YAMH 4652
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	245
Land surface elevation, in feet above mean sea level	508
Primary use of well	IRRIGATION

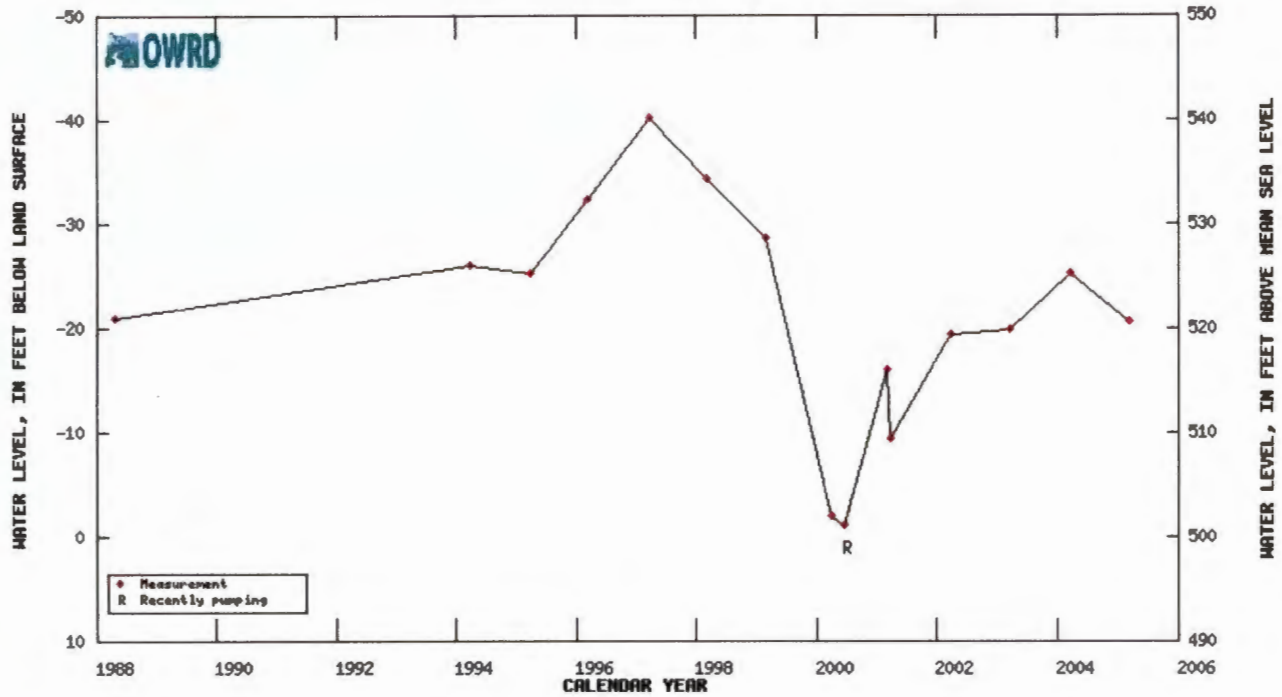


Table showing water-level data for State Well YAMH 4652

*Higher up in system*



### Hydrograph for State Well YAMH 2859

Well Location	3.0033.00M27AA
Oregon Water Resources Department Well Log ID	YAMH 2859
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	395
Land surface elevation, in feet above mean sea level	540
Primary use of well	IRRIGATION

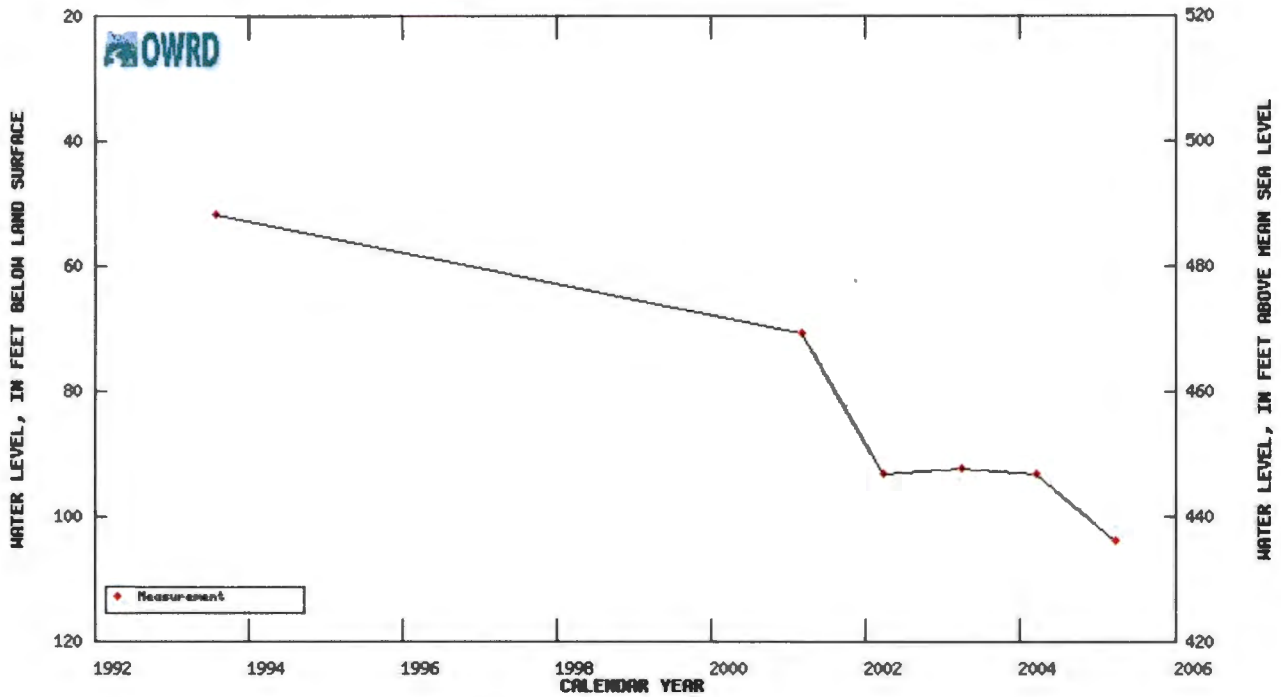


Table showing water-level data for State Well YAMH 2859

*Higher up in system*



### Hydrograph for State Well YAMH 1701

<b>Well Location</b>	<b>4.0053.00M3BBAB</b>
<b>Oregon Water Resources Department Well Log ID</b>	<b>YAMH 1701</b>
<b>Oregon Water Resources Department State Observation Well Number</b>	<b>----</b>
<b>Well depth, in feet below land surface</b>	<b>318</b>
<b>Land surface elevation, in feet above mean sea level</b>	<b>430</b>
<b>Primary use of well</b>	<b>IRRIGATION</b>

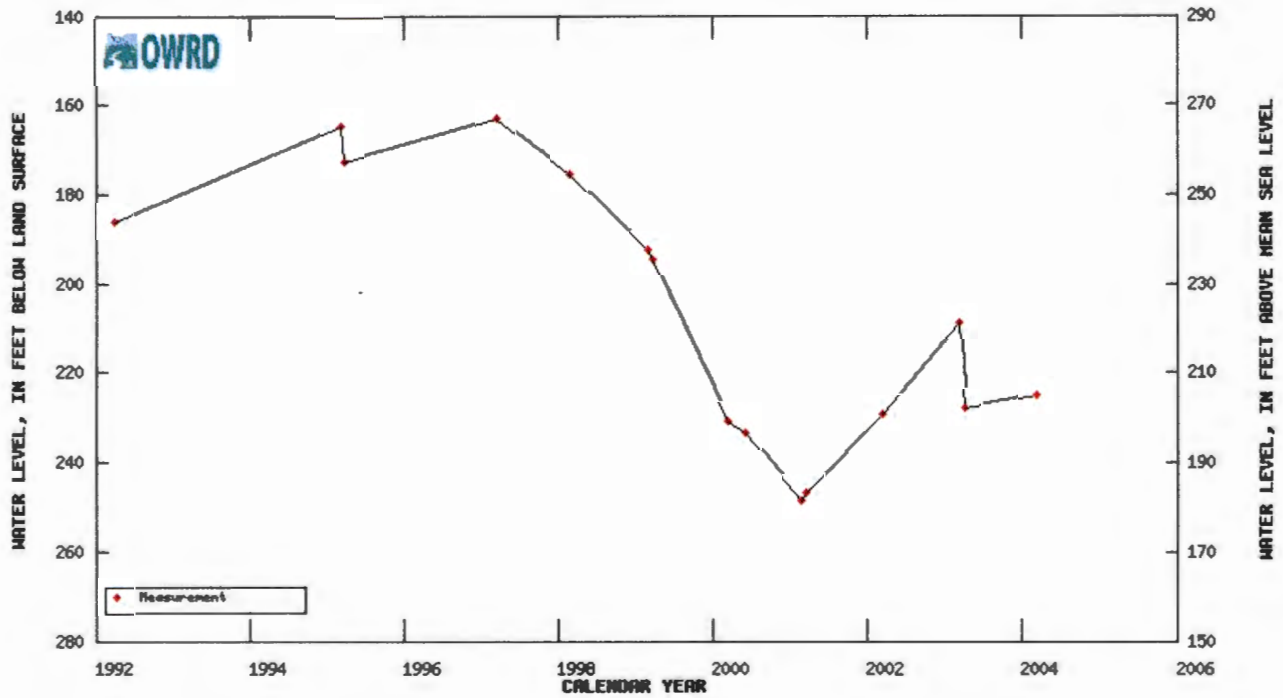


Table showing water-level data for State Well YAMH 1701

*Slightly higher in Elevation*



### Hydrograph for State Well YAMH 4549, State Observation Well # 985

Well Location	3.8853, 88M26ACC
Oregon Water Resources Department Well Log ID	YAMH 4549
Oregon Water Resources Department State Observation Well Number	985
Well depth, in feet below land surface	471
Land surface elevation, in feet above mean sea level	415
Primary use of well	PUBLIC SUPPLY

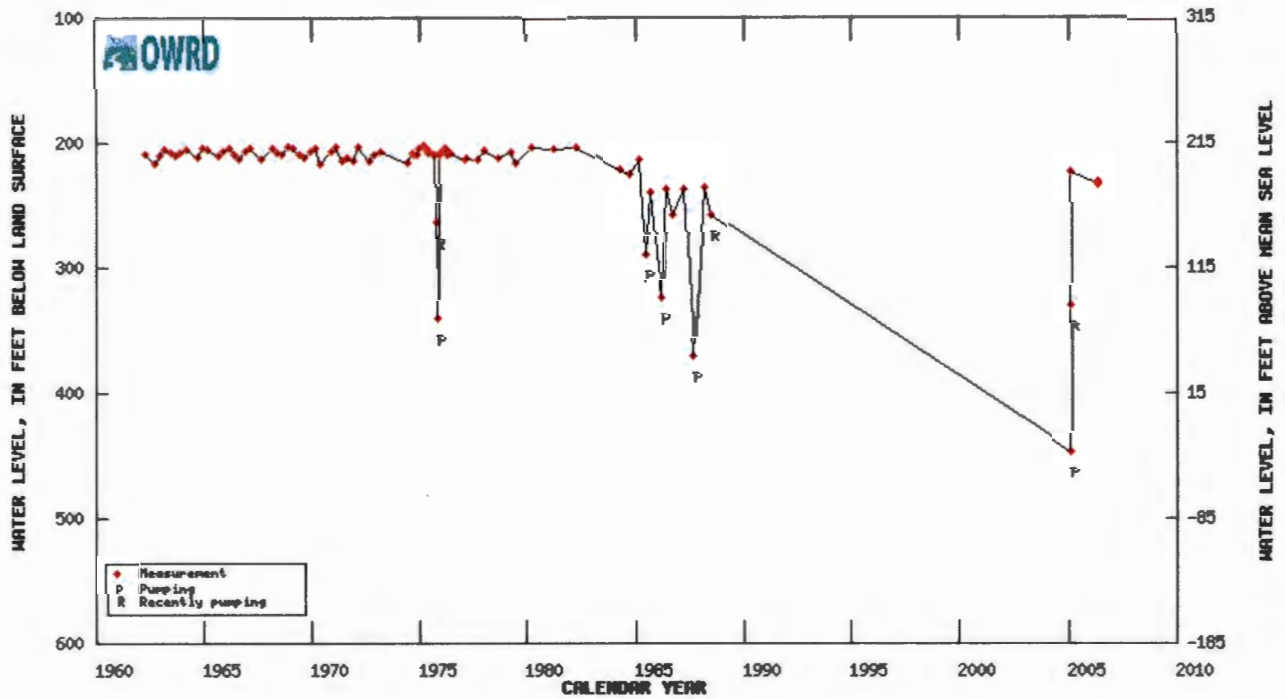


Table showing water-level data for State Well YAMH 4549, State Observation Well # 985

*Slightly higher in Elevation*



### Hydrograph for State Well YAMH 1725

Well Location	3.0053, 00426DCC
Oregon Water Resources Department Well Log ID	YAMH 1725
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	295
Land surface elevation, in feet above mean sea level	680
Primary use of well	IRRIGATION

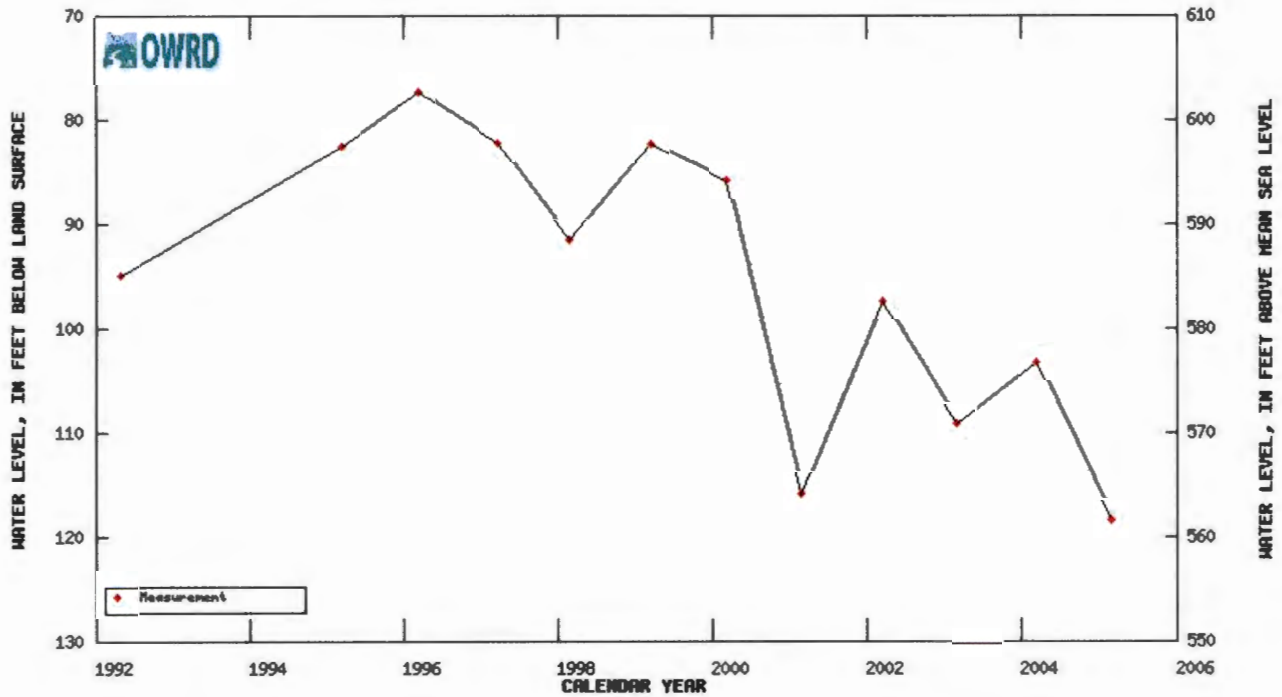


Table showing water-level data for State Well YAMH 1725

*Much higher in Elevation*





### Hydrograph for State Well YAMH 1713

<b>Well Location</b>	<b>3.8053, 88W28DCR</b>
<b>Oregon Water Resources Department Well Log ID</b>	<b>YAMH 1713</b>
<b>Oregon Water Resources Department State Observation Well Number</b>	<b>----</b>
<b>Well depth, in feet below land surface</b>	<b>395</b>
<b>Land surface elevation, in feet above mean sea level</b>	<b>648</b>
<b>Primary use of well</b>	<b>IRRIGATION</b>

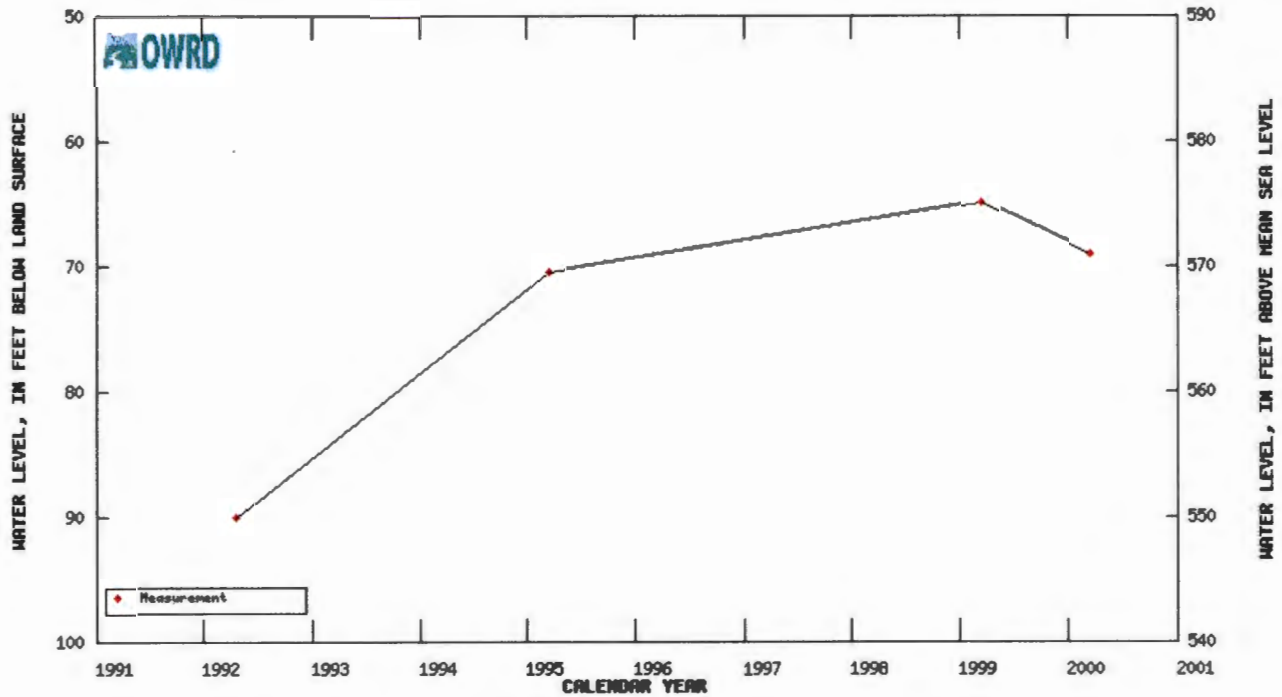


Table showing water-level data for State Well YAMH 1713

*Much higher in Elev.*



### Hydrograph for State Well YAMH 1820

<b>Well Location</b>	<b>3.0053.0043380</b>
<b>Oregon Water Resources Department Well Log ID</b>	<b>YAMH 1820</b>
<b>Oregon Water Resources Department State Observation Well Number</b>	<b>----</b>
<b>Well depth, in feet below land surface</b>	<b>245</b>
<b>Land surface elevation, in feet above mean sea level</b>	<b>820</b>
<b>Primary use of well</b>	<b>IRRIGATION</b>

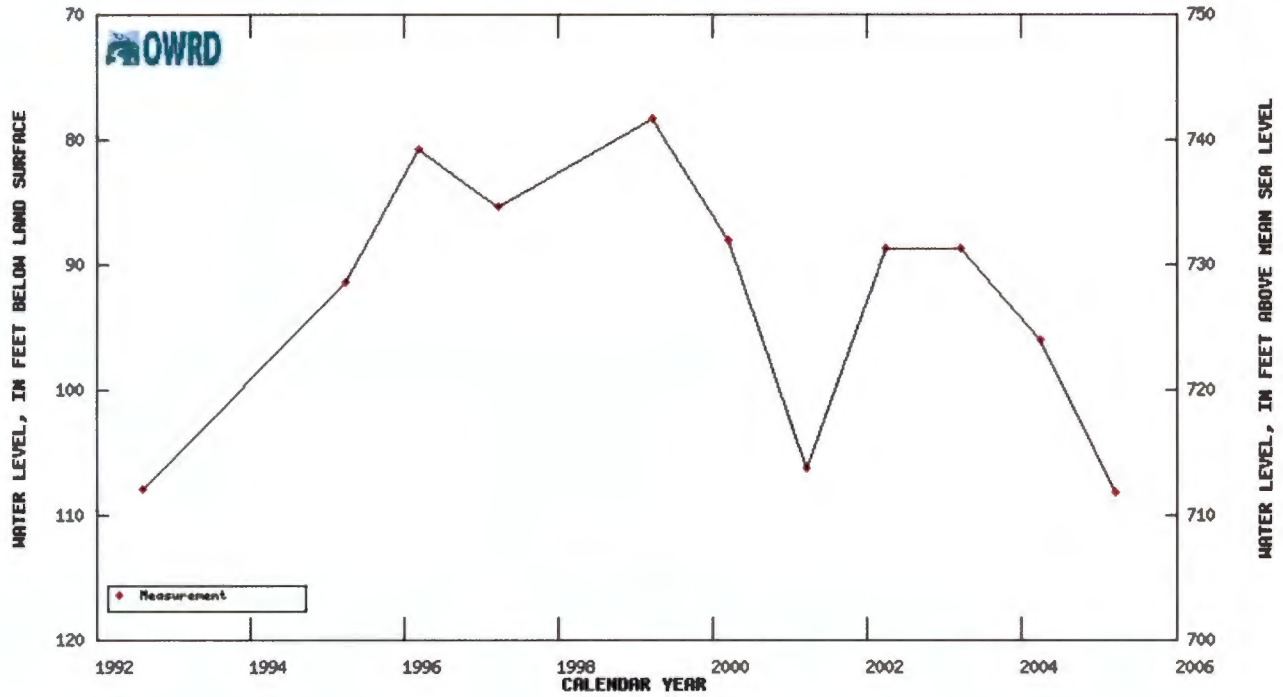


Table showing water-level data for State Well YAMH 1820

*Much higher in Elen*



### Hydrograph for State Well YAMH 1934

Well Location	3,0053,00M26CC
Oregon Water Resources Department Well Log ID	YAMH 1934
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	185
Land surface elevation, in feet above mean sea level	300
Primary use of well	IRRIGATION

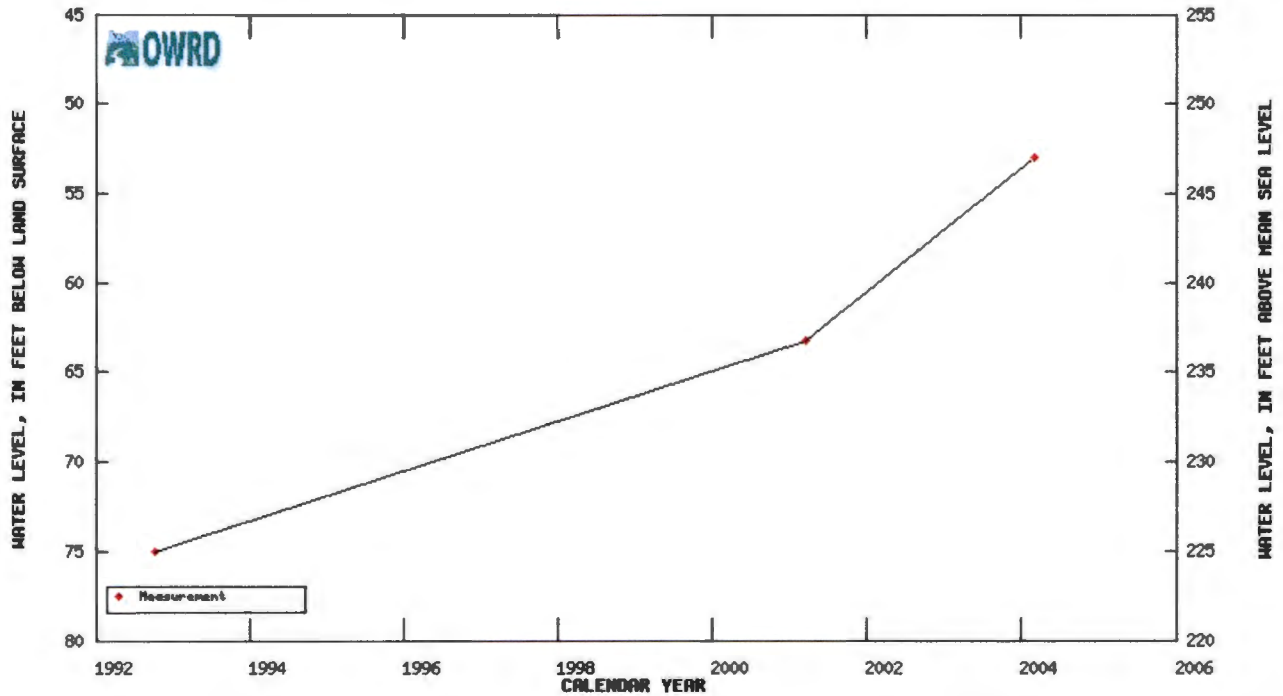


Table showing water-level data for State Well YAMH 1934

*Higher Elev.*



### Hydrograph for State Well YAMH 3848

<b>Well Location</b>	<b>3.0653.00W27CD</b>
<b>Oregon Water Resources Department Well Log ID</b>	<b>YAMH 3848</b>
<b>Oregon Water Resources Department State Observation Well Number</b>	<b>----</b>
<b>Well depth, in feet below land surface</b>	<b>398</b>
<b>Land surface elevation, in feet above mean sea level</b>	<b>378</b>
<b>Primary use of well</b>	<b>IRR &amp; DOMESTIC</b>

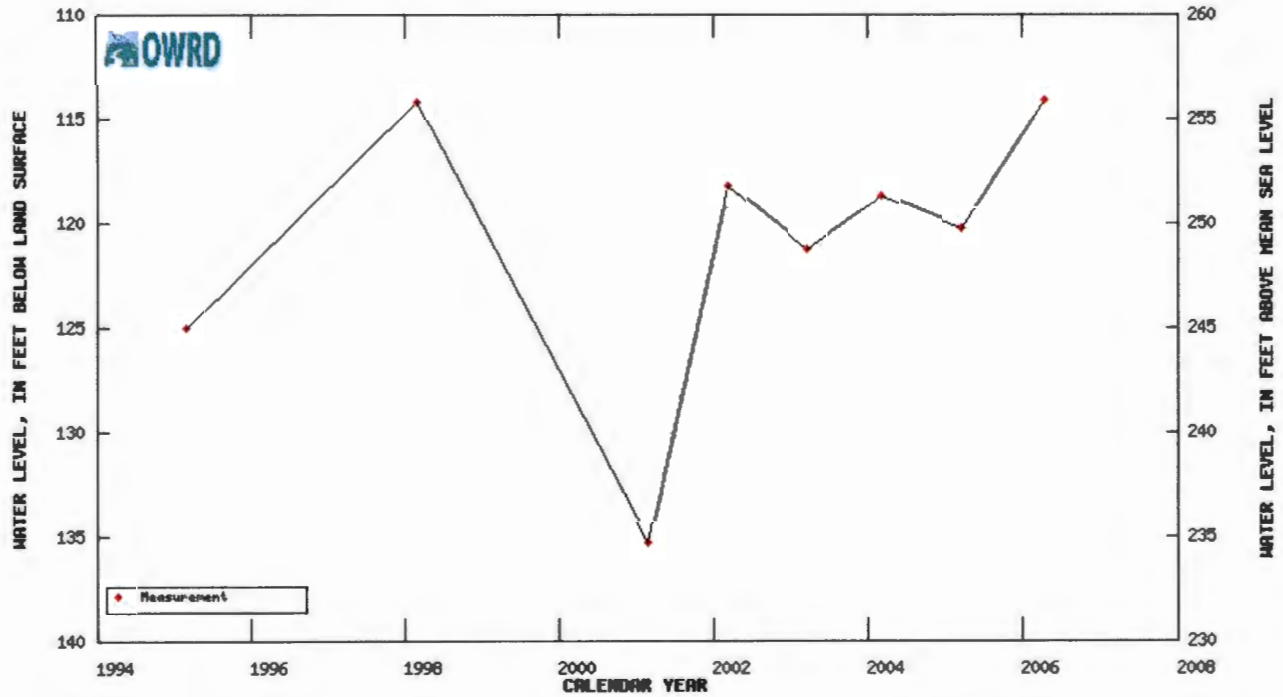


Table showing water-level data for State Well YAMH 3848

*Higher Elev*



**Hydrograph for State Well YAMH 50771**

Well Location	3,00S3,00N28AD
Oregon Water Resources Department Well Log ID	YAMH 50771
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	550
Land surface elevation, in feet above mean sea level	830
Primary use of well	not determined

