

G-18823
 JENCK FARMS LLC C/O JOE JENCK
 745 THIRD STREET
 TILLAMOOK, OR 97141

5-16-19
 TILL WM# 1

FILED FILES

COMPLETION _____ Date _____
 Completed to _____
 Original Proof received _____
 Proposed Cert. Mailed _____

Application No. **G-18823**
 Permit No. _____
 Certificate No. _____

Date _____
DENIED _____
MISFILED _____ Volume _____ Page _____
WITHDRAWN _____
CANCELLED _____

FEES PAID

Date	Amount	Receipt No.
5-16-19	\$ 3,090.00	129782

Cert. Fee _____

FEES REFUNDED

Date	Amount	Receipt No.

ASSIGNMENTS

Date	To Whom	Address

REMARKS _____



WATERMASTER APPLICATION REVIEW

Application #: G-18823 Applicant's Name: Jenck Farms

- 1) Would the proposed allocation have the potential for injury to existing rights?
 Yes No
- 2) Have you spoken with persons from other state agencies about this application?
 Yes No If yes, whom and why?

Division 33 Agencies. DEQ, ODA, ODFW at request of the applicant.

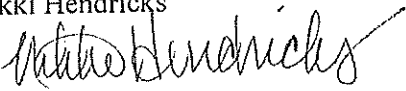
- 3) Please select the appropriate measurement, recording and reporting condition for this application.
- Small** < 0.1 CFS, < 9.2 AF
- Medium** > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF
- Large** > 0.25 CFS, > 100 AF
- Require a staff gage if source is runoff or if the reservoir is located in-channel.

- 4) Please provide any additional information or conditions that you believe are necessary for this application.

Tillamook River is regulated most years from June until end of irrigation season and the Trask River is regulated from July to end of irrigation season for the senior instream water rights.

Measurements for the Tillamook River regulations are made at approximately river mile 6 at the Hwy 101 rest area just south of town. Trask River regulation measurement is made at approximately river mile 6 at the Johnson Bridge on the corner of Long Prairie and Trask River Rd.

Watermaster Name: Nikki Hendricks

Watermaster Signature: 

Date: 5/13/2020

WRD Caseworker: Kim French

503-986-0900/ Fax 503-986-0901

STANDARD APPLICATION CHECKLIST

PFO	FO

Application #: G-18823	Applicant: JENCK FARMS LLC.	
Basin # 1	Priority Date: May 16, 2019	WM#: 1

INITIAL REVIEW

PR	CW		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ORS 538 prohibits use?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (stop processing and return app and fees)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Requested Use/Rate/Season:	1R-257.9AC; 2.0 CFS; 3/1-10/31
		Limit:	Duty: 2
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Allowed Use/Rate/Season:	
		Limit:	Duty:

Use

PR	CW				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Use is	<input checked="" type="checkbox"/> Allowed	<input type="checkbox"/> Not Allowed	<input type="checkbox"/> Limited
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Per	<input type="checkbox"/> Compact	<input checked="" type="checkbox"/> OAR: (AD-501-0005(C))	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	POU Conflict?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	Supplemental?	<input type="checkbox"/> NA	<input type="checkbox"/> No	<input type="checkbox"/> Yes, Limits
<input type="checkbox"/>	<input type="checkbox"/>	Conservation Methods?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	

Land Use

PR	CW					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Allowed Outright	<input type="checkbox"/> Not Allowed	<input type="checkbox"/> Being Pursued	<input type="checkbox"/> Not Being Pursued	<input type="checkbox"/> Decision Obtained
		<input type="checkbox"/> Receipt Only	<input type="checkbox"/> NA			

Groundwater

PR	CW					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	GW Rev:	<input type="checkbox"/> will likely be available	<input type="checkbox"/> will likely not be available	<input checked="" type="checkbox"/> will, if properly conditioned	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	No PSI	<input checked="" type="checkbox"/> well 293	Has PSI with TRASK R, TRASK SL, MILLAMOOK R.		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	PSI caused from	<input checked="" type="checkbox"/> 1/4 mile	<input type="checkbox"/> > 5 CFS	<input checked="" type="checkbox"/> Instream Q	<input checked="" type="checkbox"/> > 1% of 80% <input type="checkbox"/> Interference > 25%
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reduce rate to avoid PSI				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	GW Conditions:	7B, 7F; BJC (ALLUVIAL); SPECIAL (OBS WELL)			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Well construction meets minimum standards?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No (deny)	<input type="checkbox"/> NA (proposed well)	

Well Name(s)

WELL 2 (TILL 50225 / L9274)	
WELL 3 (PROPOSED)	

Notes: PER IVAN: ADD "THE TRASK RIVER AT THE POINT OF IMPACT FROM THE WELLS IS BOTH BRACKISH WATER AND TIDALLY INFLUENCED."

Surface Water Availability

PR	CW			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 80%	<input type="checkbox"/> 50%	Available: DEC - APR + JUN
				WID: 71235
		<input type="checkbox"/> Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or Champoeg Cr (including Mission Cr and Case Cr)		

Reservoir Information

PR	CW	<input checked="" type="checkbox"/> NA
<input type="checkbox"/>	<input type="checkbox"/>	Reservoir Name:
<input type="checkbox"/>	<input type="checkbox"/>	Use(s) of stored water:
<input type="checkbox"/>	<input type="checkbox"/>	Statutory? <input type="checkbox"/> No <input type="checkbox"/> Yes – Plans/Specs required – include DAMENG and DAMSTD in conditions

Scenic Waterway

PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is POD within/above a SWW? <input checked="" type="checkbox"/> No <input type="checkbox"/> Above <input type="checkbox"/> Within Name:
<input type="checkbox"/>	<input type="checkbox"/>	If GW, is there P of E? <input type="checkbox"/> NA <input type="checkbox"/> No <input type="checkbox"/> Yes If interference, check and print WARS tables
<input type="checkbox"/>	<input type="checkbox"/>	If GW, Add condition <input type="checkbox"/> 7J <input type="checkbox"/> NA MUST ADD 7J CONDITION IF WITHIN OR ABOVE A SWW

Division 33

PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subject to Division 33? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
<input type="checkbox"/>		UPPER COLUMBIA OAR 690-033-0120 (DIV331) (not allowed 4/15 - 9/30)
<input type="checkbox"/>		UPPER COLUMBIA AND STATEWIDE (DIV334) (not allowed 4/15 - 9/30)
<input type="checkbox"/>		LOWER COLUMBIA OAR 690-033-0220 (DIV332)
<input type="checkbox"/>		LOWER COLUMBIA AND STATEWIDE (DIV335)
<input checked="" type="checkbox"/>		STATEWIDE ONLY OAR 690-033-0330 (DIV333)

Measurement, Recording, and Reporting Conditions

PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	Small < 0.1 CFS, < 9.2 AF
<input type="checkbox"/>	<input type="checkbox"/>	Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Large > 0.25 CFS, > 100 AF
		<ul style="list-style-type: none"> • use at least Medium for: Siltcoos Lake, stored water contract, and Sandy Basin GW. • use Large for: Tenmile Lake, NU or other temp control, and gov. entities, HC exceptions; and if GW in South Salem Hills, or 10+ acres in Stage Gulch CGWA; Large-7g, Large-7i for 7g/7i.

Other Information

PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is App within a District boundary? <input type="checkbox"/> No <input type="checkbox"/> Yes cc:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Municipal Use? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> If yes, change construction finding to 20 years
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Form M reviewed <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes Recommendations:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Storage Contract <input checked="" type="checkbox"/> NA <input type="checkbox"/> BOR <input type="checkbox"/> Doug Co <input type="checkbox"/> CORP <input type="checkbox"/> Needed <input type="checkbox"/> Obtained #
<input type="checkbox"/>	<input checked="" type="checkbox"/>	POD is within North Umpqua or Tenmile Lake for DO and spreadsheet was updated <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Forms included <input checked="" type="checkbox"/> NA <input type="checkbox"/> HC Exception (receipts/well logs attached) <input type="checkbox"/> Spring Description <input type="checkbox"/> Form M
<input type="checkbox"/>	<input checked="" type="checkbox"/>	App/Map meet minimum requirements <input type="checkbox"/> Yes <input type="checkbox"/> No Missing?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Letter format <input type="checkbox"/> Good <input checked="" type="checkbox"/> Bad <input type="checkbox"/> Limited
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Scanned images exist for application and map
<input type="checkbox"/>	<input type="checkbox"/>	

IR Signatures

Caseworker: Kim R. French	Date: 2/26/2020
Peer Reviewer signature:	Date

PROPOSED FINAL ORDER

<input type="checkbox"/>	<input type="checkbox"/>	IR Date:	Noticed On:	Comment Deadline:	
<input type="checkbox"/>	<input type="checkbox"/>	Elec/Written comments?	<input type="checkbox"/> No <input type="checkbox"/> Yes	Add commenter to mailing list – if over 25 – newspaper notice	
<input type="checkbox"/>	<input type="checkbox"/>	Comment Evaluation:	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> NA	
<input type="checkbox"/>	<input type="checkbox"/>	IR Requested add'l info?	<input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	Add'l info received?	<input type="checkbox"/> No <input type="checkbox"/> Yes	Date Rec'd:	
<input type="checkbox"/>	<input type="checkbox"/>	Changes from IR determinations:			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Surface Water	Will the use impair or be detrimental to the public interest?		<input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If yes, why?	<input type="checkbox"/> Not allowed in basin program	<input type="checkbox"/> Water is not available	<input type="checkbox"/> Use will injure other rights <input type="checkbox"/> Does not comply with other rules of the Commission
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Groundwater	Will the use ensue preservation of public welfare, safety and health?		<input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If no, why?	<input type="checkbox"/> Not allowed in basin program	<input type="checkbox"/> Water is not available	<input type="checkbox"/> Use will injure other rights <input type="checkbox"/> Does not comply with other rules of the Commission
<input type="checkbox"/>	<input type="checkbox"/>	Is the presumption established?	<input type="checkbox"/> No <input type="checkbox"/> Yes	If no, is it overcome? <input type="checkbox"/> No <input type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	Req'd before permit	<input type="checkbox"/> NA <input type="checkbox"/> recording fee	<input type="checkbox"/> LU <input type="checkbox"/> easement	<input type="checkbox"/> plans/specs <input type="checkbox"/> storage contract

Summary of Conditions

<input type="checkbox"/>	<input type="checkbox"/>	Small < 0.1 CFS, < 9.2 AF
<input type="checkbox"/>	<input type="checkbox"/>	Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF
<input type="checkbox"/>	<input type="checkbox"/>	Large > 0.25 CFS, > 100 AF
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA GW Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA ODFW Division 33 Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA DEQ Division 33 Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA WM Division 33 Conditions:

PFO Signatures

Caseworker: Kim R. French	Date:
Peer Reviewer signature:	Date:

Application #: G-18823

Applicant: JENCK FARMS LLC.

FINAL ORDER

<input type="checkbox"/>	<input type="checkbox"/>	PFO Date:	Protest Period Ended:	
<input type="checkbox"/>	<input type="checkbox"/>	Name and/or address changed or assignment received?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	PFO requires modification?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If so,		
<input type="checkbox"/>	<input type="checkbox"/>	If PFO requires modification, include modified Hearing Rights	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	Was a standing paid for?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> FO w/ Permit	<input type="checkbox"/> FO w/Draft Permit; still need	<input type="checkbox"/> FO to deny:
		Permit #	<input type="checkbox"/> Recording Fees	<input type="checkbox"/> Land Use Approval
			<input type="checkbox"/> Easement	<input type="checkbox"/> Approved Dam Plans/Specs
			<input type="checkbox"/> Storage Contract	Refund \$

FO Signatures

Caseworker: Kim R. French

Date:

Peer Reviewer signature:

Date

PERMIT ISSUED AFTER FO

<input type="checkbox"/>	<input type="checkbox"/>	Permit #
<input type="checkbox"/>	<input type="checkbox"/>	Received required information
		Date:
		<input type="checkbox"/> Recording Fees
		<input type="checkbox"/> Easement
		<input type="checkbox"/> Storage Contract
		<input type="checkbox"/> Land Use Approval
		<input type="checkbox"/> Approved Dam Plans/Specs
<input type="checkbox"/>	<input type="checkbox"/>	Prepared cover letter?

Permit Signatures

Caseworker: Kim R. French

Date:

Peer Reviewer signature:

Date

Fees

PR	CW						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3.22	CFS	Base	1340		
			AF	Up to 1 CFS \$350	350		
				Add'l CFS @ \$350/CFS	1050		
				Up to 20 AF @ \$35/AF			
				Add'l AF @ \$1.20/AF			
		2	Well(s)/POD(s)	Add'l POD/POA \$350 ea	350		
		1	Use(s)	Add'l Use \$350 ea			
				Exam Fee Req'd	3090	Rec Fee Req'd	520
				Exam Fee Paid	3090	Rec Fee Paid	0
				Still Owed/Refund	0	Pay before Permit	520

Mailing List

PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Applicant - UNAVAILABLE
		<input checked="" type="checkbox"/> Authorized Agent - phgdmh@gmail.com DOANN HAMILTON
		<input checked="" type="checkbox"/> Watermaster #1
		<input checked="" type="checkbox"/> SW Section (if SW, GW with PSI, or SWW. If SWW, include copy of yellow sheet)
		<input checked="" type="checkbox"/> ALO ANDREA M JENCKL, TRUSTEE, 420 WYSS RD, TILLAMOOK OR 97141
		<input type="checkbox"/> ALO
		<input type="checkbox"/> CWRE
		<input type="checkbox"/> District – if POU is within a District - Notification at IR only
		<input type="checkbox"/> Division 33 – If Lower and/or Statewide – ODFW and DEQ only. If Upper – use DIV33MAIL autotext
		<input type="checkbox"/> DSL (if reservoir)
		<input type="checkbox"/> Any appropriate local government
		<input type="checkbox"/> Commenter(s)
		<input type="checkbox"/> Kerri Cope if MU or QM (PERMIT ONLY)
		<input type="checkbox"/> Ann Reece if applicant is an Irrigation District (FO ONLY)

Notes:



Point of Diversion Characteristics

Right:	App: G 18823 *
Name:	JENCK FARMS LLC C/O JOE JENCK

TRSQQ: 01.00S-10.00W-25-NWSW

County: Tillamook
 Basin: North Coast
 WM District: 1
 WM Region: NW
 Withdrawn Area:
 WAB: TRASK R > TILLAMOOK BAY - AT MOUTH (71235)
 Priority WAB: TRASK R @ mouth (OWRD: Fair, ODFW: Highest) (71235)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: Statewide
 Water Quality Limited:

TRSQQ: 01.00S-10.00W-35-NENE

County: Tillamook
 Basin: North Coast
 WM District: 1
 WM Region: NW
 Withdrawn Area:
 WAB: TILLAMOOK R > TILLAMOOK BAY - AT MOUTH (71232)
 TRASK R > TILLAMOOK BAY - AT MOUTH (71235)
 Priority WAB: TILLAMOOK R @ mouth (OWRD: Fair, ODFW: Moderate) (71232)
 TRASK R @ mouth (OWRD: Fair, ODFW: Highest) (71235)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: Statewide
 Water Quality Limited:

WATER RESOURCES DEPARTMENT

DIVISION 501

NORTH COAST BASIN PROGRAM

690-501-0005

Classifications

(1) In accordance with ORS 536.220, 536.300, 536.310, and 536.340, the waters of the North Coast Basin are classified for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life, with the following exceptions:

~~(a) The waters of the natural lakes of the North Coast Basin are classified for utilization of water for domestic, livestock, power development not to exceed 7-1/2 theoretical horsepower, and in-lake uses for recreation, wildlife, and fish life purposes;~~

~~(b) The attainment of the highest and best use of the waters of Clatskanie and Klaskanine Rivers and their tributaries, Lewis and Clark River and Tillasqua Creek (Big Creek), has been determined through legislative withdrawal by ORS 538.251 to be for the protection of fish life. ORS 538.260 states that 538.251 shall not affect any existing rights or prevent appropriation for domestic, stock, municipal, fish culture, esthetic, recreational, or public park purposes;~~

~~(c) The waters of the Columbia River creating a tidal influence in the mouths of the tributaries to the Columbia River within the Columbia Subbasin are classified for utilization of water for domestic, livestock, municipal, irrigation, indus[-]trial, recreation, wildlife, and fish life purposes;~~

~~(d) The waters of all streams tributary to Sand Lake are classified only for utilization for domestic, livestock, use in dairies, irrigation of lawns and noncommercial gardens not exceeding one-half acre in area, power development and instream use for recreation, fish life and wildlife purposes;~~

~~(e) The waters of Jetty Creek and its tributaries are classified for utilization of water for human consumption, livestock consumption, power development and instream uses for recreation, wildlife and fish life purposes. In addition, up to one cubic foot per second of the waters of Jetty Creek is classified for municipal use;~~

~~(f) The waters of Heitmiller Creek are classified for utilization of water for human consumption, livestock consumption, and instream uses for recreation, wildlife and fish life purposes;~~

(g) The waters of the following streams are classified for utilization of water for human consumption, livestock consumption, power development and instream uses for recreation, wildlife, and fish life purposes:

~~(A) Tillamook Subbasin:~~

~~(i) All streams tributary to Daley Lake;~~

~~(ii) All streams tributary to Netarts Bay;~~

~~(iii) Coleman Creek and its tributaries;~~

~~(iv) Vaughn Creek and its tributaries;~~

~~(v) Douhty Creek and its tributaries;~~

~~(vi) Patterson Creek and its tributaries;~~

~~(vii) Larson Creek and its tributaries;~~

~~(viii) All streams tributary to Lake Lytle.~~

~~(B) Nehalem Subbasin:~~

~~(i) Salmonberry River and its tributaries;~~

~~(ii) Rock Creek and its tributaries.~~

~~(C) Columbia Subbasin:~~

~~(i) Short Sand Creek and its tributaries;~~

~~(ii) Arch Cape Creek and its tributaries;~~

~~(iii) Cullaby Creek and its tributaries;~~

~~(iv) John Day River and its tributaries;~~

~~(v) Gnat Creek and its tributaries;~~

~~(vi) All tributaries to Westport Slough, except Plympton Creek. In addition to uses in subsection (g) of this section, permits may also be used to collect and divert polluted industrial site runoff, before entering OK Creek, for pollution abatement purposes. This use shall be allowed only on the condition that all applicable requirements of other agencies are met;~~

~~(vii) Tide Creek and its tributaries, except that water from the main stem Tide Creek from the falls near river mile 3 to the mouth may be used for gravel washing provided that such use shall not diminish the flow in Tide Creek below 2.5 cfs;~~

~~(viii) Goble Creek and its tributaries, except that surface water legally stored and released from storage may be used for any beneficial purpose. Diversion for storage shall be limited to the period December 1 to February 28.~~

~~(2) Structures or works for utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310; and any such structures or works, which do not give cognizance to the multiple-purpose concept, are further declared to be prejudicial to the public interest.~~



Oregon Water Resources Department
Water Rights with Coincident Places of Use

- Main
- Help
- Return
- Contact Us

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App: G 18823 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
CLAIM:OR 3350 *	ARNOLD WALKER					9/30/1952	NC	IR	01.00S-10.00W-35-NWNE			10.0000
								IR	01.00S-10.00W-26-SWSE			25.6900
								IR	01.00S-10.00W-26-NWSE			20.3300
CLAIM:OR 3593 *	ALFRED H MAROLF					10/31/1954	NC	IR	01.00S-10.00W-26-NESE		12	10.5000
								IR	01.00S-10.00W-26-NWSE			0.7000
								IR	01.00S-10.00W-26-NWSE		12	4.5000
								IR	01.00S-10.00W-26-SESE		13	8.0000
								IR	01.00S-10.00W-25-NWSW		9	11.6000
								IR	01.00S-10.00W-25-NESW		9	2.5000
CERT:72998 OR *	OREGON WATER RESOURCES DEPARTMENT	IS-71232			72998	2/13/1991	NC	F3	01.00S-10.00W-35-NWNE			
								F3	01.00S-10.00W-35-NWSE			
CERT:72999 OR *	OREGON WATER RESOURCES DEPARTMENT	IS-71235			72999	2/13/1991	NC	F3	01.00S-10.00W-25-SWSE			
								F3	01.00S-10.00W-25-SESW			
								F3	01.00S-10.00W-25-NESW			
CERT:59667 OR *	OREGON WATER RESOURCES DEPARTMENT	MF-58			59667	5/9/1973	NC	F1	01.00S-10.00W-35-NWSE			
								F1	01.00S-10.00W-35-NWNE			
CERT:59669 OR *	OREGON WATER RESOURCES DEPARTMENT	MF-61			59669	5/9/1973	NC	F1	01.00S-10.00W-25-SWSE			
								F1	01.00S-10.00W-25-SESW			
								F1	01.00S-10.00W-25-NESW			
CERT:10799 OR *	A BEALS	S-13369	S-9733		10799	4/10/1930	NC	DO	01.00S-10.00W-26-			
								DO	01.00S-10.00W-26-			
								DO	01.00S-10.00W-35-			
								DO	01.00S-10.00W-26-			

*NO
CONFLICT*

26	DO	01.00S-10.00W-26
27	DO	01.00S-10.00W-35
28	DO	01.00S-10.00W-35
29	DO	01.00S-10.00W-35
30	DO	01.00S-10.00W-35
31	DO	01.00S-10.00W-35
32	DO	01.00S-10.00W-35
33	DO	01.00S-10.00W-35
34	DO	01.00S-10.00W-35
35	DO	01.00S-10.00W-35
36	DO	01.00S-10.00W-35
37	DO	01.00S-10.00W-35
38	DO	01.00S-10.00W-35
39	DO	01.00S-10.00W-35
40	DO	01.00S-10.00W-35
41	DO	01.00S-10.00W-35
42	DO	01.00S-10.00W-35
43	DO	01.00S-10.00W-35
44	DO	01.00S-10.00W-35
45	DO	01.00S-10.00W-35
46	DO	01.00S-10.00W-35
47	DO	01.00S-10.00W-35
48	DO	01.00S-10.00W-35
49	DO	01.00S-10.00W-35
50	DO	01.00S-10.00W-35
51	DO	01.00S-10.00W-35
52	DO	01.00S-10.00W-35
53	DO	01.00S-10.00W-35
54	DO	01.00S-10.00W-35
55	DO	01.00S-10.00W-35
56	DO	01.00S-10.00W-35
57	DO	01.00S-10.00W-35
58	DO	01.00S-10.00W-35
59	DO	01.00S-10.00W-35
60	DO	01.00S-10.00W-35
61	DO	01.00S-10.00W-35
62	DO	01.00S-10.00W-35
63	DO	01.00S-10.00W-35
64	DO	01.00S-10.00W-35
65	DO	01.00S-10.00W-35
66	DO	01.00S-10.00W-35
67	DO	01.00S-10.00W-35
68	DO	01.00S-10.00W-35
69	DO	01.00S-10.00W-35
70	DO	01.00S-10.00W-35
71	DO	01.00S-10.00W-35
72	DO	01.00S-10.00W-35
73	DO	01.00S-10.00W-35
74	DO	01.00S-10.00W-35
75	DO	01.00S-10.00W-35
76	DO	01.00S-10.00W-35
77	DO	01.00S-10.00W-35
78	DO	01.00S-10.00W-35
79	DO	01.00S-10.00W-35
80	DO	01.00S-10.00W-35
81	DO	01.00S-10.00W-35
82	DO	01.00S-10.00W-35
83	DO	01.00S-10.00W-35
84	DO	01.00S-10.00W-35
85	DO	01.00S-10.00W-35
86	DO	01.00S-10.00W-35
87	DO	01.00S-10.00W-35
88	DO	01.00S-10.00W-35
89	DO	01.00S-10.00W-35
90	DO	01.00S-10.00W-35
91	DO	01.00S-10.00W-35
92	DO	01.00S-10.00W-35
93	DO	01.00S-10.00W-35
94	DO	01.00S-10.00W-35
95	DO	01.00S-10.00W-35
96	DO	01.00S-10.00W-35
97	DO	01.00S-10.00W-35
98	DO	01.00S-10.00W-35
99	DO	01.00S-10.00W-35
100	DO	01.00S-10.00W-35



Groundwater Application Review Summary Form

Application # G- 13823

GW Reviewer Ben Scandell Date Review Completed: 1/25/20

Summary of GW Availability and Injury Review:

Groundwater for the proposed use is either over appropriated, will not likely be available in the amounts requested without injury to prior water rights, OR will not likely be available within the capacity of the groundwater resource per Section B of the attached review form.