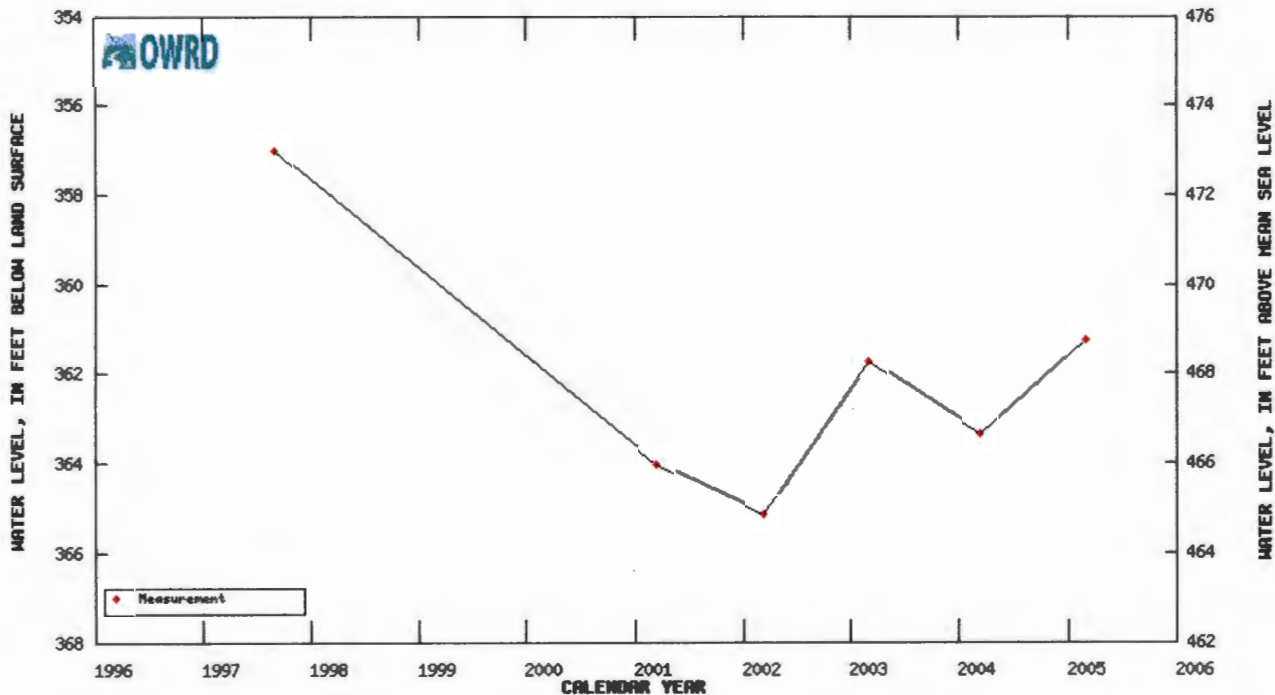


Table showing water-level data for State Well YAMH 50771

*Much Higher Elev.*



**Hydrograph for State Well YAMH 51997**

Well Location	3.00S3.00W27CD
Oregon Water Resources Department Well Log ID	YAMH 51997
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	235
Land surface elevation, in feet above mean sea level	415
Primary use of well	not determined

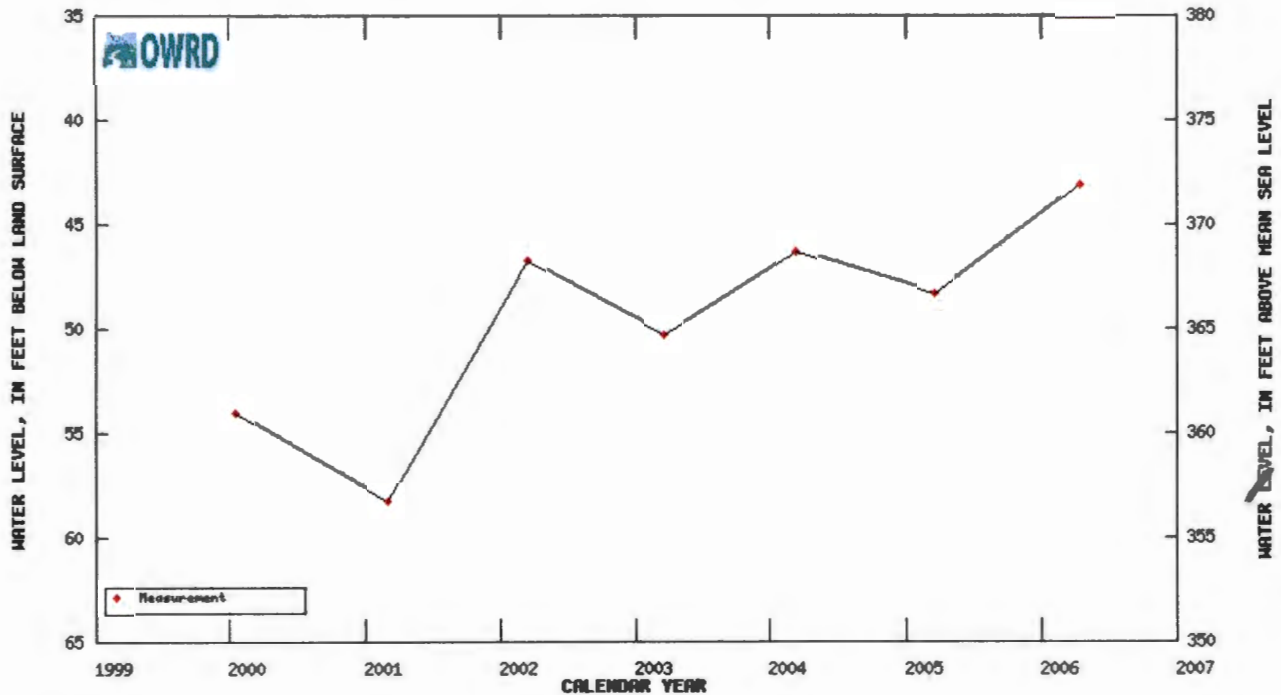
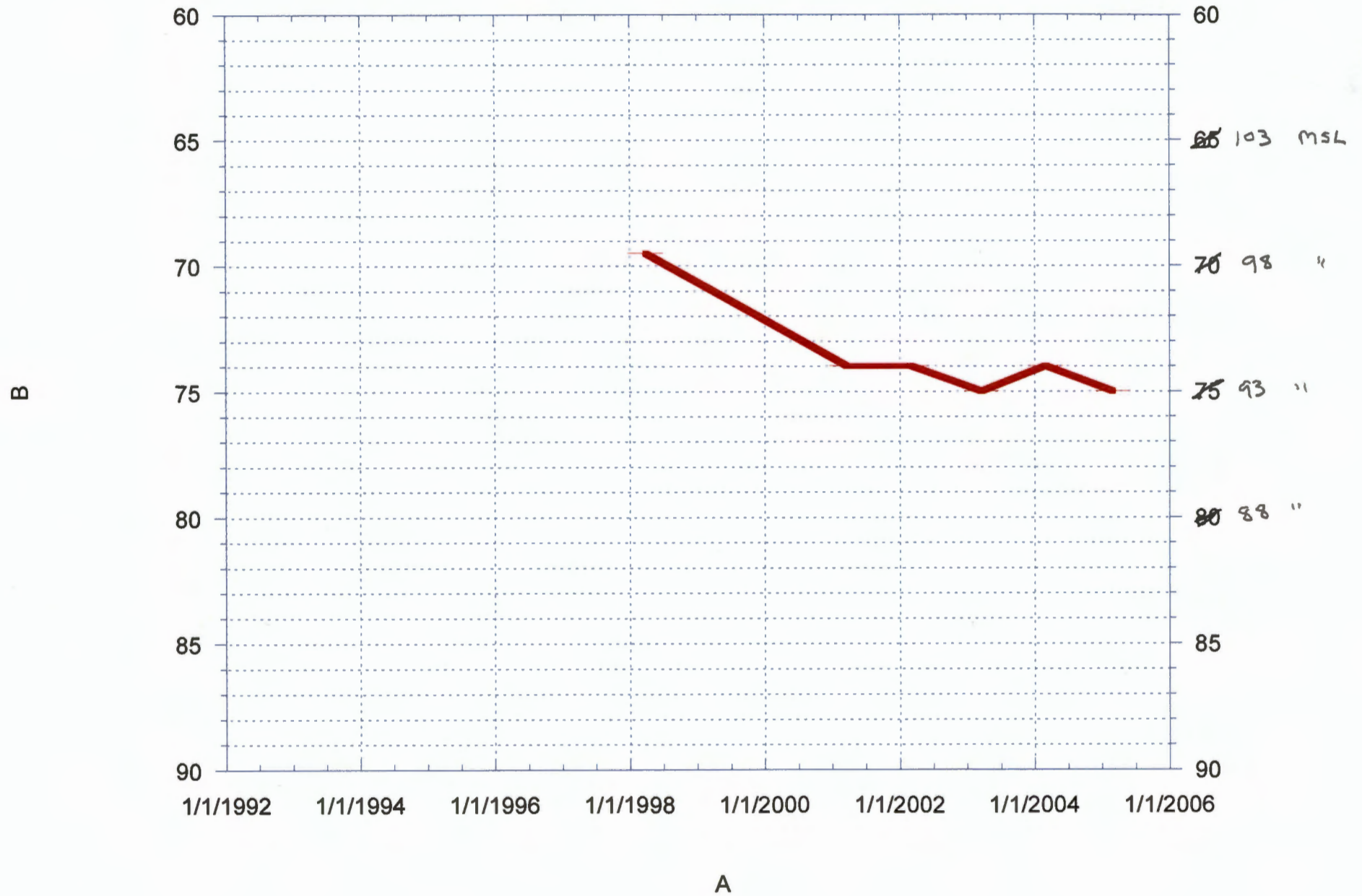


Table showing water-level data for State Well YAMH 51997

*Higher Elev.*

B

yamh2779



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

*YamH*  
 2779

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MAY - 5 1993

*38/2w/19*

WATER RESOURCES DEPT. (START CARD) # 44199

(1) OWNER: Well Number 799

Name Powell Industrial Builders  
 Address 1709 Villa Rd  
 City Newberg, State OR Zip 97132

(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 334' ft.  
 Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds
10"	0' 25'	Cement	0' 100'	34 Sacks
9 7/8"	25' 198'	High Yield Gel	100-170'	
6"	198' 334'	Cement	170' 198'	25 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:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	+1'	199'	.25	<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) 199'

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

From	To	Slot size	Number	Diameter	Tube/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"/>

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

Pump  Bailor  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
30 GPM		330'	1 hr.

Temperature of Water 56° 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: \_\_\_\_\_

SALEM, OREGON  
 (9) LOCATION OF WELL by legal description:  
 County Yamhill Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 3S N or S. Range 2W E or W. WM.  
 Section 19 1/4 1/4 1/4 1/4  
 Tax Lot 1100 Lot 1 Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) 24050 Wildwood Rd.  
Newberg, OR Wilderness Canyon Subdivision

(10) STATIC WATER LEVEL:  
75' ft. below land surface. Date 3/30/93  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
 Depth at which water was first found 245'

From	To	Estimated Flow Rate	SWL
245'	305'	3 GPM	n/a

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

Material	From	To	SWL
Top Soil	0	3	
Lt. Brown Clay	3	25	
Dark Brown Sandy Clay	25	35	
M.H. Gray Sandy Shale	35	65	
Brwn Clay	65	80	
M.H. Brown Clay	80	115	
M.H. Brown Clay & Decom. Rock	115	170	
M.H. Gray Clay	170	180	
M.H. Brown Sandstone	180	190	
M.H. Black & Brown Basalt	190	210	
M.H. Brown & Red Basalt w/ Soapstone	210	215	
M.H. Pouris Red Basalt	215	225	
Hard Gray Basalt	225	230	
M.H. Brown Bas. w/ Soapstone	230	235	
H. Gray Basalt	235	250	
H. Blk & Brwn Basalt w/Soapstone	250-255		
Hard Gray Basalt	255	265	
Hard Gray/Brown Basalt	265	270	
Hard Gray Basalt	270	295	

\*\*\*SEE PAGE TWO  
 Date started 3/24/93 Completed 3/30/93

(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 \_\_\_\_\_  
 Signed *[Signature]* Date 4/25/93



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

*YAMH  
2779*

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**MAY - 5 1993**

*38/20/19*

\*\*\*PAGE TWO\*\*

WATER RESOURCES DEPARTMENT # 44149

**SALEM, OREGON**

**(1) OWNER:** Well Number \_\_\_\_\_  
 Name Powell Industrial Builders  
 Address 1709 Villa Rd  
 City Newberg State OR Zip 97132

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

HOLE		SEAL		Amount 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"/>

Final location of shoe(s) \_\_\_\_\_

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

From	To	Slot size	Number	Diameter	Tube/plpe 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"/>

**(8) WELL TESTS: Minimum testing time is 1 hour**  
 Pump  Bailer  Air  Flowing Artesian  

Yield gal/min	Drawdown	Drill stem at	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 \_\_\_\_\_ Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township \_\_\_\_\_ N or S. Range \_\_\_\_\_ E or W. WM. \_\_\_\_\_  
 Section \_\_\_\_\_ 1/4 \_\_\_\_\_ 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
Hard Gray/Brown Basalt	295	300	
Hard Brown Basalt w/ Soapstone	300	310	
Hard Gray/Brown Basalt	310	320	
Hard Gray/Brown Broken Basalt	320	330	
Soft White Clay	330	334	75'

Date started 3/24/93 Completed 3/30/93

**(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 \_\_\_\_\_

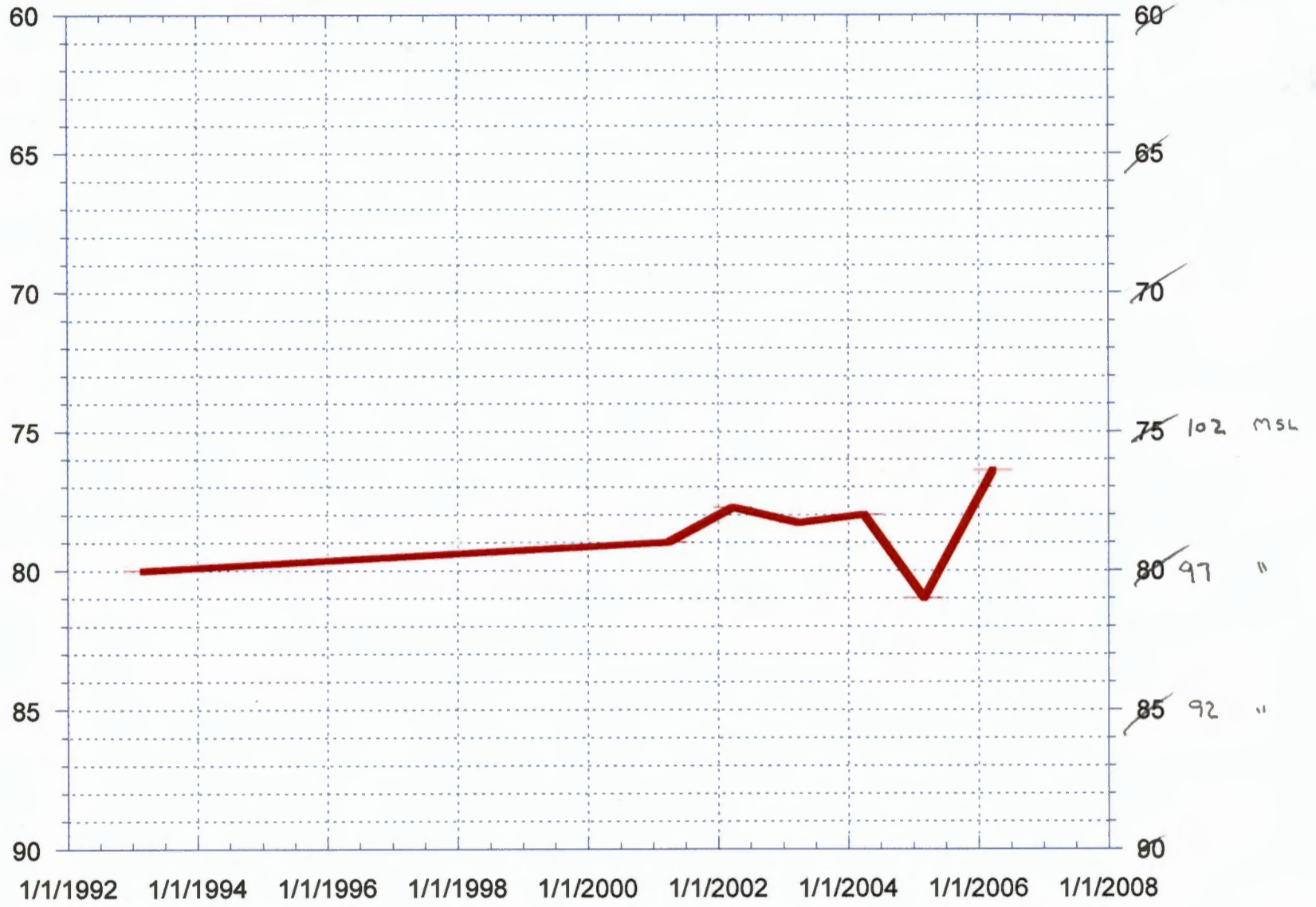
**(bonded) Water Well Constructor Certification:**  
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

WWC Number \_\_\_\_\_  
 Signed [Signature] Date 4/25/93

B

yamh2757

B



A

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

Y9W H  
 2757

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3s/2w/19

MAR - 8 1993

(START CARD) # 44144

**(1) OWNER:**

Name NSP Development/Brenneke  
 Address 2214 SW Hoffman  
 City Portland State OR Zip 97201

Well Number 796  
 WATER RESOURCES DEPT. SALEM, OR

**(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 240 ft.  
 Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12 1/2"	0'	30'	Cement	0'	35'	42 Sacks
10"	30'	40'				
8"	40'	240'				

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: 8"	+ 2'	38'	.25	<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) \_\_\_\_\_

**(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	Drawdown	Drill stem at	Time
100 GPM		240'	1 hr.

Temperature of Water 57.0 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 Yamhill Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 3-S N or S. Range 2-W E or W. WM. \_\_\_\_\_  
 Section 19/30 1/4 \_\_\_\_\_ 3/4 \_\_\_\_\_  
 Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) Dayton Av, Newberg,  
Or 97132

**(10) STATIC WATER LEVEL:**

80' ft. below land surface. Date 3/1/93  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

**(11) WATER BEARING ZONES:**

Depth at which water was first found 190'

From	To	Estimated Flow Rate	SWL
190	220'	60 GPM	n/a

**(12) WELL LOG:**

Ground elevation \_\_\_\_\_

Material	From	To	SWL
Top Soil	0	3	
Brown Clay	3	25	
H. Brown Basalt	25	35	
H. Gray Basalt	35	55	
M.H. Brown Basalt	55	85	
H. Gray Basalt	85	105	
H. Gray Fractured Basalt	105	155	
H. Gray Frac./Broken Basalt	155	165	
Hard Gray Basalt	165	175	
Hard Brown Basalt	175	190	
Hard Severe Fractured Gray Bas	190	200	
H. Gray/Brown Porous Basalt	200	215	
Hard Gray Basalt	215	235	
Soft White Clay	235	240	

Date started 2/23/93 Completed 3/1/93

**(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 645  
 Signed [Signature] Date 3/4/93

March 24, 2006


Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

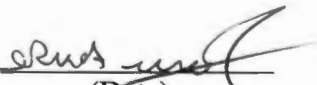
**Re: Authorization of a Water Right Agent**

My name is Mike Wiltshire. I have retained John Borden, CWRE, to assist me in preparation of a water use application, and obtaining water rights for a subdivision in Yamhill County.

To that end, and as evidenced by this letter, Mr. Borden is authorized to be my Agent for all matters involving these activities and rights. For example, he can file applications on my behalf, sign all documents that might otherwise require my signature, and respond to the Department's questions or requests for information.

Sincerely,

Mike Wiltshire  
32049 NE Corral Creek  
Newberg, OR 97132

  
(Date)

3-24-2006

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON



## Oregon Water Resources Department Land Use Information Form

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

### To Be Completed By Applicant

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

**A. Applicant**

Name: Mike Wiltshire  
 Address: 32049 NE Corral Creek  
 City: Newberg State: OR Zip: 97132 Day Phone: 503 537 9584

**B. Land and Location**

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

Yamhill Co.  
 Tax Lot Map  
 3S 3W Sec24  
 3324AD ---  
 3219CB →

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)			Proposed Land Use
7908	VLDR 2.5	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	No use of water
7900	VLDR 1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	No use of water
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
1500	VLDR 2.5	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	No use of water
2000	VLDR 1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential (5 homes)
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

**C. Description of Proposed Use**

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

Water Use Permit     Water Right Transfer     Allocation of Conserved Water     Exchange

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

Commercial     Industrial     Instream     Irrigation  
 Municipal     Quasi-municipal     Domestic (indicate number of households) \_\_\_\_\_  
 Other \_\_\_\_\_

Briefly describe: One well is constructed. We are connecting to an existing water system owned by Hiland Water Corporation and piping water to 5 proposed residences. There will be irrigation of landscaping, lawns and gardens for each residence.

Indicate the source of the water to be used.

Reservoir/Pond     Ground Water     Surface Water \_\_\_\_\_  
(source)

Indicate the estimated quantity of water the use will require: 60  CFS  GPM  Acre-Feet

Last revised: 04/06/04

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MAR 27 2006

WATER RESOURCES DEPT  
 SALEM, OREGON

Receipt for Request for Land Use Information

State of Oregon  
 Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, OR 97301-1271  
 (503) 986-0900

G-16645

**For Local Government Use Only**

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

**A. Allowed Use**

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_ Go to section B "Approval" below.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
Use of water on	Docket	<input checked="" type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
3219CB-2000 approval	C-28-05	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued

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

**B. Approval**

Please provide printed name and written signature.

Name: Kenneth P. Friday Date: 3/24/06  
 Title: Planning Manager Phone: 503 434-7516  
 Signature: *Kenneth P. Friday*

**C. Additional Comments**

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

\_\_\_\_\_

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

\_\_\_\_\_

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

**Receipt for Request for Land Use Information**

Name of applicant: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: \_\_\_\_\_  
 Staff contact: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_



Oregon Water Resources Department

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

FORM M

FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).  
1 acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: Hiland Water Corporation

Name and size of area to be served: Home Acres - 5 lots - 0.004 sq mi  
(in square miles)

Present population of service area: 5 lots x 4 persons/lot = 20 persons  
(Contact county planning staff, if needed.)

Projected population in 20 years: 20 persons  
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

Date of Issuance:                      Natural Source of Water:                      Amount Permitted:                      Utilization:

There are no other water rights on these lands.

Water Use

Average yearly demand: <sup>Estimate:</sup> 11.2 AFY                      Year: 2008

Per-capita daily consumption (in gallons): 500 gpcd  
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 4/1 to 10/1 Total peak season demand: 8.4 Acre-feet

Peak season per-capita daily consumption: 750 gpcd <sup>total 6-month use</sup>  
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

produced: 11.2 ac-ft/yr (estimate)  
(diverted or pumped)

delivered: 11.2 ac-ft/yr (estimate)

Is your system fully metered?  Yes  No

Describe your rate structure: To be determined by Hiland Water Corporation  
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

G-116645

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

**Request for Water**

**A. Discuss the reason(s) for your request for additional water**

(e.g. loss of current supply, peak demand, growth, or other): This is our first request for water. We have no other water rights for this project.

**B. How long is the amount of water requested in this application expected to meet future needs?**

(e.g. until the year 2040) Because 5 units = the final build-out for this water right under current zoning, 2040 and beyond.

**C. Briefly discuss operation of water system and the most constraining component of the system:**

Initially, storage. Pressure tank(s) at the well #1 are currently in use. A larger reservoir will be constructed later under existing other water rights for the 4 wells, and perhaps new water rights not yet applied for.

**D. Percentage of water use by type:**

Residential: 5 units maximum      Commercial: \_\_\_\_\_  
Public Authority: \_\_\_\_\_      Agricultural: \_\_\_\_\_  
Unaccounted for use: \_\_\_\_\_      Industrial: \_\_\_\_\_  
Other (specify use): \_\_\_\_\_

**E. List cost to implement proposed request.**

*Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)*

We are outside the City Limits of both Dundee and Newberg. The Hiland Water Corporation is the nearest & logical water purveyor. We will encourage the use of efficient water flow devices and water using appliances and yard & landscape irrigation practices as each new unit is constructed. We estimate the water system cost to be about \$40,000.

**F. How and by how much will your proposed water use efficiency programs increase efficiency?**

*(Express as a percentage of per-capita consumption.)*

There is no historical base from which to make a comparison, so I can not answer this question. However, I believe that efficiency measures are built into the project -- e.g. water meters, encouragement for water efficient plumbing, appliances, and lawn watering practices as described above.



# Yamhill County

## DEPARTMENT OF PLANNING AND DEVELOPMENT

401 NE EVANS STREET • McMinnville, Oregon 97128

Phone:(503) 434-7516 • Fax:(503) 434-7544 • Internet Address: <http://www.co.yamhill.or.us/plan/>

January 31, 2006

*Conditional Use Permit*

Mike Wiltshire  
32049 NE Corral Creek Rd.  
Newberg, Oregon 97132

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

*Page 1/6*

Re: **Docket No. C-28-05**  
**Tax Lot 3219CB-2000**

Dear Mr. Wiltshire:

In reference to your application for conditional use approval to allow connection of five lots to the Hiland Community Water System, the planning staff has reviewed your application and finds that it complies with the requirements of the Yamhill County Zoning Ordinance. Your application has been approved with the following conditions:

1. The water system connection shall serve only lots 3-5, 16 and 17 of the Home Acres subdivision, identified as Tax Lot 3219CB-2000, without further land use approval.
2. All water lines shall be installed in ground and the applicant shall obtain a permit from the Public Works Department if any of the pipelines cross the dedicated right of way.
3. All required Health Department, building, electrical and development permits for the water system shall be obtained and inspections completed prior to use of the water system.
4. A water right for the connection to Hiland Water System shall be obtained from Oregon Department of Water Resources.
5. Modification of any of the above conditions requires approval under Section 1202.05 of the Yamhill County Zoning Ordinance. Violation of any of the above conditions may result in revocation of the conditional use permit with the process detailed in Section 1202.07 and 1202.08 of the Yamhill County Zoning Ordinance.

This decision is based on findings and conclusions as contained in the staff report. This approval shall expire two years from the date of this letter unless construction or the use has been initiated.