Summary of Potential for Substantial Interference Review:

There is the potential for substantial interference per Section C of the attached review form.

Summary of Well Construction Assessment:

The well does not appear to meet current well construction standards per Section D of the attached review form. Route through Well Construction and Compliance Section.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations and for conditions that may be necessary for a permit (if one is issued).

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section
 FROM: Groundwater Section Ben Scandella, Justin Iverson
 SUBJECT: Application G-18823

Date 1/23/2020

Reviewer's Name
 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 groundwater 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: DOANN HAMILTON; PACIFIC HYDRO-GEOLOGY INC.
 County: TILLAMOOK

A1. Applicant(s) seek(s) 2.005 CUBIC FEET PER SECOND from 2 well(s) in the North Coast Basin,
Trask River subbasin

A2. Proposed use IRRIGATION (257.9 acres) Seasonality: MARCH 1 THROUGH OCTOBER 31

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	TILL 50225*	2	Alluvial	2.005	1S/10W-25 NW-SW	325'S, 870'E fr W 1/4 cor S 25
2	Proposed	3	Alluvial	2.005	1S/10W-35 NE-NE	765'S, 2625' W fr SW cor DLC 44

* 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	7	5	1	6-6-97	135	0-61	+2-92	84-135	95-133	250+	N/A	A
2	7	N/A	N/A	N/A	100	0-50	0-100	N/A	TBD	N/A	N/A	N/A

Use data from application for proposed wells.

A4. **Comments:** The amended application submitted on 1/22/2020 reduced the rate from 3.220 cfs (1450 gpm) to 2.005 cfs (900 gpm) and the total annual volume from 645 acre-feet to 387 acre-feet.
*TILL 50225 deepened on TILL 50400. Application specifies only "100" for casing intervals on proposed Well 2 (applicant's "Well 3"); this was assumed to extend continuously from land surface to 100 ft.

A5. **Provisions of the North Coast (OAR 690-501)** Basin rules relative to the development, classification and/or management of groundwater hydraulically connected to surface water are, or are not, activated by this application. (Not all basin rules contain such provisions.)
 Comments: The subject wells are not hydraulically connected with any of the water sources classified in OAR 690-501-0005.

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

B. GROUNDWATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

B1. Based upon available data, I have determined that groundwater* 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 groundwater 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 groundwater 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 groundwater resource; or
- d. will, if properly conditioned, avoid injury to existing groundwater rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 7B, 7F;
 - 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 groundwater production from no deeper than _____ ft. below land surface;
- b. Condition to allow groundwater production from no shallower than _____ ft. below land surface;
- c. Condition to allow groundwater production only from the Alluvial groundwater 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 Groundwater 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): _____

Application G-18823

- B3. **Groundwater availability remarks:** The aquifer system accessed by the subject wells is composed of alluvial sediment (clay to gravel in size). The material was likely deposited by the river systems in the area (Trask, Tillamook) and marine processes (Schlicker *et al.*, 1972). Thickness of the sediments appears to exceed 135 feet based on a few nearby well logs. The elevation difference between ground surface and the stream stages are minimal, and levees are present to help control flooding of the lowlands (Schlicker *et al.*, 1972).

Groundwater for the proposed use cannot be determined to be over-appropriated due to insufficient available data regarding rates of recharge and the current quantity of groundwater withdrawals from the aquifer system.

Three observation wells are in the area: TILL 515, 634, and 654. Seasonal water level fluctuations range from less than 5 foot at the westernmost well (TILL 634) to over 10 feet at TILL 515, approximately 2 miles east of the subject well. The TILL 515 hydrograph appears to contain pumping data, so the exact seasonal fluctuation is difficult to ascertain.

Well density is low, and with the presence of the rivers and bay so close, long-term declines and well interference are unlikely to occur. The potential for salt water intrusion appears low given current groundwater development in the area, the distance and shallow depth of Tillamook Bay, and the presence of low-permeability material in the shallow subsurface recorded in many nearby well logs. However, additional groundwater pumping or increases in sea level in the future would increase the potential for salt water intrusion into the alluvial aquifer. To protect against saltwater intrusion, the following conditions should be included in the permit:

Special Permit Condition:

1. The applicant shall construct one (1) minimum six-inch diameter observation well to penetrate the same aquifer as the production wells. The well shall meet the Department's minimum well construction standards and shall be cased and continuously sealed to depth equal to the shallowest seal on any existing production wells. The well shall be constructed at a location approved by the Department for the purpose of instrumentation with continuous water-level and quality monitoring equipment. The landowner or permittee shall provide access to Department staff to install and maintain the monitoring equipment. The well shall not be used for any other purpose while the Department is monitoring water levels. The well shall be completed prior to water use under the terms of any permit issued.

The conditions recommended in item B1d should also help to avoid injury to existing groundwater rights or to the groundwater resource.

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

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

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Alluvial	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Alluvial	<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"/>

Basis for aquifer confinement evaluation: Both the water-bearing zone and static water levels are shallow, and local stream reaches incise into the aquifer system. Fine-grained material may locally create semi-confined conditions.

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 1/4 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	Trask River	5	5*	400	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1	2	Trask Slough	5	5*	1060	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1	3	Tillamook River	5	5*	3900	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	1	Trask River	5	5*	3280	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	2	Trask Slough	5	5*	280	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	3	Tillamook River	5	5*	1630	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: *Estimated; topo sheet not clear.

Water Availability Basin the well(s) are located within: TRASK R > TILLAMOOK BAY - AT MOUTH (WID 71235), TILLAMOOK R > TILLAMOOK BAY - AT MOUTH (WID 71232)

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 < 1/4 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?
1	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	71235A	97	<input checked="" type="checkbox"/>	80.2	<input checked="" type="checkbox"/>	<25	<input checked="" type="checkbox"/>
1	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	80.2	<input checked="" type="checkbox"/>	<25	<input checked="" type="checkbox"/>
1	3	<input type="checkbox"/>	<input type="checkbox"/>	58A	20	<input checked="" type="checkbox"/>	9.65	<input checked="" type="checkbox"/>	<25	<input checked="" type="checkbox"/>
2	1	<input type="checkbox"/>	<input type="checkbox"/>	71235A	97	<input checked="" type="checkbox"/>	80.2	<input checked="" type="checkbox"/>	<25	<input checked="" type="checkbox"/>
2	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	9.65	<input checked="" type="checkbox"/>	<25	<input checked="" type="checkbox"/>
2	3	<input type="checkbox"/>	<input type="checkbox"/>	58A	20	<input checked="" type="checkbox"/>	9.65	<input checked="" type="checkbox"/>	<25	<input checked="" 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		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Well	SW#	%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Well	SW#	%	%	%	%	%	%	%	%	%	%	%	%
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													
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: The combination of Well 2 (Applicant's proposed Well 3) and Stream 2 (Trask Slough) is expected to experience the greatest potential depletion due to their proximity. This combination was modeled using the Hunt 1999 stream depletion model (Hunt, 1999), assuming constant pumping at the maximum rate from Well 2 until the total annual volume of 645 acre-feet was reached, after 101 days. Representative parameter values were estimated using the well logs for TILL 50225 and 50400, as well as standard literature (Freeze and Cherry, 1979). The most likely parameter values suggest that stream depletion at 30 days will be limited to 3% of the pumping rate, and even a highly conservative parameter set suggested it would be limited to less than 25% (see detailed results below).

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 groundwater 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:** PSI is found for all combinations of wells and surface water sources in the above analysis, based on proximity of the wells to the surface water, the requested rate's exceeding 1% of the applicable instream water right or natural streamflow, or some combination of these. Reduction of the rate, but primarily the duty, of the application will reduce impacts to the tidally-influenced stream reaches. Because of proximity to Tillamook Bay, all of these stream reaches are heavily influenced daily by the ocean tides, which should mix them to some extent with brackish water from Tillamook Bay. The presence of Tillamook Bay will effectively maintain and control stream stage in the lower reaches of both rivers.

References Used:

- Freeze, R.A. and J.A. Cherry, 1979. Groundwater. Prentice-Hall, Englewood Cliffs, N.J.
- Hunt, B., 1999. Unsteady Stream Depletion from Ground Water Pumping. Groundwater 37:98-102.
- Schlicker, H.G., R.J. Deacon, J.D. Beaulieu, and G.W. Olcott, 1972. Environmental Geology of the Coastal Region of Tillamook and Clatsop Counties, Oregon. Department of Geology and Mineral Industries.
<https://digital.osl.state.or.us/islandora/object/osl%3A26973>. Accessed 9 Dec 2019.

D. WELL CONSTRUCTION, OAR 690-200

- D1. Well #: _____ Logid: _____
- D2. **THE WELL does not appear to 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 or other comment is described as follows:** _____
- D4. Route to the Well Construction and Compliance Section for a review of existing well construction.

Water Availability Tables

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

TRASK R > TILLAMOOK BAY - AT MOUTH
Basin: NORTH COAST

Exceedance Level: 80
Date: 12/09/2019

watershed ID #: 71235
Time: 4:16 PM

Month	Natural Stream Flow	Consumptive Use and Storage	Expected Stream Flow	Reserved Stream Flow	Instream Requirements	Net Water Available
Monthly values are in cfs. Storage is the annual amount at 50% exceedance in ac-ft.						
JAN	773.00	146.00	627.00	0.00	500.00	127.00
FEB	905.00	137.00	768.00	0.00	500.00	268.00
MAR	793.00	40.30	753.00	0.00	500.00	253.00
APR	580.00	40.40	540.00	0.00	500.00	39.60
MAY	358.00	40.70	317.00	0.00	467.00	-150.00
JUN	201.00	41.90	159.00	0.00	157.00	2.09
JUL	124.00	44.60	79.40	0.00	157.00	-77.60
AUG	86.30	43.60	42.70	0.00	103.00	-60.30
SEP	80.20	40.70	39.50	0.00	97.00	-57.50
OCT	94.60	40.40	54.20	0.00	220.00	-166.00
NOV	424.00	106.00	318.00	0.00	500.00	-182.00
DEC	869.00	141.00	728.00	0.00	500.00	228.00
ANN	560,000	51,900	508,000	0	253,000	269,000

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

TILLAMOOK R > TILLAMOOK BAY - AT MOUTH
Basin: NORTH COAST

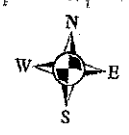
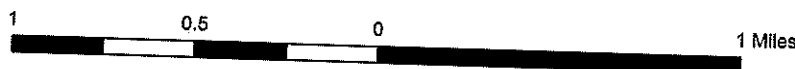
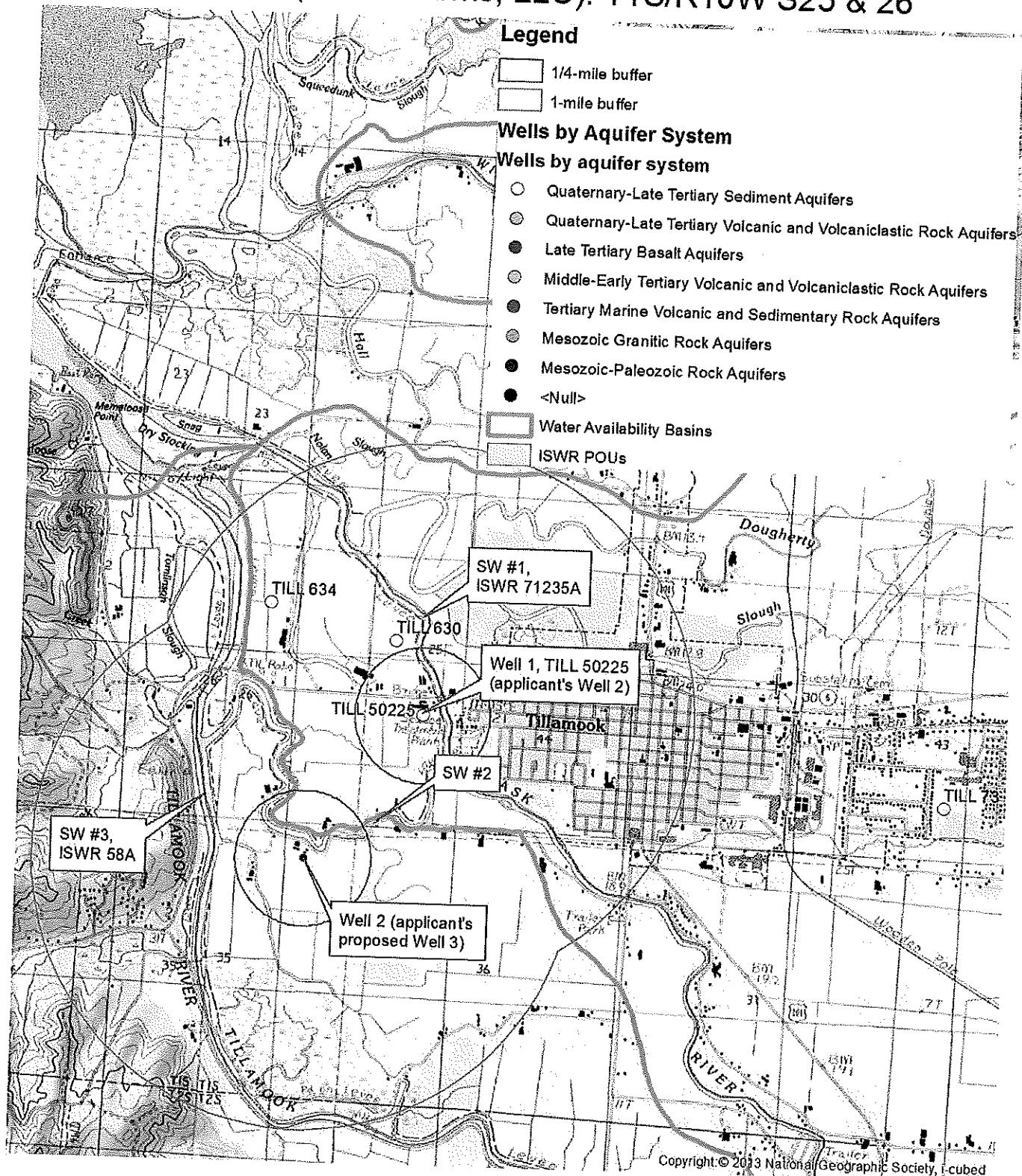
Exceedance Level: 80
Date: 12/09/2019

watershed ID #: 71232
Time: 4:17 PM

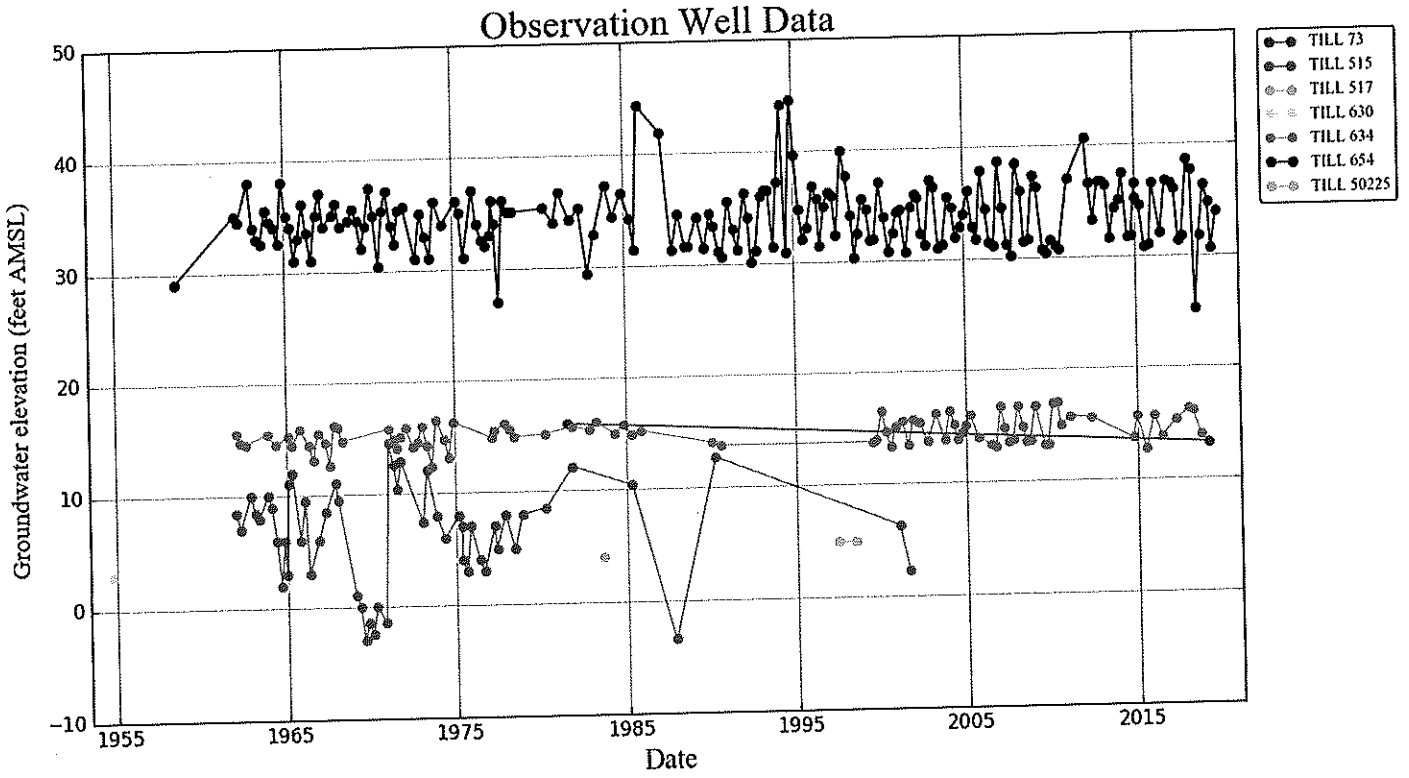
Month	Natural Stream Flow	Consumptive Use and Storage	Expected Stream Flow	Reserved Stream Flow	Instream Requirements	Net Water Available
Monthly values are in cfs. Storage is the annual amount at 50% exceedance in ac-ft.						
JAN	207.00	37.80	169.00	0.00	143.00	26.20
FEB	284.00	37.50	246.00	0.00	143.00	103.00
MAR	253.00	34.40	219.00	0.00	143.00	75.60
APR	157.00	34.50	122.00	0.00	143.00	-20.50
MAY	96.90	34.50	62.40	0.00	80.00	-17.60
JUN	48.10	35.10	13.00	0.00	54.00	-41.00
JUL	21.40	36.60	-15.20	0.00	38.40	-53.60
AUG	13.70	36.00	-22.30	0.00	20.00	-42.30
SEP	9.65	34.50	-24.80	0.00	20.00	-44.80
OCT	15.50	34.30	-18.80	0.00	90.00	-109.00
NOV	82.30	36.00	46.30	0.00	143.00	-96.70
DEC	284.00	38.00	246.00	0.00	143.00	103.00
ANN	179,000	25,900	155,000	0	69,900	95,500

Well Location Map

G-18823 (Jenck Farms, LLC): T1S/R10W S25 & 26



Water-Level Trends in Nearby Wells



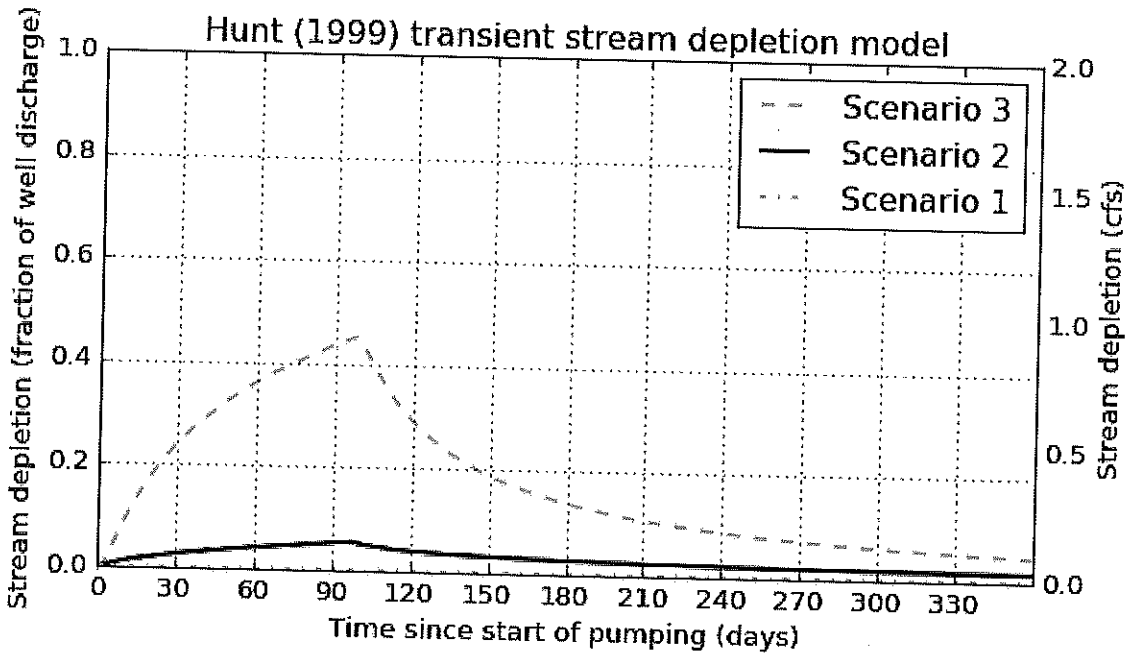
Stream depletion modeling parameters and results

Application type:	G
Application number:	18823
Well number:	2
Stream Number:	2
Pumping rate (cfs):	2.005
Pumping duration (days):	97
Pumping start month number (3=March)	3.0

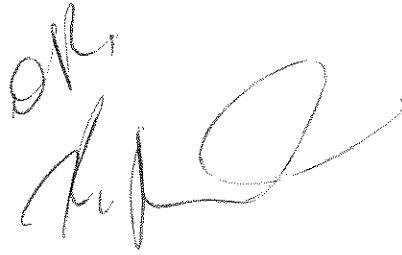
Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	380.0	280.0	180.0	ft
Aquifer transmissivity	T	40000.0	2000.0	100.0	ft ² /day
Aquifer storativity	S	0.15	0.1	0.05	-
Aquitard vertical hydraulic conductivity	Kva	0.01	0.05	0.1	ft/day
Not used		35.0	35.0	35.0	
Aquitard thickness below stream	babs	30.0	25.0	20.0	ft
Not used		0.2	0.2	0.2	
Stream width	ws	70.0	90.0	110.0	ft

Stream depletion for Scenario 2:

Days	10	330	360	30	60	90	120	150	180	210	240	270	300
Depletion (%)	1	2	2	3	4	5	4	3	3	2	2	2	2
Depletion (cfs)	0.02	0.04	0.03	0.05	0.08	0.11	0.08	0.06	0.05	0.05	0.04	0.04	0.04



MEMO

Handwritten signature and initials in the top right corner of the page.

To: Kristopher Byrd, Well Construction and Compliance Section Manager
From: Joel Jeffery, Well Construction Program Coordinator
Subject: Review of Water Right Application G-18823
Date: February 12, 2020

The attached application was forwarded to the Well Construction and Compliance Section by Water Rights. Ben Scandella reviewed the application. Please see Ben's Groundwater Review and the Well Logs.

Applicant's Well #2 (TILL 50400 the deepening of TILL 50225): Based on a review of the Well Reports, Applicant's Well #2 seems to protect the groundwater resource.

The construction of Well #2 may not satisfy hydraulic connection issues.

Applicant's Well #3 is a proposed well and has not yet been constructed. Therefore a review cannot be completed.

fill
50225

JUN 20 1997

Well ID# L09274

STATE OF OREGON WATER RESOURCES DEPT.
WATER SUPPLY WELL REPORT SALEM, OREGON
(as required by ORS 537.765)

(START CARD) # 88575

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

(1) OWNER: Well Number 2
Name Tenck Farms
Address 745 Third St.
City Tillamook State Oregon Zip 97141

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 110 ft.
Explosives used Yes No Type _____ Amount _____

Diameter		From		To		Material		From		To		Sacks or pounds	
12	0	61	Cement	0	61	45							
8	61	110											

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 _____

Casing:	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
	8	0	92	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(7) PERFORATIONS/SCREENS:

From		To		Slot size	Number	Diameter	Material	Tele/pipe size	Casing	Liner

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min 250 Drawdown 89 Drill stem at 90 Time 1 hr.

Temperature of water 54 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 Tillamook Latitude _____ Longitude _____
Township L5 N or S Range 10W E or W. WM. _____
Section 25 NW 1/4 SW 1/4
Tax Lot 700 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SAME

(10) STATIC WATER LEVEL:
1 ft. below land surface. Date 6-6-97
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 5

From	To	Estimated Flow Rate	SWL
5	10	1	
92	110	250	1

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
Topsoil	0	1	
Blue Clay	1	35	
Blue Clay + Med. Beach Sand	35	55	
Gray Clay	55	92	
Gray Clay w/ Lg. Gravel + Med. Sand	92	110	1

Date started 6-4-97 Completed 6-6-97

(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 the best of my knowledge and belief.
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.
WWC Number 1221
Signed Larry C. Early Date 6-6-97

RECEIVED

Till
50400

JUN - 8 1998

JUL - 7 1998

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

WATER RESOURCES DEPT. WELL I.D. # L 09274
START CARD # 114032 SALEM, OREGON

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

(1) OWNER: Well Number _____
Name JENCK FARMS
Address 745 THIRD STREET
City TILLAMOOK State OR Zip 97141

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 135 ft.
Explosives used Yes No Type _____ Amount _____

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
8	0	110	SEAL			
6	110	135	UNDISTURBED			

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"/>
Liner:	6"	84	135	250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) NUMEX 5 1/2" @ 135'

(7) PERFORATIONS/SCREENS:

Perforations Method DRIVE DOWN
 Screens Type _____ Material STEEL

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
95	133	1/4" x 3	480	6"	pipe	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
250+		80	1 hr.

Temperature of water 54 F 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 TILLAMOOK Latitude _____ Longitude _____
Township 1S N or S Range 10W E or W. WM.
Section 25 NW 1/4 SW 1/4
Tax Lot 700 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 745 THIRD STREET

(10) STATIC WATER LEVEL:
1 ft. below land surface. Date 06/02/98
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found ?/92

From	To	Estimated Flow Rate	SWL
92	131	250+ GPM	1

(12) WELL LOG:

Material	From	To	SWL
Existing 8" well reported	0	110	1
Cave-in, well bore cleaned out of debris	92	110	1
DEEPENING			
Gray & gray-brown gravel	110	131	1
Gray clay	131	135	

Date started 06/01/98 Completed 06/02/98
(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 the best of my knowledge and belief.
Signed Maie Rigby WWC Number 1492 Date 06/03/98

(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 1266 Date 06/03/98

JAK #842-17862

12:22:05 PDT Mon April 8, 1998 Oregon Water Resources Department GRID Page 2

SALEM OREGON WATER RESOURCES DEPT.

JUN - 8 1998

WATER SUPPLY WELL REPORT
(As required by ORS 337.763)
Instructions for completing this report are on the last page of this form.

START CARD# 88575

COPY

(1) OWNER: Well Number 02
Name Jenck Farms
Address 745 Third St
City Tillamook State Oregon Zip 97141

(9) LOCATION OF WELL by legal description:
County Tillamook Latitude _____ Longitude _____
Township 15 N or S Range 10W E or W. WM
Section 25 NW NE SW SE
Tax Lot 702 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SAME

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

(10) STATIC WATER LEVEL
1 ft. below land surface. Date 6-6-97
Artesian pressure _____ ft. per square inch. Date _____

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

(11) WATER BEARING ZONES:
Depth at which water was first found 5

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

From	To	Estimated Flow Rate	SWL
5	10	1	
92	110	250	1

(5) BOREHOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 110
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL	
Diameter	From To	Material	From To
12	0 to 61	Cement	0 to 61
8	61 to 110		

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 _____

(12) WELL LOG:
Ground Elevation _____

Casing	Diameter	From To	Gauge	Kilob	Plastic	Welded	Threaded	Material
8	8	0 to 92	250					

Material	From	To	SWL
Topsoil	0	6	
Blue Clay	6	35	
Blue Clay & Med. Beach Sand	35	55	
Gray Clay	55	92	
Gray Clay w/ lg. gravel & Med. Sand	92	110	1

Final location of shoe(s) 92

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Poly pipe size	Casing	Liner

Date started 6-4-97 Completed 6-6-97

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

Flowing	Drill stop at	Drill stop at	Time
<input type="checkbox"/> Pump	<input type="checkbox"/> Dailer	<input checked="" type="checkbox"/> Air	<input type="checkbox"/> Artesian
350	99	90	1hr

(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 the best of my knowledge and belief.

Temperature of water 54 Depth Artesian Flow Point _____
Was a water analysis done? Yes By whom _____
Did any water contain water not suitable for intended use? Too high
 Sily Murky Odor Colored Other _____
Depth of static: _____

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 water supply well construction standards. This report is true to the best of my knowledge and belief.
WVC Number 2221 Date 6-6-97
Signed L. M. C. [Signature]



Oregon Water Resources Department
Ground Water Application

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Friday, May 17, 2019

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	3.22	\$1,400.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	2	\$350.00
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$3,610.00

OWRD Fee Schedule

CM

Fee Calculator Version B20170117

G-18823

E-2

Standard Application Completeness Checklist

Yes No

For use with Groundwater and Surface Water Applications Only
Minimum Requirements (OAR 690-310-0040) (ORS 537.400)
For use by WRD staff only

Application G-18823 County Tillamook Priority Date 5-16-19

Township 15 Range 10W Section 25, 26, 35 and 36

Amount 3.22 CFS Use Irrigation 257.9 AC AWM Dist. # 1

Applicant Name Jenck Farms LLC / Joe Jenck

Receipt No. 129782 Caseworker Assigned: [] Barbe [x] Kim [] Lisa [] Scott

- [x] Applicant/Organization Name and Mailing Address
[x] Signature of all applicants (include title or authority of representative if applicant is an organization or corporation). *Applicant's agent may NOT sign application.
[x] Property Ownership: Does the applicant own all the land for the proposed project? [x] Y [x] N

If No:

- [x] The affected landowner's name(s) and mailing address(s) must be listed
[] A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

- [] For a SW Application: Source of water must be indicated.
[] If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)
NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application, Exp. Secondary (E2)(ORS 537.147).
[] If for stored water not under contract, is the source authorized under a permit, certificate, or decree?
Permit or Certificate issued [] Y [] N Permit or Certificate # _____

- [x] For a GW Application: Well Development Tables completed and/or a well log report included (if existing)
[x] Division 33, Public Interest Information (Sensitive, Threatened, Endangered, Fish Species)

- [x] Proposed Water Use
[x] Amount of water from each source in GPM, CFS, or AF
[x] Period of use indicated
[] If for supplemental irrigation, primary acreage or underlying permit or certificate number listed (Primary and Supplemental Irrigation counts as 2 uses)

- [x] Water Management Section (Estimates if the water system has not been designed)
[x] Resource Protection Section
[x] Project schedule (If system is already completed, indicate "existing.")

- Supplemental data sheets enclosed (if needed)
 - Form M (Municipal or Quasi-Municipal)
 - Spring Description Sheet (if source is a spring)

A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*

A **Legal Description** of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.

The proposed source **IS / IS NOT** (circle one) restricted or withdrawn from further appropriation. *NOTE: If it is withdrawn under ORS 538, return application and fees.*

The **map** must meet all the minimum requirements of OAR 690-310-0050.

- Township, Range, Section
- Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - Place of use, 1/4-1/4's and tax lot clearly identified
- Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
- Location of *each* diversion point or well by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
- Reference corner on map
- North Directional Symbol
- Number of acres per 1/4 1/4 if for irrigation, nursery, or agriculture

Fees: Print out from Fee Calculator

Total Fees
 Fee Paid
 Amount Due

\$3610.00
 \$3010.00
 \$520.00 → permit rec. fee only
 \$3610.00 - CM.

Reviewed by: Judy F Date: 05/17/19

Peer Review Cory Middleton Date 5/17/19

Mary BjorE 5-20-19

FRENCH Kim R * WRD

From: FRENCH Dwight W * WRD
Sent: Tuesday, February 11, 2020 8:35 AM
To: GALL Ivan K * WRD; FRENCH Kim R * WRD; MUCKEN Alyssa M * WRD
Cc: IVERSON Justin T * WRD; SCANDELLA Benjamin P * WRD
Subject: groundwater application G-18823 Jenck

Justin brought this file down to me this morning with the completed GW review. Kim French is caseworker. Since there is PSI we will include the SW availability calculation (many months w no water available) and send out to deny. We'll ask for comments from Div 33 partners. I'd like the IR to note (as per the GW review) that: 1. this section of the Trask River is tidally influenced (as per GW review) and, 2. a mitigation plan for impacts to SW has been submitted and will be reviewed prior to issuance of the PFO.
I'm handing the file off to Kim this morning.

I've put a note in the file that I would like to review the PFO before it goes out.

Thanks,
Dwight

Dwight French

Water Right Services Division Administrator
725 Summer St NE Suite A | Salem OR 97301 | Phone 503-986-0819



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FRENCH Kim R * WRD

From: FRENCH Dwight W * WRD
Sent: Friday, February 14, 2020 3:33 PM
To: FRENCH Kim R * WRD
Subject: Jenck Farms LLC IR.

This is the farm near Tillamook. Ivan told me today that it is important to note in the IR (and the PFO later) that the Trask River, at the point of impact from the wells, is both brackish water and tidally influenced. I'm hoping this can go into the IR.

Thanks,
Dwight

ADD THIS TO IR

Dwight French

Water Right Services Division Administrator

725 Summer St NE Suite A | Salem OR 97301 | Phone 503-986-0819



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WATERMASTER APPLICATION REVIEW

Application #: G-18823 Applicant's Name: Jenck Farms

1) Would the proposed allocation have the potential for injury to existing rights?
 Yes No

2) Have you spoken with persons from other state agencies about this application?
 Yes No If yes, whom and why?

Division 33 Agencies. DEQ, ODA, ODFW at request of the applicant.

3) Please select the appropriate measurement, recording and reporting condition for this application.

Small < 0.1 CFS, < 9.2 AF

Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF

Large > 0.25 CFS, > 100 AF

Require a staff gage if source is runoff or if the reservoir is located in-channel.

4) Please provide any additional information or conditions that you believe are necessary for this application.

Tillamook River is regulated most years from June until end of irrigation season and the Trask River is regulated from July to end of irrigation season for the senior instream water rights.

Measurements for the Tillamook River regulations are made at approximately river mile 6 at the Hwy 101 rest area just south of town. Trask River regulation measurement is made at approximately river mile 6 at the Johnson Bridge on the corner of Long Prairie and Trask River Rd.

2 ISWR 712359
IN EW REV 38A

Watermaster Name: Nikki Hendricks

Watermaster Signature: *Nikki Hendricks*

Date: 5/13/2020

WRD Caseworker: Kim French

503-986-0900/ Fax 503-986-0901

no record of regulating off users of surface water, or groundwater with the potential for substantial, interference, lower in the river systems below the point at which the river discharges are routinely measured.

7. The Department has calculated that after 30 days of continuous pumping at the maximum rate the nearby surface waters would be impacted by approximately 3% of the pumping rate which is 0.06 CFS or 27 gallons per minute.
8. The applicants have worked with the Tillamook County to voluntarily and permanently relinquish and abandon, prior to permit issuance, a groundwater registration for irrigation of 60.8 acres, 0.35 CFS is equal to 156.2 gallons per minute.
9. The Department noted in the groundwater review that the river levels (stage) at the point of impacts would not be affected as a result of pumping.
10. The proposed use is not located within or above any state or federal scenic waterway.
11. The points of appropriation are not located within a critical, limited, or withdrawn groundwater area.

Commented [IKG2]: Dwight, any value in adding the various comments sent to us in support of the application (Tillamook Creamery Assoc, city, etc?)

Commented [DWF3]: Kim: please add note of supporting comments and from whom. Thx

-----presumption set up language

Presumption Criteria (a) - Consistency with Basin Program

- 13 The proposed use is allowed under the North Coast Basin Program (OAR 690-501-0005(1). ORS 537.621(3)(b); OAR 690-310-0150(2)(b)

Presumption Criteria (b) - Water Availability

- 14 An assessment of groundwater availability has been completed by the Department's Groundwater Section. A copy of this assessment is in the file and can be viewed on the Department's website. Groundwater will likely be available within the capacity of the resource, and, the proposed use of groundwater will not cause injury to existing groundwater rights. ORS 537.621(3)(c); OAR 690-310-0150(2)(c)

Presumption Criteria (c) - Injury Determination

- 15 The proposed use, if authorized, will not injure other water rights. ORS 537.621(3)(d); OAR 690-310-0150(2)(e)

Presumption Criteria (d) - Whether the use complies with rules of the Commission

16. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright. ORS 537.621(3)(b); OAR 690-310-0150(2)(b)
17. The Department has determined, based upon OAR 690-009, that the proposed groundwater use will have the potential for substantial interference with Trask River, Trask Slough, and Tillamook River. Therefore, in accordance with OAR 690-400-0010(1)(a)(B), surface water availability must also be considered. Surface water is not available May 1 through May 31 and July 1

through October 31. Surface water is not available April 1 through October 31 in the Tillamook River. ORS 537.621(3)(b); OAR 690-009-0040(4)

18. INSERT DIV 33 FINDING(S) HERE

9. The proposed groundwater use is not located within a designated critical groundwater area. ORS 537.620(4)(a), 537.621(3)(a); OAR 690-310-0150(2)(a)
10. The proposed use complies with rules of the Water Resources Commission not otherwise described above.

Determination of Presumption that a proposed groundwater use will ensure the preservation of the public welfare, safety and health

Based on the review of the presumption criteria (a)-(d) above, the presumption has not been established. ORS 537.621(2); OAR 690-310-0150(2)(g)

When the Department determines that the presumption is not established, the Department shall determine whether the proposed use will impair or adversely affect the public welfare, safety and health under ORS 537.525 and may make specific findings to demonstrate that even though the presumption is not established, the proposed use will not impair or adversely affect the public welfare, safety and health and propose approval of the application with appropriate modifications or conditions. OAR 690-310-0140(2)(b)

11. Because of the following collection of findings, the Department finds that even though the presumption is not established, the proposed use will not impair or adversely affect the public welfare, safety and health.
 - a. The proposed groundwater use is located near the mouths of both river systems in reaches where the impact from the wells to the rivers is both tidally influenced and the water is regularly brackish.
 - b. The rivers are monitored for instream flow requirements six miles upstream, above the heads of tide for both rivers.
 - c. The Department has calculated that the wells may impact surface water approximately 0.06 CFS after 30 days of continuous pumping.
 - d. The presence of Tillamook Bay will effectively maintain and control the stream gage (height) the lower reaches of both the Trask and Tillamook rivers.
 - e. Prior to permit issuance, Tillamook County board of commissioners, working with the applicants, abandoned their interest in 60.8 acres of irrigation with a rate of 156.2 GPM (0.35 CFS) evidenced by groundwater registration 2952 on January 15, 2020. Certificate 2771 was cancelled and a remaining right for 10.8 acres was issued.
 - f. The use poses no negative impact to public safety or health.

12.

CONCLUSIONS OF LAW

1. The proposed use, as conditioned, would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

NOTE: 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.

PROPOSED ORDER

The Department recommends approval of Application G-18823 and issuance of a permit consistent with the attached draft permit.

DATED _____, 2020

Dwight French
Water Right Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

SCANDELLA Benjamin P * WRD

From: MUCKEN Alyssa M * WRD
Sent: Thursday, January 16, 2020 9:05 AM
To: SCANDELLA Benjamin P * WRD
Subject: FW: GR 2952 - Mitigation for Jenck Farms
Attachments: Board Agenda_01-15-2020.pdf; BOC MOTION FOR JENCK FARMS 2020 01-15.pdf

Hey Ben, just left you a VM. Do you happen to have G-18823 for Jenck Farms? Ivan would like these two attachments, along with the email chain, added to the application file.

If you don't have it, let me know and I'll keep looking. The outcard says BPS—so I was hoping that was you.

Alyssa

Alyssa Mucken

Water Rights Section Manager
725 Summer St NE Suite A | Salem OR 97301 | Phone 503-986-0891



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From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Sent: Wednesday, January 15, 2020 5:02 PM
To: MUCKEN Alyssa M * WRD <Alyssa.M.Mucken@oregon.gov>
Subject: FW: GR 2952 - Mitigation for Jenck Farms

For the Jenck GW application near Tillamook.
thanks

Ivan Gall

FIELD SERVICES DIVISION ADMINISTRATOR
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0847



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From: Susan Corbisiero <scorbisi@co.tillamook.or.us>
Sent: Wednesday, January 15, 2020 4:22 PM
To: Howard, Elizabeth E. <EHoward@SCHWABE.com>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Cc: MCCORD Mike L * WRD <Mike.L.Mccord@oregon.gov>; Joel Stevens <jstevens@co.tillamook.or.us>
Subject: RE: GR 2952 - Mitigation for Jenck Farms

Good afternoon,

Just confirming that the Tillamook County Board of Commissioners considered the Jenck Farms motion today per the language that OWRD provided. The motion passed and was read into the record.

Please find attached the agenda and a copy of the written motion. [Here](#) is the link to the audio file with the motion read (beginning at 1:03:22).

Thank you.

Sincerely,

Susan Corbisiero
Executive Assistant
Tillamook County Board of Commissioners
201 Laurel Ave.
Tillamook, OR 97141
Tel: 503-842-3431

From: Howard, Elizabeth E. <EHoward@SCHWABE.com>
Sent: Sunday, December 15, 2019 11:09 AM
To: Susan Corbisiero <scorbisi@co.tillamook.or.us>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Cc: MCCORD Mike L * WRD <Mike.L.Mccord@oregon.gov>; Joel Stevens <jstevens@co.tillamook.or.us>
Subject: EXTERNAL:RE: GR 2952 - Mitigation for Jenck Farms

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Understood. Thanks for the update. Elizabeth

Elizabeth E. Howard
Shareholder
Direct: 503-796-2093
Mobile: 503-312-8765
ehoward@schwabe.com

Schwabe Williamson & Wyatt

From: Susan Corbisiero <scorbisi@co.tillamook.or.us>
Sent: Friday, December 13, 2019 4:10 PM
To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; Howard, Elizabeth E. <EHoward@SCHWABE.com>
Cc: MCCORD Mike L * WRD <Mike.L.Mccord@oregon.gov>; Joel Stevens <jstevens@co.tillamook.or.us>
Subject: RE: GR 2952 - Mitigation for Jenck Farms

Good afternoon,

Tillamook County Counsel, Joel Stevens, has advised Commissioner Bill Baertlein to abstain from the vote on the Jenck Farms motion due to a conflict of interest. Normally this would not be an issue as there are two other Commissioners who can vote. However, there will be only one other Commissioner at the next Board meeting on Wednesday, December 18, 2019. As this is the last Board meeting of the year, we will need to push back the motion into January at a Board meeting when all three Commissioners will be present. The earliest would be Monday, January 8, 2020, but there may only be two again.

I will confirm the date, but just wanted to give you the update.

Thank you.

Sincerely,

Susan Corbisiero
Executive Assistant
Tillamook County Board of Commissioners
201 Laurel Ave.
Tillamook, OR 97141
Tel: 503-842-3431

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Sent: Tuesday, December 3, 2019 11:41 AM
To: Susan Corbisiero <scorbisi@co.tillamook.or.us>; Howard, Elizabeth E. <EHoward@SCHWABE.com>
Cc: MCCORD Mike L * WRD <Mike.L.Mccord@oregon.gov>
Subject: EXTERNAL:RE: EXTERNAL:RE: EXTERNAL:RE: GR 2952 - Mitigation for Jenck Farms

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Thank you Susan!
Ivan

Ivan Gall

FIELD SERVICES DIVISION ADMINISTRATOR
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0847



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From: Susan Corbisiero <scorbisi@co.tillamook.or.us>
Sent: Tuesday, December 3, 2019 10:58 AM
To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; Howard, Elizabeth E. <EHoward@SCHWABE.com>
Subject: RE: EXTERNAL:RE: EXTERNAL:RE: GR 2952 - Mitigation for Jenck Farms

Good morning,

Just confirming that the Jenck Farms motion, as provided, will occur at the Board's 12/18 meeting. The agenda will be available by the close of business on 12/13 and the audio minutes will likely be available by 12/20. Thank you!

Sincerely,

Susan Corbisiero
Executive Assistant
Tillamook County Board of Commissioners
201 Laurel Ave.
Tillamook, OR 97141
Tel: 503-842-3431

From: Susan Corbisiero
Sent: Monday, December 2, 2019 4:00 PM
To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; Howard, Elizabeth E. <EHoward@SCHWABE.com>
Subject: RE: EXTERNAL:RE: EXTERNAL:RE: GR 2952 - Mitigation for Jenck Farms

Great. Thank you both! I will confirm once scheduled on the agenda.

Sincerely,

Susan Corbisiero
Executive Assistant
Tillamook County Board of Commissioners
201 Laurel Ave.
Tillamook, OR 97141
Tel: 503-842-3431

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Sent: Monday, December 2, 2019 3:59 PM
To: Howard, Elizabeth E. <EHoward@SCHWABE.com>; Susan Corbisiero <scorbisi@co.tillamook.or.us>
Subject: EXTERNAL:RE: EXTERNAL:RE: GR 2952 - Mitigation for Jenck Farms

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Yes, the language below will be sufficient, thank you.
Ivan

Ivan Gall
FIELD SERVICES DIVISION ADMINISTRATOR
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0847



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

From: Howard, Elizabeth E. <EHoward@SCHWABE.com>
Sent: Monday, December 2, 2019 3:29 PM
To: 'Susan Corbisiero' <scorbisi@co.tillamook.or.us>

Cc: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Subject: RE: EXTERNAL:RE: GR 2952 - Mitigation for Jenck Farms

Yes – that is my understanding from Ivan (Ivan – please confirm). Thanks again, Elizabeth

Schwabe Williamson & Wyatt

Elizabeth E. Howard
Shareholder
Direct: 503-796-2093
Cell: 503-312-8765
ehoward@schwabe.com

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www.schwabe.com



From: Susan Corbisiero <scorbisi@co.tillamook.or.us>
Sent: Monday, December 2, 2019 3:28 PM
To: Howard, Elizabeth E. <EHoward@SCHWABE.com>
Cc: 'GALL Ivan K * WRD' <Ivan.K.Gall@oregon.gov>
Subject: RE: EXTERNAL:RE: GR 2952 - Mitigation for Jenck Farms

Thank you Elizabeth. Just want to confirm that no further written documents are required and that this language will be sufficient. I will run it by my supervisor for approval to put on the Board's agenda. The next Board meeting that this could occur is Wednesday, December 18.

Sincerely,

Susan Corbisiero
Executive Assistant
Tillamook County Board of Commissioners
201 Laurel Ave.
Tillamook, OR 97141
Tel: 503-842-3431

From: Howard, Elizabeth E. <EHoward@SCHWABE.com>
Sent: Monday, December 2, 2019 3:11 PM
To: Susan Corbisiero <scorbisi@co.tillamook.or.us>
Cc: 'GALL Ivan K * WRD' <Ivan.K.Gall@oregon.gov>
Subject: EXTERNAL:RE: GR 2952 - Mitigation for Jenck Farms

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Susan,

Good afternoon. Ivan and I talked further about this matter on the Thursday before the holiday week (sorry – I've been out since then). OWRD would like further confirmation/clarification from the County that the groundwater registration is permanently cancelled in order to provide mitigation for the Jenck Farm's water right application. I've pasted language that OWRD reviewed and confirmed would be sufficient for these purposes – and which could be used as template for a motion by the County Commissioners:

In further support of a groundwater permit for Jenck Farms LLC, Tillamook County hereby confirms that it is permanently relinquishing and abandoning 60.8 acres of Groundwater Registration No. GR-2952/Certificate No. GR-2771 so that this water may be used as mitigation for the potential impacts of the groundwater application submitted by Jenck Farms on May 16, 2019, to the Trask River.

Please let us know if that addresses your outstanding questions and your thoughts on timing for having this back in front of the Commissioners?

Thanks so much, Elizabeth

Schwabe Williamson & Wyatt

Elizabeth E. Howard

Shareholder

Direct: 503-796-2093

Cell: 503-312-8765

ehoward@schwabe.com

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www.schwabe.com

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>

Sent: Wednesday, November 20, 2019 7:07 PM

To: Howard, Elizabeth E. <EHoward@SCHWABE.com>

Subject: RE: GR 2952 - Mitigation for Jenck Farms

Elizabeth, sorry for the slow reply, I am on the road all week.

Will you have time around noon tomorrow for a quick call?