G-16645

Mike Wiltshire  
Docket C-28-05  
Page 2

CUP P. 2/6

The Yamhill County Zoning Ordinance provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a \$250.00 fee, with this department no later than **5:00 p.m., February 15, 2006**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

Additionally, our office received comments from Donald and Doris Cooke, who are property owners to the northwest. They expressed concern about whether your proposed water line would cross and damage the Sunny Acres water line. We would encourage you to contact them so they can help to identify the location of the existing water line. We were not left with a phone contact, but they can be reached at the following address:

Donald and Doris Cooke  
23720 NE Sunnycrest Road  
Newberg, Oregon 97132

If you have any questions, please contact this office.

Sincerely,

Michael Brandt  
Planning Director

MB:kw

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WATER RESOURCES DEPT  
SALEM, OREGON

cc: Board of Commissioners  
Legal Counsel  
Assessor  
SPOs  
Public Works  
Donald and Doris Cooke, 23720 NE Sunnycrest Rd., Newberg, Oregon 97132

**STAFF REPORT**  
**YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

---

**DATE:** January 18, 2006 CUP P 3/6

**DOCKET:** C-28-05

**REQUEST:** Conditional use approval to allow the connection of five lots to Hiland Community Water System.

**APPLICANT:** Mike Wiltshire

**TAX LOTS:** 3219CB-2000

**LOCATION:** On the north side of Home Acres Road, and approximately 765 feet north and west of the intersection of North Highway 99 West and Home Acres Road.

**ZONE:** VLDR-1 Very Low Density Residential

**CRITERIA:** Sections 502.03 (E) and 1202.02 of the Yamhill County Zoning Ordinance

**COMMENTS:** *Yamhill County Sanitarian* - Site evaluations not approved due to limited room available on each lot outside 100' well setbacks. Decommissioning wells and using a community water system should alleviate this issue. Proposed drainfield locations still needed for septic approval.  
*ODOT* - The applicant will need to access property off county or city street if possible. If access must be off a state highway, apply and obtain an access permit. One access shall serve the total property. Applicant will need to perform all requirements of the permit.  
*Donald and Doris Cooke, 23720 NE Sunnycrest Rd., Newberg, Oregon 97132*  
We are the owners of the property adjoining the parcel that is being developed in Home Acres. We have a lot of concern about the map that shows the road, Hurley Lane, which is on the 3.7 acres that is ours. The map doesn't show that Sunny Acres water line runs along the frontage of this development. We would like to have answers on these questions, as it affects the residence of Home Acres.

**FINDINGS:**

**A. Background Facts**

1. *Area Size:* 2.88 acres serving five properties identified as Lots 3-5, 16 and 17 of Home Acres Subdivision, consisting of Tax Lot # 3219CB-2000.
2. *Access:* Hurleys Lane, Home Acres Road, and private drives.

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WATER RESOURCES DEPT  
SALEM, OREGON

3. *On-site Land Use:* The subject property is 2.88 acres, and is zoned VLDR-1 Very Low Density Residential. The land is currently undeveloped.
4. *Surrounding Land Use and Zoning:* The surrounding properties are in rural residential use and agricultural use. The parcel is bordered to the east, south and southwest by land zoned VLDR-1. It is bordered on the northwest by the VLDR-2.5 zone. The land to the north is zoned AF-10. While the VLDR zones are clearly in residential use, the AF-10 zoned property to the north is forested and partially overlapped by the Chehalem Creek floodplain.
5. *Commentary:* The tax lot contains five parcels that are part of the Home Acres Subdivision. In the VLDR zone, those lots can be developed with a single-family dwelling, provided that they can be served with water and sewer.

**B. Ordinance Provisions and Analysis**

1. Section 502.03 (E) of the Yamhill County Zoning Ordinance (YCZO) lists as a conditional use: *Community or municipal water-supply system, except within acknowledged service boundaries.*
2. The conditional use criteria are found in YCZO Section 1202.02, as follows:
  - (A) *The use is listed as a conditional use in the underlying zoning district;*
  - (B) *The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;*
  - (C) *The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements, and natural features.*
  - (D) *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district.*
  - (E) *The proposed use is appropriate, considering the adequacy of the public facilities and services existing or planned for the area affected; and*
  - (F) *The use is or can be made compatible with existing uses and other allowable uses in the area.*

CUP P. 5/6

3. The request is consistent with criterion (A) above in that the proposed connection to a community water system is listed as a conditional use in Section 502.03 (E) of the Yamhill County Zoning Ordinance.
4. Regarding criterion (B), the applicant states that the proposed connection to Hiland Community Water System will ultimately serve future dwellings on the tract. Yamhill County goals and policies provide standards or criteria for review only of such utility facilities which will acquire right-of-way for utility lines. The pipeline will be underground and will require permit approval. This will be made a condition of any approval. With this condition the request will comply with criterion (B).
5. The tax lot consists of five (5) lots. The water system is designed to extend service to these lots. Furthermore, the water system connection will have no negative effect upon this lot or the surrounding lots, some of which are already developed with residences. The size, shape and other physical features of the tract are suitable for the proposed use. The request complies with criterion (C).
6. Regarding criteria (D) and (F), the surrounding property owners were properly notified and a notice was published in a newspaper. Only one response of concern was received (see response in file). There were no other surrounding property owner comments voiced to the proposed development. The notices were also sent out to other interested jurisdictions. The proposed water system connection should not alter the character of the surrounding area in a manner that limits or prevents the permitted uses in the zone.
7. Regarding criterion (E) above, the only facilities required for this use will be electrical service and street access for occasional maintenance. The proposed use will not require any additional public services beyond those already serving the properties.

**CONCLUSIONS:**

1. This request is for conditional use approval to allow the connection to Hiland Community Water System to serve five lots of the Home Acres subdivision identified as Tax Lot 3219CB-2000, and to secure water rights.
2. With conditions the request satisfies Section 1202.02 of the Yamhill County Zoning Ordinance.

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SALEM, OREGON

**DECISION:**

Based upon the above findings and conclusions, the request by Mike Wiltshire for conditional use approval to allow the connection to Hiland Community Water System to serve five lots of the Home Acres subdivision identified as Tax Lot 3219CB-2000, and to secure water rights, is hereby approved, with the following conditions:

1. The water system connection shall serve only lots 3-5, 16 and 17 of the Home Acres subdivision, identified as Tax Lot 3219CB-2000, without further land use approval.
2. All water lines shall be installed in ground and the applicant shall obtain a permit from the Public Works Department if any of the pipelines cross the dedicated right of way.
3. All required Health Department, building, electrical and development permits for the water system shall be obtained and inspections completed prior to use of the water system.
4. A water right for the connection to Hiland Water System shall be obtained from Oregon Department of Water Resources.
5. Modification of any of the above conditions requires approval under Section 1202.05 of the Yamhill County Zoning Ordinance. Violation of any of the above conditions may result in revocation of the conditional use permit with the process detailed in Section 1202.07 and 1202.08 of the Yamhill County Zoning Ordinance.

DATED AND SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2006, at McMinnville, Oregon.

\_\_\_\_\_  
Michael Brandt, Planning Director  
Yamhill County Planning and Development

MB:kw

# WATER USE PERMIT APPLICATION MAP

SE 1/4 NE 1/4 AND NE 1/4 SECTION 24, T3S, R3W, W.M.  
YAMHILL COUNTY, OREGON

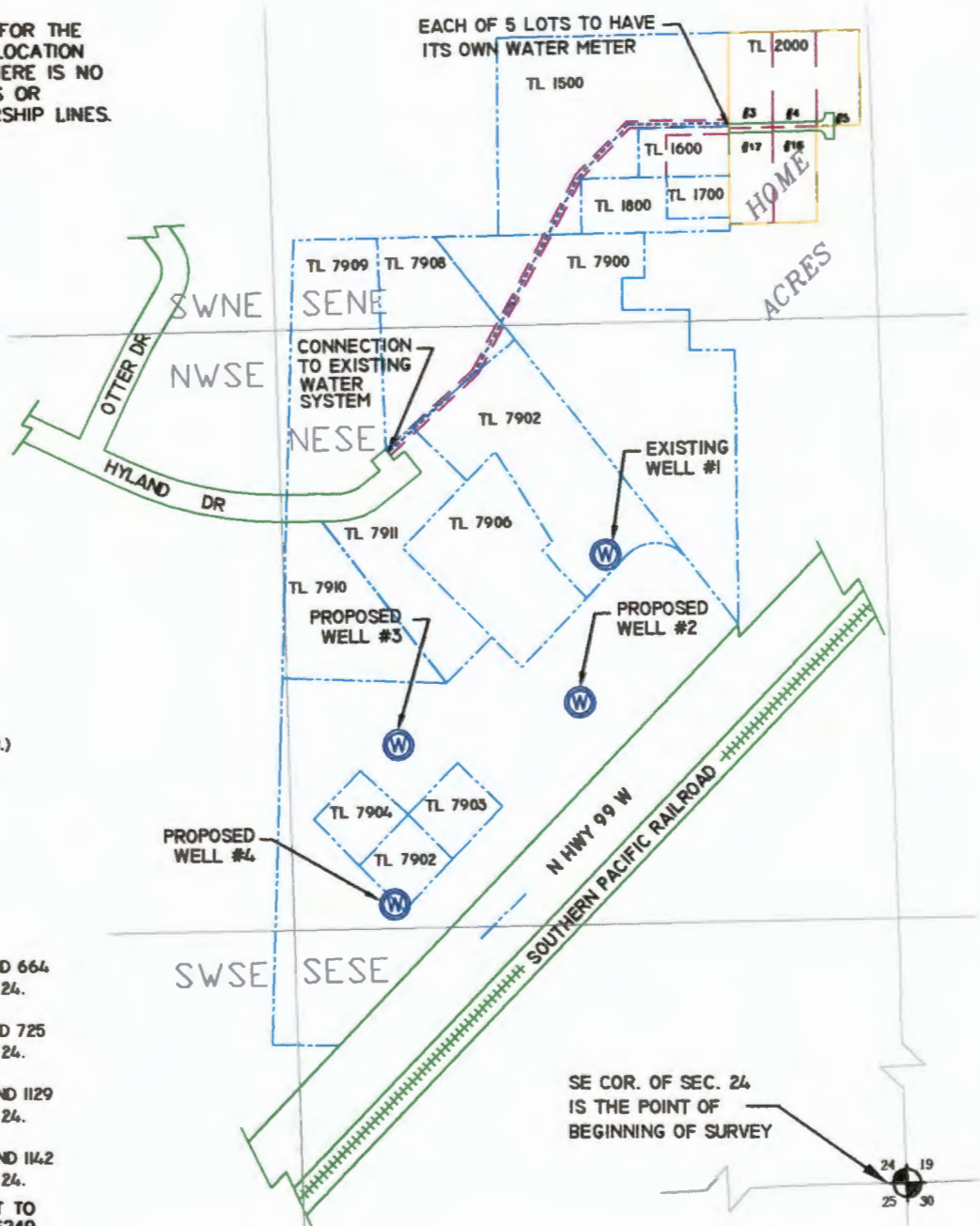
IN THE NAME OF  
MIKE WILTSHIRE  
FOR  
QUASI-MUNICIPAL USE  
FROM WELLS IN THE  
WILLAMETTE RIVER BASIN

*Superseded*  
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WATER RESOURCES DEPT  
SALEM, OREGON

SCALE: 1"=400'

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

*4 C/P RS*



**NOTES:**

WELL #1 IS 2136 FEET NORTH AND 664 FEET WEST OF THE SE COR SEC 24.

WELL #2 IS 1812 FEET NORTH AND 725 FEET WEST OF THE SE COR SEC 24.

WELL #3 IS 1724 FEET NORTH AND 1129 FEET WEST OF THE SE COR SEC 24.

WELL #4 IS 1373 FEET NORTH AND 1142 FEET WEST OF THE SE COR SEC 24.

ALL FOUR WELLS ALSO SUBJECT TO WATER RIGHT APPLICATION G-16249, PERMIT G-16027

JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

**WILTSHIRE WATER RIGHT**

FILE PATH & NAME: J31D:\WILTSHIRE\_WR\_PA\_031406

*app no G-116645*

# WATER USE PERMIT APPLICATION MAP

SE 1/4 NE 1/4 AND NE 1/4 SECTION 24, T3S, R3W, W.M.  
YAMHILL COUNTY, OREGON

IN THE NAME OF  
MIKE WILTSHIRE  
FOR  
QUASI-MUNICIPAL USE  
FROM WELLS IN THE  
WILLAMETTE RIVER BASIN

*Superseded*

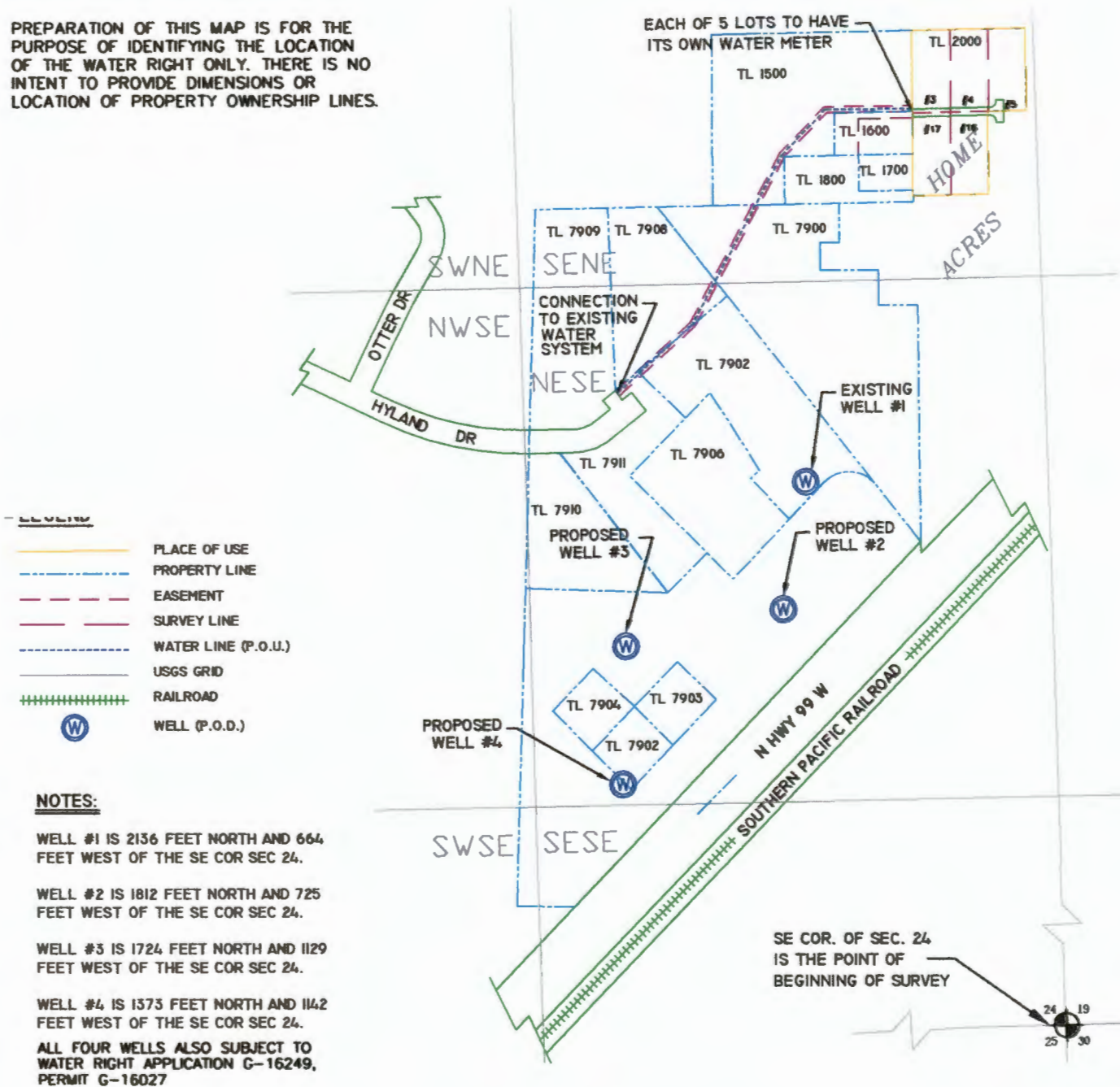
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WATER RESOURCES DEPT  
SALEM, OREGON

SCALE: 1"=400'

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JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

WILTSHIRE WATER RIGHT

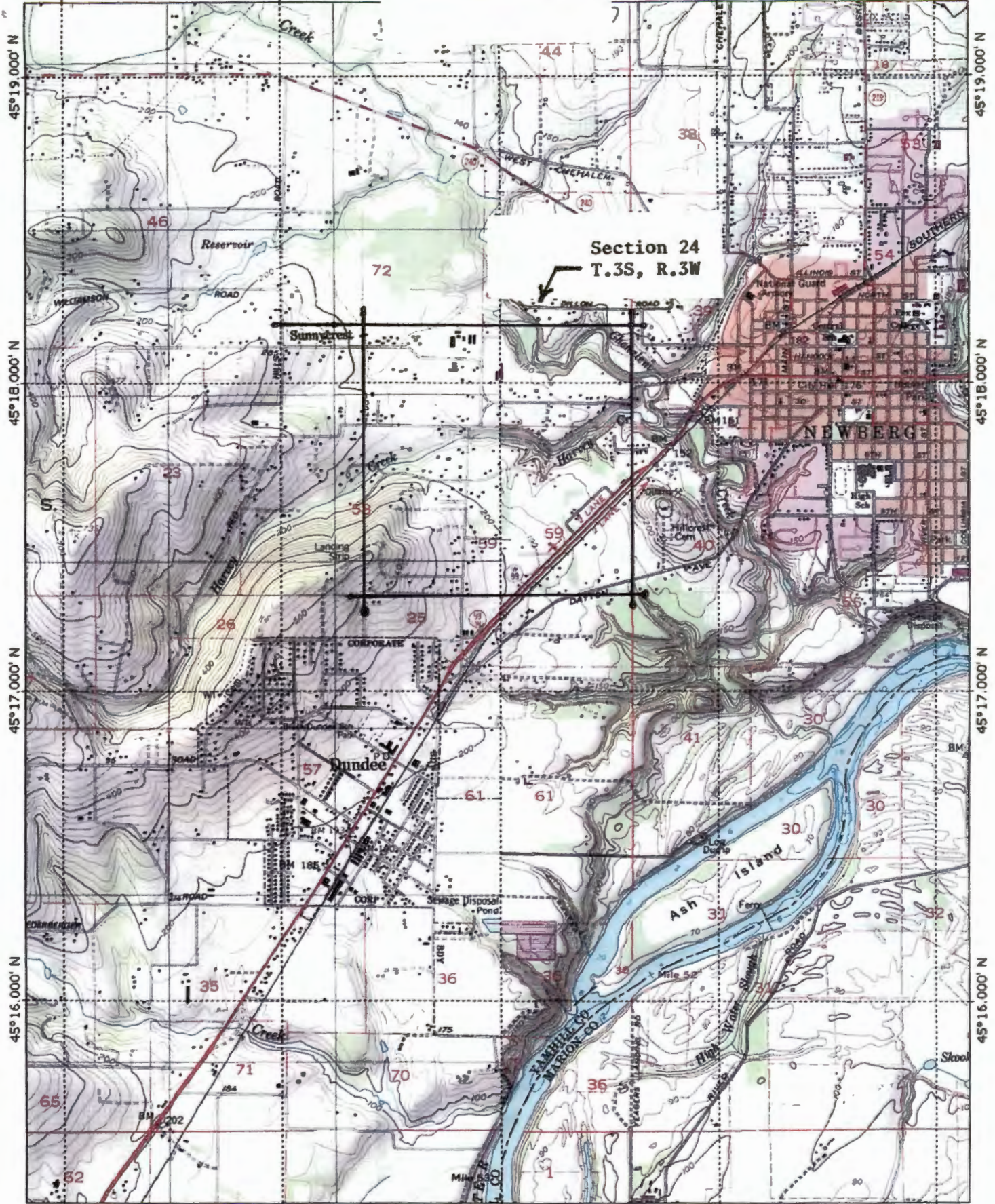
FILE PATH & NAME: J3\ID\WILTSHIRE\_WR\_PA\_031408

app no G-16645



VICINITY MAP

123°02.000' W 123°01.000' W 122°59.000' W NAD27 122°58.000' W



Section 24  
T.3S, R.3W

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Map created with TOPO! © 2002 National Geographic (www.nationalgeographic.com/topo)

WATER RESOURCES DEPT  
SALEM, OREGON

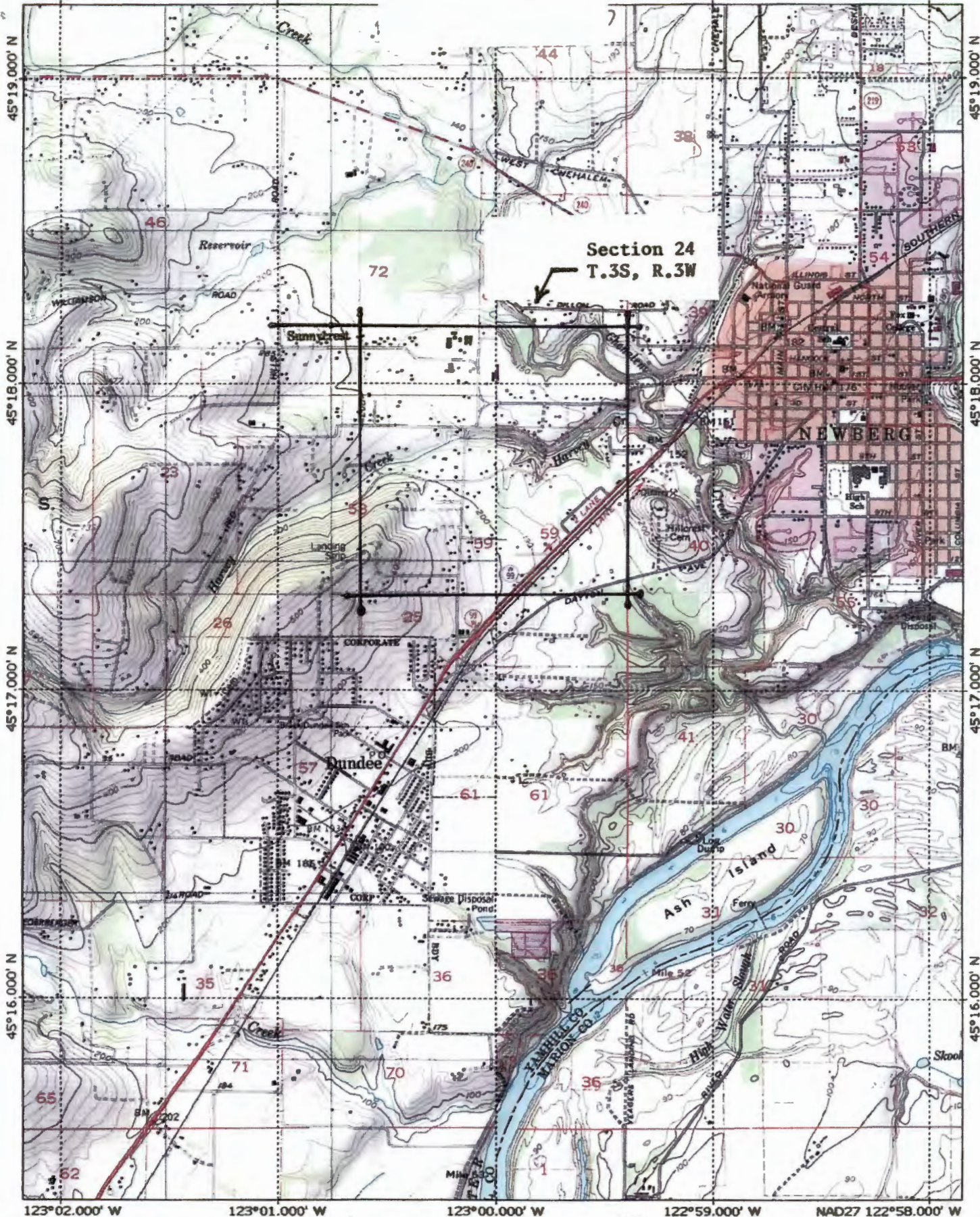
SCALE: 1:24,000

G-16645

TNT/MN  
17%

VICINITY MAP

TOPOI printe and "Unt. topg" NAD27 122°58.000' W

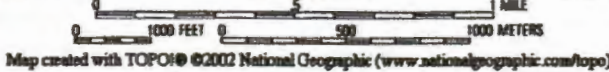


Section 24  
T.3S, R.3W

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WATER RESOURCES DEPT  
SALEM, OREGON



SCAT.F. 1-24 000

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VICINITY MAP

TOPOI printe

and "Unt. tpg" 122°59.000' W

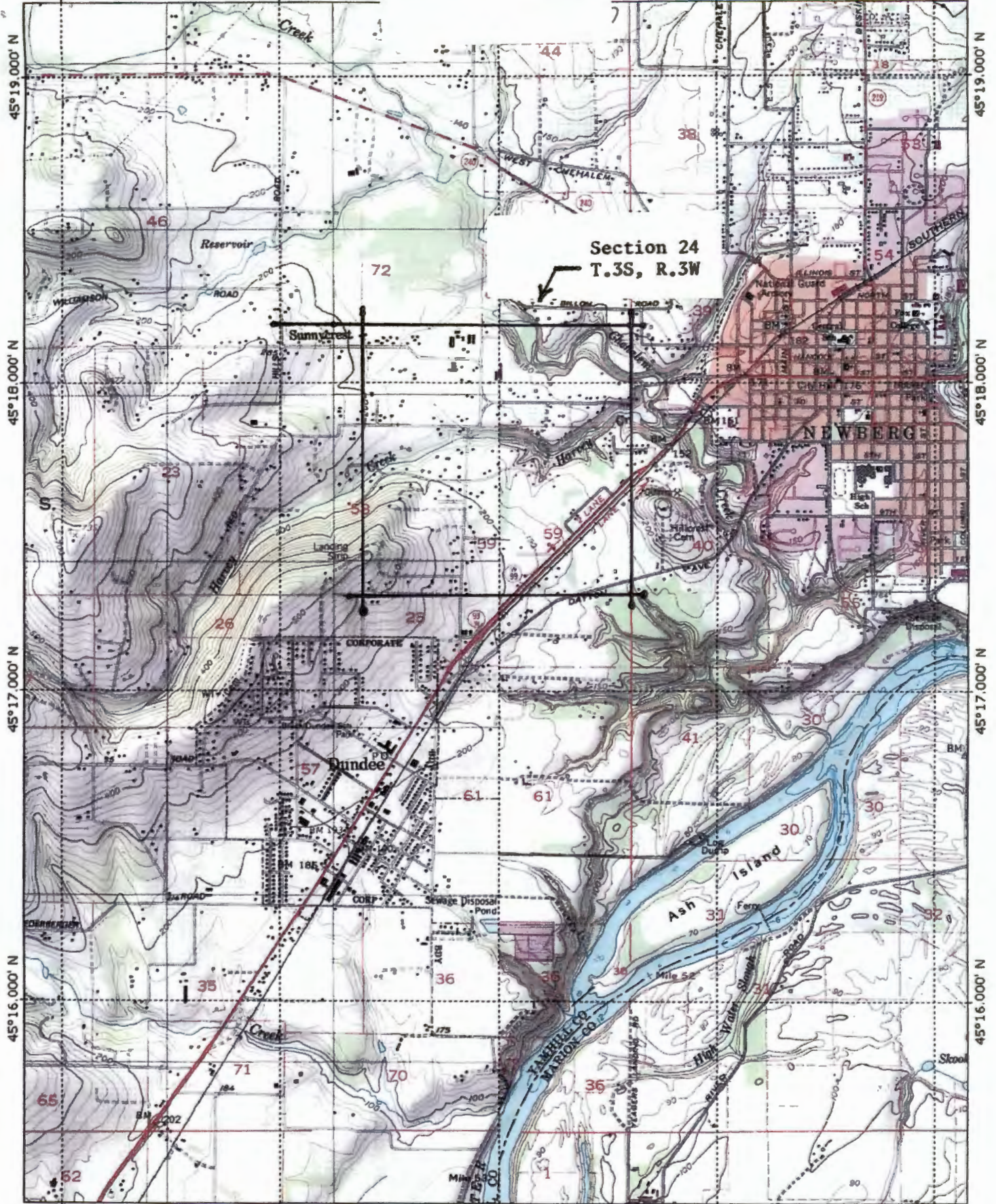
NAD27 122°58.000' W

123°02.000' W

123°01.000' W

122°59.000' W

NAD27 122°58.000' W



Section 24  
T.3S, R.3W

123°02.000' W 123°01.000' W 123°00.000' W 122°59.000' W NAD27 122°58.000' W

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WATER RESOURCES DEPT  
SALEM, OREGON



Map created with TOPOI © 2002 National Geographic (www.nationalgeographic.com/topo)

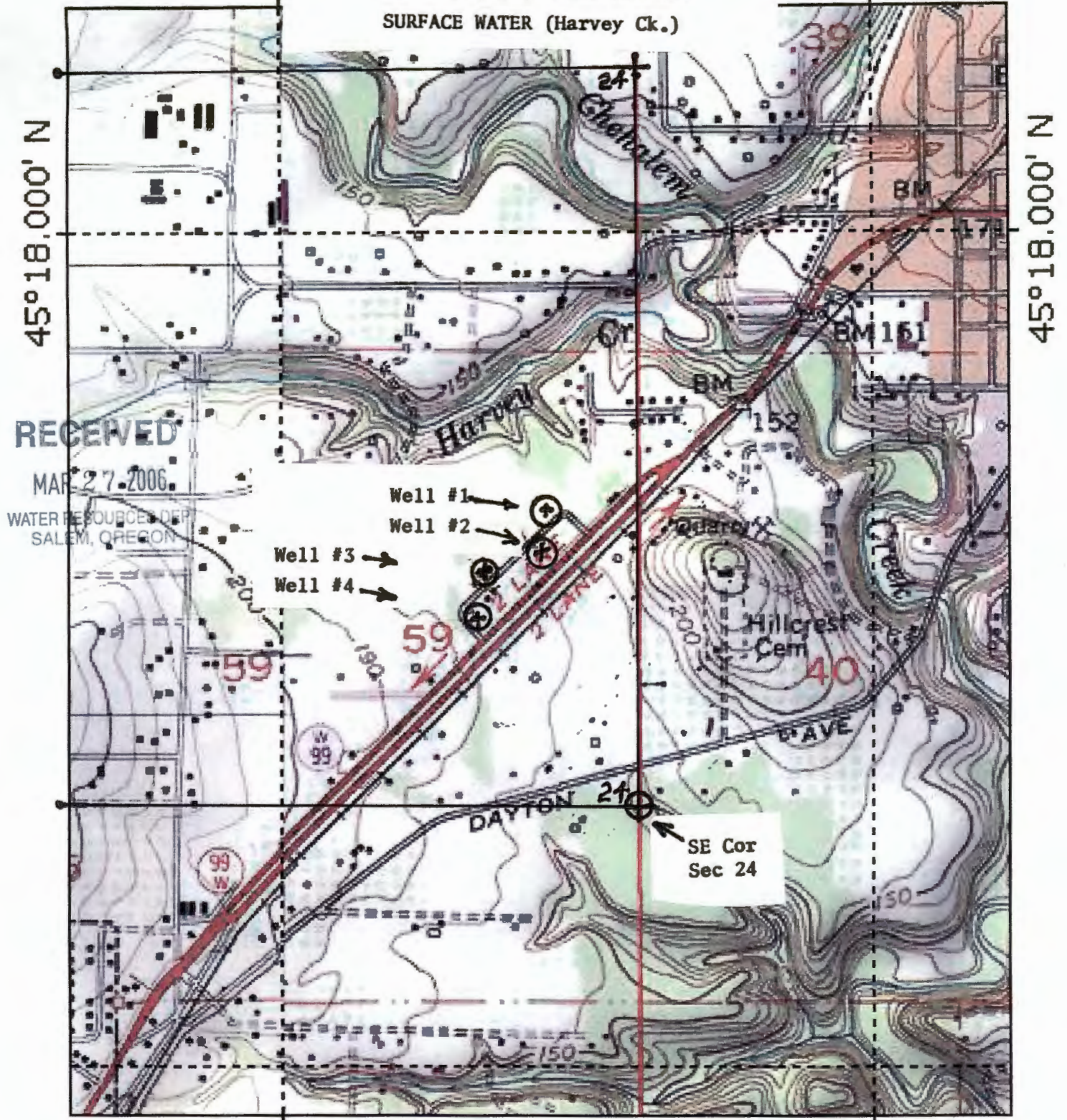
SCALE: 1:24 000

G-16645

map printed on  
123°00'

MAP SHOWING LOCATION OF  
EXISTING WELL #1, PROPOSED  
WELLS #2, 3 & 4 AND NEAREST  
SURFACE WATER (Harvey Ck.)

po" and "Untitle  
12°59.000' W



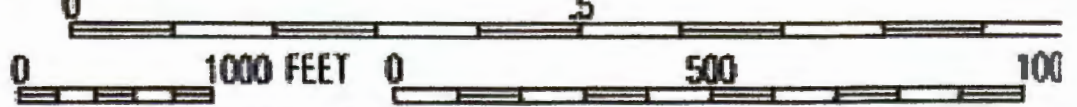
45°18.000' N

45°18.000' N

123°00.000' W

NAD27 122°59.000' W

TN \* /MN  
17 1/2°



Map created with TOPO!® ©2002 National Geographic (www.nationalge

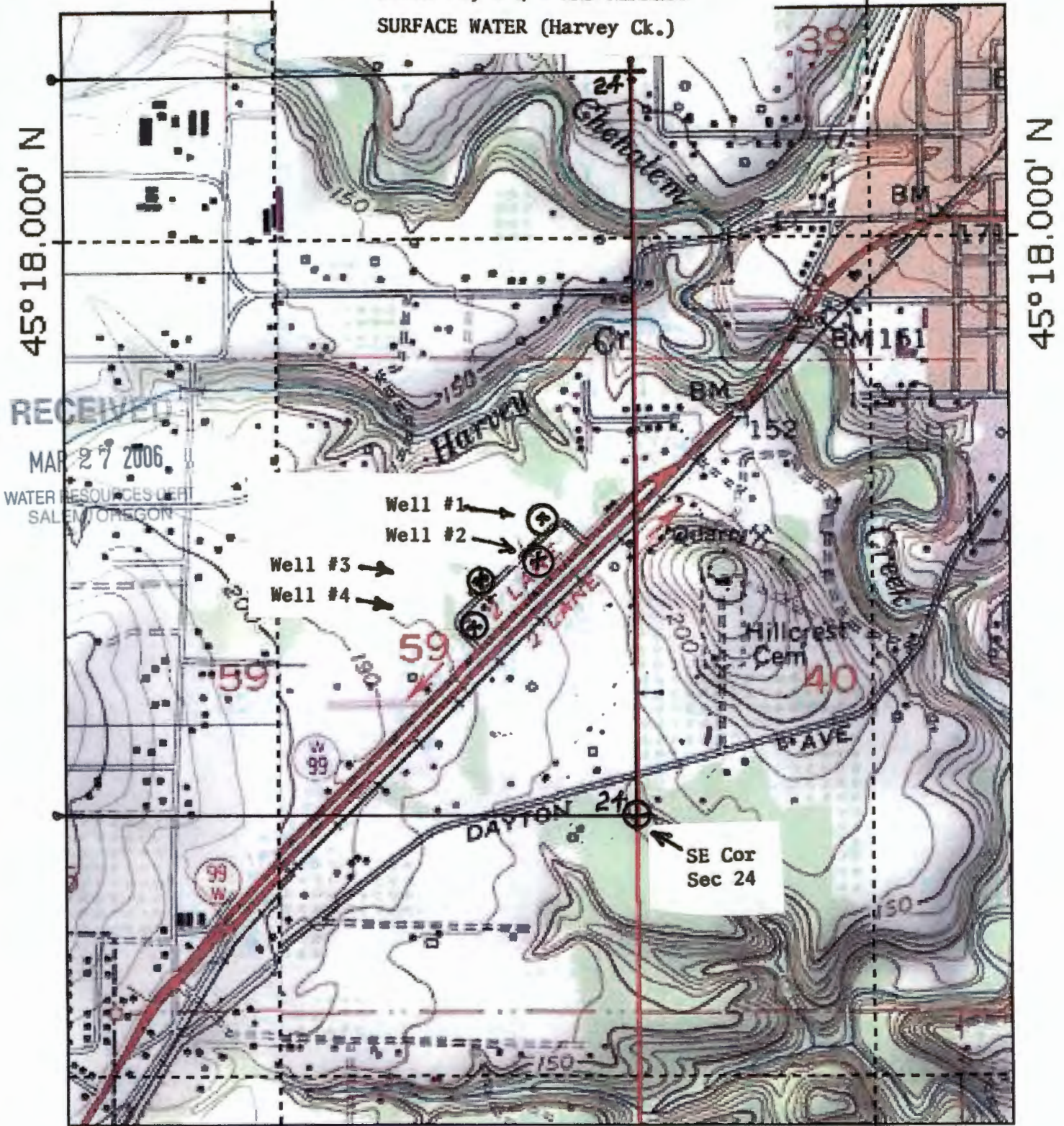
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G-16645

map printed on  
123°00'

MAP SHOWING LOCATION OF  
EXISTING WELL #1, PROPOSED  
WELLS #2, 3 & 4 AND NEAREST  
SURFACE WATER (Harvey Ck.)

po" and "Untitle  
12°59.000' W



45°18.000' N

45°18.000' N

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MAR 27 2006  
WATER RESOURCES LEFT  
SALEM OREGON

Well #1  
Well #2  
Well #3  
Well #4

SE Cor  
Sec 24

123°00.000' W      NAD27 122°59.000' W

TN  
MN  
17½°



Map created with TOPO!® ©2002 National Geographic (www.nationalge

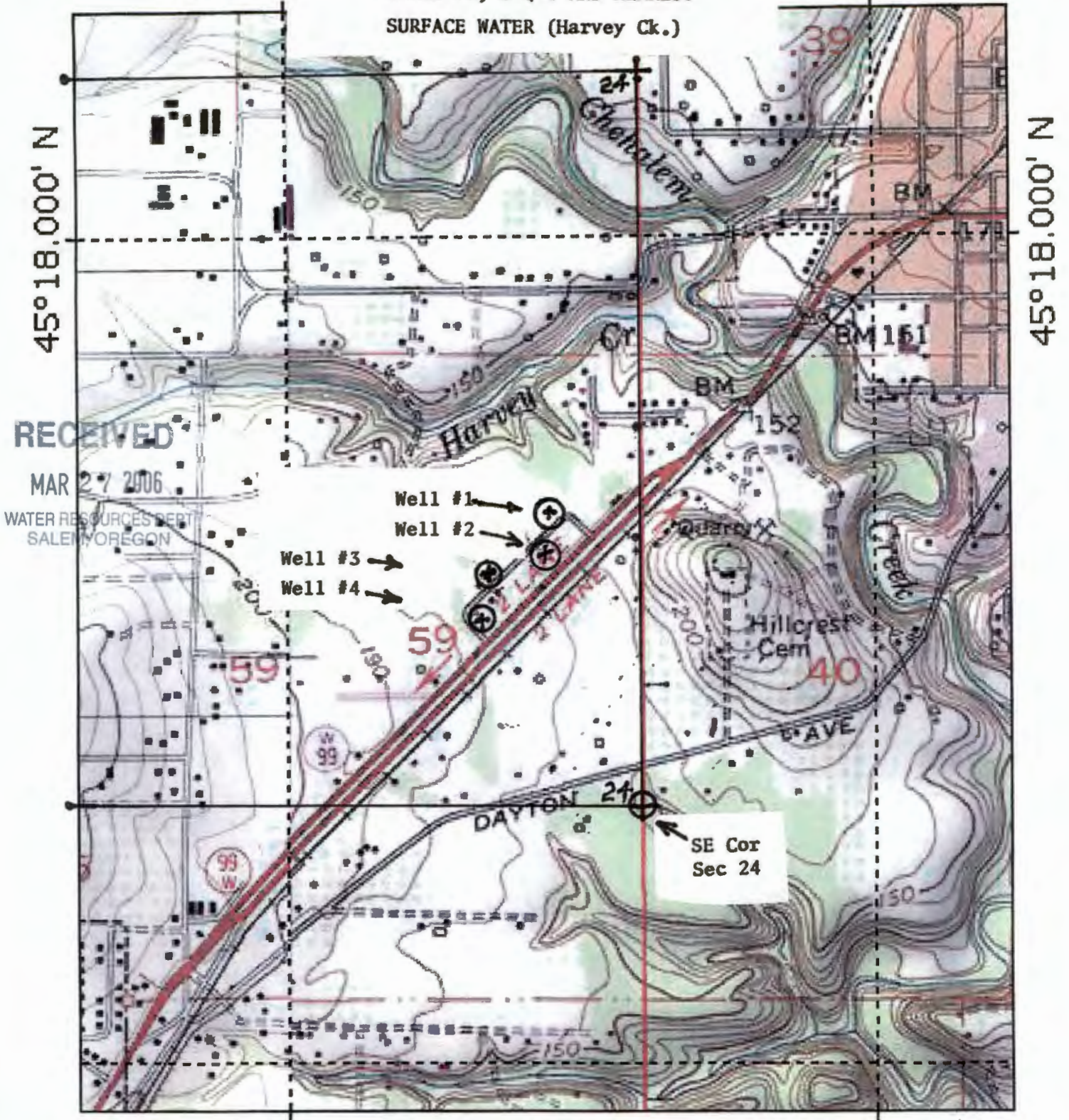
Scale: 1:12,000

G-16645

map printed on  
123°00'

MAP SHOWING LOCATION OF  
EXISTING WELL #1, PROPOSED  
WELLS #2, 3 & 4 AND NEAREST  
SURFACE WATER (Harvey Ck.)

po" and "Untitle  
12°59.000' W



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WATER RESOURCES DEPT  
SALEM OREGON

123°00.000' W      NAD27 122°59.000' W



TN \* MN  
17 1/2°

Map created with TOPO!® ©2002 National Geographic (www.nationalge

Scale: 1:12,000

G-16645

# WATER USE PERMIT APPLICATION MAP

*Superseded*

SE 1/4 NE 1/4 AND NE 1/4 SECTION 24, T3S, R3W, W.M.  
YAMHILL COUNTY, OREGON

IN THE NAME OF  
MIKE WILTSHIRE  
FOR  
QUASI-MUNICIPAL USE  
FROM WELLS IN THE  
WILLAMETTE RIVER BASIN

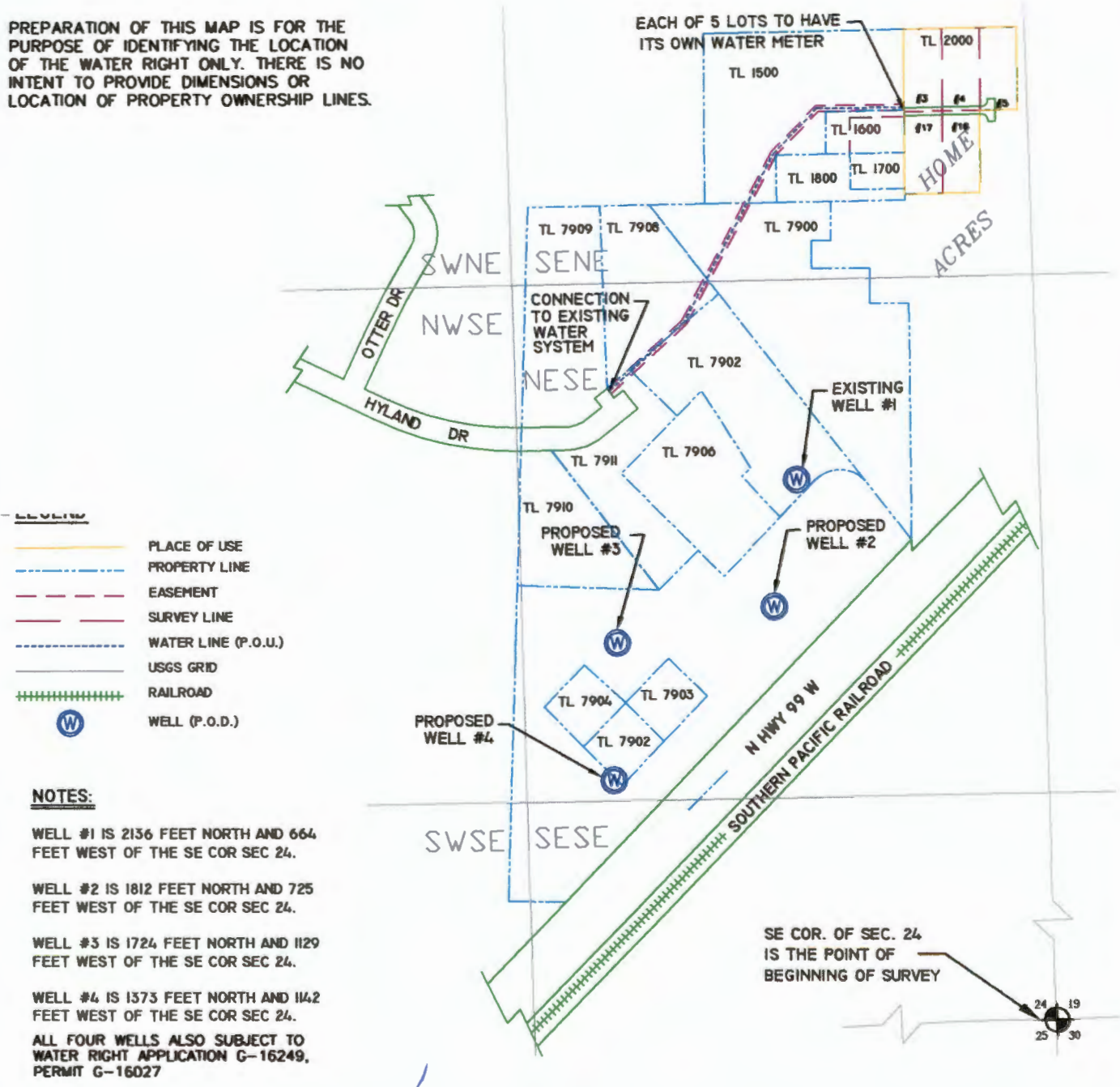
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WATER RESOURCES DEPT  
SALEM, OREGON

SCALE: 1"=400'

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JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

WILTSHIRE WATER RIGHT

FILE PATH & NAME: J31D:\WILTSHIRE\_WR\_PA\_031406

app no G-16645

YAMHILL COUNTY  
REAL PROPERTY SALES ENTRY

Tax Lot 1500

P. 1/3

PIN #: R3324AD 01500

001 ACCOUNT #: 76704

PCA: 4013 STAT: 141 NEIGHBORHOOD: RL33 LEVY CODE(S): 29.4

A/C/D INSTRUMENT YEAR/NBR: 2005 28496

RECORDED DATE: 12162005

INSTRUMENT: WD VOL: PAGE: 0

SALE DATE: 12122005

CONSIDERATION: 323000 COURT DEC:

PROCESS DATE: 12202005

SALES PRICE: 323000 SETTLEMENT:

QUAL. CODE: 33  BARE LAND SALE

SALE INCLUDES

NAME: FLEMING CARRIE S & ALLEN R

BILLING ADDRESS: 11205 NE HURLEYS LN

NEWBERG OR BILL 97132 - 0000

A/C/D	PARTIES	O/B	BILL TO	GRTR	GTEE
	COX LARRY & LINDA		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	FLEMING CARRIE S & ALLEN R	0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPLY SALE TO: REVISION#: 0 - OR - MULT PINS  BLOCK NAME:  DONE:  NO  
 YES

XMT NEXT BACK

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MAR 27 2006  
WATER RESOURCES DEPT  
SALEM, OREGON

G-16645



Tax Lot 1500  
P. 2/3

**STATUTORY WARRANTY DEED**

THIS SPACE RESERVED FOR RECORDER'S USE

Grantor: Larry K. Cox and Linda M. Cox  
Grantee: Allen Fleming and Carrie Fleming

Until a change is requested, all tax statements shall be sent to the following address:  
Allen Fleming  
Carrie Fleming  
11205 NE Hurleys Ln  
Newberg OR 97132

After Recording return to:  
Allen Fleming  
Carrie Fleming  
11205 NE Hurleys Ln  
Newberg OR 97132

Escrow No. 859936 ABC  
Title No. 859936

OFFICIAL YAMHILL COUNTY RECORDS  
JAN COLEMAN, COUNTY CLERK

200528496



\$31.00

12/16/2005 03:36:09 PM

DNR-DDMR Cnt=1 Stn=2 ANITA  
\$10.00 \$10.00 \$11.00

LARRY K. COX AND LINDA M. COX, AS TENANTS BY THE ENTIRETY, Grantor, conveys and warrants to ~~ALLEN FLEMING AND CARRIE FLEMING~~ AS TENANTS BY THE ENTIRETY, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Yamhill County, Oregon, to wit:  
\*CARRIE S. FLEMING AND ALLEN R. FLEMING  
See Attached Legal Description.  
The said property is free from encumbrances except: Rights of the public in and to that portion lying within streets, roads and highways; Road maintenance agreement recorded January 10, 1986 in Film Volume 200, Page 529.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

The true consideration for this conveyance is \$323,000.00. (Here comply with the requirements of ORS 93.030).

Dated this 13 day of DECEMBER, 2005.

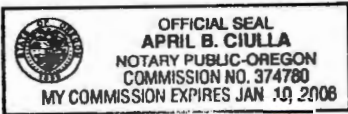
Larry K. Cox  
Larry K. Cox  
Linda M. Cox  
Linda M. Cox

State: OR  
County: Yamhill

The foregoing instrument was acknowledged before me this 13 day of DECEMBER 2005 by:

Larry K. Cox and Linda M. Cox

April B. Ciulla  
Notary Public  
My Commission Expires: 1/10/08



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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

859936 ①

Ticor Title Insurance Company

Tax Lot 1500 P. 3/3

 **TICOR TITLE INSURANCE COMPANY**

**YAMHILL TITLE PLANT**

829 N. Hwy 99 West  
P.O. Box 267 • McMinnville OR 971280267  
(503) 472-6101 • FAX: (503) 434-5311

**REFERENCE ORDER NUMBER: 859936**

A portion of Section 24, Township 3, South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, described as follows: Being a part of the West Half of the Donation Land Claim of David Ramsey and Susan Ramsey in Township 3 South, Range 3 West and Township 3 South, Range 2 West of the Willamette Meridian, Yamhill County, Oregon, and beginning at the Northeast corner of the West Half of said Donation Land Claim; thence running South 213 feet, more or less, to the Northeast corner of that tract of land conveyed to Wheeler et ux. by instrument recorded in Film Volume 101 at Page 257, Deed Records; thence West 209 feet parallel to the North line of that tract conveyed to Robert P. Wheeler and Ada E. Wheeler, husband and wife, and recorded April 30, 1974 in Book 99, Page 1522, Deed Records; thence South 112 feet, more or less, to the North line of that tract conveyed to Floyd Rader by deed recorded May 1, 1950 in Book 157, Page 163, Deed Records; thence West 131.8 feet; thence South 125.00 feet to the most southern Southeast corner of the tract of land conveyed in Film Volume 96, Page 1978, Deed and Mortgage Records; thence West 190.63 feet; thence North 450.8 feet; thence East 531.43 feet to the place of beginning.

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WATER RESOURCES DEPT  
SALE/M, OREGON

YAMHILL COUNTY

REAL PROPERTY SALES ENTRY  
MULTIPLE ACCT SALE

Page 1/3

PIN #: R3324AD 02000

001 ACCOUNT #: 76759

PCA: 0403 STAT: NEIGHBORHOOD: RL33 LEVY CODE(S): 29.4

A/C/D INSTRUMENT YEAR/NBR: 1988 1072

RECORDED DATE: 01311988

INSTRUMENT: WD VOL: 220 PAGE: 104

SALE DATE: 01311988

CONSIDERATION: 37900 COURT DEC:

PROCESS DATE: 01311988

SALES PRICE: 37900 SETTLEMENT:

QUAL. CODE: L  BARE LAND SALE

NAME: BERMUDEZ FRANCISCO & ESPERANZA

SALE INCLUDES

BILLING ADDRESS: 11005 NE HURLEYS LN

NEWBERG OR

BILL 97132 - 0000

A/C/D

PARTIES

O/B

BILL TO

GRTR

GTEE

BERMUDEZ FRANCISCO & ESPERANZA

0

APPLY SALE TO: REVISION#: 0 - OR - MULT PINS

BLOCK NAME:  DONE:

NO  
YES

XMT NEXT BACK

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

Tax Lot 2000 P. 2/3

0A

WARRANTY DEED—STATUTORY FORM—GRANTEES, TENANTS BY ENTIRETY

INDIVIDUAL OR CORPORATE GRANTOR

Elwin A. Moore (surviving spouse) Grantor, conveys and warrants to Francisco and Esperanza Bermudez, husband and wife, as tenants by the entirety, Grantees, the following described real property free of encumbrances except as specifically set forth herein situated in Yamhill County, Oregon, to-wit:

Map R3324AD 02000 Tax Account #76739 and Map R3324AD 02100 Tax Account #76768 Complete legal description attached.

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. (IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from all encumbrances except None

The true consideration for this conveyance is \$ 37,900.00 (Here comply with the requirements of ORS 93.030)

Dated 2-10, 1988; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers; done by order of its board of directors.

Elwin A Moore

[REDACTED]

STATE OF OREGON, County of Yamhill February 10, 1988

STATE OF OREGON, County of Yamhill, 1988

Personally appeared Francisco Bermudez and Esperanza Bermudez, 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

Personally appeared the above named Elwin A. Moore and acknowledged the foregoing instrument to be his voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed 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:

(OFFICIAL SEAL)

Notary Public for Oregon My commission expires:

(If executed by a corporation, affix corporate seal)

Notary Public for Oregon My commission expires: 4-20-91

WARRANTY DEED

Elwin A Moore GRANTOR

Francisco Bermudez GRANTEE Esperanza Bermudez GRANTEE

After recording return to: Mr. & Mrs. Francisco Bermudez 11005 N. E. Hurleys Lane Newberg, Oregon 97132

Send a check to requested, or tax statements sent to you to the following address: Mr. & Mrs. Francisco Bermudez 11005 N. E. Hurleys Lane Newberg, Oregon 97132

STATE OF OREGON DEPT. OF REVENUE County of Yamhill I hereby certify that the within was received and duly recorded by me in Yamhill County records. STATE OF OREGON CHARLES STERN, COUNTY CLERK

1088

01072

County affixed.

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MAR 27 2006

WATER RESOURCES DEPT SALEM, OREGON

NAME TITLE By Deputy

1988 FEB 10 PM 3:01

F 220P0104

Tax Lot 2000  
P. 3/3

## DESCRIPTION SHEET

Beginning at a point on the East line of the West one-half of the David Ramsey, et ux, Donation Land Claim in Township 3 South, Ranges 2 and 3 West of the Willamette Meridian, Yamhill County, Oregon, that is 662.08 feet South of the Northeast corner of that certain Page 627, Yamhill County Deed Records; thence South along the East line of said West one-half of said Claim, 100 feet, thence West 100 feet; thence North 100 feet to the South line of the aforesaid Berg tract; thence East 100 feet to the point of beginning. SUBJECT to rights of the public in and to any portion of the herein described premises lying within the boundaries of roads or highways.

ALSO the South 5 feet of the East 100 feet of the following described property: Beginning at a point on the East line of the West half of the David Ramsey and Susan Ramsey Donation Land Claim in Section 24, Township 3 South, Ranges 2 and 3 West of the Willamette Meridian in Yamhill County, Oregon, 552.08 feet South of the Northeast corner of the West half of said Claim; thence continuing South along the said East line of the said West half of said Claim, 70 feet to a point; thence West 250 feet to a point; thence North 70 feet to a point; thence East 240 feet to the place of beginning.