Thanks - Ivan

cell 971-283-6010

Ivan Gall – Administrator, Field Services Division

Oregon Water Resources Department

725 Summer St. NE, Suite A

Salem, OR 97301-1271

503.986.0847

ivan.k.gall@wrdd.state.or.us

From: Howard, Elizabeth E. [EHoward@SCHWABE.com]

Sent: Wednesday, November 20, 2019 12:58 PM

To: 'Susan Corbisiero'; GALL Ivan K * WRD

Subject: RE: GR 2952 - Mitigation for Jenck Farms

Thanks Susan – I know we are waiting to hear from Ivan, but my understanding from Ivan is that OWRD also needs confirmation from the County that the abandoned water can be used as mitigation by Jenck Farms in support of their groundwater application. Hopefully Ivan can weigh in shortly so that we can get this cleared up. Appreciate your help! Elizabeth

Schwabe Williamson & Wyatt

Elizabeth E. Howard

Shareholder

Direct: 503-796-2093

Cell: 503-312-8765

ehoward@schwabe.com

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www.schwabe.com

From: Susan Corbisiero <scorbisi@co.tillamook.or.us>

Sent: Wednesday, November 20, 2019 12:57 PM

To: Howard, Elizabeth E. <EHoward@SCHWABE.com>; 'GALL Ivan K * WRD' <Ivan.K.Gall@oregon.gov>

Subject: RE: GR 2952 - Mitigation for Jenck Farms

Thank you Elizabeth.

If it helps, the Board made another motion on 10/16/19 for the attached letter of support for the Jencks to OWRD. The minutes from that Board meeting, which includes a motion, is attached (audio log) and the audio file (starting at minute 38:44) is [here](#).

Sincerely,

Susan Corbisiero

Executive Assistant

Tillamook County Board of Commissioners

201 Laurel Ave.

Tillamook, OR 97141

Tel: 503-842-3431

From: Howard, Elizabeth E. <EHoward@SCHWABE.com>

Sent: Wednesday, November 20, 2019 12:44 PM

To: Susan Corbisiero <scorbisi@co.tillamook.or.us>; 'GALL Ivan K * WRD' <Ivan.K.Gall@oregon.gov>

Subject: RE: GR 2952 - Mitigation for Jenck Farms

Susan,

I wanted to weigh in on the numbering question below. The water at issue is registered under Registration No. GR-2952 and Certificate No. GR-2771, meaning it is the same water that was at issue in the affidavit. You just referenced the certificate number and I referenced the registration number.

Ivan,

Could you please let us know as soon as possible what additional information/statements OWRD needs from the County to confirm that this water can be used for mitigation for Jenck Farms' groundwater application?

Thanks much, Elizabeth

Schwabe Williamson & Wyatt

Elizabeth E. Howard

Shareholder

Direct: 503-796-2093

Cell: 503-312-8765

ehoward@schwabe.com

Ideas fuel industries. Learn more at:

www.schwabe.com

From: Susan Corbisiero <scorbisi@co.tillamook.or.us>

Sent: Tuesday, November 19, 2019 8:41 AM

To: Howard, Elizabeth E. <EHoward@SCHWABE.com>; 'GALL Ivan K * WRD' <Ivan.K.Gall@oregon.gov>

Subject: RE: GR 2952 - Mitigation for Jenck Farms

Good morning Elizabeth and Ivan,

Thank you for the additional information. It's not clear why a verbal motion would strengthen the County's desire to abandon permanently the groundwater certificate of registration beyond the signed and notarized affidavit that the County deliberated on and executed on 3/28/18. Please find attached a copy of the affidavit, which states that "we have abandoned any and all claim to appropriate and use ground water" along with OWRD's confirmation letter. The minutes from that Board meeting, which includes a motion, is attached (audio log) and the audio file (starting at minute 57.53) is [here](#).

Can OWRD please confirm that this additional request of the Board of Commissioners is necessary and if so, please provide the exact, specific motion language and/or any other documentation that would be required to satisfy this request? Also, I do not have a record of Groundwater Registration 2952. The County abandoned its portion of GR-2771.

Thank you!

Sincerely,

Susan Corbisiero

Executive Assistant

Tillamook County Board of Commissioners

201 Laurel Ave.

Tillamook, OR 97141
Tel: 503-842-3431

From: Howard, Elizabeth E. <EHoward@SCHWABE.com>
Sent: Monday, November 18, 2019 5:17 PM
To: Susan Corbisiero <scorbisi@co.tillamook.or.us>
Cc: 'GALL Ivan K * WRD' <Ivan.K.Gall@oregon.gov>
Subject: GR 2952 - Mitigation for Jenck Farms

Susan,

Good afternoon. I'm following up on our conversation earlier today and copying Ivan Gall, who is our point person for the Jenck Farm irrigation water right application at the Oregon Water Resources Department (OWRD). By way of background, OWRD has indicated that it would accept Groundwater Registration 2952 (the 60.8 acres of groundwater irrigation rights) as mitigation for impacts to the Trask River associated with the Jenck Farm's groundwater application. Toward that end, OWRD has requested confirmation from Tillamook County that it is permanently abandoning Groundwater Registration 2952 so that it can be used as mitigation by Jenck Farms for its groundwater application for irrigation water rights.

If the County is supportive of this request, then in addition to the affidavit that was submitted in 2018, the County would need to formally move and approved the permanent abandonment of Groundwater Registration 2952 for use as mitigation by Jenck Farm for its groundwater application. If the County approves such a motion, I can provide OWRD with the Commission meeting minutes confirming the request was approved. Thank you for your help on this matter, and please let me know if I can provide further information to help in this process.

Ivan, can you please also weigh in on any point that needs clarified in my notes above?

Thanks much, Elizabeth

Schwabe Williamson & Wyatt

Elizabeth E. Howard
Shareholder
Direct: 503-796-2093
Cell: 503-312-8765
ehoward@schwabe.com

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MITIGATION W/PCD

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**NOTICE OF BOARD WORKSHOP AND BOARD MEETING
of the
TILLAMOOK COUNTY BOARD OF COMMISSIONERS**
Also sitting as the Board of the
SOLID WASTE SERVICE DISTRICT,
THE 4-H AND EXTENSION SERVICE DISTRICT
AND COUNTY ROAD DISTRICT
to be held

Wednesday, January 15, 2020
Workshop at 8:30 a.m.
Commissioners' Meeting Room B
County Courthouse, 201 Laurel Avenue, Tillamook, Oregon

Board Meeting at 10:00 a.m.
Commissioners' Meeting Room A
County Courthouse, 201 Laurel Avenue, Tillamook, Oregon

BOARD OF COMMISSIONERS

Bill Baertlein, Chair
E-mail: bbaertle@co.tillamook.or.us

Mary Faith Bell, Vice Chair
E-mail: mfbell@co.tillamook.or.us

David Yamamoto, Commissioner
E-mail: dyamamoto@co.tillamook.or.us

201 Laurel Avenue
Tillamook, Oregon 97141
Phone: (503) 842-3403 FAX: (503) 842-1384

Rachel Hagerty (503) 842-3404
E-mail: rhagerty@co.tillamook.or.us

COUNTY WEBSITE: <http://www.co.tillamook.or.us>

WATCH THIS MEETING ONLINE: tctvonline.com
OR ON TV: TCTV Channel 4

Friday – 1:00 p.m.
Monday – 7:00 p.m.
Thursday – 9:30 a.m.

Saturday – 3:30 a.m.
Tuesday – 10:00 p.m.

Sunday – 7:00 p.m.
Wednesday – 7:00 a.m.

NOTE: The Board of Commissioners reserves the right to recess to Executive Session as may be required at any time during this meeting, pursuant to ORS 192.660(1).

NOTE: The Tillamook County Courthouse is accessible to persons with disabilities. If special accommodations are needed for persons with hearing, visual or manual impairments who wish to participate in the meeting, please contact (503) 842-3403 at least 24 hours prior to the meeting so that the appropriate communications assistance can be arranged.

AGENDA

WORKSHOP

CALL TO ORDER: Wednesday, January 15, 2020, 8:30 a.m.

1. Welcome & Request to Sign Guest List
2. Public Comment
3. Non-Agenda Items
4. Discussion Concerning Amendment No.1 to Intergovernmental Agreement No.19-20 Tillamook-001 with the Oregon State Marine Board for Marine Law Enforcement Activities/Matt Kelly
5. Discussion Concerning an Order and Resolution in the Matter of the Appointment and Reappointment of Members to the Northwest Oregon Housing Authority Board of Directors/Mary Faith Bell
6. Tillamook County Fairgrounds and State Funding Update/Camy Vonseggern
7. Discussion Concerning a Professional Services Agreement with the Smile Studio for Federally Qualified Health Center (FQHC) Oregon Health Plan and Non-Insured Dental Services/Marlene Putman
8. Discussion Concerning an Order in the Matter of Appeal Request #851-19-000511-PLNG of the Planning Commission's Decision to Approve Conditional Use Request #851-19-000105-PLNG and Similar Use Determination for Edge Cable/Sarah Absher
9. County Website Refresh/Update/Damian Laviolette
10. Discussion Concerning a Motion in Support of a Groundwater Permit from the Oregon Water Resources Department Filed by Jenck Farms LLC/Susan Corbisiero
11. Board Concerns – Non-Agenda Items
12. Public Comments

ADJOURN

MEETING

CALL TO ORDER: Wednesday, January 15, 2020 10:00 a.m.

1. Welcome & Request to Sign Guest List
2. Public Comment
3. Non-Agenda Items
4. Housing Needs Assessment Presentation/Sarah Absher, Todd Chase

CONSENT CALENDAR

5. New Off-Premises Sales Liquor License Application for Pleasant Valley RV Park

LEGISLATIVE – ADMINISTRATIVE

6. Consideration of Amendment No.1 to Intergovernmental Agreement No.19-20 Tillamook-001 with the Oregon State Marine Board for Marine Law Enforcement Activities/Matt Kelly
7. Tillamook County Fairgrounds and State Funding Update/Camy Vonseggern
8. Consideration of a Professional Services Agreement with the Smile Studio for Federally Qualified Health Center (FQHC) Oregon Health Plan and Non-Insured Dental Services/Marlene Putman
9. Consideration of an Order in the Matter of Appeal Request #851-19-000511-PLNG of the Planning Commission's Decision to Approve Conditional Use Request #851-19-000105-PLNG and Similar Use Determination for Edge Cable/Sarah Absher
10. County Website Refresh/Update/Damian Laviolette
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12. Consideration of a Motion in Support of a Groundwater Permit from the Oregon Water Resources Department Filed by Jenck Farms LLC/Susan Corbisiero
13. Board Concerns – Non-Agenda Items
14. Public Comments
15. Board Meetings and Announcements

ADJOURN

BOARD MEETINGS AND ANNOUNCEMENTS

The Commissioners will hold a Board Briefing on **Tuesday, January 14, 2020** at 8:00 a.m. to discuss weekly commissioner updates. The meeting will be held in the Nehalem Room in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The Board of Commissioners reserves the right to recess to Executive Session as may be required at any time during this meeting, pursuant to ORS 192.660(1).

The Commissioners will attend a meeting with Visit Tillamook Coast on **Wednesday, January 15, 2020** at 1:00 p.m. The meeting will be held at the Partners for Rural Innovation Center, 4506 3rd Street, Tillamook, Oregon.

The Commissioners will hold an executive session on **Wednesday, January 15, 2020** at 3:00 p.m. pursuant to ORS 192.660(2)(i) to conduct a performance evaluation. The executive session will be held in the Commissioners' Meeting Room B, in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The executive session is not open to the public.

Martin Luther King Jr. Day is an observed holiday for the County and the Oregon State Circuit Court. All County offices in the Tillamook County Courthouse and the Tillamook County Library, administrative offices

in the Jail and Justice Facility, Public Works Department, Department of Community Development, Surveyor's Office, and the Health and Human Services Department and clinics will be **CLOSED** on **Monday, January 20, 2020.**

The Commissioners will hold a workshop on **Monday, January 27, 2020** at **9:00 a.m.** with the Oregon Department of Parks and Recreation Department to discuss the Sitka Sedge State Natural Area. The meeting will be held at the Kiawanda Community Center, 34600 Cape Kiwanda Drive, Pacific City, Oregon.

BOARD RULES

MEETINGS

1. The Board of Commissioners (BOC) holds a formal meeting every Wednesday. Most of these meetings convene at 10:00 a.m. in the Meeting Room A on the second floor of the Tillamook County Courthouse. BOC meeting notices will be publicized in accordance with public meeting laws.
2. Workshops will be held every Wednesday at 8:30 a.m. in the Meeting Room B on the second floor of the Tillamook County Courthouse. Workshop meeting notices will be publicized in accordance with public notice laws.
3. Matters to be considered by the BOC at its regular and workshop meetings shall be placed on an agenda, to be prepared by the Board Assistant and approved by the Board Chair. All Commission members may place items on the agenda.
4. The BOC will allow audience participation at regular and workshop meetings. Members of the public may address the Board at a time designated on the agenda. The presiding officer may limit the amount of time for individuals to speak and this discretion rests solely within the jurisdiction of the presiding officer. The presiding officer will utilize a gavel as needed to maintain order, commence meetings, adjourn meetings and signal approval of motions.
5. Public hearings are formal proceedings advertised in advance through special public notice issued to media and others. Public hearings are therefore different from audience participation at regular and workshop meetings. Public hearings by the BOC are to provide for the Board an opportunity to hear from members of the public about a specific topic. Such hearings are normally held in the Meeting Room A. All hearing notices will be publicized in accordance with public notice laws.
6. Individuals who wish to testify during BOC meetings and hearings shall do so at the table placed in front of the dais. Individuals testifying will, for the record, first identify themselves; give their address and state who they represent.
7. During BOC meetings and hearings, Commissioners will be addressed by their title followed by their last name.
8. Commissioners shall obtain approval from the Chair before speaking or asking questions of staff or invited guests. As a courtesy, the Chair shall allow an opportunity, by the Commissioner who has the floor, to ask immediate follow-up questions.
9. A majority of the BOC shall constitute a quorum and be necessary for the transaction of business.

OFFICERS

1. The Tillamook County Board of Commissioners' officers shall be a Chair and Vice-Chair.
2. Officers shall be elected at the first BOC meeting in January of every year and serve a term of one year.

JENCK FARMS MOTION (1/15/2020)

In further support of a groundwater permit for Jenck Farms LLC, Tillamook County hereby confirms that it is permanently relinquishing and abandoning 60.8 acres of Groundwater Registration No. GR-2952/Certificate No. GR-2771 so that this water may be used as mitigation for the potential impacts of the groundwater application submitted by Jenck Farms on May 16, 2019, to the Trask River.

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of the
TILLAMOOK COUNTY BOARD OF COMMISSIONERS**

Also sitting as the Board of the
SOLID WASTE SERVICE DISTRICT,
THE 4-H AND EXTENSION SERVICE DISTRICT
AND COUNTY ROAD DISTRICT
to be held

Wednesday, January 15, 2020

Workshop at 8:30 a.m.

Commissioners' Meeting Room B

County Courthouse, 201 Laurel Avenue, Tillamook, Oregon

Board Meeting at 10:00 a.m.

Commissioners' Meeting Room A

County Courthouse, 201 Laurel Avenue, Tillamook, Oregon

BOARD OF COMMISSIONERS

Bill Baertlein, Chair

E-mail: bbaertle@co.tillamook.or.us

Mary Faith Bell, Vice Chair

E-mail: mfbell@co.tillamook.or.us

David Yamamoto, Commissioner

E-mail: dyamamoto@co.tillamook.or.us

201 Laurel Avenue

Tillamook, Oregon 97141

Phone: (503) 842-3403 FAX: (503) 842-1384

Rachel Hagerty (503) 842-3404

E-mail: rhagerty@co.tillamook.or.us

COUNTY WEBSITE: <http://www.co.tillamook.or.us>

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WORKSHOP

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1. Board Concerns – Non-Agenda Items
2. Public Comments

DJOURN

MEETING

CALL TO ORDER: Wednesday, January 15, 2020 10:00 a.m.

Welcome & Request to Sign Guest List

Public Comment

Non-Agenda Items

Housing Needs Assessment Presentation/Sarah Absher, Todd Chase

CONSENT CALENDAR

5. New Off-Premises Sales Liquor License Application for Pleasant Valley RV Park

LEGISLATIVE – ADMINISTRATIVE

6. Consideration of Amendment No.1 to Intergovernmental Agreement No.19-20 Tillamook-001 with the Oregon State Marine Board for Marine Law Enforcement Activities/Matt Kelly
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in the Jail and Justice Facility, Public Works Department, Department of Community Development, Surveyor's Office, and the Health and Human Services Department and clinics will be **CLOSED** on **Monday, January 20, 2020**.

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MEETINGS

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6. Individuals who wish to testify during BOC meetings and hearings shall do so at the table placed in front of the dais. Individuals testifying will, for the record, first identify themselves; give their address and state who they represent.
7. During BOC meetings and hearings, Commissioners will be addressed by their title followed by their last name.
8. Commissioners shall obtain approval from the Chair before speaking or asking questions of staff or invited guests. As a courtesy, the Chair shall allow an opportunity, by the Commissioner who has the floor, to ask immediate follow-up questions.
9. A majority of the BOC shall constitute a quorum and be necessary for the transaction of business.

OFFICERS

1. The Tillamook County Board of Commissioners' officers shall be a Chair and Vice-Chair.
2. Officers shall be elected at the first BOC meeting in January of every year and serve a term of one year.

JENCK FARMS MOTION (1/15/2020)

In further support of a groundwater permit for Jenck Farms LLC, Tillamook County hereby confirms that it is permanently relinquishing and abandoning 60.8 acres of Groundwater Registration No. GR-2952/Certificate No. GR-2771 so that this water may be used as mitigation for the potential impacts of the groundwater application submitted by Jenck Farms on May 16, 2019, to the Trask River.



December 4, 2019

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

1320 Capitol Street NE, Suite 160
Salem, OR 97301
(971) 599-5269
oregondairyfarmers.org

Director Byler,

I am writing in support of the pending water rights application for Jenck Farms, LLC, 745 Third Street, Tillamook, OR 97141. The Jenck family has farmed in Tillamook for more than 65 years and I have known and worked with their family for more than 40 years.

The Jenck family has a reputation for high standards. They are consistently on the list of Tillamook County Creamery Association's producers for high quality milk which is a direct reflection on the value they place for the care of their cows. They apply that same focus and attention to detail on the management of their pastures and feed for their animals.

The dairy industry has been extremely challenged over the last four years with low milk prices and a limited labor pool. Feed cost is the leading expense for every dairy producer and accounts for more than half of monthly expenses. Being able to grow more feed is how many producers have been able to survive the tremendous financial strain. The more feed Jenck Farms can grow, the less they need to purchase and have trucked into the county.

Tillamook County is known for high rainfall and is the wettest county in the state, however, most of the rain is received during the winter months. For dairy farmers to grow grass, corn and other feed crops in Tillamook during the dry summer months, they must irrigate. To be efficient with their manure management and in compliance with their CAFO permit and Nutrient Management Plan, producers irrigate after making applications to their land. They apply nutrients at agronomic rates that are optimum for the crops, and the application of irrigated water moves the nutrients into the soil so the plants can grow. The Jenck family has invested in a K-Line irrigation system, which has improved their water use efficiency and improved their pasture growth. Summer land application protects surface water and helps prevent runoff to surface waters. Additionally, a recent study on air emissions has shown this practice decreases ammonia volatilization, which improves air quality.

Jenck Farms does an outstanding job managing their nutrients, pastures, and crops, but without water rights for their property, they will be significantly impacted. Those impacts will reduce crop yields, ultimately limiting their economic viability. It will also impact their ability to perform best management practices for their pastures and crops, as well as having a negative impact on the reduction of air emissions. I request your support of water rights for Jenck Farms. Their water use efficiency, impact on air quality and overall viability depend on it.

Sincerely,

Tami Kerr, Executive Director
Oregon Dairy Farmers Association



Tillamook County Board of Commissioners

201 Laurel Avenue, Tillamook, OR 97141

Phone: 503-842-3403

TTY Oregon Relay Service

David Yamamoto, Chair

Bill Baertlein, Vice-Chair

Mary Faith Bell, Commissioner

October 16, 2019

Oregon Water Resources Department

Attn: Tom Byler

725 Summer Street NE, Suite A

Salem, OR 97301.

RE: Application No. G-18823

RE: Jenck Farms

We are requesting that Jenck Farms be granted irrigation water right to irrigate their pastures. Tillamook County receives over 100 inches of rain per year and is regulated under the same regulations that Eastern Oregon has with a tenth of the rainfall. This one size fits all approach does not seem equitable.

Jenck Farms has been in operation since 1955. They have always used sound farming practices and are good stewards of the land. When the Tillamook Creamery promotes "Dairy Done Right" they are talking about Jenck Farms. This business is a shining example of a generational farm that supports four families and provides 18 jobs. They pay some of the best farming wages in Tillamook County and their employees don't leave. Some employees have been there for 20 years or more. With over 300 cows that supply milk to the Tillamook Creamery, Jenck Farms purchases significant amounts of local supplies from our local economy.

The farm has been a local leader in sound environmental stewardship. They were among the first to put in manure storage tanks and have adhered to a manure management plan. They use the K-line irrigation method, which improves water use efficiency, requiring less water for irrigation. Irrigation plays a major role in reducing ammonia volatilization, which improves our local air quality. Land applications in the summer require irrigation in order to wash nutrients off the crops and move nutrients into the soil for plant uptake and is highly advantageous to other times of the year because farms can better control the nutrient loads in the soil and prevent runoff to surface waters.

Granting the Jenck Farms this irrigation water right is the correct thing to do. We urge you to help Jenck Farms continue to do "Dairy Done Right".

Sincerely,

BOARD OF COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

A handwritten signature in black ink, appearing to read "David Yamamoto".

David Yamamoto, Chair

A handwritten signature in black ink, appearing to read "Bill Baertlein".

Bill Baertlein, Vice-Chair

A handwritten signature in black ink, appearing to read "Mary Faith Bell".

Mary Faith Bell, Commissioner

January 22, 2020

Elizabeth E. Howard
Admitted in Oregon, Washington and
North Dakota
T: 503-796-2093
C: 503-312-8765
ehoward@schwabe.com

VIA E-MAIL AND FIRST CLASS MAIL

Dwight W. French
Oregon Water Resources Department
725 Summer St., NE, Suite A
Salem, OR 97301

RE: Groundwater Application - Jenck Farms LLC
Our File No.: 134277-246278

Dear Mr. French:

I am writing to follow up on the groundwater permit application submitted by Jenck Farms LLC on May 16, 2019. After further review of their anticipated irrigation use and need, Jenck Farms is proposing to diminish its applied for rate and duty to 900 gpm and 1.5 acre-feet/acre, for a total (reduced) annual volume of 387 acre-feet. Replacement pages for Sections 3 and 5 of the Groundwater Application are included with this letter and reflect these changes.

This proposed application is for irrigation water that is necessary to the sustainability of Jenck Farms and to support best management practices under its CAFO Permit to protect water quality. The farm is a member of the Tillamook County Creamery Association and an important contributor to the local community. It is a leader in practices that protect the environment and the proposed groundwater use is a critical component in those efforts, as well as the business' economic sustainability. For these reasons, and those further described below, Jenck Farms requests that the Department find that the proposed use will preserve the public welfare, safety and health pursuant to ORS 537.525 and approve the application, as modified by this letter.

The two wells proposed by the Jenck Farms application are within ¼ mile of the Tillamook and Trask Rivers. Therefore, it is understood that the Department will (under its Division 9 rules) presume that the groundwater proposed for appropriation is hydraulically connected to these surface waters, and has the potential for substantial interference. While we disagree with the way in which these rules are applied in Tillamook County, we understand that they indicate that no water is available from the Tillamook or Trask Rivers for appropriation. As a result, we understand that the Department will not presume that the proposed groundwater use will ensure the preservation of the public welfare, safety, and health (as described in ORS 537.525). However, the Department can make specific findings that the groundwater use will ensure the preservation of the public welfare, safety and health pursuant to OAR 690-310-0140(2)(b), and Jenck Farms requests that the Department do so under the unique circumstances presented here.

In support of the Department's evaluation of the proposed groundwater use, Jenck Farms offers the following information related to the factors enumerated in OAR 690-310-0140(3)(b)—factors the Department considers in evaluating the strength of the presumption under OAR 690-310-130:

1. Water use efficiency: The farm will use the K-Line system to irrigate the fields. This technology applies water at a slower rate than big-gun travelers. Big-gun travelers have been a common method used for irrigation by dairies for many years. Because the K-Line method moves at a slower application rate, less water is lost to wind and evaporation, allowing for better absorption and a more efficient use of water. Land applying manure and following the land application with irrigation from the K-line rather than spraying both with a big-gun also decreases the amount of ammonia that volatilizes, which improves air quality. More information is available at: <https://watermasterirrigation.com/2018/07/27/what-is-k-line-pod-irrigation/>.