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WATER RESOURCES DEPT  
SALEM, OREGON

YAMHILL COUNTY  
REAL PROPERTY SALES ENTRY

P 1/3

**TAX LOT 7908**

PIN #: R3324 07908

001 ACCOUNT #: 527404

PCA: 4013 STAT: 153 NEIGHBORHOOD: RL33 LEVY CODE(S): 29.4

A/C/D INSTRUMENT YEAR/NBR: 2005 10749

RECORDED DATE: 05252005

INSTRUMENT: WD VOL: PAGE: 0

SALE DATE: 05172005

CONSIDERATION: 365900 COURT DEC:

PROCESS DATE: 05312005

SALES PRICE: 365900 SETTLEMENT:

QUAL. CODE: 30  BARE LAND SALE

SALE INCLUDES

NAME: DUNCAN CRAIG M & HEATHER L

BILLING ADDRESS: 23495 NE HYLAND DR

NEWBERG OR BILL 97132 - 0000

A/C/D	PARTIES	O/B	BILL TO	GRTR	GTEE
	CHARLESWORTH CONSTRUCTION INC		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	DUNCAN CRAIG M & HEATHER L	0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPLY SALE TO: REVISION#: 0 - OR - MULT PINS  BLOCK NAME:  DONE:  NO  YES

XMT NEXT BACK

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WATER RESOURCES DEPT  
SALEM, OREGON

TL 7908 P2/3



After recording return to:  
Craig M. Duncan and Heather L.  
Duncan  
23495 Hyland Drive  
Newberg, OR 97132

Until a change is requested all tax statements  
shall be sent to the following address:  
Craig M. Duncan and Heather L.  
Duncan  
23495 Hyland Drive  
Newberg, OR 97132

File No.: 1032-577321 (JLW)  
Date: May 17, 2005

THIS SPACE RESERVED FOR RECORDER'S USE

**RECEIVED**

**MAR 27 2006**

WATER RESOURCES DEPT  
SALEM, OREGON

200510749

\$31.00

05/25/2005 01:36:10 PM

DMR-DDMR Cnt=1 Stn=2 ANITA  
\$10.00 \$10.00 \$11.00

OFFICIAL YAMHILL COUNTY RECORDS  
JAN COLEMAN, COUNTY CLERK



00200315200500107490020028

**STATUTORY WARRANTY DEED**

**Charlesworth Construction Inc.,** Grantor, conveys and warrants to **Craig M. Duncan and Heather L. Duncan as tenants by the entirety,** Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**Lot 2, HYLAND ACRES, Yamhill County, Oregon.**

**TOGETHER WITH a 40 foot access and utilites easement as disclosed on the recorded plat.**

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

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.

The true consideration for this conveyance is **\$365,900.00.** (Here comply with requirements of ORS 93.030)

NORTHWEST TITLE COMPANY 577321

TL 7908 P3/3

APN: 527404

Statutory Warranty Deed  
- continued

File No.: 1032-577321 (JLW)  
Date: 05/17/2005

Dated this 17th day of May, 2005.

Charlesworth Construction Inc.

Edwin L. Charlesworth

By: Edwin L. Charlesworth, President

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WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF Oregon )  
County of Yamhill ) ss.

This instrument was acknowledged before me on this 17th day of May, 2005 by Edwin L. Charlesworth as President of Charlesworth Construction Inc., on behalf of the .

Janet L. Winder

Janet L. Winder  
Notary Public for Oregon  
My commission expires: 5/6/09





YAMHILL COUNTY

Tax Lot 7900

REAL PROPERTY SALES ENTRY  
MULTIPLE ACCT SALE

P. 1/2

PIN #: R3324 07900

001 ACCOUNT #: 76376

PCA: 4013 STAT: 141 NEIGHBORHOOD: RL33 LEVY CODE(S): 29.4

A/C/D INSTRUMENT YEAR/NBR: 1997 10328

RECORDED DATE: 06261997

INSTRUMENT: PT VOL: P97 PAGE: 47

SALE DATE: 06261997

CONSIDERATION: COURT DEC:

PROCESS DATE: 07161997

SALES PRICE: 0 SETTLEMENT:

QUAL. CODE: 14  BARE LAND SALE

SALE INCLUDES

NAME: COMPTON GLENN & MARIE

BILLING ADDRESS: 23805 NE DUNBERG LOOP

NEWBERG OR

BILL 97132 - 0000

A/C/D	PARTIES	O/B	TO	GRTR	GTEE
	COMPTON GLENN & MARIE		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	COMPTON GLENN & MARIE	0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPLY SALE TO: REVISION#: 0 - OR - MULT PINS  BLOCK NAME:  DONE:  NO  YES

ENT NEXT BACK

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

Tax Lot 7700 P.2/2

PARTITION 97-47

GLENN & MARIE COMPTON  
JERRY COMPTON

For:

Docket No. V-9-94/P-21-94

Location: IN THE E 1/2 OF SECTION 24,  
T 3 S, R 3 W, W.M., YAMHILL  
DAVID RAMSEY DLC No. #59,  
COUNTY, OREGON

Tax Lot: 3324-7900

Date: May 2, 1997

SURVEY NARRATIVE

This survey was performed for the partition of the tract of land as shown. The east line of the property was used as the Basis of Bearings and the survey made by Tom Burton in June 1979 (C.S.P. 7381) was retraced for the boundary of the property.

DECLARATION

KNOW ALL MEN BY THESE PRESENTS that we GLENN and MARIE COMPTON are the owners of the lands represented on the attached map, and have caused said lands to be partitioned into the 2 parcels and easements as shown.

In addition, there are no water rights appurtenant to the lands represented by this partition.

Glenn Compton  
Glenn Compton  
Marie Compton  
Marie Compton

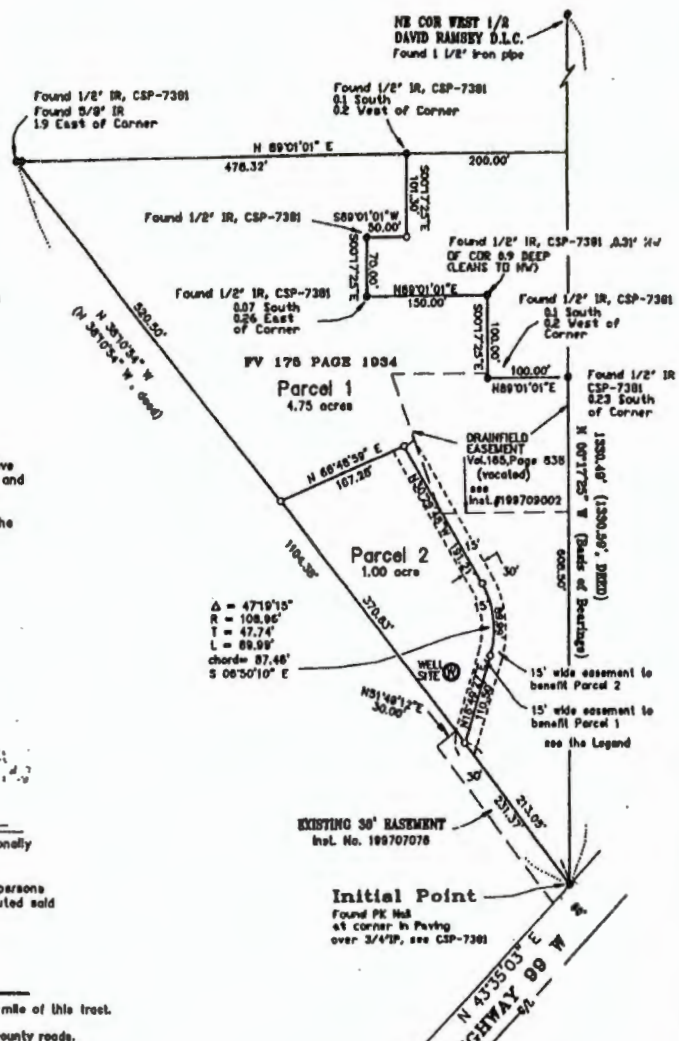
ACKNOWLEDGMENT

STATE OF OREGON  
COUNTY OF YAMHILL

On this day the 2nd of June 1997, did personally appear GLENN and MARIE COMPTON in the capacity shown in the above declaration, who being duly sworn, did say that they are the identical persons named in the foregoing instrument and that they executed said instrument freely and voluntarily.

Notes

- 1) There are no NGS stations within 1/2 mile of this tract.
2) All parcels have legal access to the county roads.
3) This partition does not guarantee the issuance of a residential building permit for either parcel. Prior to issuance of residential development permits for the parcels, the applicable provisions of the Yamhill County Zoning Ordinance must be satisfied.
4) No city owned or privately owned sewage disposal system, alternate treatment facility or approved septic site will be provided to the purchaser of any parcel unless otherwise noted.
5) No municipal, public utility, community water supply or private well system will be provided to the purchaser of any parcel unless otherwise noted.
6) Property boundary data used for this partition is based upon survey CSP 7381.



Legend

- = monument found, flush to 0.2' down, in good condition unless otherwise stated. Origin stated if known.
○ = set 5/8" iron rod with yellow plastic cap marked "HOSKINS PLS 1852"
(---) = date of record
- - - - - = existing easement
- · - · - · = access & utilities easement created by this plat over along existing driveway

APPROVALS:

Yamhill County Planning Director

Pursuant to O.R.S. 92.095. Taxes have been paid or bond posted to this date.

June 30, 1997  
Julia Hoigas 6-25-97  
Yamhill County Tax Collector

William A. Felt  
Yamhill County Engineer

SURVEYOR'S CERTIFICATE

I, John R. Hoskins, do hereby certify that I have correctly surveyed and marked with proper monuments the land hereon shown, the boundary of which is described as follows:

Beginning at an 3/4" iron pipe of the intersection of the East line of the West 1/2 of the David Ramsey D.L.C. in Township 3 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, and the North margin of U.S. 90W, from which point a 1 1/2" iron pipe at the Northeast corner of the West 1/2 of said claim bears North 01°25' West 1330.59 feet; thence North 38°10'54" West 1104.38 feet to an iron rod on the south line of a tract described in Film Volume 107, Page 384; thence North 89°01'01" East 478.32 feet to an iron rod; thence South 01°25' East 101.30 feet to an iron rod; thence South 89°01'01" West 50.00 feet to an iron rod; thence South 01°25' East 70.00 feet to an iron rod; thence North 89°01'01" East 150.00 feet to an iron rod; thence South 00°17'25" East 100.00 feet to an iron rod; thence North 89°01'01" East 100.00 feet to an iron rod; thence South 01°25' East 608.50 feet to an iron pipe and the point of beginning.

John R. Hoskins  
John R. Hoskins, Oregon PLS 1852  
11400 NE Dudley Road  
Newberg, Or 97132  
Phone: 503 538 7778

REGISTERED PROFESSIONAL LAND SURVEYOR  
JOHN R. HOSKINS  
1852  
Expires Jan 30, 1997

Scale: 1" = 100'

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WATER RESOURCES DEPT SALEM, OREGON

Hiland Water Corp.  
Docket C-13-04  
Page 5


To: Cory Engel  
From: JEB  
7/25/05

**DECISION:**

Based upon the above findings and conclusions, the request by the Hiland Water Corp. for conditional use approval for a community water system to serve the six (6) properties identified as Tax Lots 3324-7905, 7902, 7903, 7904, 6802 and 6803, is hereby approved, with the following conditions:

1. The water system shall only serve Tax Lots 3324-7905, 7902, 7903, 7904, 6802 and 6803, without further land use approval.
2. All water lines shall be installed in ground and the applicant shall obtain a permit from the Public Works Department if any of the pipelines cross the dedicated right of way.
3. All required Health Department, building, electrical and development permits for the water system shall be obtained and inspections completed prior to use of the water system.
4. A water right for the installed well shall be obtained from Oregon Department of Water Resources.
5. Modification of any of the above conditions requires approval under Section 1202.05 of the Yamhill County Zoning Ordinance. Violation of any of the above conditions may result in revocation of the conditional use permit with the process detailed in Section 1202.07 and 1202.08 of the Yamhill County Zoning Ordinance.

DATED AND SIGNED this 14<sup>th</sup> day of July, 2004, at McMinnville, Oregon.



Michael Brandt, Planning Director  
Yamhill County Planning and Development

MB:rcj

from App G-16249

Application 9-16645

WATER LINE EASEMENTS

FAX'd to Mr. Olson  
8-25-2006

**LEGAL DESCRIPTION**

Water line Easement  
Tax Lot 7908 (Lot 2, Hyland Acres)  
Yamhill County Tax Lot Map 3S, 3W, Section 24 (3324)

A strip of land 15 feet wide in Lot 2 of Hyland Acres subdivision, located in the NE ¼ of Section 24 Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southwesterly boundary line of said Lot 2, from which a 5/8" iron rod marking the most southerly corner of said Lot 2, bears S35°59'32" W, 7.5 feet; thence following said waterline and parallel to the southeasterly boundary line of said Lot 2, N47°25'56" E, 289.2 feet; thence N28°12'25"E, 129.04 feet to a point on the northeasterly boundary line of said Lot 2, from which a 5/8" iron rod marking the most easterly corner of said Lot 2 bears S38°10'54"E, 50.2 feet.

**LEGAL DESCRIPTION**

Water line Easement  
Tax Lot 7900 (Compton)  
Yamhill County Tax Lot Map 3S, 3W, Section 24 (3324)

A strip of land 15 feet wide in the East ½ of Section 24, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southwesterly boundary line of Parcel 1, as shown on Yamhill County Partition Plat 97-47, from which a ½" iron rod marking the northwest corner of said Parcel 1, bears N38°10'59" W, 248.0 feet; thence following said waterline, N28°12'25" E, 226.24 feet to a point on the north boundary line of said Parcel 1, said ½" iron rod marking the northwest corner of Parcel 1 bears S89°01'33" W, 260.29 feet.

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WATER RESOURCES DEPT  
SALEM, OREGON

**LEGAL DESCRIPTION**

Water line Easement  
Tax Lot 1500 (Cox)  
Yamhill County Tax Lot Map 3S, 3W, Section 24AD (3324AD)

A strip of land 15 feet wide in the West half of the Donation Land Claim of David Ramsey and Susan Ramsey in Township 3 South, Range 3 West of the Willamette Meridian and Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southerly boundary line of that parcel of land described in Film Volume 200, Page 0534, dated Jan 10, 1986 in Yamhill County Deed Records, from which a 5/8" iron rod marking the southwest corner of said parcel, bears S89°01'33" W, 113.56 feet; thence following said waterline, N28°12'25" E, 226.24 feet; thence N44°03'28"E, 165.37 feet; thence N89°28'49"E, 231.35 feet to a point on the East boundary line of said Parcel, from which a 1½" iron pipe marking the northeast corner of said parcel and the Northeast corner of the West of said Donation Land Claim bears N00°17'46" W, 206.17 feet.

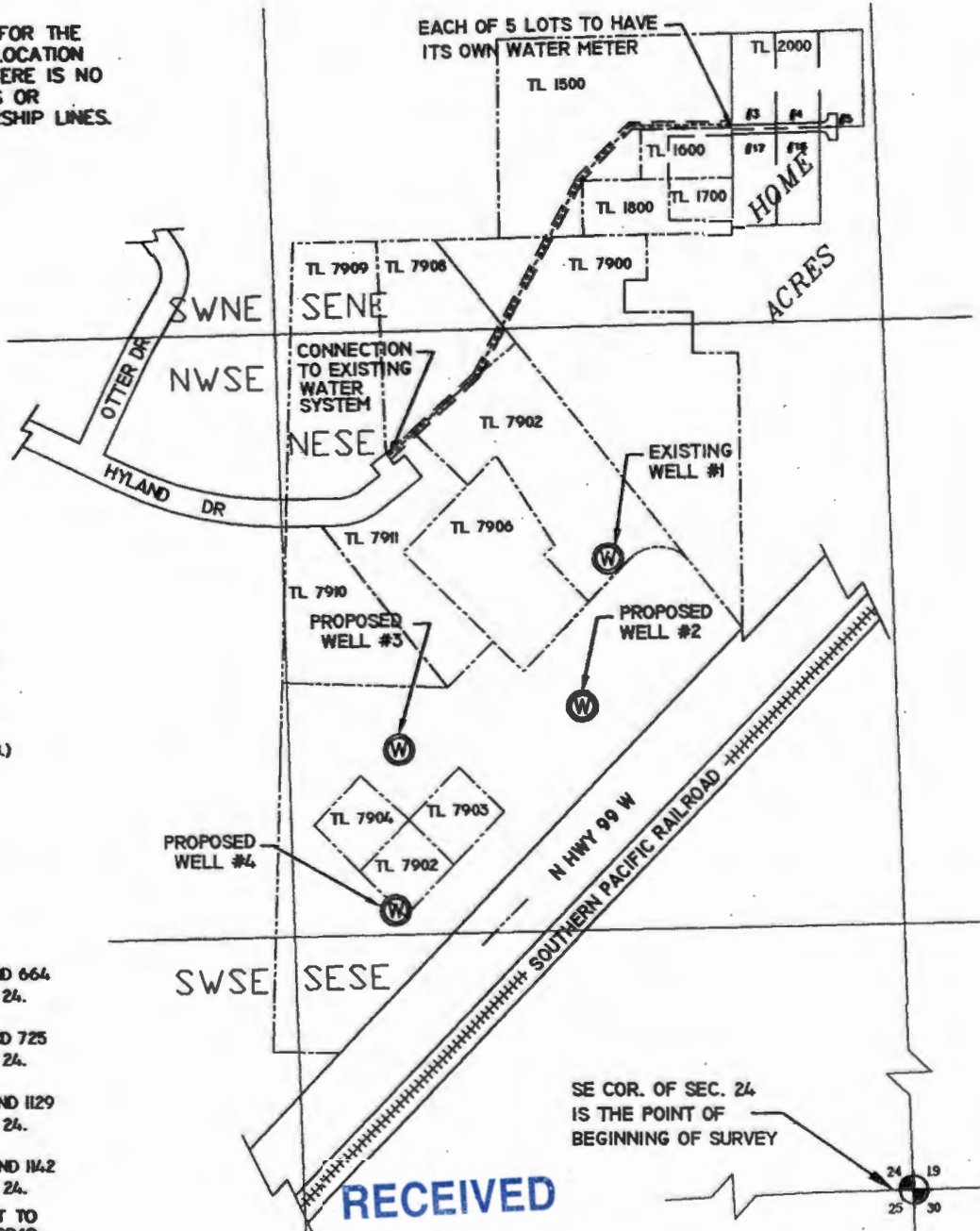
# WATER USE PERMIT APPLICATION MAP

SE 1/4, NE 1/4 AND NE 1/4 SECTION 24, T3S, R3W, W.M.  
YAMHILL COUNTY, OREGON

IN THE NAME OF  
MIKE WILTSHIRE  
FOR  
QUASI-MUNICIPAL USE  
FROM WELLS IN THE  
WILLAMETTE RIVER BASIN

SCALE: 1"=400'

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



- PLACE OF USE
- - - PROPERTY LINE
- - - EASEMENT
- - - SURVEY LINE
- - - WATER LINE (P.O.U.)
- - - USGS GRID
- +++++ RAILROAD
- (W) WELL (P.O.D.)

**NOTES:**

WELL #1 IS 2136 FEET NORTH AND 664 FEET WEST OF THE SE COR SEC 24.

WELL #2 IS 1812 FEET NORTH AND 725 FEET WEST OF THE SE COR SEC 24.

WELL #3 IS 1724 FEET NORTH AND 1129 FEET WEST OF THE SE COR SEC 24.

WELL #4 IS 1373 FEET NORTH AND 1142 FEET WEST OF THE SE COR SEC 24.

ALL FOUR WELLS ALSO SUBJECT TO WATER RIGHT APPLICATION G-16249, PERMIT G-16027

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JUN 13 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

**WILTSHIRE WATER RIGHT**

FILE PATH & NAME: J31D:WILTSHIRE\_WR\_PA\_031406

Application G-16645

March 24, 2006

Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

**Re: Connection to Hiland Water Corporation Water System**

My name is Melvin Olson. I am the <sup>President (MO)</sup> ~~owner~~ of the Hiland Water Corporation.

Our Wyland Division currently supplies water to the Far West Development Corporation pursuant to their water use permit G-16027 (Application G-16249).

Mike Wiltshire proposes to submit a water right application to the Oregon Water Resources Department to serve five (5) residences.

Subject to terms that we have agreed upon, <sup>(see attached) (MO)</sup> Mr. Wiltshire has my permission to:

1. Connect to <sup>the</sup> ~~my~~ water system described above; and
2. Use water from <sup>the</sup> ~~my~~ water system.

Sincerely,

*Melvin Olson*

Melvin Olson

3-24-06

(Date)

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JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645



# Oregon Water Resources Department Land Use Information Form

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

### To Be Completed By Applicant

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

#### A. Applicant

Name: Mike Wiltshire  
Address: 32049 NE Corral Creek  
City: Newberg State: OR Zip: 97132 Day Phone: 503 537 9584

#### B. Land and Location

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

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)	Proposed Land Use
7908	VLDR 2.5	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	No use of water
7900	VLDR 1	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	No use of water
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
1500	VLDR 2.5	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	No use of water
2000	VLDR 1	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Residential (5 homes)
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

Yamhill Co.  
Tax Lot Map  
3S 3W Sec24  
3324AD ---  
3219CB →

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

#### C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.  
 Water Use Permit  Water Right Transfer  Allocation of Conserved Water  Exchange

Indicate the intended use of water and describe the key characteristics of the project.  
 Commercial  Industrial  Instream  Irrigation  
 Municipal  Quasi-municipal  Domestic (indicate number of households) \_\_\_\_\_  
 Other \_\_\_\_\_

Briefly describe: One well is constructed. We are connecting to an existing water system owned by Hiland Water Corporation and piping water to 5 proposed residences. There will be irrigation of landscaping, lawns and gardens for each residence.  
Indicate the source of the water to be used.

Reservoir/Pond  Ground Water  Surface Water \_\_\_\_\_

Indicate the estimated quantity of water the use will require: 60  CFS  GPM  Acre-Feet

Last revised: 04/06/04

### Receipt for Request for Land Use Information

State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
(503) 986-0900

RECEIVED

JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645

**For Local Government Use Only**

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

**A. Allowed Use**

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_ Go to section B "Approval" below.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
Use of water on	Docket	<input checked="" type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
3219CB-2000 approval	C-28-05	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued

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

**B. Approval**

Please provide printed name and written signature.

Name: Kenneth P. Friday Date: 3/24/06  
 Title: Planning Manager Phone: 503 434-7516  
 Signature: [Handwritten Signature]

**C. Additional Comments**

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

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

**RECEIVED**  
**JUN 13 2007**  
 WATER RESOURCES DEPT  
 SALEM, OREGON

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

**Receipt for Request for Land Use Information**

Name of applicant: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

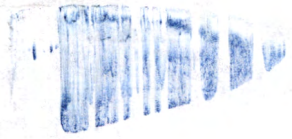
City or County: \_\_\_\_\_

Staff contact: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Application G-16645





REVISED

# Yamhill County

## DEPARTMENT OF PLANNING AND DEVELOPMENT

401 NE EVANS STREET • McMinnville, Oregon 97128

Phone:(503) 434-7516 • Fax:(503) 434-7544 • Internet Address: <http://www.co.yamhill.or.us/plan/>

January 31, 2006

*Conditional Use Permit*

*Page 1/6*

Mike Wiltshire  
32049 NE Corral Creek Rd.  
Newberg, Oregon 97132

Re: **Docket No. C-28-05**  
**Tax Lot 3219CB-2000**

**RECEIVED**

**JUN 13 2007**

WATER RESOURCES DEPT  
SALEM, OREGON

Dear Mr. Wiltshire:

In reference to your application for conditional use approval to allow connection of five lots to the Hiland Community Water System, the planning staff has reviewed your application and finds that it complies with the requirements of the Yamhill County Zoning Ordinance. Your application has been approved with the following conditions:

1. The water system connection shall serve only lots 3-5, 16 and 17 of the Home Acres subdivision, identified as Tax Lot 3219CB-2000, without further land use approval.
2. All water lines shall be installed in ground and the applicant shall obtain a permit from the Public Works Department if any of the pipelines cross the dedicated right of way.
3. All required Health Department, building, electrical and development permits for the water system shall be obtained and inspections completed prior to use of the water system.
4. A water right for the connection to Hiland Water System shall be obtained from Oregon Department of Water Resources.
5. Modification of any of the above conditions requires approval under Section 1202.05 of the Yamhill County Zoning Ordinance. Violation of any of the above conditions may result in revocation of the conditional use permit with the process detailed in Section 1202.07 and 1202.08 of the Yamhill County Zoning Ordinance.

This decision is based on findings and conclusions as contained in the staff report. This approval shall expire two years from the date of this letter unless construction or the use has been initiated.

*Application G-16645*

Mike Wiltshire  
Docket C-28-05  
Page 2

CUP P. 2/6

The Yamhill County Zoning Ordinance provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a \$250.00 fee, with this department no later than **5:00 p.m., February 15, 2006**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

Additionally, our office received comments from Donald and Doris Cooke, who are property owners to the northwest. They expressed concern about whether your proposed water line would cross and damage the Sunny Acres water line. We would encourage you to contact them so they can help to identify the location of the existing water line. We were not left with a phone contact, but they can be reached at the following address:

Donald and Doris Cooke  
23720 NE Sunnycrest Road  
Newberg, Oregon 97132

If you have any questions, please contact this office.

Sincerely,

Michael Brandt  
Planning Director

MB:kw

cc: Board of Commissioners  
Legal Counsel  
Assessor  
SPOs  
Public Works

Donald and Doris Cooke, 23720 NE Sunnycrest Rd., Newberg, Oregon 97132

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JUN 13 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645

**STAFF REPORT**  
**YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

---

**DATE:** January 18, 2006 CUP P 3/6

**DOCKET:** C-28-05

**REQUEST:** Conditional use approval to allow the connection of five lots to Hiland Community Water System.

**APPLICANT:** Mike Wiltshire

**TAX LOTS:** 3219CB-2000

**LOCATION:** On the north side of Home Acres Road, and approximately 765 feet north and west of the intersection of North Highway 99 West and Home Acres Road.

**ZONE:** VLDR-1 Very Low Density Residential

**CRITERIA:** Sections 502.03 (E) and 1202.02 of the Yamhill County Zoning Ordinance

**COMMENTS:** *Yamhill County Sanitarian* - Site evaluations not approved due to limited room available on each lot outside 100' well setbacks. Decommissioning wells and using a community water system should alleviate this issue. Proposed drainfield locations still needed for septic approval.  
*ODOT* - The applicant will need to access property off county or city street if possible. If access must be off a state highway, apply and obtain an access permit. One access shall serve the total property. Applicant will need to perform all requirements of the permit.  
*Donald and Doris Cooke, 23720 NE Sunnycrest Rd., Newberg, Oregon 97132*  
We are the owners of the property adjoining the parcel that is being developed in Home Acres. We have a lot of concern about the map that shows the road, Hurley Lane, which is on the 3.7 acres that is ours. The map doesn't show that Sunny Acres water line runs along the frontage of this development. We would like to have answers on these questions, as it affects the residence of Home Acres.

**FINDINGS:**

**A. Background Facts**

1. *Area Size:* 2.88 acres serving five properties identified as Lots 3-5, 16 and 17 of Home Acres Subdivision, consisting of Tax Lot # 3219CB-2000.
2. *Access:* Hurleys Lane, Home Acres Road, and private drives.

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WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645

CUP P. 4/6

3. *On-site Land Use:* The subject property is 2.88 acres, and is zoned VLDR-1 Very Low Density Residential. The land is currently undeveloped.
4. *Surrounding Land Use and Zoning:* The surrounding properties are in rural residential use and agricultural use. The parcel is bordered to the east, south and southwest by land zoned VLDR-1. It is bordered on the northwest by the VLDR-2.5 zone. The land to the north is zoned AF-10. While the VLDR zones are clearly in residential use, the AF-10 zoned property to the north is forested and partially overlapped by the Chehalem Creek floodplain.
5. *Commentary:* The tax lot contains five parcels that are part of the Home Acres Subdivision. In the VLDR zone, those lots can be developed with a single-family dwelling, provided that they can be served with water and sewer.

**B. Ordinance Provisions and Analysis**

1. Section 502.03 (E) of the Yamhill County Zoning Ordinance (YCZO) lists as a conditional use: *Community or municipal water-supply system, except within acknowledged service boundaries.*
2. The conditional use criteria are found in YCZO Section 1202.02, as follows:
  - (A) *The use is listed as a conditional use in the underlying zoning district;*
  - (B) *The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;*
  - (C) *The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements, and natural features.*
  - (D) *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district.*
  - (E) *The proposed use is appropriate, considering the adequacy of the public facilities and services existing or planned for the area affected; and*
  - (F) *The use is or can be made compatible with existing uses and other allowable uses in the area.*

Application G-16645

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WATER RESOURCES DEPT  
SALEM, OREGON

CUP P. 5/6

3. The request is consistent with criterion (A) above in that the proposed connection to a community water system is listed as a conditional use in Section 502.03 (E) of the Yamhill County Zoning Ordinance.
4. Regarding criterion (B), the applicant states that the proposed connection to Hiland Community Water System will ultimately serve future dwellings on the tract. Yamhill County goals and policies provide standards or criteria for review only of such utility facilities which will acquire right-of-way for utility lines. The pipeline will be underground and will require permit approval. This will be made a condition of any approval. With this condition the request will comply with criterion (B).
5. The tax lot consists of five (5) lots. The water system is designed to extend service to these lots. Furthermore, the water system connection will have no negative effect upon this lot or the surrounding lots, some of which are already developed with residences. The size, shape and other physical features of the tract are suitable for the proposed use. The request complies with criterion (C).
6. Regarding criteria (D) and (F), the surrounding property owners were properly notified and a notice was published in a newspaper. Only one response of concern was received (see response in file). There were no other surrounding property owner comments voiced to the proposed development. The notices were also sent out to other interested jurisdictions. The proposed water system connection should not alter the character of the surrounding area in a manner that limits or prevents the permitted uses in the zone.
7. Regarding criterion (E) above, the only facilities required for this use will be electrical service and street access for occasional maintenance. The proposed use will not require any additional public services beyond those already serving the properties.

**CONCLUSIONS:**

1. This request is for conditional use approval to allow the connection to Hiland Community Water System to serve five lots of the Home Acres subdivision identified as Tax Lot 3219CB-2000, and to secure water rights.
2. With conditions the request satisfies Section 1202.02 of the Yamhill County Zoning Ordinance.

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WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645

**DECISION:**

Based upon the above findings and conclusions, the request by Mike Wiltshire for conditional use approval to allow the connection to Hiland Community Water System to serve five lots of the Home Acres subdivision identified as Tax Lot 3219CB-2000, and to secure water rights, is hereby approved, with the following conditions:

1. The water system connection shall serve only lots 3-5, 16 and 17 of the Home Acres subdivision, identified as Tax Lot 3219CB-2000, without further land use approval.
2. All water lines shall be installed in ground and the applicant shall obtain a permit from the Public Works Department if any of the pipelines cross the dedicated right of way.
3. All required Health Department, building, electrical and development permits for the water system shall be obtained and inspections completed prior to use of the water system.
4. A water right for the connection to Hiland Water System shall be obtained from Oregon Department of Water Resources.
5. Modification of any of the above conditions requires approval under Section 1202.05 of the Yamhill County Zoning Ordinance. Violation of any of the above conditions may result in revocation of the conditional use permit with the process detailed in Section 1202.07 and 1202.08 of the Yamhill County Zoning Ordinance.

DATED AND SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2006, at McMinnville, Oregon.

\_\_\_\_\_  
Michael Brandt, Planning Director  
Yamhill County Planning and Development

MB:kw

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WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645

Hiland Water Corporation  
PO Box 699  
Newberg, OR 97132

Ph. 503-554-8333  
Fax 503-554-9215

To: Home Acres Lots  
Attn: Mike Wiltshire & Ron Manning  
32049 NE Corral Creek Rd.  
Newberg, OR 97132

Re: Requested guaranty of water service for Home Acres Lots

Hiland Water Corporation is able to and will provide water service to the five lots referred to as "Home Acres Lots" with the following conditions:

1. Construction of the water system will be made to the specifications of Hiland Water Corporation
2. Construction of the water system will be made by a contractor for hookup and connection
3. Mike Wiltshire and Ron Manning will pay for all costs related to construction of the water system
4. Construction costs may include, but are not limited to:
  - Construction contractor
  - Parts and materials
  - Engineering
  - Inspection by Hiland certified water operator
5. Before construction begins, contractor(s) involved in extending the water line to the Home Acres Lots is required to have a pre-construction meeting with Hiland's certified water operator, Melvin Olson.
6. Inspection of the water line must take place before the line is covered, and can be arranged by calling the Hiland office at least 24 hours in advance.
7. ~~Hiland Water Corp. will assume the responsibility to obtain a water right to the lots in exchange for \$3,000 from Mike Wiltshire and Ron Manning~~
8. A connection fee of \$30.00 must be paid to Hiland Water and all billing information received by Hiland Water, either by phone or fax, for each meter before service will begin.

Please acknowledge receipt to this letter and return a signed copy to us. Attached are the specifications required for water main and service construction.

Melvin Olson, President

Signed: 

Date 11/7/05

Application G-16645

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WATER RESOURCES DEPT  
SALEM, OREGON



# WATER LINE EASEMENTS

## LEGAL DESCRIPTION

Water line Easement  
Tax Lot 7908 (Lot 2, Hyland Acres)  
Yamhill County Tax Lot Map 3S, 3W, Section 24 (3324)

A strip of land 15 feet wide in Lot 2 of Hyland Acres subdivision, located in the NE ¼ of Section 24 Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southwesterly boundary line of said Lot 2, from which a 5/8" iron rod marking the most southerly corner of said Lot 2, bears S35°59'32" W, 7.5 feet; thence following said waterline and parallel to the southeasterly boundary line of said Lot 2, N47°25'56" E, 289.2 feet; thence N28°12'25"E, 129.04 feet to a point on the northeasterly boundary line of said Lot 2, from which a 5/8" iron rod marking the most easterly corner of said Lot 2 bears S38°10'54"E, 50.2 feet.

## LEGAL DESCRIPTION

Water line Easement  
Tax Lot 7900 (Compton)  
Yamhill County Tax Lot Map 3S, 3W, Section 24 (3324)

A strip of land 15 feet wide in the East ½ of Section 24, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southwesterly boundary line of Parcel 1, as shown on Yamhill County Partition Plat 97-47, from which a ½" iron rod marking the northwest corner of said Parcel 1, bears N38°10'59" W, 248.0 feet; thence following said waterline, N28°12'25" E, 226.24 feet to a point on the north boundary line of said Parcel 1, said ½" iron rod marking the northwest corner of Parcel 1 bears S89°01'33" W, 260.29 feet.

## LEGAL DESCRIPTION

Water line Easement  
Tax Lot 1500 (Cox)  
Yamhill County Tax Lot Map 3S, 3W, Section 24AD (3324AD)

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WATER RESOURCES DEPT  
SALEM, OREGON

A strip of land 15 feet wide in the West half of the Donation Land Claim of David Ramsey and Susan Ramsey in Township 3 South, Range 3 West of the Willamette Meridian and Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southerly boundary line of that parcel of land described in Film Volume 200, Page 0534, dated Jan 10, 1986 in Yamhill County Deed Records, from which a 5/8" iron rod marking the southwest corner of said parcel, bears S89°01'33" W, 113.56 feet; thence following said waterline, N28°12'25" E, 226.24 feet; thence N44°03'28"E, 165.37 feet; thence N89°28'49"E, 231.35 feet to a point on the East boundary line of said Parcel, from which a 1½" iron pipe marking the northeast corner of said parcel and the Northeast corner of the West of said Donation Land Claim bears N00°17'46" W, 206.17 feet.

Application G-16645



# 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 1, 2007

John Borden Sole Prop.  
5597 River Street  
West Linn, Oregon 97068-3238

*Kerry -  
These from Appl G-16249  
Permit G-16027*

Reference: Application G-16249, Permit G-16027

The assignment from Far West Development Corp. by Mike Willcutts to Hiland Water Corporation, 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 86057 covering the recording fee of \$25.00 is also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Receipt 86057

cc: Watermaster 16

Far West Development Corp. attn: Mike Willcutts  
Hiland Water Corporation attn: Melvin Olson  
Data Center, OWRD  
Water Availability  
File

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**JUN 13 2007**

WATER RESOURCES DEPT  
SALEM, OREGON

*Application G-16645*



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

Original mailed to  
Mr. Olson 2-8-2007

# Request for Assignment

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

I, Mike Willcutts, representing Far West Development Corporation  
(Name of Applicant / Permit / Transfer Holder)

PO Box 490, Newberg OR 97132 503-550-4800  
(Mailing address) (City) (State) (Zip) (Phone #)

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

...hereby assign all my interest in and to a portion of application/permit/transfer;  
(You must include a map showing the portion of the application/permit to be assigned.)

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

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FEB 01 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Application # G-16249, Permit # G-16027; Transfer # \_\_\_\_\_

-OR-

GR Statement # \_\_\_\_\_, GR Certificate of Registration # \_\_\_\_\_

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

Hiland Water Corporation, PO box 699, Newberg, OR 97132  
(Name of New Owner) ATTN: Melvin Olson

OR 503-554-8333 (work & home)  
(Mailing address) (City) (State) (Zip) (Phone #) 503-948-2010 (page)

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

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

Witness my hand this 30 day of January, 2007

Applicant/Permit holder \_\_\_\_\_

MICHAEL R WILL CUTTS FAR WEST DEVELOPMENT CORP.  
SEA TREES.

Applicant/Permit holder \_\_\_\_\_

**DO NOT WRITE IN THIS BOX**

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 86057
- For Director by Jerry Sauter, Program Analyst in Water Rights Division Jerry Sauter

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

- \$25 for the first page, and
  - \$5 for each additional page.
- [as required by ORS 536.050(1)(d)]

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WATER RESOURCES DEPT  
SALEM, OREGON

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OVER THE COUNTER

Application G-16645

AGREEMENT TO SUPPLY WATER

This agreement to supply water is between the Far West Development Corporation (Far West) and the Hiland Water Corporation (Hiland) and is intended to clarify the attached Request for Assignment signed by Far West and submitted by Hiland to the Oregon Water Resources Department (WRD).

Notwithstanding the Assignment, Hiland agrees to supply water to Far West for any and all lawful quasi-municipal and irrigation uses on the Place of Use (POU) described in the map that accompanied the approved Application for Permit G-16027.

This is an agreement to supply water only. This agreement does not cover the cost of construction and maintenance of water facilities necessary to supply water, nor does it cover water rates that may be charged by Hiland to supply water to customers. Hiland will be entitled to reasonable compensation for the construction and maintenance of water facilities in the future and may charge reasonable rates for the supply of water to customers.

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FEB 01 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Far West Development Corporation

Hiland Water Corporation

  
\_\_\_\_\_  
MICHAEL R. WILSON (Representative)  
Sec/Treas

  
\_\_\_\_\_  
Melvin Olson Pres.  
(Representative)

1-30-07  
(Date)

1-11-07  
(Date)

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WATER RESOURCES DEPT  
SALEM, OREGON

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OVER THE COUNTER

Application G-16645

John Borden

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FAR WEST DEVELOPMENT CORP  
PO BOX 490  
NEWBERG, OR 97132

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

APPLICATION FILE NUMBER: G-16249

SOURCE OF WATER: WELLS 1, 2, 3, AND 4 IN HARVEY CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 26.01 ACRES AND QUASI-MUNICIPAL USE

MAXIMUM RATE: IRRIGATION: 0.33 CUBIC FEET PER SECOND (CFS)

QUASI-MUNICIPAL USE: 0.13 CFS; FURTHER LIMITED TO 16,500 GALLONS PER DAY

PERIOD OF USE: IRRIGATION: MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR

QUASI-MUNICIPAL USE: YEAR ROUND

DATE OF PRIORITY: MAY 14, 2004

WELL LOCATIONS:

- WELL 1: 2136 FEET NORTH & 664 FEET WEST
- WELL 2: 1812 FEET NORTH & 725 FEET WEST
- WELL 3: 1724 FEET NORTH & 1129 FEET WEST
- WELL 4: 1373 FEET NORTH & 1142 FEET WEST

ALL FROM THE SE CORNER OF SECTION 24, BEING WITHIN THE NE ¼ SE ¼ SECTION 24, T3S, R3W, W.M. 1859

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 and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.



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WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE ¼ NE ¼ 0.72 ACRE IRRIGATION & QUASI-MUNICIPAL USE  
 NE ¼ SE ¼ 10.79 ACRES IRRIGATION & QUASI-MUNICIPAL USE  
 NW ¼ SE ¼ 5.26 ACRES IRRIGATION & QUASI-MUNICIPAL USE  
 SW ¼ SE ¼ 8.32 ACRES IRRIGATION & QUASI-MUNICIPAL USE  
 SE ¼ SE ¼ 0.92 ACRE IRRIGATION & QUASI-MUNICIPAL USE

SECTION 24

TOWNSHIP 3 SOUTH, RANGE 3 WEST, 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
  - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
- (a) An average water level decline of three or more feet per year for five consecutive years; or
  - (b) A total water level decline of fifteen or more feet; or
  - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.

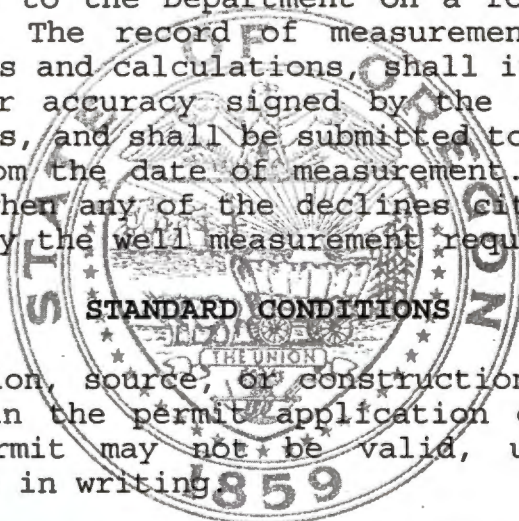
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WATER RESOURCES DEPT  
SALES SECTION

Application G-16645

- (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
- (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
- (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).



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

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

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WATER RESOURCES DEPT  
STATE OF OREGON

Application G-16249

Water Resources Department

PERMIT G-16027

Application G-16645

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.

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

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

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.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2010. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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WATER RESOURCES DEPT  
SALEM, OREGON

*Application G-16645*



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

Issued March 2, 2006

*E. Timothy Ward*

Phillip C. Ward, Director *for*  
Water Resources Department



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JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16249  
Basin 2

Water Resources Department  
Volume 18 OTTER CR & MISC

PERMIT G-16027  
16

*Application G-16645*

# T2S. R3W., W.M. -- SECTION 24

FAR WEST DEVELOPMENT CORPORATION

23429 N. HIGHWAY 99W  
NEWBERG, OREGON 97132

P.O.U. - PLACE OF IRRIGATION USE  
WATER USE ACREAGE

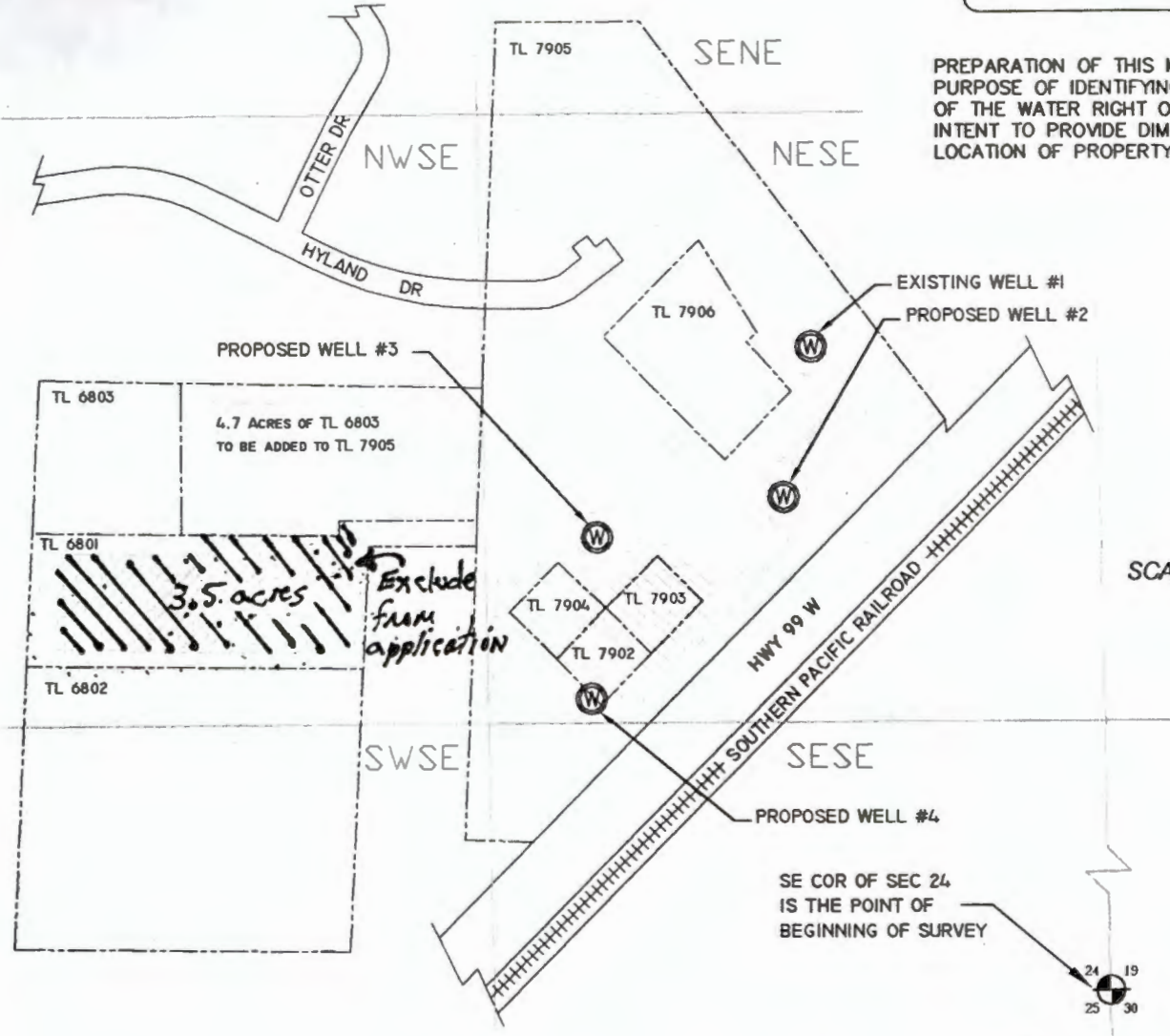
## LEGEND

- PROPERTY LINE
- USGS GRID
- +++++ RAILROAD
- (W) WELL (P.O.D.)
- IRRIGATION AREA (P.O.U.)

NE 1/4 SE 1/4	- 10.79 AC
NW 1/4 SE 1/4	- <del>8.72</del> AC
SE 1/4 SE 1/4	- 0.92 AC
SW 1/4 SE 1/4	- 8.32 AC
SE 1/4 NE 1/4	- 0.72 AC
<b>TOTAL</b>	<b>= 29.47 AC</b>

5.26

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



SCALE: 1"=400'

### NOTES:

- WELL #1 IS 2136 FEET NORTH AND 664 FEET WEST OF THE SE COR SEC 24.
- WELL #2 IS 1812 FEET NORTH AND 725 FEET WEST OF THE SE COR SEC 24.
- WELL #3 IS 1724 FEET NORTH AND 1129 FEET WEST OF THE SE COR SEC 24.
- WELL #4 IS 1373 FEET NORTH AND 1142 FEET WEST OF THE SE COR SEC 24.

## FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE UNDER

Application No. X-XXXXX, Permit No. X-XXXXX  
In The Name Of  
FAR WEST DEVELOPMENT CORPORATION  
for

Quasi-Municipal Use and  
Irrigation from wells in the Willamette River Watershed  
Surveyed XDATEXX, by John E. Borden

**RECEIVED**

JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

**HYLAND WATER RIGHT**

FILE PATH & NAME: J2[D:\Coyote-Willcuts\Hyland\HYLAND\_WR\_2000\_5\_5\_04

Application G-16645



Northwest Title Company

6444

THIS SPACE RESERVED FOR RECORDER'S USE

TL-6803  
4.7 acres of  
VLDR-5 land  
added to Tax Lot 7805

Title Order No. 79936  
Escrow No. 26930

After Recording Return to:

FAR WEST DEVELOPMENT, INC  
~~43 acres on the tax~~ P.O. Box 490  
~~1688246803~~ Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS  
CHARLES STERN, COUNTY CLERK

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



\$31.00

FAR WEST DEVELOPMENT, INC  
~~43 acres on the tax~~ P.O. Box 490  
~~1688246803~~ Newberg, OR 97132

200326810 3:38:53 PM 10/17/2003  
DNR-DDNR Cnt-1 Str-3 SUSAN  
\$10.00 \$10.00 \$11.00

79936

\*\*\*\*\*  
STATUTORY WARRANTY DEED

WAYNE A. COOK and MICHELLE K. COOK, Husband and Wife Grantor, conveys and warrants to,  
FAR WEST DEVELOPMENT, INC., an Oregon Corporation Grantee, the following described property  
free of liens and encumbrances, except as specifically set forth herein:

NORTHWEST TITLE COMPANY

See Exhibit "A" Attached

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.

This property is free of liens and encumbrances, EXCEPT: Rights of the public to roads and highways

The true consideration for this conveyance is \$ 100,000.00

Dated this 17th day of October, 2003

Wayne A. Cook  
WAYNE A. COOK

Michelle K. Cook  
MICHELLE K. COOK

RECEIVED

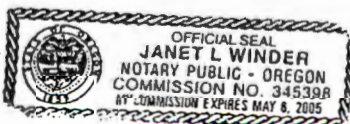
JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON, COUNTY OF YAMHILL )ss.

The foregoing instrument was acknowledged before me this 17th day of October, 2003 by WAYNE A. COOK and MICHELLE K. COOK

Janet L. Winder  
Notary Public for Oregon  
My Commission Expires: 5/6/05



Application 9-16645

EXHIBIT "A"

Part of that tract of land conveyed from Earnest and Margaret Crook to Arlen and Deloris Berkey by deed recorded in Film Volume 218, Page 1693, Yamhill County Deed Records, lying in Section 24, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and being more particularly described as follows:

BEGINNING at an iron rod at the Southeast corner of SUNNYCREST MEADOWS; thence North 01°48'05" East 126.04 feet along the East line of SUNNYCREST MEADOWS to an iron rod at the Southwest corner of said Berkey tract; thence North 01°47'40" East 260.00 feet along said East line to an iron rod and the true point of beginning; thence North 01°47'40" East 111.00 feet along said East line to an iron rod at the Northeast corner of Lot 7 of SUNNYCREST MEADOWS; thence North 01°52'20" East 230.38 feet along said East line to an iron rod at the Southwest corner of OTTER CREEK HIGHLANDS and the Northwest corner of the Berkey tract; thence South 89°28' East 966.27 feet to an iron rod at the Southeast corner of OTTER CREEK HIGHLANDS and the Northeast corner of said Berkey tract; thence South 01°55'50" West 289.58 feet along the East line of said Berkey tract to an iron rod; thence South 89°59'40" West 295.48 feet to an iron rod; thence South 01°46' West 42.68 feet to an iron rod; thence South 89°59'20" West 670.68 feet to the true point of beginning.

TOGETHER WITH a 30 foot wide easement, the centerline of which is described as follows: Beginning at an iron rod at the Southeast corner of SUNNYCREST MEADOWS; thence North 01°48'05" East 126.04 feet along the East line of SUNNYCREST MEADOWS to an iron rod at the Southwest corner of said Berkey tract, as described in Film Volume 218, Page 1693; thence North 89°59'20" East 715.83 feet along the South line of said Berkey tract to a point that is 15.00 feet West of the Southeast corner of said Berkey tract and the true point of beginning; thence North 01°46' East 287.68 feet; thence South 89°59'40" West 45.02 feet to a point that is South 01°46' West 15.00 feet from an iron rod and the end of said easement.

TOGETHER WITH a 30 foot wide easement for roadway and utilities along the Easterly 30 feet of the Southerly 631.63 feet of the tract of land conveyed to Ernest Crook et ux, recorded May 22, 1980 in Film Volume 150, Page 2013, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH an easement for roadway described as follows: Beginning at an iron bolt, said bolt being South 1°50' West 2432.4 feet and South 89°28' East 967.2 feet from the Northwest corner of David Ramsey Donation Land Claim; thence South 89°57' East 730.90 feet; thence South 1°50' West 10 feet to the point of beginning of easement; thence North 1°50' East 30 feet to an iron rod at the Northwest corner of a road; thence North 89°51' East 238.31 feet to an iron pipe on Highway 99W; thence South 43°40' West 82.84 feet to a point; thence South 89°51' West 183.03 feet; thence North 20 feet; thence South 89°51' West 40 feet; thence North 20 feet; thence North 89°51' East 40 feet; thence South to the point of beginning.

AND ALSO TOGETHER WITH a limited easement for access and a 10 foot wide utility easement as disclosed by instrument recorded March 9, 1989 in Film Volume 230, Page 810, Deed and Mortgage Records of Yamhill County, Oregon.

*fasteners  
#1 and whitener*

*#2*

*#3*

*#4*

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JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

*2/2*

Application G-16645



Northwest Title Company

THIS SPACE RESERVED FOR RECORDER'S USE

Tax Lot 6802

10.3 acres  
of AF-10  
land

Title Order No. 79684  
Escrow No. 26819

After Recording Return to:

FAR WEST DEVELOPMENT CORP  
23429 N. Hwy 99W  
Newberg, OR 97132

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

FAR WEST DEVELOPMENT CORP  
23429 N. Hwy 99W  
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS  
CHARLES STERN, COUNTY CLERK



\$31.00

00139648200300222140020029

200322214

10:44:56 AM 9/02/2003

DNR-DDMR Cnt=1 Str=1 KAREN  
\$10.00 \$10.00 \$11.00

NORTHWEST TITLE COMPANY 79684

\*\*\*\*\*  
STATUTORY WARRANTY DEED  
\*\*\*\*\*

JOHN J. ZEGAR & KATHLEEN A. ZEGAR, Husband and Wife Grantor, conveys and warrants to, FAR WEST DEVELOPMENT CORP, an Oregon Corporation Grantee, the following described property free of liens and encumbrances, except as specifically set forth herein:

See Exhibit "A" Attached

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.

This property is free of liens and encumbrances, EXCEPT: Underground Distribution Line Easement recorded in FV 150 Page 1545; Easement recorded in FV 215 Page 1325

The true consideration for this conveyance is \$ 265,000.00 WHICH IS PAID TO A QUALIFIED INTERMEDIARY AS PART OF A SECTION 1031 DEFERRED EXCHANGE

Dated this 28<sup>th</sup> day of August, 2003

John J. Zegar  
JOHN J. ZEGAR

Kathleen A. Zegar  
KATHLEEN A. ZEGAR

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JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON, COUNTY OF YAMHILL )ss.