2. T/E/S Species: The Tillamook and Trask Rivers are critical habitat and essential salmon habitat. Summer time land applications of dairy effluents allow farms to avoid rainy season applications, benefitting listed species and their habitat by protecting surface and groundwater quality from runoff and percolation of nutrients to groundwater that are more likely to occur with land applications in the winter, fall, and spring. Jenck Farms is also proposing to pump (via existing tide gates) a portion of the freshwater in its drainage ditches—which remain full throughout the summer when irrigation is occurring—back into the tidally influenced reach of the Tillamook River. It is anticipated that this water would be cooler and cleaner than surface waters as it is effectively filtered groundwater. The water would also be cleaner because the drainage ditches act similarly to settling ponds that filter the sedimentation. These return flows would increase the amount of freshwater in the tidally influenced areas, which is expected to provide a benefit to fish and fish habitat in the tidally influenced area.

3. Water Quality: Jenck Farms is authorized by its CAFO Permit and Animal Waste Management Plan (AWMP) to land apply nutrients generated by the dairy. Summer is the best time to conduct these land applications. It is most protective of groundwater because the nutrient loads in the soil can be controlled by the rate of application of irrigation water. It is most protective of surface water because it avoids runoff/inadvertent discharges via ditches and tide gates during the rainy season. However, in order to land apply during the summer, Jenck Farms must have the ability to irrigate. Irrigation water is applied separately from the waste water. In addition to moving nutrients into the soil at a controlled rate that can be utilized by the plants, irrigation water rinses manure off crops and pastures, facilitating summer time grazing activities. Irrigation during the later summer months (i.e., July – Sept/October) also improves productivity of crops and pastures, and increases the rate of plant absorption of nutrients (which provides additional protection of groundwater quality). While dissolved oxygen content in the rivers is an issue upstream and downstream of Jenck Farms, according to DEQ, it is not an issue at Jenck Farms. DEQ is also seeing improvements in bacteria and temperature in the Trask and Tillamook Rivers. Jenck Farms' implementation of these irrigation practices seems likely to assist in facilitating improvements in bacteria and temperature in these rivers.

4. Fish/wildlife: Jenck Farms is home to numerous waterfowl and wildlife that forage on portions of the farm. Different waterfowl are present all throughout the year and include ducks, geese, white cranes, and blue herons. There are also spring and fall chinook, coho salmon, winter and spring salmon, chum, and lamprey in the rivers and slough near Jenck Farms. To protect fish and aquatic life in the Trask Slough, Jenck Farms has installed a float gate on their tide gate to better protect fish when the tide gates close. The forage and the related habitat on Jenck Farms would continue to be available if the groundwater application is approved. In addition, waterfowl and other birds benefit from having fresh water in the ditches during the summer and fall.
5. Recreation: By facilitating the implementation of best management practices to protect water quality, this application supports recreation in the lower Tillamook and Trask Rivers, and in the Tillamook Bay and Estuary.
6. Economic Development: Jenck Farms has been a Tillamook County mainstay since 1953. It supports 300 cows and supplies milk directly to the Tillamook County Creamery Association, a significant local employer and important business for the State of Oregon. The dairy provides 16-18 jobs (depending on the time of year) and supports four families. It provides direct input into the local economy, where it purchases fuel, equipment, and other supplies. The farm also grows hay for commercial operations throughout Oregon, supporting numerous other livestock operations across the State. The groundwater application supports the continued, sustainable operation of the farm. The letters from Tillamook County and Tillmook Creamery provide further support for the importance of this dairy and farm to the local economy and community.
7. Local Comp Plan: The Jenck Farms' farm and dairy uses are allowed under the local planning laws.
8. Stability of Groundwater: Jenck Farms' registered hydrogeologist has reviewed nearby groundwater observation well, TILL634. This well is reportedly used for irrigation as well. According to the water level data recorded since 1962 (some gaps), water levels in this area recover to elevations above ground surface every season, with some variability in the actual levels due to precipitation patterns. This data indicates that the groundwater levels in this area are stable and fully recharge on an annual basis, and that there is no overdraft of the aquifer. Further, the low permeability of the upper layer of the aquifer as shown on the well log indicates that it is likely there is low connectivity to surface water. The data can be located at:
https://apps.wrd.state.or.us/apps/gw/gw_info/gw_info_report/gw_details.aspx?gw_site_id=6713

Other information supporting the application, but that is not specifically listed in OAR 690-310-0140 includes the following:

1. **Air Emissions Reduced:** Jenck Farms has just recently been evaluated by an air emissions expert. They determined that a best practice to reduce air emissions is to use irrigation water following land applications. This indicates that there are many environmental benefits for the irrigation application proposed by Jenck Farms. Additionally, as discussed above, switching

from big-gun application of dairy effluents and water to land applying effluents and irrigating immediately after decreases the amount of ammonia that volatilizes and decreases air emissions.

2. Well Location: The Department asked Jenck Farm to consider locating their well more than $\frac{1}{4}$ mile from surface waters. Due to the location of the farm and proximity of surface waters, there is only one small area on the farm that would meet this criteria. However, that location would still be within 1 mile of surface waters (it would actually be just slightly beyond the $\frac{1}{4}$ mile mark). For wells less within 1 mile of a surface water way, the groundwater right requested by Jenck Farm would still be deemed to have the potential for substantial interference under the Division 9 rules due to the rate needed to irrigate the farm during the summer months. Furthermore, the cost to locate electricity at the one location that is just slightly more than $\frac{1}{4}$ mile from the surface waterways is cost-prohibitive for the farm, as it would cost over \$100,000 to run power to a well in the middle of the field. An overhead power line would then need to be installed, but it would be an obstacle for irrigation. This proposal is not economically feasible for Jenck Farms, nor is it practical.

3. Mitigation Proposal: While the Department has not reported its evaluation of the potential impact of the Jenck Farm's proposed groundwater use on the Trask and Tillamook Rivers hydrogeologist Greg Kupillas has conducted an analysis of potential impact using the Hunt model and determined that the impact (stream depletion) would be 0.82% to 3.33% of the pumping rate, or here 7.38 gpm to 30 gpm, at most. In an effort to support a finding that the application will ensure the preservation of the public welfare, safety and health, Jencks have secured GR-2952 (Certificate No. GR-2771), 60.8 acres of which was abandoned by Tillamook County on March 28, 2018, to use as mitigation for any impacts to the Trask River from the Jenck Farm's groundwater application. GR-2952 authorized use of 2 to 3 acre-feet/acre per year or an annual total of 121.6 to 182.4 acre-feet/year. For the abandoned acres, GR-2952 authorized use of 156.2 gpm. The potential point of impact on the Tillamook River falls within the zone of tidal influence and in brackish water. As such, the potential impact in this area related to surface water availability, water quality or fish habitat considerations is mitigated by these practical realities.


Jenck Farms understands that other mitigation may be necessary during the Division 33 process, depending on the Department of Environmental Quality and Department of Fish & Wildlife's evaluation of the proposed use and the actual extent of hydraulic connectivity and impacts, though we think that the mitigation offered here is arguably sufficient given the unique circumstances of this application and the negligible potential impacts to surface waters in this case.

In sum, it is Jenck Farm's view that the application and the proposed use will promote the public welfare, safety and health. In support of this view is the fact that the application is strongly supported by Tillamook County, Tillamook County Creamery Association, and the Oregon Dairy Farmers Association, each of who have provided letters of support. Further, the County has agreed that Jenck Farms can use 60.8 acres of abandoned GR-2952, which it has abandoned, as mitigation for any potential impacts to surface water. Jenck Farms therefore requests that the

Dwight W. French
January 22, 2020
Page 5

Department continue processing the groundwater application and issue an initial review to approve the application.

Sincerely,

for 
Elizabeth E. Howard

EEH:cw
Enclosure

cc: Ivan Gall
Jenck Farms LLC
Lindsay Thane, Schwabe

PDX\134277\246278\EEH\26574431.2

SECTION 3: WELL DEVELOPMENT, continued

Revised 11/20/20

Total maximum rate requested: 2.0 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	TILL 50225/ 50400	<input type="checkbox"/>	8 INCH & 6 INCH	8": 0-92 6": 84-135	95 - 133	0 TO 61	1 FOOT PER WELL LOG 6-2-1998	ALLUVIUM	135 FEET		
WELL 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	8 INCH	100	TBD	0 TO 50 FEET	NA	ALLUVIUM	100		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						TOTAL:		900 GPM	387 AF
	<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"/>									

*Revised
11/20/20
GAC*

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:
NA

Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through October 31	387 AF <small>Revised 11/10/2019 GSE</small>

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 257.9 Acres Supplemental: 0.0 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 645 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: NA (Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5,000 gallons per day for a single industrial or commercial purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): NA

Application for a Permit to Use Groundwater



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME			PHONE (HM)
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

Organization

NAME JENCK FARMS LLC C/O JOE JENCK			PHONE	FAX
ADDRESS 745 THIRD STREET			CELL (503) 812-8352	
CITY TILLAMOOK	STATE OR	ZIP 97141	E-MAIL*	

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME Doann Hamilton / Pacific Hydro-Geology, Inc.			PHONE (503) 632-5016	FAX (503) 632-5983
ADDRESS 18487 S. Valley Vista Road			CELL (503) 349-6946	
CITY Mulino	STATE OR	ZIP 97042	E-MAIL* phgdmh@gmail.com	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

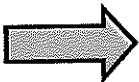
RECEIVED

MAY 16 2019

OWRD

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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 cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate.

	Joe Jenck, Owner	4/24/2019
Applicant Signature	Print Name and Title if applicable	Date
Applicant Signature	Print Name and Title if applicable	Date

For Department Use: App. Number: 9-18823

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

TL 1S1025 1100
TL 1S1025CA 3900
TL 1S1025DC 100
TL 1S1035 200, 500, 601

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.

TL 1S1025 700 & 800
TL 1S1026 2600, 2700, 2900, & 3000

- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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 irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

TL 1S1025 700 & 800
TL 1S1026 2600, 2700, 2900, & 3000
 Andrea M Jenck Trustee 48% and others
 420 Wyss Rd
 Tillamook, OR 97141

RECEIVED
 MAY 16 2019
 OWRD

Legal Description: 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.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
WELL 2	TRASK RIVER	500 FEET	APPROXIMATELY 10 FEET
WELL 3	TRASK SLOUGH	235 FEET	APPROXIMATELY 10 FEET

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

For Department Use: App. Number: G-18823

Well 3: The specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field. The objective will be to construct the well to develop water from the alluvial aquifer.

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MAY 16 2019

OWRD

SECTION 3: WELL DEVELOPMENT, continued

Revised 11/20/19 GEL

Total maximum rate requested: 2.0 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

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WELL 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	8 INCH	100	TBD	0 TO 50 FEET	NA	ALLUVIUM	100		
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	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

Revised 11/20/19 GEL

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

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JAN 20 2020

OWRD

Dwight W. French
January 22, 2020
Page 5

Department continue processing the groundwater application and issue an initial review to approve the application.

Sincerely,

for 
Elizabeth E. Howard

EEH:cw
Enclosure

cc: Ivan Gall
Jenck Farms LLC
Lindsay Thane, Schwabe

PDX\134277\246278\EEH\26574431.2

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

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If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:
NA

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through October 31	387 AF <small>Revised 11/10/2014 GSK</small>

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 257.9 Acres Supplemental: 0.0 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 645 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: NA (Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5,000 gallons per day for a single industrial or commercial purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): NA

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): 50 Hp submersible in Well 2. Well 3 will be set up similarly.
 Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the well and conveyed through buried mainline (note - there is an existing mainline over Trask Slough).

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) *(attach additional sheets if necessary)*
impact sprinklers and/or hard hose traveler

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters *(attach additional sheets if necessary)*.

Water will be applied to pasture or crops when needed. The most water efficient method of irrigation will be used for the crop being irrigated

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Within three years after the permit is issued
b) Date construction will be completed: Within five years after the permit has been issued
c) Date beneficial water use will begin: Within five years after the permit has been issued

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SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Water will be applied at rate and duration to avoid excess watering
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation:
There are no streams located near Proposed Well 3 or any other location requiring ground disturbance; therefore, no banks will need clearing.
- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: NA

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SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name NA	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

None

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- 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.
- Fees - Amount enclosed: \$ 3,090
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.

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Land Use Information Form

OWRD



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

Applicant

NAME JENCK FARMS LLC c/o JOE JENCK			PHONE (HM)		
PHONE (WK)		CELL (503) 812-8352		FAX	
ADDRESS 745 THIRD STREET					
CITY TILLAMOOK		STATE OR	ZIP 97141	E-MAIL*	

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
1S	10W	25		700	F-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	25		800	F-1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	25		1100	T-07	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	25CA		3900	T-07	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	25DC		100	T-07	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	26		2600	F-1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	26		2700	F-1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	26		2900	F-1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	26		3000	F-1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	35		200	F-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	35		500	F-1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
1S	10W	35		601	F-1	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Tillamook County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 3.22 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

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For Local Government Use Only

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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 that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): CITY OF TILLAMOOK LMO 153.010(2)(D)
TILLAMOOK COUNTY LMO 3.002(15)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<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
		<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

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

Farming use is allowed outright in the Farm (F-1) zone (Tillamook County)
Farming use is allowed outright in the Open Space (O) zone (City of Tillamook)

NAME <u>Hilary Foote</u>	TITLE: <u>Planner</u>
SIGNATURE 	PHONE: <u>503.842.3400x3314</u>
GOVERNMENT ENTITY <u>Tillamook County / City of Tillamook</u>	DATE: <u>4/19/2019</u>

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, 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

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

G-18823

Tillamook County, Oregon 2005-004856
06/08/2005 03:28:55 PM

DEED-DWARR
\$20.00 \$11.00 \$10.00 - Total = \$41.00



00033585200600048580040041

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Tassi O'Neil, Tillamook County Clerk



Fidelity National Title Company

After Recording Return To:
Fidelity National Title Company
2310 First Street, Suite 2
PO Box 760
Tillamook OR 97141-0760

Send Tax Statements To:
Jenck Farms, LLC
Joe Jenck
745 3rd Street
Tillamook OR 97141

Title Order No. 13-26722
Escrow No. 13-26722
Tax Account No. R1S10 25
01100, R1S10 25CA 03800,
R1S10 25CA 03900, R1S10 25DC
00100, R1S10 25DC 01200

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WARRANTY DEED (ORS 93.850)

Gaylord George Shiveley and Vicky F. Shiveley, as tenants by the entirety, Grantor, conveys and warrants to Jenck Farms, LLC, an Oregon Limited Liability Company, as an estate in fee simple, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

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.

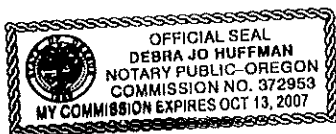
The true consideration for this conveyance is \$63,000.00.

Dated this 8th day of June, 2005.
Gaylord George Shiveley Vicky F. Shiveley
Gaylord George Shiveley Vicky F. Shiveley

State of OR, County of Tillamook)ss.

This instrument was acknowledged before me on June 8th, 2005
by Gaylord George Shiveley and Vicky F. Shiveley.

Debra Jo Huffman My commission expires: Oct 13, 2007
Notary Public



13-26722

FIDELITY NATIONAL TITLE
COMPANY OF OREGON

A-18823

EXHIBIT 'A'Legal Description:

Parcel 1

Beginning at a point 17.69 chains South and 2.19 chains West of the Southeast corner of Block 6, in Stillwell's Addition to Tillamook City, in Tillamook County, Oregon; thence West to the West line of First Addition to Shiveley's Subdivision, recorded March 17, 1978, in Plat Book 3, Page 67, Tillamook County Records and the true point of beginning of the herein described tract; thence West to the Northeasterly bank of the Trask River; thence following the Northeasterly bank of the Trask River in the Southerly and Easterly direction to a point South of the true point of beginning; thence North to the true point of beginning.

EXCEPTING THEREFROM that portion described in Memorandum of Contract of Sale to L & M Subdivision LLC by instrument recorded April 1, 1994 in Book 359, Page 517 and re-recorded October 25, 1994 in Book 364, Page 874, Records of Tillamook County, Oregon.

Parcel 2

A tract of land in Section 25, Township 1 South, Range 10 West of the Willamette Meridian in Tillamook County, Oregon. Beginning at a point which is South 294.36 feet and West 1381 feet of the Southeast corner of Block 6, Stillwell's Second Addition to Tillamook, said point also being on the West line of the city limits of Tillamook City (as it existed February 24, 1978); thence along said West city limits line South 40 feet to the true point of beginning; thence West 130 feet; thence South 189 feet; thence West 100 feet; thence South 100 feet; thence West 295 feet; thence South 100 feet; thence East 525 feet to the West city limits line (as it existed February 24, 1978); thence North along said West city limits line to the true point of beginning. EXCEPTING THEREFROM that portion described in Memorandum of Contract of Sale to L & M Subdivision LLC by instrument recorded April 1, 1994 in Book 359, Page 517 and re-recorded October 25, 1994 in Book 364, Page 874, Records of Tillamook County, Oregon.

Parcel 3

Beginning at a point 10.94 chains South and 9.40 chains West of the Southeast corner of Block 6, Stillwell's Addition to Tillamook City, in Tillamook County, Oregon; thence West to the Northwest corner of that tract conveyed to Gaylord W. Shiveley, et ux, by Warranty Deed recorded May 15, 1972, in Book 227, page 207, Tillamook County Records and the true point of beginning of the herein described tract; thence West to the North channel of the Trask River; thence up said river South 11° West 2.30 chains; thence South 18° East 2.92 chains; thence South 34° East 2.51 chains to Eberman's North line; thence East to the West line of First Addition to Shiveley's Subdivision, in Tillamook County, Oregon, recorded March 17, 1978, in Plat Book 3, Page 67, Tillamook County Records; thence North along the West line of First Addition to Shiveley's Subdivision to the South line of that tract conveyed to Gaylord W. Shiveley, et ux, by Warranty Deed recorded December 10, 1971, in Book 225, page 627, Tillamook County Deed Records; thence West along the South line of said Shiveley tract and the Westerly extension thereof to a point South of the true point of beginning; thence North 80 feet to the true point of beginning.

EXCEPTING THEREFROM that portion described in Memorandum of Contract of Sale to L & M Subdivision LLC by instrument recorded April 1, 1994 in Book 359, Page 517 and re-recorded October 25, 1994 in Book 364, Page 874, Records of Tillamook County, Oregon.

Parcel 4

Beginning at the Southwest corner of Lot 31, First Addition to Shiveley's Subdivision, in Tillamook County, Oregon; thence South to the Northeasterly bank of the Trask River; thence Southeasterly along said bank to the South line of the Edrick Thomas Donation Land Claim; thence East along said South line to a point 1502.83 feet West of the Southeast corner of said donation land claim, the same being the Southwest corner of Norton's Addition to Tillamook City; thence North 726.4 feet to the Northwest corner of said Norton's Addition; thence West to the Northwest corner of Lot 1, Block 1, Norton's Addition; thence West to the Southwest corner of Lot 6, Block 6, Parkway Manor, in Tillamook County, Oregon; thence North along the West line of said Block 6 to the South line of Lot 2, Block 6, Parkway Manor; thence West 53 feet to the Southeast corner of Lot 7, Block 1, Fairlane Addition to Tillamook City; thence West 600.0 feet to the Southwest corner of Lot 1, Block 1, Fairlane Addition to Tillamook City; thence South to the Southeast corner of Lot 38, First Addition to Shiveley's Subdivision; thence East 80 feet to the Southwest corner of said Lot 38; thence North 24.55 feet to the South west corner of that tract conveyed to Harvey M. Hollowell by Warranty Deed recorded May 25, 1973, in Book 232, page 132, Tillamook County Records; thence West 100 feet to said Hollowell Southwest corner, said point also being on the East line of Lot 37, First Addition to Shiveley's Subdivision; thence

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Title No. 13-26722 Escrow No. 13-26722

South to the Southeast corner of said Lot 37; thence West along the South line of First Addition to Shiveley's Subdivision, 426.10 feet to the point of beginning.
EXCEPTING THEREFROM that portion conveyed to Jeffery M. & Darlene Ackerson by Instrument 2005-001778, recorded March 7, 2005, Records of Tillamook County, Oregon.

Parcel 5
Lot 37, First Addition to Shiveley's Subdivision, in Tillamook County, Oregon.

Subject to:

The following matters are excluded from the coverage of the policy based on the proximity of the property to the Trask River.

- a. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of the Trask River.
- b. Any adverse claim based on the assertion that:
 - i. Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - ii. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Trask River or has been formed by accretion to such portion.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

An Easement created by instrument, including the terms and provisions thereof,
In favor of: United States Naval Air Station
For: outfall sewer system
Recorded: April 26, 1943
Book: 85 Page: 12
in Tillamook County, Oregon.

An Easement created by Complaint in the Circuit Court of the State of Oregon for Tillamook County, including the terms and provisions thereof,
In favor of: City of Tillamook
For: Sewer
Dated: June 14, 1949
Complaint No.: 8371
in Tillamook County, Oregon.

Said easement was corrected by Order in the Circuit Court of the State of Oregon for Tillamook County, including the terms and provisions thereof,
Dated: July 15, 1952
Order No.: 9102
in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
In favor of: Tillamook City
For: sewer system
Recorded: September 9, 1949
Book: 119 Page: 476
in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
In favor of: Tillamook City
For: Sewer
Dated: June 21, 1949
Recorded: September 9, 1949
Book: 119 Page: 479
in Tillamook County, Oregon.

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Title No. 13-26722 Escrow No. 13-26722

An Easement created by instrument, including the terms and provisions thereof,
In favor of: Tillamook City
For: storm sewer system
Recorded: March 26, 1962
Book: 180 Page: 11
in Tillamook County, Oregon.

Easement and maintenance agreement, including the terms and provisions thereof,
For: fence
Recorded: February 24, 1978
Book: 255 Page: 281
in Tillamook County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
In favor of: City of Tillamook, it successors and assigns
For: sewer
Recorded: September 20, 1978
Book: 259 Page: 66
in Tillamook County, Oregon.
Affects: additional property

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Tillamook County, Oregon 2004-009568

11/10/2004 10:29:55 AM
DEED-DWA Crt=1 Stn=1 CCOUNTER
\$20.00 \$11.00 \$10.00 - Total = \$41.00



I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Tassi O'Neil, Tillamook County Clerk



After recording return to and until a change is requested, send all tax statements to:

Andrea M. Jenck, Trustee of
Donald A. Jenck's Credit Shelter Trust
420 Wyss Road
Tillamook, OR 97141

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WARRANTY DEED

Andrea M. Jenck, as Trustee of the Jenck Family Trust under agreement dated July 31, 1996, hereinafter called Grantor, does hereby grant, bargain, sell and convey to Andrea M. Jenck, Trustee of Donald A. Jenck's Credit Shelter Trust, hereinafter called Grantee, any and all of Grantor's 48 percent interest in and to the following described real property:

See Exhibit A

The true and actual consideration for this conveyance, stated in terms of dollars, is \$0.00; this transfer is a distribution from the Jenck Family Trust.

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.

DATED this 3 day of November 2004.

Andrea M Jenck
Andrea M. Jenck, Trustee of the
Jenck Family Trust

STATE OF OREGON)
)ss.
County of Tillamook)

This instrument was acknowledged before me on this 3rd day of November, 2004 by ANDREA M. JENCK as Trustee of the Jenck Family Trust.



Stacey Bentley
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9/23/08

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PARCEL I - WYSS FARM

Beginning at a point 2.20 chains North and 2.71 chains West of the Southeast corner of Section 26, Township 1 South, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon; thence South 84 ½ degrees East 2.96 chains; thence North 9.08 chains; thence West 2.94 chains; thence South 8.80 chains to the point of beginning.

PARCEL II - WYSS FARM

The East one-half of the following described tract: Beginning at a point on the North bank of Trask Slough (of record Trask River) 2.20 chains North and 2.71 chains West of the Southeast corner of Section 26, Township 1 South, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon; thence South 84 ½ degrees East 4.29 chains; thence North 48 degrees East 1.53 chains; thence North 3 ½ degrees East 2.38 chains; thence North 23 degrees East 1.18 chains; thence North 4.35 chains; thence West 6.2 chains; thence South 8.80 chains to the point of beginning.