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of August, 2003, by JOHN J. ZEGAR & KATHLEEN A. ZEGAR



Geness Winder  
Notary Public for Oregon  
My Commission Expires: 5/6/05

Application 9-16645

Title No. 79684  
Escrow No. 26819-Jan

EXHIBIT "A"

Beginning at an iron rod on the West line of a certain tract of land as conveyed to Ernest Crook on May 22, 1980 in Film Volume 150, Page 2013 in Yamhill County, Oregon Deed Records, said iron rod is said to bear South 26°38'15" East 2031.65 feet from the Northwest corner of the David Ramsey Donation Land Claim No. 59 in Section 24, Township 3 South, Range 3 West, Willamette Meridian, Yamhill County, Oregon, said iron rod also bears North 1°48'05" East 126.04 feet from the Southeast corner of SUNNYCREST MEADOWS, a plat of record in said section 24 and running thence North 89°59'20" East 730.91 feet to an iron rod on the Easterly line of said Crook Tract also being the West line of a certain tract of land as described in Film Volume 158, Page 1935 of said Deed Records; thence along said Easterly line of Crook tract South 1°46'00" West 621.63 feet to an iron rod at the Southeast corner thereof; thence South 89°59'20" West along the South line of said Crook tract 731.27 feet to an iron bolt at the Southwest corner thereof; thence North 1°48'05" East along the said West line of Crook tract 621.64 feet to a point of beginning.

Together with an easement for roadway described as follows:

Beginning at an iron bolt, said bolt being South 1°50' West 2432.4 feet and South 89°28' East 967.2 feet from the Northwest corner of David Ramsey Donation Land Claim; thence South 89°57' East 730.90 feet; thence South 1°50' West 10 feet to the point of beginning of easement; thence North 1°50' East 30 feet to an iron rod at the Northwest corner of a road; thence North 89°51' East 238.31 feet to an iron pipe on Highway 99W; thence South 43°40' West 82.84 feet to a point; thence South 89°51' West 183.03 feet; thence North 20 feet; thence South 89°51' West 40 feet; thence North 20 feet; thence North 89°51' East 40 feet to a point; thence South to the point of beginning.

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JUN 13 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645

Hr

Revised Deed  
for 4.7 acres  
taken from TL 6803  
and added to TL 7905

THIS SPACE RESERVED FOR RECORDER'S USE

Title Order No. 79936  
Escrow No. 26930

OFFICIAL YAMHILL COUNTY RECORDS  
JAN COLEMAN, COUNTY CLERK 200407448

Barcode: 00163672200400074480030037  
\$36.00  
04/20/2004 10:52:10 AM

After Recording Return to:

FAR WEST DEVELOPMENT, INC  
P.O. Box 490  
Newberg, OR 97132

DMR-DDMR Cnt=1 Str=2 ANITA  
\$15.00 \$10.00 \$11.00

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

OFFICIAL YAMHILL COUNTY RECORDS  
CHARLES STERN, COUNTY CLERK

Barcode: 00145739200300268100020027  
\$31.00  
200326810 3:38:53 PM 10/17/2003

FAR WEST DEVELOPMENT, INC  
P.O. Box 490  
Newberg, OR 97132

DMR-DDMR Cnt=1 Str=3 SUSAN  
\$10.00 \$10.00 \$11.00

79936

NORTHWEST TITLE COMPANY

**STATUTORY WARRANTY DEED**

WAYNE A. COOK and MICHELLE K. COOK, Husband and Wife Grantor, conveys and warrants to, FAR WEST DEVELOPMENT, INC., an Oregon Corporation Grantee, the following described property free of liens and encumbrances, except as specifically set forth herein:

This Deed is being re-recorded to correct that certain deed recorded on October 17, 2003 in Instrument #200326810 to correct the following:

See Exhibit "A" Attached

1. Name of the Grantee should have been Far West Development Corp.
2. Legal description set forth on attached Exhibit "A" is being corrected as the original legal description encompassed 7.2 acres instead of 4.7 acres and did not include a .3 acre easement. The correct legal description is set forth on attached Exhibit "A".

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.

This property is free of liens and encumbrances, EXCEPT: Rights of the public to roads and highways

The true consideration for this conveyance is \$ 100,000.00

Dated this 17th day of October, 2003

Wayne A. Cook  
WAYNE A. COOK

Michelle K. Cook  
MICHELLE K. COOK

RECEIVED  
JUN 13 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON, COUNTY OF YAMHILL )ss.

The foregoing instrument was acknowledged before me this 17th day of October, 2003 by WAYNE A. COOK and MICHELLE K. COOK

Janet L. Winder  
Notary Public for Oregon  
My Commission Expires: 5/6/05



1173 Application 9-16645

Exhibit "A"

A tract of land in Section 24, Township 3 South, Range 3 West, Yamhill County, being a part of that tract of land described by deed from ZEERO ICE COMPANY to WAYNE A. COOK & MICHELLE K. COOK and recorded in Instrument No. 199607390 on May 13, 1996, and being more particularly described as follows:

Beginning at the northwest corner of said COOK tract which is the southwest corner of OTTER CREEK HYLANDS; thence South 89°28'00" East 315.34 feet along the south line of OTTER CREEK HYLANDS to an iron rod at the TRUE POINT OF BEGINNING; thence South 89°28'00" East 650.93 feet along said south line to the southeast corner of OTTER CREEK HYLANDS; thence South 01°55'50" West 289.58 feet along the east line of said COOK tract to an iron rod; thence south 89°59'40" West 295.48 feet to an iron rod; thence South 01°46' West 42.68 feet to an iron rod; thence South 89°59'20' West 344.35 feet along the south line of said tract to an iron rod; thence North 338.23 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH the following Easement:

A tract of land in Section 24, Township 3 South, Range 3 West, Yamhill County, being a part of that tract of land described by deed from ZEERO ICE COMPANY to WAYNE A. COOK & MICHELLE K. COOK and recorded in Instrument No. 199607390 on May 13, 1996, and being more particularly described as follows:

Beginning at the northwest corner of said COOK tract which is the southwest corner of OTTER CREEK HYLANDS; thence South 89°28'00" East 315.34 feet along the south line of OTTER CREEK HYLANDS to an iron rod at the TRUE POINT OF BEGINNING; thence South 338.23 feet to an iron rod on the south line of said COOK tract; thence South 89°59'20' West 42.50 feet along the south line of said tract to an iron rod; thence North 338.64 feet to an iron rod on the south line of OTTER CREEK HYLANDS; thence South 89°28'00" East 42.50 feet to the TRUE POINT OF BEGINNING.

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JUN 13 2007

WATER RESOURCES DEPT.  
SALEM, OREGON

2/3

Application 9-16645



TOGETHER WITH a 30 foot wide easement, the centerline of which is described as follows: Beginning at an iron rod at the Southeast corner of SUNNYCREST MEADOWS; thence North  $01^{\circ}48'05''$  East 126.04 feet along the East line of SUNNYCREST MEADOWS to an iron rod at the Southwest corner of said Berkey tract, as described in Film Volume 218, Page 1693; thence North  $89^{\circ}59'20''$  East 715.83 feet along the South line of said Berkey tract to a point that is 15.00 feet West of the Southeast corner of said Berkey tract and the true point of beginning; thence North  $01^{\circ}46'$  East 287.68 feet; thence South  $89^{\circ}59'40''$  West 45.02 feet to a point that is South  $01^{\circ}46'$  West 15.00 feet from an iron rod and the end of said easement.

TOGETHER WITH a 30 foot wide easement for roadway and utilities along the Easterly 30 feet of the Southerly 631.63 feet of the tract of land conveyed to Ernest Crook et ux, recorded May 22, 1980 in Film Volume 150, Page 2013, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH an easement for roadway described as follows: Beginning at an iron bolt, said bolt being South  $1^{\circ}50'$  West 2432.4 feet and South  $89^{\circ}28'$  East 967.2 feet from the Northwest corner of David Ramsey Donation Land Claim; thence South  $89^{\circ}57'$  East 730.90 feet; thence South  $1^{\circ}50'$  West 10 feet to the point of beginning of easement; thence North  $1^{\circ}50'$  East 30 feet to an iron rod at the Northwest corner of a road; thence North  $89^{\circ}51'$  East 238.31 feet to an iron pipe on Highway 99W; thence South  $43^{\circ}40'$  West 82.84 feet to a point; thence South  $89^{\circ}51'$  West 183.03 feet; thence North 20 feet; thence South  $89^{\circ}51'$  West 40 feet; thence North 20 feet; thence North  $89^{\circ}51'$  East 40 feet; thence South to the point of beginning.

3/3

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JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645

Tax Lots 7902,  
7903, 7904,  
7905

THIS SPACE RESERVED FOR RECORDER'S USE

Title Order No. 77755  
Escrow No. 26063

After Recording Return to:

FAR WEST DEVELOPMENT, INC  
P. O. Box 490  
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS  
CHARLES STERN, COUNTY CLERK

200312172



\$36.00

00126720200300121720030036

05/23/2003 01:50:52 PM

DMR-DMR Cnt=1 Str=2 ANITA  
\$15.00 \$10.00 \$11.00

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

77755

NORTHWEST TITLE COMPANY

\*\*\*\*\*

**STATUTORY WARRANTY DEED**

RONALD B. FOWLER and BEVERLY A. FOWLER, Trustees of the Ronald B. Fowler and Beverly A. Fowler Revocable Living Trust dated 5/4/95 as to a 1/3 interest and THOMAS W. EDWARDS and KAY L. EDWARDS, Husband and Wife as to a 1/3 interest and FINIS D. CARTER as to a 1/3 interest, Grantor, conveys and warrants to, FAR WEST DEVELOPMENT, INC., an Oregon Corporation Grantee, the following described property free of liens and encumbrances, except as specifically set forth herein:

See Exhibit "A" Attached

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.

This property is free of liens and encumbrances, EXCEPT: Rights of the public to roads and highways; Easement recorded in FV 190 Page 1618; Easement recorded in FV 190 Page 1618; Easement & Maintenance Agreement recorded as Inst. No. 199813855

The true consideration for this conveyance is \$ 540,000.00

Dated this 22<sup>nd</sup> day of May, 2003

Ronald B. Fowler trustee  
RONALD B. FOWLER, TRUSTEE

Thomas W. Edwards  
THOMAS W. EDWARDS

Beverly A. Fowler  
BEVERLY A. FOWLER, TRUSTEE

Kay L. Edwards  
KAY L. EDWARDS

Finis D. Carter  
FINIS D. CARTER

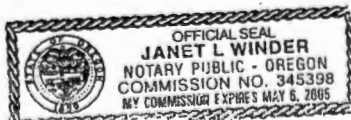
**RECEIVED**

JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON, COUNTY OF YAMHILL SS.

The foregoing instrument was acknowledged before me this 22 day of May, 2003 by RONALD B. FOWLER, TRUSTEE and BEVERLY A. FOWLER, TRUSTEE; THOMAS W. EDWARDS and KAY L. EDWARDS and FINIS D. CARTER



Janet L. Winder  
Notary Public for Oregon  
My Commission Expires: 5/6/06

Application G-16645

1/3

EXHIBIT "A"  
Page 1 of 2**PARCEL I:**

Beginning at a 3/4" iron pipe at the intersection of the East line of the West 1/2 of David Ramsey Donation Land Claim, Township 3 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, and the North Margin of U.S. 99 West from which point a 1 1/2" iron pipe at the Northeast corner of the West 1/2 of said claim bears North 0°17'25" West 1330.89 feet; thence North 38°10'54" West 1104.38 feet to the South line of a tract described in Film Volume 107, Page 564; thence South 89°01'01" West along said South line and the South line of a tract described in Film Volume 121, Page 524 a distance of 322.79 feet to the East line of the plat of Otter Creek Hylands as recorded in Plat Book 8, Page 2021; thence South 2°41'37" West along said East line 802.86 feet to the Southeast corner of said plat; thence South 1°49'11" West 1045.78 feet along the West line of tract 3 described in Film Volume 18, Page 145 to an iron rod set by Richard M. Morris in Survey No. C.S.P. 5322, said point being the Northeast West corner of Tract 1 described in Film Volume 18, Page 145, thence North 89°58'31" East 139.26 feet along the North line of said tract to an iron rod set in said survey at the Westerly margin of U.S. 99 West; thence North 43°35'03" East along said margin 1359.26 feet to the point of beginning.

SAVE AND EXCEPT the following described tract: A tract of land in Section 24, Township 3 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon being part of the West one-half of the David Ramsey Donation Land Claim and being described as follows:

COMMENCING at the intersection of the East line of the West one-half of said Ramsey Claim with the Northwesterly line of the re-located West Side Pacific Highway (Highway 99W); thence North 44°45'30" West 190.33 feet; thence North 58°05'30" West, 56.28 feet; thence South 68°49'30" West 61.51 feet; thence South 42°35'30" West 326.26 feet; thence North 47°24'30" West 15.00 feet to the true point of beginning of the tract herein described; thence North 44°55'20" West, 372.38 feet; thence North 42°31'20" East 297.14 feet; thence South 33°53'10" East, 241.72 feet; thence South 44°44'30" West, 47.80 feet; thence South 47°52'30" East, 139.18 feet; thence South 42°35'30" West, 210.14 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM that tract conveyed to Glen Compton, et ux., recorded March 10, 1978, in Film Volume 127, Page 921, Deed and Mortgage Records.

ALSO EXCEPTING THEREFROM that tract conveyed to David Compton, et ux., recorded March 10, 1978, in Film Volume 127, Page 922, Deed and Mortgage Records.

ALSO EXCEPTING THEREFROM that tract conveyed to Daniel Compton, recorded March 24, 1978, in Film Volume 127, Page 1513, Deed and Mortgage Records.

**PARCEL II:**

A parcel of land in Section 24, Township 3 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being more particularly described as follows: commencing at an iron rod at the Northwest corner of Parcel 3 as described in Film Volume 18, Page 144 of Yamhill County Deed Records; thence South 89°28' East, along the North line of said Parcel, 966.24 feet to an iron rod at the Northeast corner of said Parcel; thence South 48°26'20" East, 526.28 feet to Point "A"; thence South 45°04'30" West, 156.00 feet to the true point of beginning of the tract herein described; thence South 44°55'30" East, 140 feet; thence South 45°04'30" West, 156 feet; thence North 44°55'30" West, 140 feet; thence North 45°04'30" East, 156 feet to the point of beginning.

RECEIVED

JUN 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645 2/3

EXHIBIT "A"  
Page 2 of 2

**PARCEL III:**

A parcel of land in Section 24, Township 3 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being more particularly described as follows: commencing at an iron rod at the Northwest corner of Parcel 3 as described in Film Volume 18, Page 144 of Yamhill County Deed Records; thence South 89°28' East, along the North line of said Parcel, 966.24 feet to an iron rod at the Northeast corner of said Parcel; thence South 48°26'20" East, 526.28 feet to the true point of beginning of the tract herein described; thence South 44°55'30" East, 140 feet; thence South 45°04'30" West, 156 feet; thence North 44°55'30" West, 140 feet; thence North 45°04'30" East, 156 feet to the point of beginning.

**PARCEL IV:**

A parcel of land in Section 24, Township 3 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being more particularly described as follows: commencing at an iron rod at the Northwest corner of Parcel 3 as described in Film Volume 18, Page 144, of Yamhill County Deed Records; thence South 89°28' East, along the North line of said Parcel, 966.24 feet to an iron rod at the Northeast corner of said Parcel; thence South 48°26'20" East, 526.28 feet to Point "A"; thence South 45°04'30" West, 156 feet to the true point of beginning of the tract herein described; thence North 44°55'30" West, 140 feet; thence South 45°04'30" West, 156 feet; thence South 44°55'30" East, 140 feet; thence North 45°04'30" East, 156 feet to the point of beginning.

RECEIVED  
JUN 13 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

Application G-16645



**Oregon Water Resources Department  
Land Use Information Form (Quasi-Municipal water use)**

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

**To Be Completed By Applicant**

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

**A. Applicant**

Name: Far West Development Corporation  
 Address: c/o Mike Willcuts, 23429 N. Highway 99 W  
 City: Newberg State: OR Zip: 97132 Day Phone: 503-550-4800/537-5505

**B. Land and Location**

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

All Tax Lots  
3 3 24

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)			Proposed Land Use
7902, 7903, 7904	VLDR 2-1/2	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential
7905	VLDR 2-1/2	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential
6803	4.7 acres added to 7905	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
	as VLDR 5 (2 zones for 7905)	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential
6802	AF 10	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	1 Residence

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

**C. Description of Proposed Use**

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

Water Use Permit     Water Right Transfer     Allocation of Conserved Water     Exchange

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

Commercial     Industrial     Instream     Irrigation  
 Municipal     Quasi-municipal     Domestic (indicate number of households) \_\_\_\_\_  
 Other \_\_\_\_\_

Briefly describe: One well is constructed. Pressure tanks will deliver water to a distribution system, in turn to 11 residences when build-out is achieved under current zoning. There will be irrigation of landscaping, lawn and gardens associated with each residence.

Indicate the source of the water to be used.

Reservoir/Pond     Ground Water     Surface Water \_\_\_\_\_

Indicate the estimated quantity of water the use will require: 60  CFS  GPM  Acre-Feet

Last revised: 04/06/04

**Receipt for Request for Land Use Information**

State of Oregon  
 Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, OR 97301-1271  
 (503) 986-0900

**RECEIVED**

JUN 13 2007

WATER RESOURCES DEPT  
 SALEM, OREGON

Application G-16645

**For Local Government Use Only**

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

**A. Allowed Use**

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_ Go to section B "Approval" below.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
Conditional use	502.03(E)	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input checked="" type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

(Will be soon)

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

**B. Approval**

Please provide printed name and written signature.

Name: Ken Friday Date: 5/7/04  
 Title: Planning Div. Manager Phone: 503 434-7516  
 Signature: [Handwritten Signature]

**C. Additional Comments**

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

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

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

**Receipt for Request for Land Use Information**

Name of applicant: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: \_\_\_\_\_

Staff contact: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Application G-16645

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SALEM, OREGON

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

WATER LINE EASEMENTS

**LEGAL DESCRIPTION**

Water line Easement  
Tax Lot 7908 (Lot 2, Hyland Acres)  
Yamhill County Tax Lot Map 3S, 3W, Section 24 (3324)

A strip of land 15 feet wide in Lot 2 of Hyland Acres subdivision, located in the NE ¼ of Section 24 Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southwesterly boundary line of said Lot 2, from which a 5/8" iron rod marking the most southerly corner of said Lot 2, bears S35°59'32" W, 7.5 feet; thence following said waterline and parallel to the southeasterly boundary line of said Lot 2, N47°25'56" E, 289.2 feet; thence N28°12'25"E, 129.04 feet to a point on the northeasterly boundary line of said Lot 2, from which a 5/8" iron rod marking the most easterly corner of said Lot 2 bears S38°10'54"E, 50.2 feet.

**LEGAL DESCRIPTION**

Water line Easement  
Tax Lot 7900 (Compton)  
Yamhill County Tax Lot Map 3S, 3W, Section 24 (3324)

A strip of land 15 feet wide in the East ½ of Section 24, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southwesterly boundary line of Parcel 1, as shown on Yamhill County Partition Plat 97-47, from which a ½" iron rod marking the northwest corner of said Parcel 1, bears N38°10'59" W, 248.0 feet; thence following said waterline, N28°12'25" E, 226.24 feet to a point on the north boundary line of said Parcel 1, said ½" iron rod marking the northwest corner of Parcel 1 bears S89°01'33" W, 260.29 feet.

**LEGAL DESCRIPTION**

Water line Easement  
Tax Lot 1500 (Cox)  
Yamhill County Tax Lot Map 3S, 3W, Section 24AD (3324AD)

A strip of land 15 feet wide in the West half of the Donation Land Claim of David Ramsey and Susan Ramsey in Township 3 South, Range 3 West of the Willamette Meridian and Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, being 7.5 feet on each side of the following described centerline:

Beginning at the intersection of a waterline and the southerly boundary line of that parcel of land described in Film Volume 200, Page 0534, dated Jan 10, 1986 in Yamhill County Deed Records, from which a 5/8" iron rod marking the southwest corner of said parcel, bears S89°01'33" W, 113.56 feet; thence following said waterline, N28°12'25" E, 226.24 feet; thence N44°03'28"E, 165.37 feet; thence N89°28'49"E, 231.35 feet to a point on the East boundary line of said Parcel, from which a 1½" iron pipe marking the northeast corner of said parcel and the Northeast corner of the West of said Donation Land Claim bears N00°17'46" W, 206.17 feet.

G-161645

March 24, 2006

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MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

**Re: Connection to Hiland Water Corporation Water System**

My name is Melvin Olson. I am the <sup>President (M)</sup> ~~owner~~ of the Hiland Water Corporation.

Our Wyland Division currently supplies water to the Far West Development Corporation pursuant to their water use permit G-16027 (Application G-16249).

Mike Wiltshire proposes to submit a water right application to the Oregon Water Resources Department to serve five (5) residences.

Subject to terms that we have agreed upon, Mr. Wiltshire has my permission to: <sup>(see attached) (M)</sup>

1. Connect to <sup>the</sup> ~~my~~ water system described above; and
2. Use water from <sup>the</sup> ~~my~~ water system.

Sincerely,

*Melvin Olson*

Melvin Olson

3-24-06

(Date)



Hiland Water Corporation  
PO Box 699  
Newberg, OR 97132

Ph. 503-554-8333  
Fax 503-554-9215

RECEIVED

MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

To: Home Acres Lots  
Attn: Mike Wiltshire & Ron Manning  
32049 NE Corral Creek Rd.  
Newberg, OR 97132

Re: Requested guaranty of water service for Home Acres Lots

Hiland Water Corporation is able to and will provide water service to the five lots referred to as "Home Acres Lots" with the following conditions:

1. Construction of the water system will be made to the specifications of Hiland Water Corporation
2. Construction of the water system will be made by a contractor for hookup and connection
3. Mike Wiltshire and Ron Manning will pay for all costs related to construction of the water system
4. Construction costs may include, but are not limited to:
  - Construction contractor
  - Parts and materials
  - Engineering
  - Inspection by Hiland certified water operator

5. Before construction begins, contractor(s) involved in extending the water line to the Home Acres Lots is required to have a pre-construction meeting with Hiland's certified water operator, Melvin Olson.

6. Inspection of the water line must take place before the line is covered, and can be arranged by calling the Hiland office at least 24 hours in advance.

~~7. Hiland Water Corp. will assume the responsibility to obtain a water right to the lots in exchange for \$3,000 from Mike Wiltshire and Ron Manning.~~

8. A connection fee of \$30.00 must be paid to Hiland Water and all billing information received by Hiland Water, either by phone or fax, for each meter before service will begin.

Please acknowledge receipt to this letter and return a signed copy to us. Attached are the specifications required for water main and service construction.

Melvin Olson, President

Signed: 

Date 11/7/05

**Specifications of Hiland Water Corporation for Home Acres Lots:**

**3/4" service connections consisting of the following:**

- 101 S Romac Saddle**
- Ball-style corp. stop MIP X CTS compression**
- 3/4" soft copper service line to meter**
- Meter angle valve – CTS compression X meter thread & nut**
- 5/8"-3/4" Sensus meter with plastic bottom, gallons**
- 3/4" meter tail piece**
- Brass 3/4" pipe coupling**
- Brass 3/4" x 6" nipple**
- Testable double check assembly**
- Meter box with reader lid & concrete bottom (1/4" concrete fire board acceptable, must be unbroken)**

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**MAR 27 2006**

**WATER RESOURCES DEPT  
SALEM, OREGON**

**Mainline:**

**HDPE where specified – C-900 or class 150 or as approved DR11**

**Restrained joints are required**

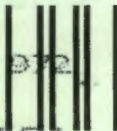
**Thrust blocks may be used but not as a substitute for joint restraints**

**Plastic is required as a barrier between concrete and pipe joint**

**All valves will be American Flow control (waterous) valves with resilient seat.**

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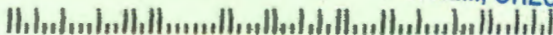
WATER RESOURCES DEPARTMENT  
725 SUMMER STREET NE SUITE A  
SALEM OR 97301-1266

**RECEIVED**

JUN 12 2007

WATER RESOURCES DEPT  
SALEM, OREGON

01+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-16645

MIKE WILTSHIRE  
32049 NE CORAL CREEK  
NEWBERG OR 97132

**2. Article Number***(Transfer from service label)*

7003 3110 0003 1378 4348

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

\*Denise Wiltshire

 Agent Addressee**B. Received by (Printed Name)**

Denise Wiltshire

**C. Date of Delivery**

6-11

**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



# 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 MAIL**  
**Return Receipt Requested**

June 8, 2007

MIKE WILTSHIRE  
32049 NE CORAL CREEK  
NEWBERG, OR 97132

Reference: File G-16645

Dear Mr. Wiltshire:

**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 application proposed the use of 0.02 cubic foot per second (cfs) of water from Well 1, Well 2, Well 3, and Well 4 in Harvey Creek Basin for quasi-municipal use.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from Well 1, Well 2, Well 3, and Well 4 in Harvey Creek Basin for quasi-municipal use is allowable under the Willamette Basin Program.

4. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-09, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. The use of 0.02 cfs will be limited to an annual duty of 8.87 acre feet (af).
6. The Department has determined there are deficiencies with the application. Please refer to the **Additional Information Required** section below for specific information.

#### **Summary of Initial Determinations**

**The use of 0.02 cfs, limited to an annual duty of 8.87 af , from Well 1, Well 2, Well 3, and Well 4 in Harvey Creek Basin for quasi-municipal use may be allowed during the full period requested, year-round.**

Because of the Department's determination, your application can be moved to the next phase of the water rights application review process. However, due to #5 above your application will likely be limited accordingly.

#### **Additional Information Required:**

- A map depicting the location of the conveyance system from the four wells to the proposed place of use.
- A completed Land Use Information Form signed and dated by a Yamhill County official for the property on which the wells are located and the property that may be crossed by a conveyance system to the connection with the existing water system.
- A copy of the legal description of 1) the property on which the wells are located and 2) the property that may be crossed by a conveyance system that will be connected to the existing water system. A legal description is a description of a specific parcel of real estate which often uses one of the following methods; government survey metes and bounds, aliquot parts, subdivision block and lot numbers, or a combination of these. It is often found on a deed, land sales contract, or title insurance policy. OAR 690-310-0040(1)(a)(I) requires the legal description of the property from which the water is to be diverted, any property crossed by the proposed ditch, canal or other work, and any property on which the water is to be used as depicted on the map.

- Please submit evidence that you have a Quasi-Municipal corporation as defined in OAR 690-300-010(40), or provide the Department with the corporate name of another entity that meets this requirement. If your corporation does not meet the criteria for Quasi-Municipal filing, you may still file for a permit under Group Domestic Use Expanded, which would allow for domestic uses and lawn and non-commercial garden of up to ½ acre per parcel.

OAR 690-300-010 (40) "Quasi-Municipal Water Use" means the delivery and use of water through the water service system of a corporation other than a public corporation created for the purpose of operating a water supply system, for those uses usual and ordinary to municipal water use, or a federally recognized Indian tribe that operates a water supply system for uses usual and ordinary to a municipal water use. A quasi-municipal water right shall not be granted the statutory municipal preferences given to a municipality under ORS 537.190(2), 537.230(1), 537.352, 537.410(2), 540.510(3), 540.610(2), (3), or those preferences over minimum streamflows designated in a basin program.

**Please submit this information no later than July 12, 2007.** 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 by this date, the Department will likely proceed with a Proposed Final Order recommending denial of the application.

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.

At this time, you must decide whether to proceed or to withdraw your application as described below.

**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, June 22, 2007**. 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 totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
  - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. 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.
3. (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
  - (a) An average water level decline of three or more feet per year for five consecutive years; or
  - (b) A total water level decline of fifteen or more feet; or
  - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.



- (2) For the purpose of determining declines, a reference level set by Permit G-16027 shall be used.
- (3) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (4) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
  - (a) A water level measurement shall be made each year during the period March 1 through March 31.
  - (b) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
  - (c) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
  - (d) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

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.oregon.gov/ODA/NRD/water\\_agplans.shtml](http://www.oregon.gov/ODA/NRD/water_agplans.shtml) to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0816 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Kerry Kavanagh, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

A handwritten signature in black ink that reads "K Kavanagh" followed by a long horizontal flourish.

Kerry Kavanagh  
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-16645  
WAB 2-182  
POU 2-182  
GW

# APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*  
If necessary, also mail to : *Regional Water quality manager (DEQ), and DOA*

Application File Number: G-16645

Applicant: MIKE WILTSHIRE

County: YAMHILL

Watermaster: 16

Priority Date: MARCH 27, 2006

Source: WELL 1, WELL 2, WELL 3, AND WELL 4 IN HARVEY CREEK BASIN

Use: QUASI-MUNICIPAL USES

Quantity: 0.02 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 18 OTTER CR & MISC

Well Locations:

WELL 1 - NESE, SECTION 24, T3S, R3W, W.M.; 2136 FEET NORTH & 664 FEET WEST FROM SE CORNER, SECTION 24

WELL 2 - NESE, SECTION 24, T3S, R3W, W.M.; 1812 FEET NORTH & 725 FEET WEST FROM SE CORNER, SECTION 24

WELL 3 - NESE, SECTION 24, T3S, R3W, W.M.; 1724 FEET NORTH & 1129 FEET WEST FROM SE CORNER, SECTION 24

WELL 4 - NESE, SECTION 24, T3S, R3W, W.M.; 1373 FEET NORTH & 1142 FEET WEST FROM SE CORNER, SECTION 24

Place of Use:

SE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
SECTION 24  
TOWNSHIP 3 SOUTH, RANGE 3 WEST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, June 22, 2007**

**PUBLIC NOTICE DATE: Tuesday, June 12, 2007**

**30 DAY COMMENT DEADLINE DATE: Thursday, July 12, 2007**

# WATER USE PERMIT APPLICATION MAP

SE 1/4 NE 1/4 AND NE 1/4 SECTION 24, T3S, R3W, W.M.  
YAMHILL COUNTY, OREGON

IN THE NAME OF  
MIKE WILTSHIRE  
FOR  
QUASI-MUNICIPAL USE  
FROM WELLS IN THE  
WILLAMETTE RIVER BASIN

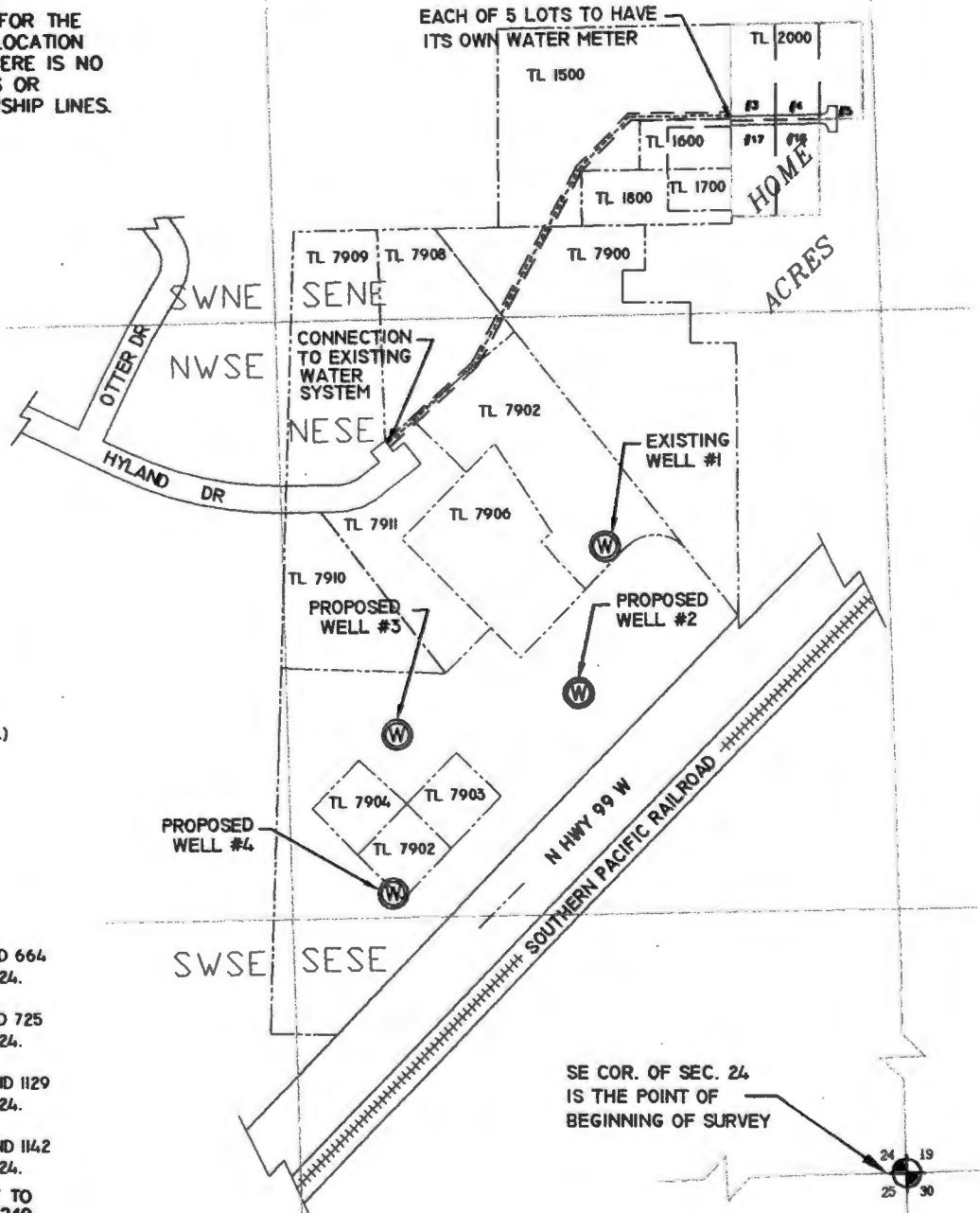
**RECEIVED**

MAR 27 2006

WATER RESOURCES DEPT  
SALEM, OREGON

SCALE: 1"=400'

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



- LEGEND**
- PLACE OF USE
  - PROPERTY LINE
  - EASEMENT
  - SURVEY LINE
  - WATER LINE (P.O.U.)
  - USGS GRID
  - +++++ RAILROAD
  - (W) WELL (P.O.D.)

**NOTES:**

- WELL #1 IS 2136 FEET NORTH AND 664 FEET WEST OF THE SE COR SEC 24.
- WELL #2 IS 1812 FEET NORTH AND 725 FEET WEST OF THE SE COR SEC 24.
- WELL #3 IS 1724 FEET NORTH AND 1129 FEET WEST OF THE SE COR SEC 24.
- WELL #4 IS 1373 FEET NORTH AND 1142 FEET WEST OF THE SE COR SEC 24.
- ALL FOUR WELLS ALSO SUBJECT TO WATER RIGHT APPLICATION G-16249, PERMIT G-16027

JOHN BORDEN CONSULTING

5597 RIVER STREET  
WEST LINN, OR. 97068  
503-723-4257

**WILTSHIRE WATER RIGHT**

FILE PATH & NAME: J31D:\WILTSHIRE\_WR\_PA\_031406

appno G-16645

# Mailing List for IR Copies

Application #G-16645

IR Date : June 8, 2007

## Original mailed to:

Applicant: MIKE WILTSHIRE  
32049 NE CORAL CREEK  
NEWBERG, OR 97132

## Copies sent to:

- 1. WRD - File # G-16645
- 2. WRD - Water Availability: Ken Stahr

## IR, Map, and Fact Sheet Copies sent to:

- 3. WRD - Watermaster # 16
- 4. WRD - Regional Manager: WESTERN

## Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

- 5. John Borden, John Borden Consulting, CWRE #372, 5597 River Street, West Linn, OR 97068
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_

<b>Copies Mailed</b>
By: <u>JLB</u>
(SUPPORT STAFF)
on: <u>6/8/07</u>
(DATE)

COPYSH.T.I.R

Caseworker: Kerry Kavanagh

**REMINDER:** Copy all IR's for uses in the geographic Umatilla Basin to Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, 73239 Confederated Way, Pendleton, OR 97801.

**REMINDER:** Copy all IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)

X-Spam-Checker-Version: SpamAssassin 3.1.5 (2006-08-29) on  
kettle.wrd.state.or.us  
X-Spam-Status: No, score=3.8 required=5.0 tests=DNS\_FROM\_RFC\_POST,  
FORGED\_OUTLOOK\_TAGS,HTML\_MESSAGE autolearn=no version=3.1.5  
X-Spam-Level: \*\*\*  
From: "John Borden" <jeborden@comcast.net>  
To: KAVANAGH Kerry L <Kerry.L.Kavanagh@state.or.us>  
Subject: FW: Application G-16645 -- Mike Wiltshire  
Date: Fri, 9 Mar 2007 15:51:02 -0800  
X-Security: MIME headers sanitized on kettle.wrd.state.or.us  
See <http://www.impsec.org/email-tools/sanitizer-intro.html>  
for details. \$Revision: 1.139 \$Date: 2003-09-07 10:14:23-07  
X-Mailer: Microsoft Outlook, Build 10.0.6626

-->

Kerry, I sent this message to Doug following our telephone conversation.

Thanks,

John Borden

-----Original Message-----

**From:** John Borden [mailto:jeborden@comcast.net]  
**Sent:** Friday, March 09, 2007 3:49 PM  
**To:** 'Douglas.E.WOODCOCK@state.or.us'  
**Subject:** Application G-16645 -- Mike Wiltshire

Doug, when we visited by phone in early January, you indicated that subject application would be arriving at the Water Rights Section shortly. Kerry Kavanagh says she has not seen it.

So I'm checking back with you in the hopes that it can be sent to her. As you can imagine, Mr. Wiltshire is sweating bullets.

Please let me know if I can or need to supply additional information.

Thanks,

John Borden



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1271  
 (503) 986-0900  
 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. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: Mike Wiltshire  
First Last  
 Mailing address: 32049 NE Corral Creek  
Newberg OR 97132  
City State Zip  
 Phone: 503-537-9584 503-789-3875  
Home Work Other  
 \*Fax: 503-625-6398 \*E-Mail address: mike@mikewiltshire.com

### B. Organizations

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

Name of organization: \_\_\_\_\_  
 Name and title of person applying: \_\_\_\_\_  
 Mailing address of organization: \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip  
 Phone: \_\_\_\_\_  
Day Evening  
 \*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

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\* Optional information

For Department Use		
App. No. <u>G-116645</u>	Permit No. _____	Date _____



MAR 27 2006

WATER RESOURCES DEPT  
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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.) (NOTE: I do own all lands where water will be used.)
- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners. (See attachments for addresses & ownerships & legal descriptions)

Tax Lot 7908 Craig & Heather Duncan, 23495 NE Hyland Dr., Newberg, OR 97132

TL 7900 Glenn & Marie Compton, 23805 NE Dunberg Loop, Newberg, OR., 97132

TL 1500 Carrie & Allen Fleming, 11205 NE Hurleys LN, Newberg, OR 97132

3. GROUND WATER DEVELOPMENT

**A. Well Information**

Number of well(s): 4 (NOTE: These are the same wells described in Application G-16249, Permit G-16027)

Name of nearest surface water body: Harvey Creek

Distance from well(s) to nearest stream or lake: 1) Well #1 (existing) about 900 feet

2) About 1200 feet 3) About 1040 feet 4) About 1400 feet

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) About 65 feet above Harvey Creek (170' MSL vs 105' MSL)

2) About 65 feet above 65 feet above 4) 75 feet above

**B. 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 section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well #1 is constructed -- YAMH 53637, ID L65771 (see log)

Wells #2, 3 & 4 not yet constructed. David Paysinger of

Well(s) will be constructed by: Blue Water Drilling will drill.

Address: 16303 SE Wallace Road, Dayton, OR 97114

Completion date: Well #1 was completed on 2/27/2004. Wells #2, 3, & 4 should be completed by June 1, 2007.

Ground Water/2

G-16645

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	10"-60"	6" welded steel	60'		Bent. chips to 67 ft	14'-16'	158' to 222'		242 ft
	6"-242"	4" PVC	242	202-222 232-242	39'; cement to 60'				
2	same as #1	same	same	TBD	TBD		158'	PVG drop tube	same
3	same as #2	same	same	TBD	TBD		158'	same	same
4	same	same	same	TBD	TBD		168'	same	same

(see enclose well log)

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

### C. Artesian Flows

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

N/A

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### 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**
- XX** • If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

**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	(see enclosed well log)	QM	60 gpm	8,000,000	60
2	Basalt below 158' bgs	QM	60	same	??**
3	Basalt below 158' bgs	QM	60	same	??**
4	Basalt below 168' bgs	QM	60	same	??**

\*\*60 gpm is requested because a combination of 1 or more wells may yield flow that we would use

**C. Maximum Rate of Use Requested** What is the maximum, instantaneous rate of water that will be used? Well #1: 60 gpm/0.13 cfs  
 (The fees for your application will be based on this amount.) (From all 4 wells if need be) 250 GPM  
*for fire component of Q/M*

**D. Period of Use**

Indicate the time of year you propose to use the water: Year round for QM  
 (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: N/A -- lawn, landscaping in QM  
 (This number should be consistent with your application map.)

**5. WATER MANAGEMENT**

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**A. Diversion**

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type): Well #1 - 5 HP Goulds  
Wells #2, 3 & 4 -- To be determined
- 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 8-inch Length Up to 3000 feet to deliver to the 5 lots in this subdivision
- Other (describe) \_\_\_\_\_

G-16645

**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use? Well #1 (and possibly Wells #2, 3, and 4) will supply QM water to pressure tanks and/or reservoir(s), then to a piped distribution system to individual users.

Irrigation or land application method (check all that apply): N/A -- lawns, gardens, landscaping part of Q/M use

- 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 \_\_\_\_\_

**Distribution method**

- Direct pipe from source
- In-line storage (tank or pond) or reservoir
- 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.

We will install meters on each of the 5 lots. Hiland Water Corp. will bill monthly. This will limit water use. We will encourage the use of efficient water flow devices and water-using appliances and yard & landscape irrigation practices as each of the 5 units is constructed.

**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: 2/26/2004 (Well #1 was completed on that date)

Proposed date construction will be completed: 6/1/2007

Proposed date beneficial water use will begin: 6/1/2007

**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.*

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SALEM, OREGON**

G-16645

### 8. MAP REQUIREMENTS

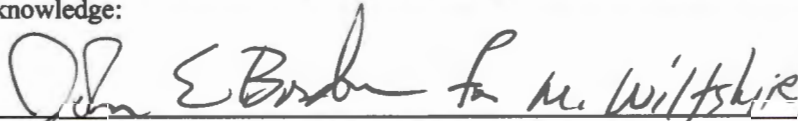
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

### 9. SIGNATURE

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:

 3-24-2006

Signature of Applicant (If more than one applicant, all must sign.)

Date

(see letter dated 3-24-2006 from Mike Wiltshire)

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. The Department's fee schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

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SALEM, OREGON

(1) OWNER: Well No. 2265  
Name FAR WEST DEVELOPMENT CORP  
Address POB 490  
City NEWBERG St OR Zip 97132

(2) TYPE OF WORK: NEW WELL  
(3) DRILL METHOD: ROTARY AIR  
(4) PROPOSED USE: COMMUNITY

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 242 ft  
Explosives used NO Type Amount  
HOLE SEAL  
Diam. From To Material From To Amount  
10 0 60 BENTONITE CHIP 0 39 41 SAX  
6 60 242 CEMENT W/CEL 39 60 6 SAX

Seal placement method C AND POURED  
Backfill: from \_\_\_ ft to \_\_\_ ft Material  
Gravel: from \_\_\_ ft to \_\_\_ ft Size

(6) CASING/LINER:

Casing	Diam.	From	To	Gauge	Material	Connection
6	6	+1.5	60	.25	STEEL	WELDED
Liner	4	2	242	SOR26	PLASTIC	WELDED

Final Location of shoe(s) 60

(7) PERFORATIONS/SCREENS:

From	To	Slot Size	Number	Diam.	Tele/pipe Size	Casing/liner
202	222	.127"	40			LINER
232	242	.127"	20			LINER

[X] Perf. Method ELECTRIC SAW  
[ ] Screens Type Material

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

Yield GPM	Draw-down	Drill stem at	Time
60		242	1 hr.
60		228	3

Temperature of water 53F Depth Artesian Flow Found \_\_\_  
Was water analysis done? YES By whom BND  
Reason for water not suitable for use TOO SHALLOW  
Depth of strata 14

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. " " " " Long. " " "  
Township 3 S Range 3 W NE  
Section 24 SE 1/4 NE 1/4  
Tax Lot 7905 Lot Block Subdivision  
Street Address of Well (or nearest Address)  
BONE DUNBERG LOOP NEWBERG, OR

(10) STATIC WATER LEVEL: WATER RESOURCES DEPT SALEM, OREGON  
67 ft. below land surface. Date 02/27/04  
Artesian pressure \_\_\_ lb per square in. Date \_\_\_

(11) WATER BEARING ZONES:

From	To	Est Flow Rate	SWL
14	16	20-30	6
158	222	60	67

(12) WELL LOG:

Material	Ground elevation		SWL
	From	To	
TOP SOIL	0	4	
CLAY, BROWN W/SILTY LAYERS	4	18	6
CLAY, GRAY	18	38	
BASALT, BROWN DECAY MEDIUM	38	41	
BASALT, GRAY MEDIUM	41	92	
BASALT, BROWN MEDIUM	92	101	
BASALT, GRAY/BROWN MEDIUM	101	125	
BASALT, BROWN MEDIUM	125	127	
BASALT, GRAY/BROWN MEDIUM	127	158	
BASALT, BROWN DECAY MEDIUM	158	187	67
BASALT, BROWN DECAY W/RED VESIC, MEDIUM	187	190	67
BASALT, BROWN MEDIUM	190	196	67
BASALT, GRAY HARD TO MED W/FRACS	196	211	67
BASALT, BRN/RED VESIC DECAY, MEDIUM	211	216	67
BASALT, BROWN DECAY MEDIUM	216	222	67
BASALT, GRAY, MEDIUM TO HARD	222	242	

BLUE WATER DRILLING CO. DAYTON, OR  
Date started 02/26/04 Completed 02/27/04

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed NA 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 water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed [Signature] WWC Number 1438 Date 02/27/04

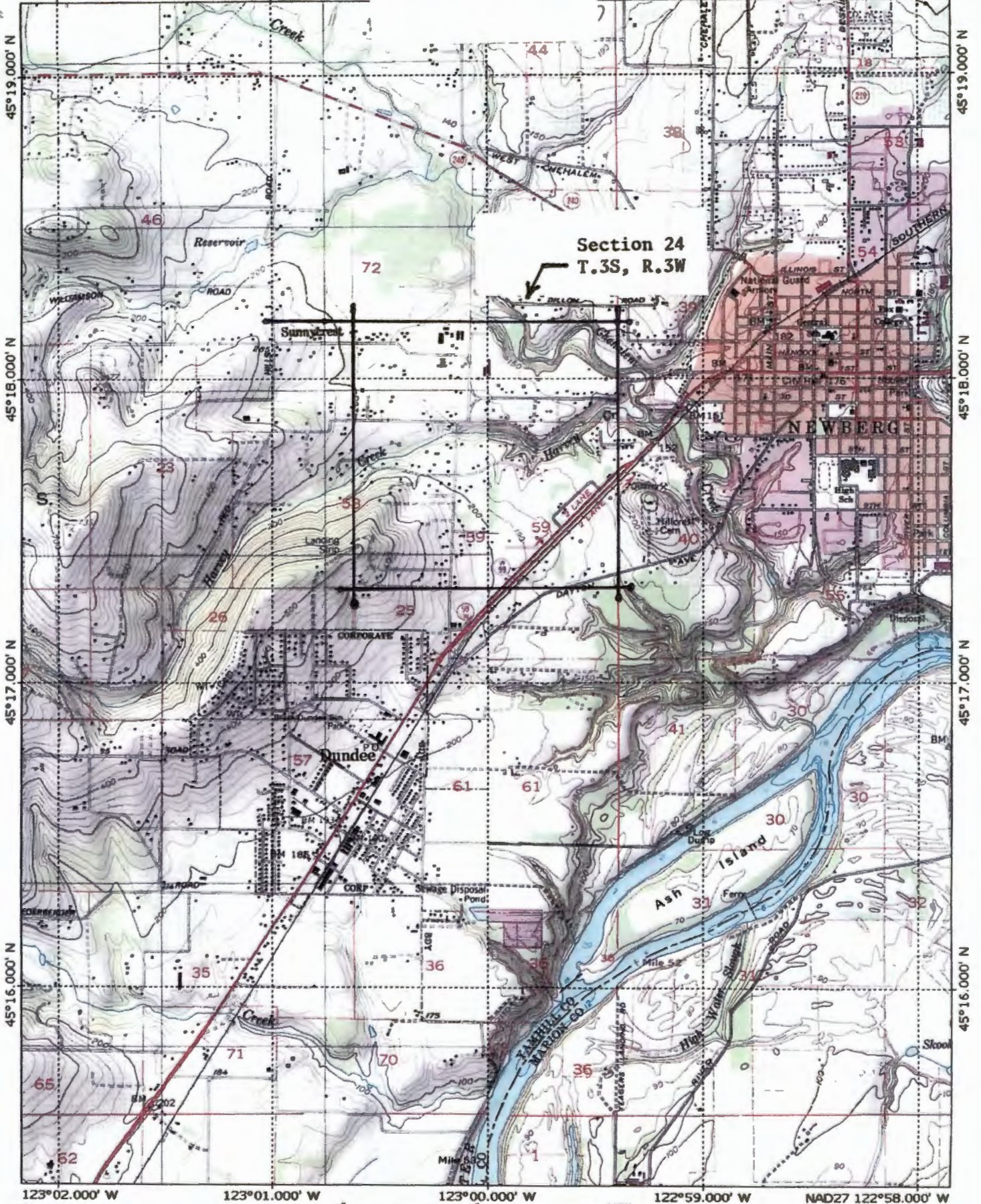
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MAR 16 2004

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MAR 27 2005  
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SALEM, OREGON

G-16645

VICINITY MAP

123°02.000' W 123°01.000' W 122°59.000' W NAD27 122°58.000' W



TN 176°

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Map created with TOPO! © 2002 National Geographic (www.nationalgeographic.com/topo)

MAR 27 2006

SCALE: 1:24 000

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SALEM, OREGON

app no  
G-16645

map printed on  
123°00.

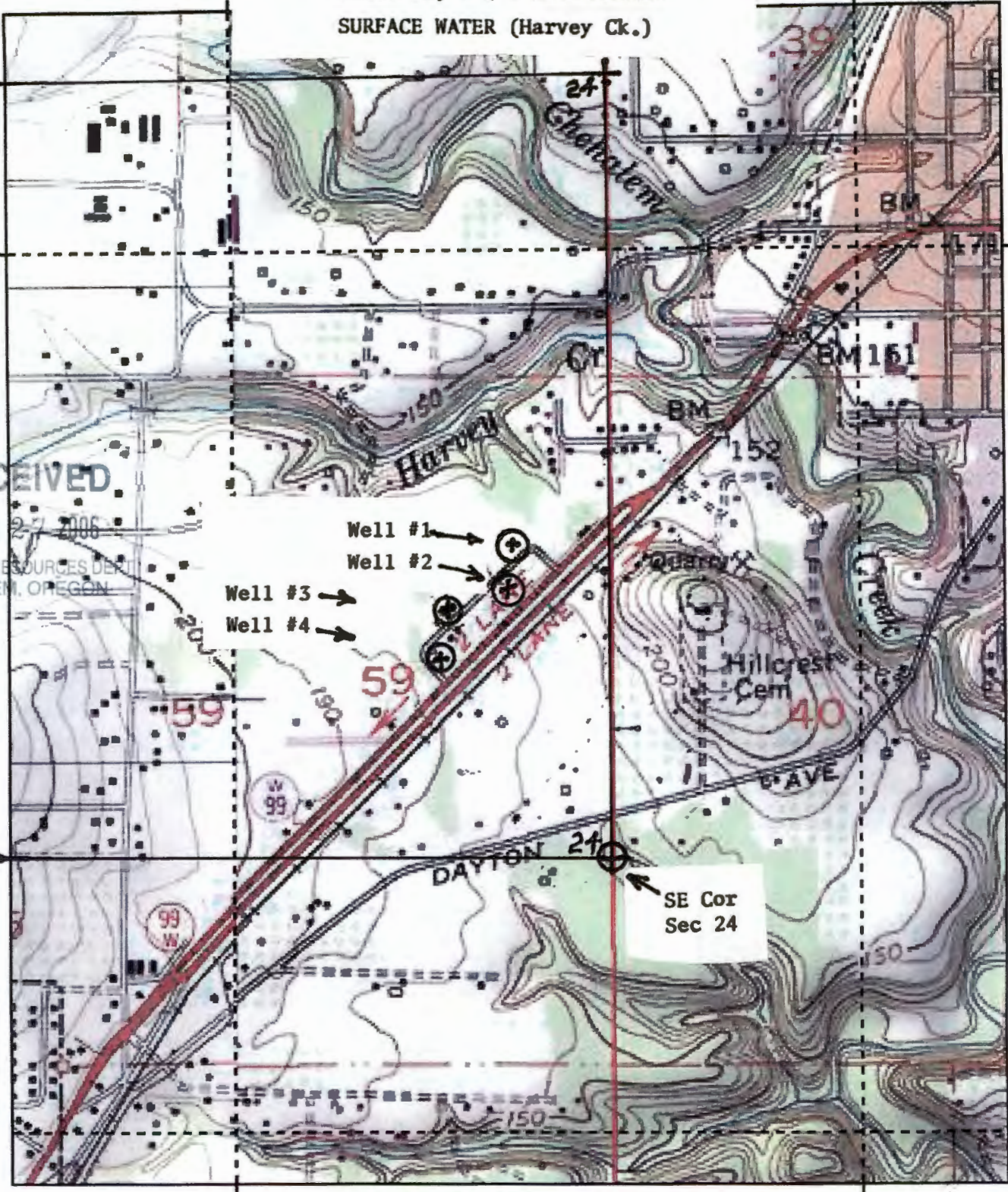
MAP SHOWING LOCATION OF  
EXISTING WELL #1, PROPOSED  
WELLS #2, 3 & 4 AND NEAREST  
SURFACE WATER (Harvey Ck.)

po" and "Untitle  
12°59.000' W

45°18.000' N

45°18.000' N

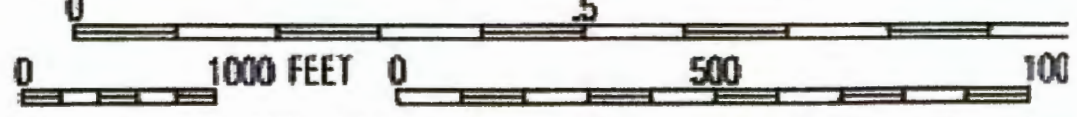
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123°00.000' W

NAD27 122°59.000' W

TN\* / MN  
17½°



Map created with TOPO!® ©2002 National Geographic (www.nationalge

app no G-16645

Scale: 1:12,000



# Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # # G-16645

ROUTED TO: W.R.

TOWNSHIP/  
RANGE-SECTION: 03/03-24

CONDITIONS ATTACHED?:  yes  no

REMARKS OR FURTHER INSTRUCTIONS:  
No New or Additional Water

Reviewer: Mark Norton

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **80455**

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

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

RECEIVED FROM: Manning Construction  
BY: Company

APPLICATION	<u>6-16645</u>
PERMIT	
TRANSFER	

CASH:  CHECK:#  12967 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$750.00

**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**

<b>MISCELLANEOUS</b>		<b>RECEIVED OVER THE COUNTER</b>		
0407	COPY & TAPE FEES		\$	
0410	RESEARCH FEES		\$	
0408	MISC REVENUE: (IDENTIFY) _____		\$	
TC162	DEPOSIT LIAB. (IDENTIFY) _____		\$	
0240	EXTENSION OF TIME	\$		
<b>WATER RIGHTS:</b>				
0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$ <u>500.00</u>	0204	\$ <u>250.00</u>
0205	TRANSFER	\$		
<b>WELL CONSTRUCTION</b>				
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: **80455** DATED: 3/27/06 BY: Lisa Partridge