PARCEL III - WYSS FARM

Beginning 371.49 feet North and 228.69 feet East of the Section corner common to Sections 25, 26, 35 and 36, in Township 1 South, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon; thence North 285.7 feet; thence West 397.7 feet; thence South 239.7 feet; thence West 290.4 feet; thence North 965 feet to the Northeast corner of the lands of Stephen Steiner, which point is marked by a concrete monument 12 x 12 inches in size, set 2 feet in the ground, in which is imbedded a 2 inch iron pipe, said Steiner land being described in Book 39, Page 321, Tillamook County Deed Records; thence Easterly 1933.01 feet to a point which is marked by a concrete monument 12 x 13 inches in size, set 2 feet in the ground, in which is imbedded a 2 inch iron pipe; thence South 23.2 feet to the North bank of Trask River; thence following the North bank of Trask Slough (of record Trask River) North 77 degrees 5' West 86.6 feet; thence South 60 degrees 15' West 60.3 feet; thence South 13 degrees 30' West 79.1 feet; thence South 15 degrees 15' East 105.2 feet; thence South 6 degrees East 196.5 feet; thence South 3 degrees East 239.2 feet; thence South 11 degrees 45' West 194.5 feet; thence South 16 degrees 45' West 93.4 feet; thence North 21 degrees 30' West 100.8 feet; thence South 46 degrees 30' West 68.8 feet; thence South 74 degrees West 122.3 feet; thence North 72 degrees 45' West 108.6 feet; thence North 31 degrees 45' West 159.6 feet; thence South 58 degrees 30' West 193.3 feet; thence South 72 degrees 30' West 108.7 feet; thence South 62 degrees 30' West 156.4 feet; thence South 67 degrees West 112 feet; thence South 75 degrees 30' West 74.2 feet; thence South 39 degrees 30' West 141 feet to the point of beginning.

PARCEL IV - WYSS FARM

That portion of Lot 10, Section 25, Township 1 South, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon, described as follows: Beginning at the Southwest corner of the Edrick Thomas Donation Land Claim; thence West to the East bank of the Trask Slough (of record Trask River); thence following said bank of Trask Slough (of record Trask River) in a Northeasterly direction to the West line of said Thomas Donation Land Claim; thence South to the place of beginning.

EXCEPTING THEREFROM any portion lying within Wyss Road.

PARCEL I - SCHWEND FARM

Beginning at a 3/4 inch iron pipe in the apparent center of the dike road, said point being North 183.09 feet and West 273.99 feet from the Witness Corner for Section 25, 26, 35 and 36, in Township 1 South, Range 10 West of the Willamette Meridian; thence along the apparent centerline of said dike road, North 84 degrees 24' West, 109.47 feet; thence continuing along the apparent centerline of said road, South 79 degrees 17' West, 103.39 feet to a 3/4 inch iron pipe; thence North 230.84 feet to a 5/8 inch iron rod; thence South 84 degrees 24' East, 211.54 feet to a 5/8 inch iron rod; thence South, 201.82 feet to the point of beginning.

PARCEL II - SCHWEND FARM

Beginning at a point 1.45 chains North and 7.11 chains West of the witness corner to Sections 25, 26, 35 and 36, in Township 1 South of Range 10 West of the Willamette Meridian; thence North on the true line (variation 21 degrees 15' East) 19.30 chains; thence West 17.79 chains to a post on the East bank of Trask Slough; thence South 7 1/2 degrees East 2.27 chains; thence South 33 degrees East 2.08 chains; thence South 42 degrees East 5.00 chains; thence South 10 1/2 degrees West 1.24 chains; thence South 50 degrees West 8.22 chains; thence South 12 1/2 degrees West 1.32 chains; thence South 24 degrees East 1.55 chains; thence South 42 degrees East 1.72 chains; thence South 51 degrees East 1.57 chains; thence South 72 degrees East 1.47 chains; thence South 77 degrees East 6.59 chains; thence North 67 degrees East 1.84 chains; thence South 49 degrees East 5.68 chains; thence North 23 degrees East 5.03 chains; thence South 77 1/2 degrees East 1.05 chains to the place of beginning, in Sections 26 and 35, Township 1 South of Range 10 West of the Willamette Meridian.

ALSO, a tract commencing at the Southeast corner of the above described tract, and running thence North 300 feet; thence East 290.4 feet; thence South 300 feet to the bank of the Trask River; thence West 290.4 feet to the place of beginning, all in Section 26, Township 1 South of Range 10 West of the Willamette Meridian. EXCEPTING beginning at a 3/4 inch iron pipe in the apparent center of the dike road, said point being North 183.09 feet and West 273.99 feet from the Witness Corner for Section 25, 26, 35 and 36, in Township 1 South, Range 10 West of the Willamette Meridian; thence along the apparent centerline of said dike road, North 84 degrees 24' West, 109.47 feet; thence continuing along the apparent centerline of said road, South 79 degrees 17' West, 103.39 feet to a 3/4 inch iron pipe; thence North 230.84 feet to a 5/8 inch iron rod; thence South 84 degrees 24' East, 211.54 feet to a 5/8 inch iron rod; thence South, 201.82 feet to the point of beginning.

Subject to easements as recorded in Book 264, Page 825, and also recorded in Book 320, Page 924, Tillamook County Deed Records, State of Oregon.

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TRACT I - STILLWELL FARM

Lot 12, Section 26, Township 1 South, Range 10 West of Willamette Meridian;
EXCEPTING THEREFROM THE FOLLOWING: Beginning at a point North 89 degrees 29'
West 1960.8 feet from the quarter section corner common to Sections 25 and 26, Township 1
South, Range 10 West of Willamette Meridian; thence North 89 degrees 29' West 115.8 feet to
low water line of Old Trask River; thence along low water line South 50 degrees East 69.5
feet; thence North 51 degrees 21' East 75.0 feet to the point of beginning.

ALSO EXCEPTING THEREFROM the following described Tract sold to Loren D. and Lucille
Shoemaker: Bap 1960.8 ft N 89° 29' W from the ¼ Sec cor between Sec 25 and 26 Twp
1S R 10W WM; th S 89° 29' E 359.7 ft; th S 660 ft to mean high water line of the Old
Trask River; th along the line of mean high water Northwesterly to a point S 51° 21' W of
the pob; th N 51° 21' E 75 ft to the pob.

TRACT II - STILLWELL FARM

Lot 9 and the Southwest quarter of the Northwest quarter of Section 25, Township 1 South,
Range 10 West of Willamette Meridian, lying South of the Tillamook-Netarts County Road;
ALSO all that portion of the Edrick Thomas Donation Land Claim lying West of the Trask
River (slough), South of the Tillamook-Netarts County Road, and North of the South line of
Lot 9, Section 25, Township 1 South, Range 10 West of Willamette Meridian, extended East to
the Trask River.

TRACT III - STILLWELL FARM

Beginning at the Northeast corner of the Southwest quarter of the Southwest quarter of
Section 25, Township 1 South, Range 10 West of Willamette Meridian; thence South 45
degrees East 134.5 feet; thence South 54 degrees 30' East 65 feet; thence North 55 degrees 30'
East 122.3 feet; thence North 86 degrees 30' East 52.8 feet; thence North 20 degrees 30'
East 63.9 feet; thence West 328 feet to the point of beginning.

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Tillamook County, Oregon 2019-001504
03/21/2019 02:09:20 PM
DEED-DWARR
\$25.00 \$11.00 \$61.00 \$10.00 - Total = \$107.00



I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Tassi O'Neil, Tillamook County Clerk

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AFTER RECORDING RETURN TO:

Jenck Farms, LLC
745 Third Street
Tillamook, OR 97141

SEND TAX STATEMENTS TO:

No Change

SPECIAL WARRANTY DEED

MARTIN C. BLASER, Trustee of the Martin C. Blaser Living Trust dated 10/25/94, hereinafter called Grantor, conveys and specially warrants to JENCK FARMS, LLC, an Oregon Limited Liability Company, hereinafter called Grantees, all that real property situated in Tillamook County, Oregon, as more particularly described in attached Exhibit "A".

The true and actual consideration being in fulfillment of that Land Sale Contract between Grantors and Grantees dated Oct. 20, 2010, a Memorandum of which was recorded Oct. 21, 2010, at instrument number 2010-006347, Tillamook County Deed Records, said contract being conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest, or encumbrance subsequent to said date whether arising by, through, or under the purchaser in said contract, or its assignees, or otherwise, and shall not apply to any taxes, assessments, or other charges levied, assessed, or becoming due subsequent to the date of said contract.

Grantor covenants that he is the owner of the above described property, free and clear of all encumbrances and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009. 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

Page 1 - SPECIAL WARRANTY DEED

F:\REAL\PROP\LANDSALE\Jenck Farms from Blaser\Sales docs\fulfill deed.wpd

9-18823

VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009.

EXECUTED by Grantor on the date set forth in the notary acknowledgment below.

Martin C Blaser
MARTIN C. BLASER, Trustee of
the Martin C. Blaser Living Trust
dated 10/25/94

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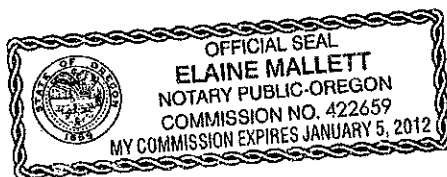
MAY 16 2019

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STATE OF OREGON)
) ss.
County of Tillamook)

Oct. 20th, 2010. Personally appeared the above named MARTIN C. BLASER, Trustee of the Martin C. Blaser Living Trust dated 10/25/94, and acknowledged the foregoing instrument to be his voluntary act. Before me:

Elaine Mallett
Notary Public for Oregon



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PARCEL NO. 1:

Beginning at a point 9.03 chains West and 4.15 chains South of the Witness corner to Sections 25, 26, 35, and 36 in Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, which is 0.75 chains South of the corner;

Thence (var. 22° East) South 17.61 chains;

Thence West 13.41 chains to the West bank of Hadley Slough;

Thence following said East bank North 24° 30' East 2.16 chains;

Thence North 33° West 2.87 chains;

Thence North 31° 30' West 2.84 chains;

Thence North 10° West 2.02 chains;

Thence North 2° 30' West 4.14 chains;

Thence North 13° 45' West 3.50 chains to the South line of A. Benscheldt Land;

Thence following said line East 4.39 chains to the Southeast corner of said Benscheldt Land;

Thence North along said Benscheldt East line 6.20 chains to the South bank of Trask River;

Thence along said bank South 76° East 1.42 chains;

Thence South 83° East 2.22 chains;

Thence South 72° 30' East 1.78 chains;

Thence South 85° 30' East 3.50 chains;

Thence South 63° East 2.21 chains;

Thence South 38° 30' East 2.08 chains;

Thence South 80° East 2.20 chains to the point of beginning in Section 35, Township 1 South of Range 10 West of the Willamette Meridian in Tillamook County, Oregon.

PARCEL NO. 2:

Starting at the Section corner common to Sections 25, 26, 35 and 36, in Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon;

thence South 1369.5 feet;

thence West 327 feet;

thence South 993.2 feet to a point which is more correctly described by Survey made by Poyski for Burke in 1914 and filed in County Survey Records at Page 447 thereof, which begins at the aforementioned section corner;

thence South 0° 27' East 2641.6 feet to the quarter section corner;

thence North 50° 07' West 429.0 feet;

thence South 89° 33' West, 287 feet to the true point of beginning of the following described tract, said true point of beginning being the Southwest corner of a tract to Fred Arnet and wife by deed recorded August 8, 1922 in Book 46, Page 74, Deed Records;

thence North 0° 27' West, 860.28 feet to the Southeast corner of a tract conveyed to Martin Carl Blaser by deed recorded March 25, 1950 in Book 122, Page 162, Deed records;

thence West 950 feet, more or less, along the South boundary of said Blaser Tract to the centerline of Hadley Slough;

thence Southerly along said centerline of Hadley Slough to a point which is South 0° 27' East of the true point of beginning;

thence North 0° 27' West 400 feet, more or less, to the true point of beginning.

EXHIBIT A - Page 2 of 3

PARCEL NO. 3:

A tract of land located in Sections 35 and 36, Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, the said tract being described as:

Beginning at the intersection of the centerline of Hadley Slough with a ditchline which is located South 951.39 feet and West 5217.37 feet from the East one-quarter section corner of said Section 36;

Thence along the center of said ditchline the following courses:

Thence South 37° 51' West 271.50 feet;

Thence South 40° 59' West 69.71 feet;

Thence South 54° 48' West 169.12 feet to the center of a small slough;

Thence along the center of said small slough the following courses:

Thence North 86° 39' West 38.14 feet;

Thence South 50° 12' West 134.50 feet;

Thence South 74° 13' West 86.88 feet;

Thence North 84° 43' West 101.90 feet;

Thence South 61° 04' West 101.11 feet;

Thence North 48° 19' West 68.70 feet;

Thence North 34° 47' West 78.74 feet;

Thence North 61° 05' West 84.41 feet;

Thence South 32° 18' West 61.29 feet;

Thence North 75° 56' 40" West 134.09 feet to a 5/8 Inch Iron bar;

Thence North 52° 54' 22" West 1169.85 feet to a 5/8 Inch Iron bar;

Thence North 21° 12' 40" East 462.79 feet, more or less, to the South line of that tract conveyed to Joe Schriber by deed recorded in Book 78 at Page 352, Tillamook County Deed Records;

Thence Easterly along said Joe Schriber Tract to the West bank of Hadley Slough;

Thence Northerly along said West Bank to a point which is North 87° 31' West 992.96 feet and North 1° 20' East 860.28 feet from the Southwest corner of the Arnet 15 acre Tract described in Book 46, Page 74, Deed Records;

Thence South 87° 31' East 992.96 feet to the West line of the Arnet 15 acre Tract;

Thence South 1° 20' West, along the West line of the Arnet 15 acre Tract, 860.28 feet to an existing iron pin at the Southwest corner of said Arnet 15 Acre tract;

Thence South 0° 27' East 454.70 feet to the centerline of Hadley Slough;

Thence Southeasterly along the centerline of Hadley Slough to the point of beginning.

EXCEPTING THEREFROM that tract conveyed to O.K. Tittle, et ux, to Martin C. Blaser, et ux, by deed recorded in Book 191, Page 89, Tillamook County Deed Records.

This description is based upon Map B-1155 of Tillamook County Surveyor's Records.

Subject to the following:

1. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as disclosed in a document:
Granted to: Henry Sause and Curtis Sause
Purpose: to store logs, etc.
Recording Date: April 9, 1943
Recording No: Book: 84 Page: 587
Affects: covers other property also
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Trask Drainage District
Purpose: drainage ditch
Recording Date: October 28, 1970
Recording No: Book: 221 Page: 253
Affects: covers other property also

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EXHIBIT A - Page 3 of 3

4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: United Telephone Company of the Northwest, an Oregon corporation
Purpose: cable
Recording Date: September 24, 1996
Recording No: Book: 381 Page: 331
Affects: Parcel 1

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Tillamook Peoples' Utility District
Purpose: public utilities
Recording Date: August 20, 2009
Recording No: 2009-006022
Affects: Parcel 1

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fill
50225

JUN 20 1997

Well ID# 409274

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

(START CARD) # 88575

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

(1) OWNER: Well Number 2
Name Jenck Farms
Address 745 Third St.
City Tillamook State Oregon Zip 97141

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 110 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL		
Diameter	From	To	Material	From	To
12	0	61	Cement	0	61
8	61	110			

Sacks or pounds 45

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	12	92	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 92

(7) PERFORATIONS/SCREENS:

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

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

Yield gal/min	Drawdown	Drill stem at	Flowing Artesian Time
<u>250</u>	<u>89</u>	<u>90</u>	<u>1 hr.</u>

Temperature of water 54 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 Tillamook Latitude _____ Longitude _____
Township 15 N or S Range 10W E or W. WM.
Section 25 NW 1/4 SW 1/4
Tax Lot 700 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) JAME

(10) STATIC WATER LEVEL:
1 ft. below land surface. Date 6-6-97
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 5

From	To	Estimated Flow Rate	SWL
<u>5</u>	<u>10</u>	<u>1</u>	<u>1</u>
<u>92</u>	<u>110</u>	<u>250</u>	

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
<u>Topsoil</u>	<u>0</u>	<u>1</u>	
<u>Blue Clay</u>	<u>1</u>	<u>35</u>	
<u>Blue Clay + Med. Beach Sand</u>	<u>35</u>	<u>55</u>	
<u>Gray Clay</u>	<u>55</u>	<u>92</u>	
<u>Gray Clay w/ Lg. Gravel + Med. Sand</u>	<u>92</u>	<u>110</u>	<u>1</u>

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Date started 6-4-97 Completed 6-6-97
(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 the best of my knowledge and belief.
WWC Number _____
Date _____

Signed _____
(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.
WWC Number 1221
Date 6-6-97

Signed Larry C. Early
Date 6-6-97

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

G-188.23

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Till
50400

JUN - 8 1998

JUL - 7 1998

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

WATER RESOURCES DEPT. WELL I.D. # L 09274
START CARD # 114032 SALEM, OREGON

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

(1) OWNER: Well Number _____
Name JENCK FARMS
Address 745 THIRD STREET
City TILLAMOOK State OR Zip 97141

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 135 ft.
Explosives used Yes No Type _____ Amount _____

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
8	0	110	SEAL UNDISTURBED			
6	110	135				

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"/>
Liner:	6"	84	135	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) NUMEX 5 1/2" @ 135'

(7) PERFORATIONS/SCREENS:

Perforations Method DRIVE DOWN
 Screens Type _____ Material STEEL

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
95	133	1/4" x 3/8"	480	6"	pipe	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Flowing Time
250+		80	1 hr.

Temperature of water 54 F 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 TILLAMOOK Latitude _____ Longitude _____
Township 1S N or S Range 10W E or W. WM.
Section 25 NW 1/4 SW 1/4
Tax Lot 700 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 745 THIRD STREET

(10) STATIC WATER LEVEL:
1 ft. below land surface. Date 06/02/98
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 2/92

From	To	Estimated Flow Rate	SWL
92	131	250+ GPM	1

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
Existing 8" well reported	0	110	1
Cave-in, well bore cleaned out of debris	92	110	1
DEEPENING			
Gray & gray-brown gravel	110	131	1
Gray clay	131	135	

Date started 06/01/98 Completed 06/02/98

(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 the best of my knowledge and belief.

Signed Ma: Bigsby WWC Number 1492 Date 06/03/98

(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 1266 Date 06/03/98

A-18823



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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Jenck Farms LLC c/o Joe Jenck

745 Third Street, Tillamook, OR 97141

Transaction Type: Groundwater Application

Fees Received: \$ 3,090.00

Cash Check: Check No. 13375

Name(s) on Check: Jenck Farms, LLC

Address on Check: 745 3rd St.
Tillamook, OR 97141

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Cory Middleton
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

SUPERSEDED

7/20/2020

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

NA

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MAY 16 2019

Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

OWRD

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through October 31	645 AF

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (must match map).

Primary: 257.9 Acres Supplemental: 0.0 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 645 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: NA (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (attach additional sheets if necessary): NA

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 3.22 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	TILL 50225/ 50400	<input type="checkbox"/>	8 INCH & 6 INCH	8": 0-92 6": 84-135	95 - 133	0 TO 61	1 FOOT PER WELL LOG 6-2-1998	ALLUVIUM	135 FEET		
WELL 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	8 INCH	100	TBD	0 TO 50 FEET	NA	ALLUVIUM	100		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						TOTAL:		1,450 GPM	645 AF
	<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"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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MAY 16 2019

OWRD

Tillamook County

#4911

BOOK 117 PAGE 556

COUNTY COURT JOURNAL



Land of Cheese, Trees and Ocean Breeze

Board of Commissioners
Tim Josi. David Yamamoto. Bill Baertlein.
201 Laurel Avenue
Tillamook, Oregon 97141
Phone 503-842-3403
Fax 503-842-1384
TTY Oregon Relay Service

March 28, 2018

FILED

MAR 29 2018

**TASSI O'NEIL
COUNTY CLERK**

Handwritten initials: JO, TON

Oregon Water Resources Department
Attn: Ann Reece, Water Right Service Division
725 Summer St NE, Suite A
Salem, OR 97301

RE: Abandonment of Ground Water Registration Certificate GR-2771
(Statement Number GR-2952)

Dear Ann,

Please find enclosed the revised Affidavit for the Partial Abandonment of a Ground Water Certificate of Registration for Tillamook County's portion of certificate number GR-2771. This supersedes the prior affidavit dated March 14, 2018 that was submitted recently to the Oregon Water Resources Department.

We appreciate your time and assistance.

Sincerely,

Handwritten signature: Susan Corbisiero

Susan Corbisiero
Executive Assistant

Enclosure

#4911

**AFFIDAVIT FOR THE PARTIAL ABANDONMENT OF A
GROUND WATER CERTIFICATE OF REGISTRATION**

State of Oregon)
) ss
County of TILLAMOOK)

I/We (or authorized agent), TILLAMOOK COUNTY,
residing at 201 LAUREL AVENUE, TILLAMOOK, OREGON 97141,
telephone number 503-842-3403, being first duly sworn depose and say:

- I/We are the legal and deeded owner(s) of the property described as tax lot number 600, within the nw 1/4 sw 1/4, Section 24, Township 1s N/S, Range 10w E/W, of the Willamette Meridian, in TILLAMOOK County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
- Ground Water Certificate of Registration number GR-2771 in the name of Antone & Johanna Beeler, with a tentative date of priority of 5/31/1951 for use of 156.2 (gpm)cfs/AF for the purpose of IRRIGATION of 60.8 acres (use) is appurtenant to my/our property;
- The appurtenant ground water registration is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the registration is located within a district or reclamation project, name it here: _____); and
- I/We have abandoned any and all interest in the portion of this ground water registration shown on the attached map and described as follows:
The claim to the use of 156.2 (gpm)cfs/AF for IRRIGATION, located:
(use)

<u>sw 1/4 nw 1/4</u>	<u>11.6</u> Acres	<u>ne 1/4 se 1/4</u>	<u>9.9</u> Acres
<u>nw 1/4 sw 1/4</u>	<u>31.1</u> Acres	<u>se 1/4 se 1/4</u>	<u>4.8</u> Acres
<u>sw 1/4 sw 1/4</u>	<u>3.4</u> Acres	<u>Section 23</u>	
<u>Section 24</u>		<u>Township 1s, Range 10w, WM</u>	
<u>Township 1s N/S, Range 10wE/W, WM; and</u>		<u>(60.8 TOTAL ACRES); and</u>	
- I/We have abandoned any and all claim to appropriate and use ground water as described above under this certificate of registration for the purpose of the final determination of the right to appropriate ground water under ORS 537.670 to 537.695

[Signature], TIM JOSI, CHAIR
Signature of legal owner as listed on deed, or authorized agent

3/28/18
Date

Signature of legal co-owner as listed on deed
(If applicable)

Date

Subscribed and Sworn to Before Me this 28th day of March, 20 18



[Signature]
Notary Public for Oregon

My Commission Expires 05/08/2020

*PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) A COPY OF THE GROUND WATER REGISTRATION MAP OR A TAX LOT MAP WITH THE ABANDONED GROUND WATER APPROPRIATION CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

Mailing List for IR Copies

Application G-18823

IR Date: February 28, 2020

Original and map mailed to applicant:

JENCK FARMS LLC
C/O JOE JENCK
745 THIRD ST
TILLAMOOK OR 97141

Copies Mailed

By: TM
(SUPPORT STAFF)

On: 2/28/2020
(DATE)

Sent via auto email:

1. Agent – Doann Hamilton - phgdmh@gmail.com
2. WRD – Watermaster #1, Nikki M. Hendricks
3. WRD - Mike McCord NWR
4. ODFW
5. DEQ

Copies sent to:

1. WRD - File G-18823
2. WRD – SW Section

Application Specialist: Kim French

EXHIBIT A – Property Legal Description

PARCEL NO. 1:

All of the Northwest quarter of the Southwest quarter of Section 24, Township 1 South, Range 10 West of the Willamette Meridian, in the County of Tillamook, State of Oregon, lying South and West of Hall Slough.

ALSO: All of Lot 3 in Section 24, Township 1 South, Range 10 West of the Willamette Meridian, in the County of Tillamook, State of Oregon.

EXCEPT five acres off from the South and East heretofore sold to Alfred Larsen, et al by Deed recorded April 10, 1902 in Book X, page 204, Tillamook County Records.

ALSO: Beginning at the quarter Section post on the line between Sections 23 and 24, Township 1 South, Range 10 West of the Willamette Meridian, in the County of Tillamook, State of Oregon;

thence North 13.22 chains to the South bank of a slough;
thence North 75° East 2.68 chains;
thence South 62° East 2.64 chains;
thence South 44° East 4.50 chains; thence East 50 links;
thence South 19° East 3.79 chains;
thence South 50° East 4.31 chains;
thence South 17° East 3.00 chains;
thence South 25° 30' West 25 links to the quarter Section line;
thence West 13.75 chains to the point of beginning.

PARCEL NO. 2:

Beginning at a point South 0° 47' West 684.6 feet from the quarter Section corner between Sections 23 and 24, Township 1 South, Range 10 West of the Willamette Meridian, in the County of Tillamook, State of Oregon;

thence South 0° 47' West 955.4 feet to the North bank of Hoquarton Slough;
thence following down said North bank of slough South 63° 40' West 150.0 feet; thence South 46° 02' West 179.7 feet;
thence leaving slough South 89° 25' West 61.0 feet;
thence North 21° 22' West 1130.3 feet to a point on South bank of a slough;
thence across slough North 8° 58' West 260.3 feet to Southwest corner of Gust Wicklund tract on North bank of slough;
thence along North bank of slough South 86° 07' East 217.7 feet; thence South 49° 02' East 283.8 feet;
thence South 26° 18' East 139.6 feet;
thence South 48° 11' East 69.9 feet;
thence North 71° 11' East 136.7 feet;
thence North 34° 36' East 202.0 feet to the point of beginning.

PARCEL NO. 3:

Beginning at a 2" iron pipe which is 30 feet West and 36.4 feet North of the quarter corner between Sections 23 and 24, Township 1 South, Range 10 West of the Willamette Meridian, in the County of Tillamook, State of Oregon;

thence North following the West boundary line of Goodspeed County Road 724.8 feet;
thence North 76° 35' West 97.5 feet;
thence South 82° 54' West 119.4 feet;
thence North 86° 34' West 148.1 feet;
thence North 78° 20' West 122.5 feet;
thence North 67° 58' West 98.9 feet;
thence South 810.63 feet to the North boundary of the Goodspeed private road;
thence North 87° 48' East 575 feet to the point of beginning.

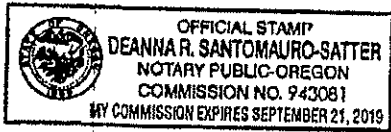
TILLAMOOK COUNTY

Accepted this 9 day of March, 2016, in accordance with ORS 93.808.

By: Mark Labhart
Mark Labhart, Chair, Tillamook County Board of Commissioners

STATE OF OREGON)
)ss
County of Tillamook)

This instrument was acknowledged before me on March 9, 2016 by Mark Labhart, Chair, Tillamook County Board of Commissioners.



Deanna R. Santomauro-Satter
Notary Public for Oregon
My Commission Expires: 9/21/19

DATED this 8 day of March, 2016.

GRANTOR

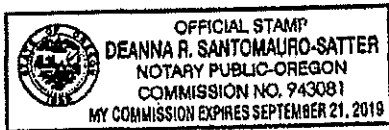
Ronald R. Jones
Ronald R. Jones

Joyce L. Jones
Joyce L. Jones

STATE OF OREGON)
)ss
County of Tillamook)

This instrument was acknowledged before me on March 8, 2016 by Ronald R. Jones and Joyce L. Jones.

Deanna R. Santoro-Satt
Notary Public for Oregon
My Commission Expires: 9/21/19



[Grantee acceptance and notarization of signature on following page]

Tillamook County, Oregon 2016-001224
03/09/2016 02:29:40 PM
DEED-DWARR
\$40.00 \$11.00 \$21.00 \$10.00 - Total = \$82.00



I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Tassi O'Neil, Tillamook County Clerk

AFTER RECORDING, RETURN TO:
Tillamook County Board of Commissioners
Attn: Paul Levesque
201 Laurel Avenue
Tillamook, OR 97141

SEND TAX STATEMENTS TO:
Tillamook County Board of Commissioners
Attn: Chief of Staff
201 Laurel Avenue
Tillamook, OR 97141

T1002 360415019619

STATUTORY WARRANTY DEED

Ronald R. Jones and Joyce L. Jones, husband and wife, ("Grantor"), convey and warrant to Tillamook County, a Political Subdivision of the State of Oregon ("Grantee"), the real property located in the County of Tillamook, State of Oregon, legally described on the attached Exhibit A (the "Property"), free of encumbrances, except as specifically set forth on the attached Exhibit B.

The true and actual consideration for this conveyance is Six Hundred Fifty Thousand Dollars (\$650,000.00) with Four Hundred Fifteen Thousand Dollars (\$415,000.00) of the total consideration paid to a facilitator pursuant to an IRC 1031 Tax Exchange (See ORS 93.030).


BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

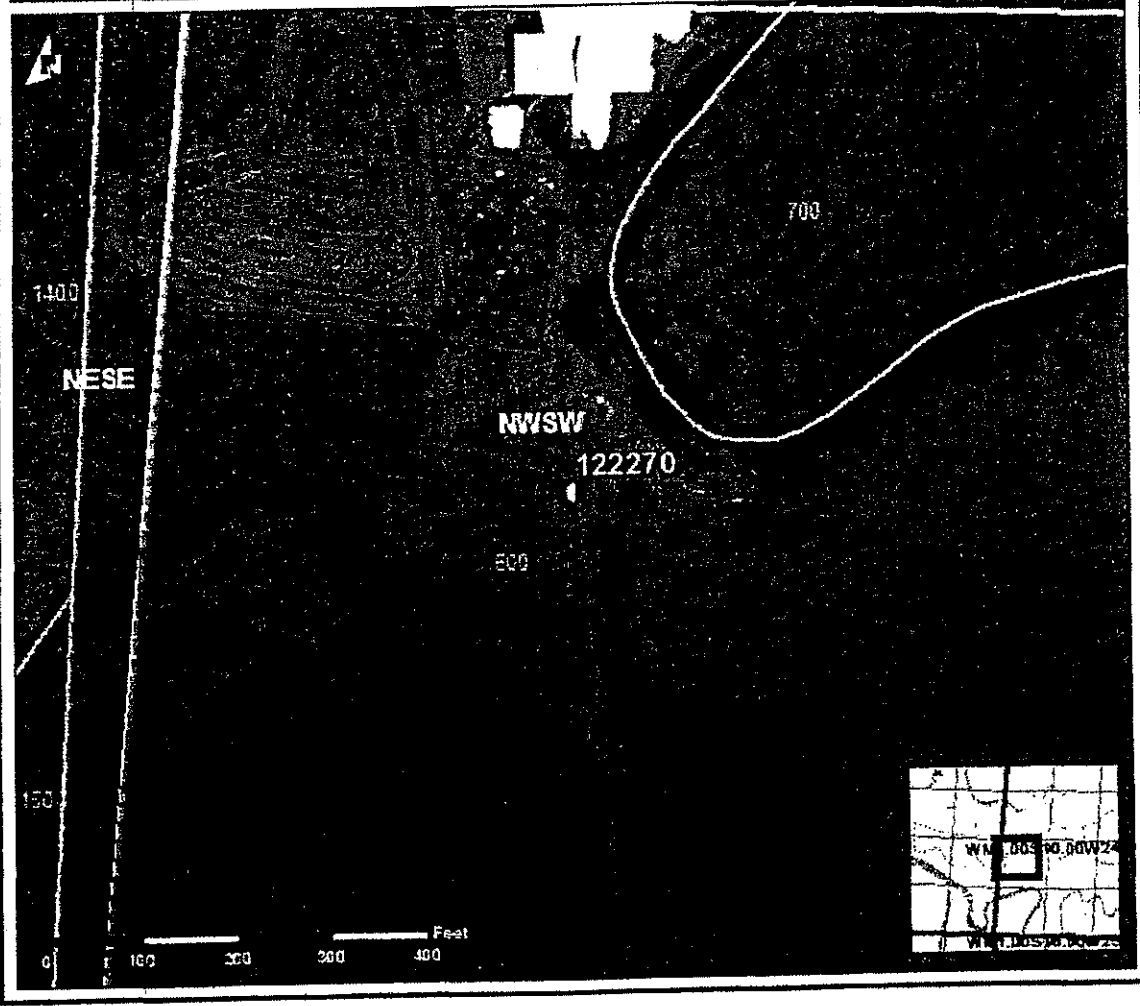
WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

TILL 52659

2/21/2017

Map of Hole

STATE OF OREGON WELL LOCATION MAP	Oregon Water Resources Department 725 Summer St NE, Salem OR 97301 (503)988-0900	
This map is supplemental to the WATER SUPPLY WELL REPORT		
LOCATION OF WELL Latitude: 45.4691074706 Datum: WGS84 Longitude: -123.86327204704 Township/Range/Section/Quarter-Quarter Section: WM 1S 10W 24 NWSW Address of Well: 509 GOODSPEED ROAD TILLAMOOK OREGON	Well Label: 122270 Printed: February 21, 2017	<small>DISCLAIMER: This map is intended to represent the approximate location for the well. It is not intended to be construed as survey accurate in any manner. Provided by well contractor</small>



STATE OF OREGON
 WATER SUPPLY WELL REPORT
 (as required by ORS 537.765 & OAR 690-205-0210)

TILL 52659
 2/21/2017

WELL I.D. LABEL# 122270
 START CARD # 1033495
 ORIGINAL LOG # TILLAMOOK 52648

(1) LAND OWNER
 Owner Well I.D. _____
 First Name _____ Last Name _____
 Company PORT OF TILLAMOOK BAY
 Address 4000 BLIMP BLVD SUITE 100
 City TILLAMOOK State OR Zip 97141

(2) TYPE OF WORK
 New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
 Casing: Dia From To Gauge Stl Plstc Wld Thrd
 Material From To Amt sacks/lbs
 Seal: _____

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other MIXED AND PUMPED

(4) PROPOSED USE
 Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well _____ ft.

BORE HOLE SEAL

Dia	From	To	Material	From	To	Amt	sacks/lbs
							Calculated
							Calculated

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount _____ Actual Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type _____ Material _____

Perf/Screen	Casing/Screen	Liner	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian
 Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Temperature 57 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount 15 ppm
 From _____ To _____ Description _____ Amount _____ Units _____

(9) LOCATION OF WELL (legal description)
 County TILLAMOOK Twp LGO S N/S Range 10 00 W E/W WM
 Sec 24 NW 1/4 of the SW 1/4 Tax Lot 600
 Tax Map Number _____ Lot _____
 Lat _____ " or 45.46910747 DMS or DD
 Long _____ " or -123.86327205 DMS or DD
 Street address of well Nearest address
 509 GODSPEED ROAD TILLAMOOK OREGON

(10) STATIC WATER LEVEL
 Date _____ SWL (psi) _____ + SWL (ft) _____
 Existing Well / Pre-Alteration _____
 Completed Well 2/16/2017 3
 Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found _____
 SWL Date From To Est Flow SWL (psi) + SWL (ft)

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)

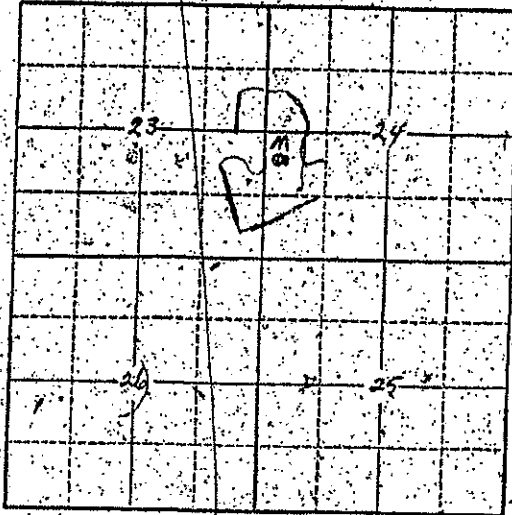
(11) WELL LOG Ground Elevation _____
 Material From To

Material	From	To

Date Started 2/16/2017 Completed 2/16/2017

(unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number _____ Date _____
 Signed _____
 (bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 1962 Date 2/21/2017
 Signed STEVE KASER (E-filed)
 Contact Info (optional) STEVE KASER #1962 503 881 9255

Township 15 Range 10 W W.M.
North



Locate well and acreage of irrigated land on plat.
Scale: 2" = 1 Mile

STATE OF OREGON

County of Tillamook

I, Anton Reeler, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

Anton Reeler
(Signature of Registrant)

Subscribed and sworn to before me this 26th day of July, 1958

My commission expires July 18-1960

A. Benscheidt
(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON
County of Marion

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 29 day of July, 1958, at 8:00 o'clock A. M. and has been duly recorded in said office in Book No. 12 of Registration Statements on page GR-2771

Witness my hand this 29th day of May, 1959

Henry A. Stanley
(State Engineer)

By _____
(Deputy)

GR - 2771

If log of well is not available, give name and address of driller.

11. Irrigation Trench: Covered or open

Dimensions: Length _____ ft. Minimum depth _____ ft. Maximum depth _____ ft.
 Bottom width _____ ft. Discharge _____ g.p.m. Date of test _____

12. Tunnel: Type of lining

Dimensions: _____ (Length, course, and other pertinent data)
 Position of water-bearing stratum with reference to portal of tunnel _____

Log of tunnel: (Preceding table for log of well may be used; if desired. Give footage from portal and character of materials, as pertinent.)

13. Pumping Equipment:

(a) Pump _____ Capacity 200 g.p.m.
(Make, type and size)
 (b) Motor 5 H.P. Electric
(Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

Township North or South	Range E. or W. of Meridian	Section	Four-Corner Tract	Number Acres To Be Irrigated	Date of Reclamation
15	10 W	24	SW 1/4 NW 1/4	11.6	1957
15	10 W	24	NW 1/4 SW 1/4	31.1	"
15	10 W	24	SW 1/4 SW 1/4	3.4	"
15	10 W	23	SE 1/4 NE 1/4	10.8	"
15	10 W	23	NE 1/4 SE 1/4	9.9	"
15	10 W	23	SE 1/4 SE 1/4	4.8	"
			TOTAL	71.6 acres	"

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant.

GR. 2771

Registration No. GR - 2952

Certificate No. CR - 2771

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

TO THE STATE ENGINEER OF OREGON:

I, Antone + Johanna Beeler

of Rt. 1 Bay City, OREG County of Tillamook

State of OREG do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. Source from which water is withdrawn is pump well

2. Location is: 1 1/2 miles Northwest of Tillamook, ORE

and is more particularly described as follows:

(a) 650 ft S. and 310 ft E. of NW Corner of SW 1/4 of Sect. 24, NW 1/4 of SW 1/4 of Sec. 24, Twp. 15, Rge. 10 N

or (b) within limits of recorded platted property, town or city:

in Lot _____ Block _____ of _____

County of _____

3. Construction Work was begun on May 1951 was completed on June 1951

and the ground water claimed was first used for the purposes set out below on June 1951

since which time the water has been used intermittently (May - Oct)

from 1951 to 1958

4. Quantity of water claimed and used is 184 gallons per minute; 2-3 acre feet per year.

5. Purpose or Purposes for which water is used irrigation

6. Description of Well: Depth 115 feet. Type drilled

diameter 9 inches. Elevation of ground at well site 5 feet, mean sea level.

Depth to water table 2 feet.

7. Capacity of Well 184 g.p.m. with 9 feet drawdown.

_____ g.p.m. with _____ feet drawdown.

Date of test actual field use

If Flowing Well: Measured discharge _____ g.p.m. on _____

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____

Water is controlled by _____

Well Registration Map

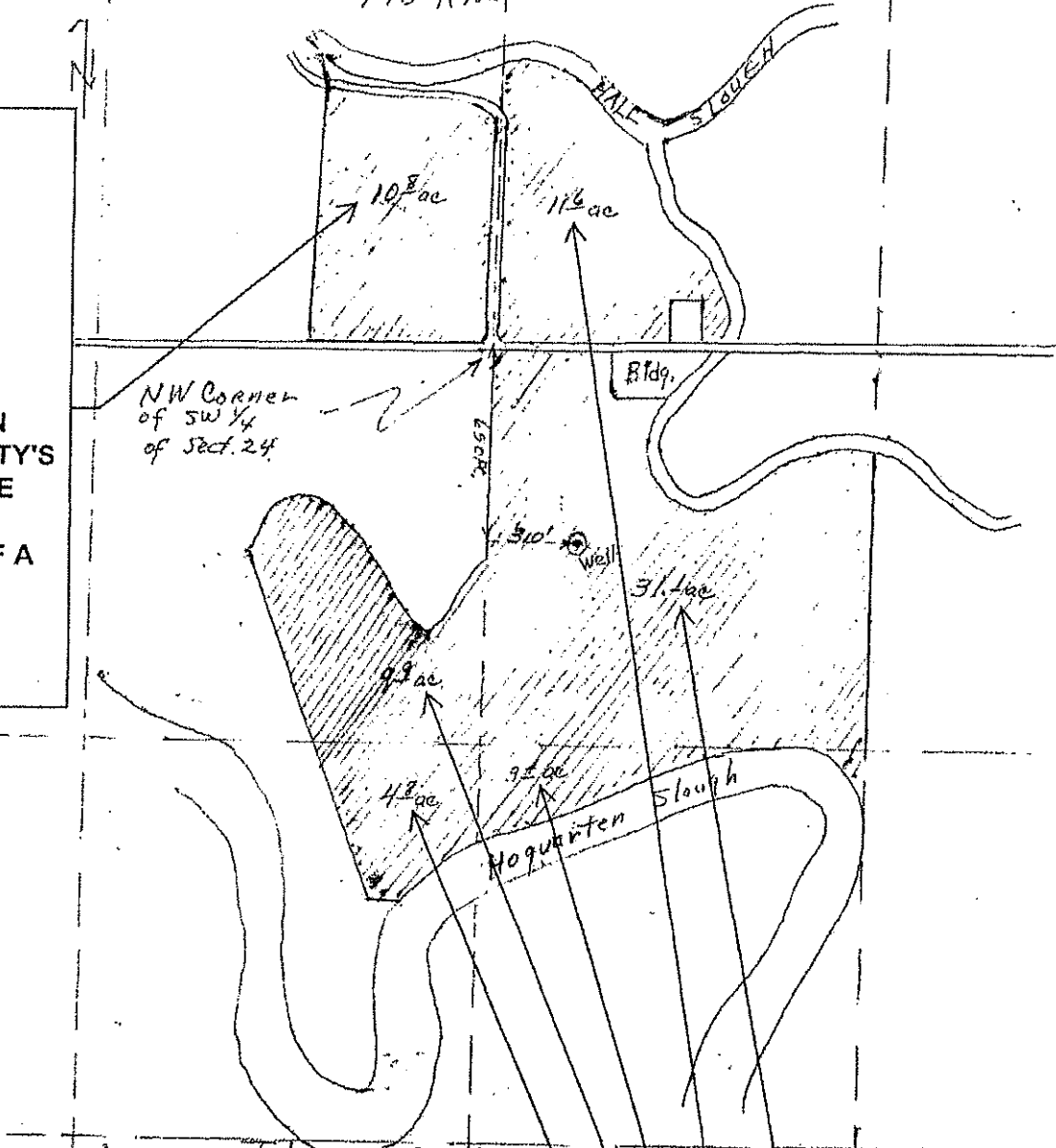
Sect 23 | Sect 24.

T15 R10W

1S 10W 23
SE 1/4 NE 1/4
TAX LOT 500
10.8 ACRES

OWNED BY
GEORGE & RUTH
MARIE ALLEN

NOT INCLUDED IN
TILLAMOOK COUNTY'S
AFFIDAVIT FOR THE
PARTIAL
ABANDONMENT OF A
GROUND WATER
CERTIFICATE OF
REGISTRATION
#GR-2771



Antone + Johanna Becker
Rt. 1 Bay City, Ore
Scale 1"=400'
Land Tr. recorded 1/11/11

REMAINING 60.8 ACRES

OWNED BY
TILLAMOOK COUNTY

INCLUDED IN TILLAMOOK
COUNTY'S AFFIDAVIT FOR
THE PARTIAL
ABANDONMENT OF A
GROUND WATER
CERTIFICATE OF
REGISTRATION #GR-2771

EXHIBIT B – Encumbrances

The Property has been classified as Farm Land, as disclosed by the tax roll. If the Property becomes disqualified, said Property may be subject to additional taxes and/or penalties.

Regulations, levies, liens, assessments, rights of way and easements of Wilson River Water District.

Rights of the public to any portion of the Property lying within the area commonly known as streets, roads, and highways.

Any adverse claim based upon the assertion that:

- a) Said Property or any part thereof is now or at any time has been below the highest of the high watermarks of Hoquarton Slough, Hall Slough, and unnamed creeks in the event the boundary of said sloughs and creeks has been artificially raised or is now or at any time has been below the high watermark, if said sloughs and creeks is in its natural state.
- b) Some portion of said Property has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Property has been brought within the boundaries thereof by an avulsive movement of Hoquarton Slough, Hall Slough, and unnamed creeks, or has been formed by accretion to any such portion.

Easement Deed and Agreement, including the terms and provisions thereof,

Between: Ronald R. Jones and Joyce L. Jones

And: Tillamook County

Purpose: Flood control

Recording Date: July 11, 2000

Recording No.: Book 418, page 518

Affects: Parcel No. 3 and a portion of Parcel No. 1 north of Goodspeed Road.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District

Purpose: Public utilities

Recording Date: December 18, 2003

Recording No: 2003-428849

Affects: Parcel No. 3; reference is hereby made to said document for full particulars.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District

Purpose: Public utilities

Recording Date: December 18, 2003

Recording No: 2003-428850

Affects: Parcel No. 1; reference is hereby made to said document for full particulars.



Certification of Charges Paid
(2015 Oregon Laws Chapter 96)

Tillamook County

Tax Account # 149592

Map ID #: 1S10240000600

Certification #

2016-149592

All charges against the real property have been paid for the property that is the subject of the deed between:

Grantor

JONES, DONALD R. & JOYCE L.

Grantee

TILLAMOOK COUNTY

Signed on (date) of Ownership Document

MARCH, 8, 2016

and for consideration of

\$ 415,000.00

Assessor's signature

Denise Vandecoeveering - Deputy

Date

3/9/2016



Certification of Charges Paid
(2015 Oregon Laws Chapter 96)

Tillamook County

Tax Account # 149208

Map ID #: 1S10230001500

Certification #
2016-149208

All charges against the real property have been paid for the property that is the subject of the deed between:

Grantor

JONES, DONALD R. & JOYCE L.

Grantee

TILLAMOOK COUNTY

Signed on (date) of Ownership Document

MARCH, 8, 2016

and for consideration of

\$ 415,000.00

Assessor's signature

Denise Vanderwey Deputy

Date

3/9/2016

Denise Vanderwey, Deputy

150-310-411 (Rev. 10-15)



Certification of Charges Paid
(2015 Oregon Laws Chapter 96)

Tillamook County

Tax Account # 148593

Map ID #: 1S10230000500

Certification #

2016-148593

All charges against the real property have been paid for the property that is the subject of the deed between:

Grantor

JONES, DONALD R. & JOYCE L.

Grantee

TILLAMOOK COUNTY

Signed on (date) of Ownership Document

MARCH, 8, 2016

and for consideration of

\$ 415,000.00

Assessor's signature

Denise VanDeCovering - Deputy

Date

3/9/2016

Denise VanDeCovering for Deputy

1709 360416020419

Tillamook County, Oregon 2016-001644

03/01/2016 02:47:57 PM

DEED-DWARR

\$15.00 \$11.00 \$21.00 \$10.00 - Total = \$57.00



00155953201600016440030039

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Tassi O'Neil, Tillamook County Clerk

AFTER RECORDING, RETURN TO:

George V. Allen and Ruth M. Allen
2805 Old Latimer Road
Tillamook, OR 97141

SEND TAX STATEMENTS TO:

George V. Allen and Ruth M. Allen
2805 Old Latimer Road
Tillamook, OR 97141

STATUTORY WARRANTY DEED

Tillamook County, a Political Subdivision of the State of Oregon, ("Grantor"), conveys and warrants to **George Victor Allen and Ruth Marie Allen**, husband and wife, ("Grantee"), the real property located in the County of Tillamook, State of Oregon, commonly known as Tillamook County Tax Assessor's parcel 1S10 23 0500 and as legally described on the attached Exhibit A (the "Property"), free of encumbrances except as specifically set forth herein.

SUBJECT TO: Covenants, Conditions, Restrictions, and Encumbrances of record.

The true and actual consideration paid for this conveyance is Nine Thousand Four Hundred Dollars (\$9,400) including other real property and other value given or promised, which is the whole consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 31 day of March, 2016.

TILLAMOOK COUNTY

By: Mark Labhart
Mark Labhart, Chair, Tillamook County Board of Commissioners

STATE OF OREGON)
)ss
County of Tillamook)

This instrument was acknowledged before me on March 31, 2016 by Mark Labhart, Chair, Tillamook County Board of Commissioners.

Deanna R. Santomauro-Satter
Notary Public for Oregon
My Commission Expires: 9/21/19



EXHIBIT A
Property Legal Description

Beginning at a 2" iron pipe which is 30 feet West and 36.4 feet North of the quarter corner between Sections 23 and 24, Township 1 South, Range 10 West of the Willamette Meridian, in the County of Tillamook, State of Oregon;

thence North following the West boundary line of Goodspeed County Road 724.8 feet;

thence North 76° 35' West 97.5 feet;

thence South 82° 54' West 119.4 feet;

thence North 86° 34' West 148.1 feet;

thence North 78° 20' West 122.5 feet;

thence North 67° 58' West 98.9 feet;

thence South 810.63 feet to the North boundary of the Goodspeed private road;

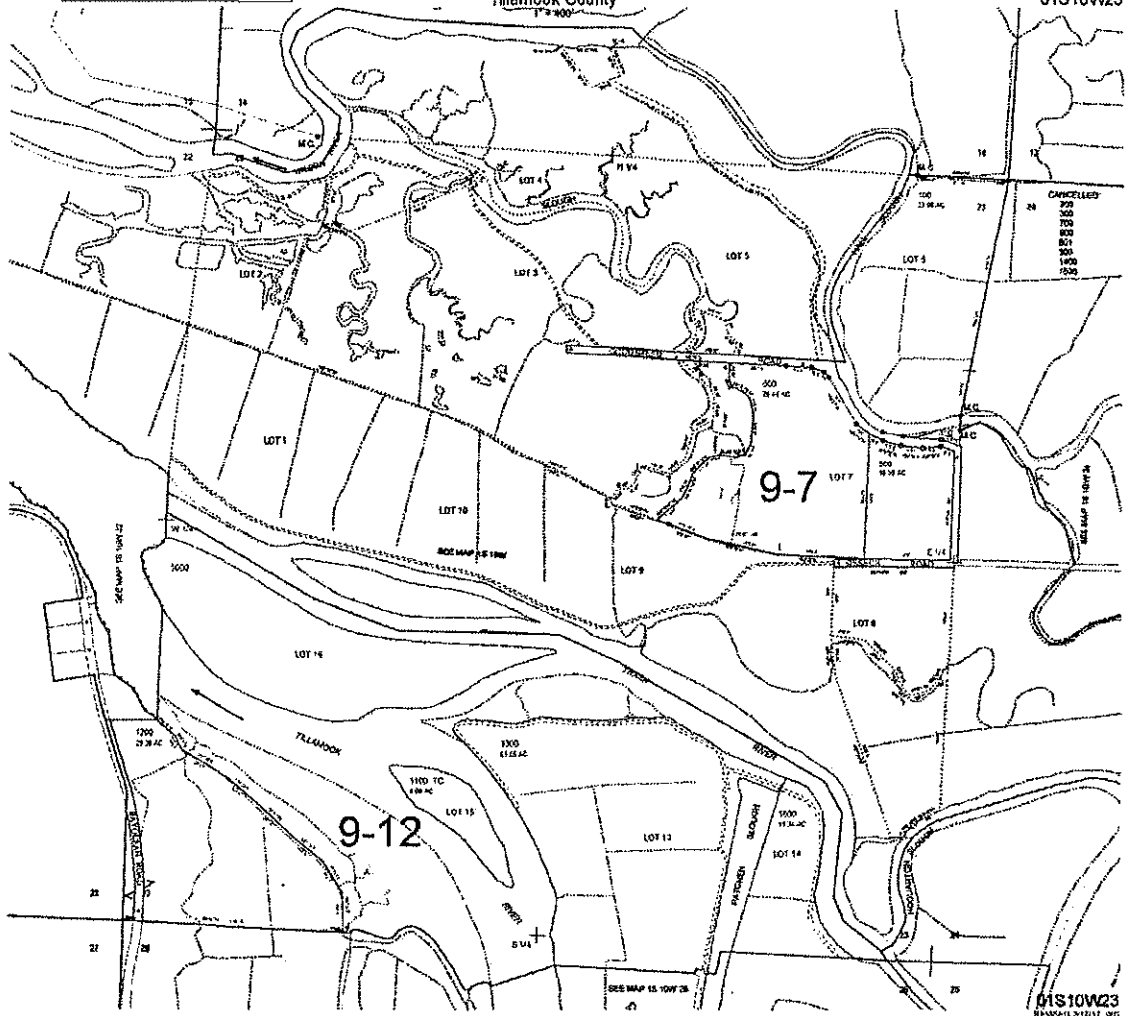
thence North 87° 48' East 575 feet to the point of beginning.

**** TAX MAP FOR ALLEN-OWNED PROPERTY ****

FOR ASSESSMENT AND TAXATION ONLY NOT SUBJECTS FOR
LEGAL INTERESTS OR ESTATE PURPOSES

SECTION 23 T.1S. R. 10W. W.M.
Tillamook County

01S10W23



01S10W23
REVISED 2/12/11 WG

FINDINGS OF FACT

Application History

On May 16, 2019, JENCK FARMS LLC C/O JOE JENCK filed a complete application for the following water use:

Source	WELL 2 AND WELL 3 IN THE TILLAMOOK AND TRASK RIVER BASINS
Use	IRRIGATION OF 257.9 ACRES
Rate	2.005 CUBIC FOOT PER SECOND (CFS)
County	TILLAMOOK COUNTY
Place of Use	SECTIONS 25, 26, 35 36. TOWNSHIP 1 NORTH, RANGE 10 WEST, W.M.

Commented [DWF1]: it looks lie T-12991 recently transferred a gW reg from north of 3rd avenue to the same POU as this app. Worth 37.8 acres. They should reduce.

On February 28, 2020, the Department mailed the applicant notice of its Initial Review, determining "The appropriation of 2.0 CFS of water from Well 2 (TILL 50225/L09274) and Well 3 in Trask River Basin for irrigation of 257.9 acres is not allowable March 1 through October 31 of each year."

1. The applicant did not notify the Department to stop processing the application within 14 days of that date.
2. On March 10, 2020, 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 obtaining future notices and a copy of the Proposed Final Order.

Formatted: Highlight

FINDINGS OF FACT

1. Irrigation is allowed under the North Coast Basin Program. (OAR 690-501-0005(1))
2. Groundwater will likely be available within the capacity of the resource, and if properly conditioned (and if authorized), the proposed use of groundwater will avoid injury to existing groundwater rights.
3. The Department has determined, based upon OAR 690-009, that the proposed groundwater use will have the potential for substantial interference with Trask River, Trask Slough, and Tillamook River. Therefore, in accordance with OAR 690-400-0010(11)(a)(B), surface water availability must also be considered. Surface water on the Trask River is not available May 1 through May 31 and July 1 through October 31. Surface water on the Tillamook River is not available April 1 through October 31.
4. Both the Tillamook and Trask Rivers, in the reach of impact from the proposed wells, regularly contain brackish water and are tidally influenced due to the proximity of Tillamook Bay.
5. The Tillamook River discharge is measured above the head of tide for monitoring and possible regulation for the instream water right approximately six miles upstream from the mouth. This location is approximately 5.75 miles upstream from the reach of impact of the two wells.
6. The Trask River discharge is measured above the head of tide for monitoring and possible regulation for the instream water right approximately six miles upstream from the mouth. This location is approximately 5.75 miles upstream from the reach of impact of the two wells. The Department has

Oregon Water Resources Department

Water Right Services Division

Water Right Application G-18823 in the name)
of JENCK FARMS LLC C/O JOE JENCK) PROPOSED FINAL ORDER
)

Summary: The Department proposes to issue an order approving Application G-18823, and a permit consistent with the attached draft permit.

Authority

The application is being processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410, and the Willamette Basin Program (OAR 690-502). These statutes and rules can be viewed on the following website: <https://www.oregon.gov/OWRD/programs/policylawandrules/Pages.default.aspx>.

The Department's main website can be found at: <https://www.oregon.gov/OWRD>.

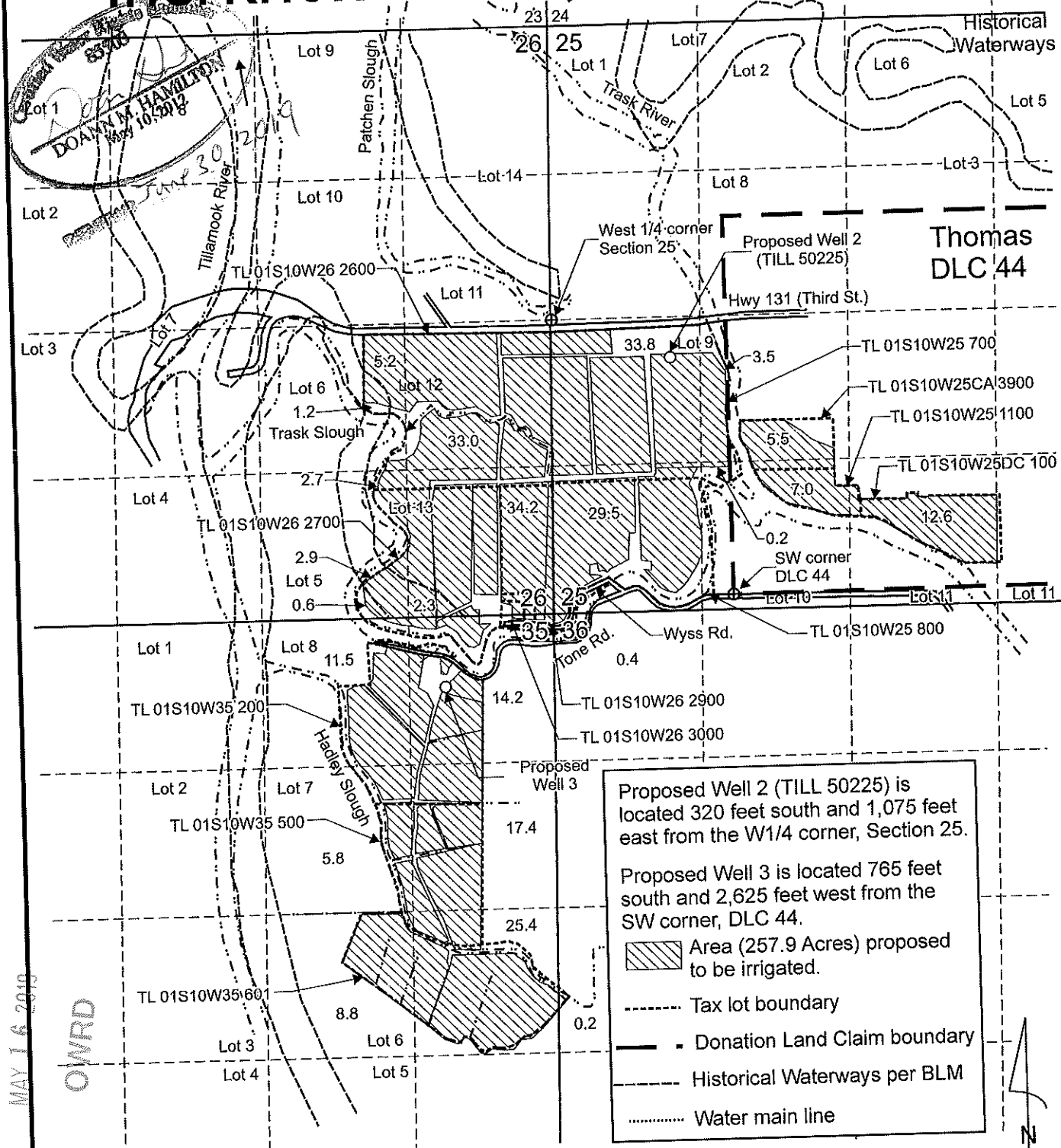
The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525 if:

- a) 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);
- b) Water is available;
- c) The proposed use will not injure other water rights; and
- d) The proposed use complies with the rules of the Commission. ORS 537.621(2); OAR 690-310-0150(2)(b)

All four criteria must be met for a proposed use to be presumed to ensure the preservation of the public welfare, safety and health. When the criteria are met and the presumption is established the Department must further evaluate the proposed use, any comments received, information available in its files or received from other interested agencies, and any other available information to determine whether the presumption is overcome. OAR 690-310-0140

If the Department determines that the presumption is established and not overcome, the Department shall issue a Proposed Final Order recommending issuance of the permit subject to any appropriate modifications or conditions.

T.1S. R.10W. Sec. 25, 26, 35 & 36, W.M.



Proposed Well 2 (TILL 50225) is located 320 feet south and 1,075 feet east from the W1/4 corner, Section 25.

Proposed Well 3 is located 765 feet south and 2,625 feet west from the SW corner, DLC 44.

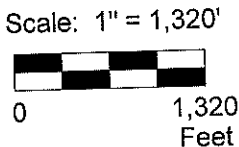
Area (257.9 Acres) proposed to be irrigated.

Tax lot boundary

Donation Land Claim boundary

Historical Waterways per BLM

Water main line



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

RECEIVED
MAY 16 2019

OWRD

JenckGWAppMap.cdr

Pacific Hydro-Geology Inc.

04/2019

Water Right Application Map

Jenck Farms, LLC c/o Joe Jenck
T.1S. R.10W. Sec. 25 & 26, W.M.

9-18823



Water Right Application Initial Review

February 28, 2020

JENCK FARMS LLC
C/O JOE JENCK
745 THIRD ST
TILLAMOOK OR 97141

Reference: Application G-18823

This document is to inform you of the preliminary analysis of the water-use permit application and to describe your options. In determining whether an 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 supplied, the Water Resources Department has made the following preliminary determinations:

Preliminary Determinations under Oregon Administrative Rule (OAR) 690-310-0080:

1. Application G-18823 proposes the appropriation of 2.0 cubic feet per second (CFS) of water from Well 2 (TILL 50225/L09274) and Well 3 in Trask River Basin for irrigation of 257.9 acres March 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Irrigation is allowed under the North Coast Basin Program. (OAR 690-501-0005(1))
4. Groundwater will likely be available within the capacity of the resource, and if properly conditioned (and if authorized), the proposed use of groundwater will avoid injury to existing groundwater rights.
5. The Department has determined, based upon OAR 690-009, that the proposed groundwater use will have the potential for substantial interference with Trask River, Trask Slough, and Tillamook River. Therefore, in accordance with OAR 690-400-0010(11)(a)(B), surface water availability must also be considered. Surface water is **not** available May 1 through May 31 and July 1 through October 31.
6. Trask River, at the point of impact from the wells, is both brackish water and tidally influenced.
7. The proposed use is not located within or above any state or federal scenic waterway.
8. The points of appropriation are not located within a critical, limited, or withdrawn groundwater area.
9. Because this application will have an impact on surface water flows where sensitive, threatened, or endangered (STE) fish species may be present, this application will be reviewed by the Oregon Department of Fish and Wildlife and the Oregon Department of Environmental Quality.

10. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright.
11. The Department notes that the applicant has proposed mitigation to offset negative impacts to surface water. The proposed mitigation will be reviewed at the next stage of processing.

Summary of Preliminary Determinations

The appropriation of 2.0 CFS of water from Well 2 (TILL 50225/L09274) and Well 3 in Trask River Basin for irrigation of 257.9 acres is not allowable March 1 through October 31 of each year.

Not all determinations herein are favorable; therefore **it is unlikely that Application G-18823 will be approved.**

Public Comment & Further Review:

Public interest issues and/or public comments will be addressed as the Department prepares a Proposed Final Order. If significant public interest issues are identified, they could have an impact on the eventual outcome of the application.

Division 33 Review – The Department’s Division 33 administrative rules (OAR 690-033) establish additional procedures and standards to aid the Department in determining whether a proposed use will impair or be detrimental to the public interest with regard to STE fish species. This Initial Review does not address the potential impact that your proposed use may have on these species.

Your application will now undergo an additional review from numerous federal, state, local, and tribal governmental entities. This review may cause your application to be limited, conditioned, or denied. Depending on the proposed use, you may be required to mitigate for potential impacts identified in the review.

Mitigation for impacts to STE Species – Mitigation is often complicated, time consuming, and expensive, and may include, but is not limited to, actions such as replacing the proposed amount of water within the impacted reach through purchasing or transferring an existing water right. Following the Initial Review, you will be notified if mitigation is required, due to impacts to STE fish species.

If you choose to pursue mitigation, you will likely need to place your application on administrative hold in order to explore options. There will be an additional fee of \$670 required with any mitigation proposal submitted.

At this time, you must decide whether to proceed or to withdraw the application.

- To Proceed - If you choose to proceed with the application you do not have to notify the Department. The application will 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.

- To Withdraw - You may withdraw the application and receive a refund (minus a \$260 examination fee per application). You must notify the Department **in writing** by **March 13, 2020**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If a permit is issued, it will likely include the following conditions:

1. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
2. 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.
3. **Water Use Measurement, Recording, and Reporting Condition:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
4. **Groundwater production shall be only from the alluvial groundwater reservoir.**
5. The permittee shall construct one (1) minimum six-inch diameter observation well to penetrate the same aquifer as the production wells. The well shall meet the Department's minimum well construction standards and shall be cased and continuously sealed to a depth equal to the shallowest seal on any existing production well. The well shall be constructed at a location approved by the Department for the purpose of instrumentation with continuous water-level and quality monitoring equipment. The landowner or permittee shall provide access to Department staff to install and maintain the monitoring equipment. The well shall not be used for any other purpose while the Department is monitoring water levels. The well shall be completed prior to water use under the terms of any permit issued.
6. **Well Identification Tag Condition:**

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently


attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

The water source identified in the 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 website at <https://www.oregon.gov/ODA/programs/NaturalResources/AgWQ/Pages/AgWQPlans.aspx> to learn more about the plans and how they may affect the proposed water use.

For Further Information:

Feel free to contact me at Kim.R.French@oregon.gov or 503-986-0816 if you have any questions regarding the contents of this letter or the application. Please include the application number in all correspondence. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0900. When corresponding by mail, please use this address: Kim French, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Kim French
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description and Stop Processing Request Form

G-18823
WAB: 71235

APPLICATION FACT SHEET

Application File Number: G-18823

Applicant: JENCK FARMS LLC; C/O JOE JENCK

County: TILLAMOOK

Watermaster: NIKKI M. HENDRICKS, 1, NWR

Priority Date: MAY 16, 2019

Source: WELL 2 (TILL 50225/L09274) AND WELL 3 IN TRASK RIVER BASIN

Use: IRRIGATION OF 257.9 ACRES

Quantity: 2.0 CUBIC FEET PER SECOND

Basin Name & Number: NORTH COAST, #1

WAB: TRASK R > TILLAMOOK BAY - AT MOUTH

Well Location(s):

POA Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
WELL 2	1 S	10 W	WM	25	NW SW	320 FEET SOUTH AND 1075 FEET EAST FROM W1/4 CORNER, SECTION 25
WELL 3	1 S	10 W	WM	35	NE NE	765 FEET SOUTH AND 2625 FEET WEST FROM SW CORNER, THOMAS DLC 44

Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	10 W	WM	25	NE SW	9.0
1 S	10 W	WM	25	NW SW	33.8
1 S	10 W	WM	25	SW SW	29.5
1 S	10 W	WM	25	SE SW	7.2
1 S	10 W	WM	25	SW SE	12.6
1 S	10 W	WM	26	NE SE	33.0
1 S	10 W	WM	26	NW SE	6.4
1 S	10 W	WM	26	SW SE	6.2
1 S	10 W	WM	26	SE SE	36.5
1 S	10 W	WM	35	NE NE	14.2
1 S	10 W	WM	35	NW NE	11.5
1 S	10 W	WM	35	SW NE	5.8
1 S	10 W	WM	35	SE NE	17.4
1 S	10 W	WM	35	NE SE	25.4
1 S	10 W	WM	35	NW SE	8.8
1 S	10 W	WM	36	NW NW	0.4
1 S	10 W	WM	36	NW SW	0.2

PUBLIC NOTICE DATE: March 3, 2020

14 DAY STOP PROCESSING DEADLINE DATE: March 13, 2020

30 DAY COMMENT DEADLINE DATE: April 2, 2020

APPLICATION PROCESS DESCRIPTION FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

In order to use the waters of Oregon, an application must be submitted and a permit obtained from the Water Resources Department. The water must be used for beneficial purpose without waste. For more information about water right topics, weekly public notice, forms and fees please visit our web site at www.oregon.gov/OWRD

1. Pre-application considerations

- Follow instructions in the application packet.
- If you have questions about completing an application or would like to arrange a pre-application conference contact the Department's Water Rights Customer Service Group at (503) 986-0900.

2. Application filing

- Application with fee is received by the Department.
- Department determines completeness of application.
- If use is not allowed by statute (ORS 538), the application and fees are returned to the applicant.
- An incomplete application and fees are returned to the applicant.
- Only a complete application receives a tentative priority date, is assigned a caseworker, and moves forward for processing.

3. Initial Review (IR)

- Caseworker reviews application by considering basin plans, water availability, statutory restrictions, and all other appropriate factors.
- Caseworker sends IR report to Applicant.
- Contact the Caseworker if you have questions about the IR.
- Four days after date of the IR, it is included in Department's weekly Public Notice.
- Public comments must be submitted within 30 days after the Public Notice.
- **An administrative hold** may be requested in writing by Applicant.

4. Proposed Final Order (PFO)

- Caseworker evaluates application against required criteria and develops draft permit, if appropriate.
- PFO includes instructions for filing of protests.
- Caseworker considers public comments and mails PFO to Applicant.
- The PFO is included in Department's weekly Public Notice.
- Public protests to the PFO must be submitted within 45 days after the Public Notice.

5. Final Order (FO)

- If no protest is filed, Final Order is issued.

The protest process

If one or more protests are filed, the process consists of:

- settlement discussion;
- contested case hearing;
- proposed Order;
- period of time to file exceptions; or
- Possible hearing by Water Resources Commission.
- Final Order is issued.

Permit holder responsibilities

- Comply with all water use conditions of the permit.
- Advise Department of address change or assignment to new permit holder.
- If need arises, request extension of time or authorize cancellation of permit.
- Submit timely claim of beneficial use (COBU) to the Department.
- Most permits require COBU to be prepared by a Certified Water Right Examiner.
- Permits may be canceled by the permit holder or by the Department for failure to comply with or one or more permit conditions.

STOP PROCESSING REQUEST FORM
FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR
APPLICATIONS

- Stop processing deadline is within 14 days of Initial Review.

Applicant notification to withdraw Water Right Application **G-18823**.

After reviewing the Initial Review for my application, I request that processing be stopped and fees be refunded (minus a \$260 examination fee). I understand that without a valid permit I may not legally use the water as requested in my application.

Signature _____ Date _____

Signature _____ Date _____

- Under ORS 537.150 (5) and 537.620 (5), timely submission of this request authorizes that the water right application process be stopped and all filing fees (except \$260 examination fee) be returned.
- This notice must be received by the Water Resources Department no later than:

March 13, 2020

- Return the notice to:

OWRD, Water Right Services Division
STOP PROCESSING
725 Summer Street, NE - Suite A
Salem, OR 97301-1271



WATERMASTER APPLICATION REVIEW

Application #: G-18823 Applicant's Name: Jenck Farms

- 1) Would the proposed allocation have the potential for injury to existing rights?
 Yes No
- 2) Have you spoken with persons from other state agencies about this application?
 Yes No If yes, whom and why?

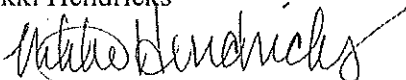
Division 33 Agencies. DEQ, ODA, ODFW at request of the applicant.

- 3) Please select the appropriate measurement, recording and reporting condition for this application.
- Small** < 0.1 CFS, < 9.2 AF
- Medium** > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF
- Large** > 0.25 CFS, > 100 AF
- Require a staff gage if source is runoff or if the reservoir is located in-channel.

- 4) Please provide any additional information or conditions that you believe are necessary for this application.

Tillamook River is regulated most years from June until end of irrigation season and the Trask River is regulated from July to end of irrigation season for the senior instream water rights.
Measurements for the Tillamook River regulations are made at approximately river mile 6 at the Hwy 101 rest area just south of town. Trask River regulation measurement is made at approximately river mile 6 at the Johnson Bridge on the corner of Long Prairie and Trask River Rd.

Watermaster Name: Nikki Hendricks

Watermaster Signature: 

Date: 5/13/2020

WRD Caseworker: Kim French

503-986-0900/ Fax 503-986-0901