

G2

**ASSIGNED**

FILE#: G 12832

ATTN: Joe Tolar

LOUISIANA-PACIFIC CORPORATION

PO BOX 4000 98

HAYDEN LAKE, ID

83835

Application No. G12832

Permit No. G12242

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

Stream Index, Page No. 7

07-2520-0460-0150

V A East Birch Creek

**FEES PAID**

Date	Amount	Receipt No.
3-23-92	318.00	84658
8-9-96	10.00	5261
7-17-23	\$120.00	141174
	Cert. Fee	

**FEES REFUNDED**

Date	Amount	Check No.

Date filed \_\_\_\_\_

Priority \_\_\_\_\_

Action suspended until FPD

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

Date of approval \_\_\_\_\_

**CONSTRUCTION**

Date for beginning 1-26-97

Date for completion 10-1-98

Extended to \_\_\_\_\_

Date for application of water 10-1-99

Extended to \_\_\_\_\_

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_

**FINAL PROOF**

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

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

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

**ASSIGNMENTS**

Date	ASSIGNED To Whom	Address	Volume	Page
<u>8-9-96</u>	<u>Pioneer Resources, LLC - POB 26139</u>	<u>Eugene, OR 974020463</u>	<u>7</u>	<u>3218</u>
<u>7-20-2023</u>	<u>Michael P. Miller/Miller Valley LLC</u>	<u>3330 Hayden Bridge Rd., Springfield, OR 97477</u>		

**REMARKS**

no pump test as of 9/15/08

POA = Well 2 = VDAT 5531

G-12242



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

July 20, 2023

Michael P. Miller  
Miller Valley LLC  
3330 Hayden Bridge Rd  
Springfield, OR 97477

Reference: Application G-12832, Permit G-12242

The assignment by proof from Pioneer Resources LLC to Michael P. Miller/Miller Valley LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Michael P. Miller/Miller Valley LLC as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 141174 covering the recording fee is also enclosed.

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

Sincerely,

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Original Request and Receipt 141174

cc: Data Center, OWRD (cover letter & request)  
File





# Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

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

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

1. Michael P. Miller / Miller Valley LLC  
(Name of Party Requesting Assignment)  
3330 Hayden Bridge Rd. Springfield OR 97477 541-954-4454  
(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of an entire application/permit/transfer order /limited license/groundwater statement;
- hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement;  
(You must include a map showing the portion of the application/permit/transfer order /limited license/groundwater statement to be assigned.)

Application # G-12832 ; Permit # G-12242 ; Transfer Order # \_\_\_\_\_

RECEIVED

Limited License # \_\_\_\_\_ ; Groundwater Statement # \_\_\_\_\_  
Pioneer Resources LLC  
(Name of Current Holder of Record)  
PO Box 26139 Eugene, OR 97402  
(Mailing Address) (City) (State) (Zip) (Phone #)

JUN 23 2023

OWRD  
SALEM, OREGON

**Note:** Write the initials (first letters) of your first and last names at the spots indicated below \_\_\_\_\_.

- 1) MM I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) MM I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) MM I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) MM I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 20<sup>th</sup> day of June, 2023  
(Day) (Month) (Year)

Signature of Party Requesting Assignment [Signature]

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

Assign by Proof - Approve  
MMB  
7-20-2023

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.  
Fee receipt # 141174  
For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MMB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

RECEIVED

[Signature]

JUL 17 2023

RECEIVED

JUL 17 2023

OWRD

July, 12, 2023

Mary F. Bjork

Water Rights Program Analyst

Water Rights Division

725 Summer St. NE, Suite A

Salem, OR 97301

Reference: Application G-12832, Permit G-12242

Hi Mary,

Here is the additional deed that I believe is needed. Not sure what happened to the check that was included in the initial request for assignment. But here is another copy of the deed and another check. I will void the other check.

If you need anything else, please let me know.

Sincerely,

Mike Miller

(541)954-4454





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

June 29, 2023

Michael P. Miller  
Miller Valley LLC  
3330 Hayden Bridge Rd.  
Springfield, OR 97477

Reference: Application G-12832, Permit G-12242

The requested assignment by proof from Pioneer Resources LLC to Michael P. Miller/Miller Valley LLC cannot be performed at this time.

\* The required fee was not submitted with the request. As of July 1, 2021, the fee for a Request for Assignment is \$120.

Additionally, the deed that was submitted as proof of land ownership, appears to only cover a portion of the lands authorized by Application G-12832, Permit G-12242. Specifically, they describe lands in Section 17, but not Section 18.

\* If only a portion of the lands are being requested for assignment, then a partial assignment may be requested. This type of request is described in the second Action Box on the form and requires a map indicating the portion being requested for assignment.

Please return the Request with the required items so that the Department may process it in a timely manner.

Should you have any questions, please contact me at 503-979-9895 or [mary.f.bjork@water.oregon.gov](mailto:mary.f.bjork@water.oregon.gov).

Sincerely,

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosures: Original Request

cc: File

RECEIVED

JUL 17 2023

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Miller  
3330 Hayden Br. Rd.  
Springfield, OR 97477

RECEIVED  
JUL 17 2023  
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U.S. POSTAGE PAID  
FCM LETTER  
SPRINGFIELD, OR  
97477  
MAY 31, 23  
AMOUNT  
**\$4.78**  
R2303S101650-22

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7022 3330 0001 9925 5793

Pioneer Resources LLC  
PO Box 26139  
Eugene OR  
UTF

NIXIE 971 4E 1 0106/08/23  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD  
BC: 97477183030 \*1429-04579-31-44

UTF  
97477183030

RECEIVED  
JUN 23 2023  
OWRD  
SALEM, OREGON



2005-4810553 1 of 4

RECEIVED



MAY 10 2005

THIS SPACE RESERVED FOR RECORDER'S USE

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

State of Oregon )  
County of Umatilla )

This instrument was received  
and recorded on

05-10-05 at 4:00

in the record of instrument  
code type DE-WD

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

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

Instrument Number 2005-4810553  
Fee 41.00

Office of County Records

*John Hemphill*  
Records Officer

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

**STATUTORY WARRANTY DEED**

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

**See attached exhibit "A"**

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

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

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

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

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

RECEIVED

JUL 17 2023

OWRD

PIONEER TITLE CO. 11W 111  
126 SE Court, Pend. OR, 97801





2005-4810553 2 of 4

APN: 1163177

Statutory Warranty Deed  
- continued

File No.: 7191-569792 (cs1)  
Date: 04/27/2005

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

Dated this 9th day of May, 2005.

ATR Services, Inc.

By: [Signature]

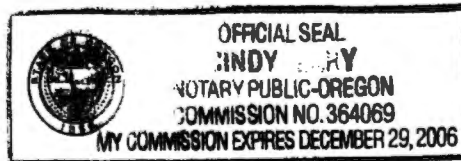
Greg Demers, President

McDougal Bros., Inc.

By: [Signature]

Larry O. Gildea, Authorized Agent

STATE OF Oregon )  
)ss.  
County of Lane )



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

[Signature]

Notary Public for Oregon  
My commission expires:

STATE OF Oregon )  
)ss.  
County of Lane )



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

[Signature]

Notary Public for Oregon  
My commission expires:

RECEIVED

JUL 17 2023

OWRD



RECEIVED

JUL 17 2023

OWRD

**TRACT I:**

**TOWNSHIP 2 SOUTH, RANGE 33, E.W.M.**

All that portion of the following described lands:

Section 17: West Half.

Section 20: Northwest Quarter.  
North Half of the Southwest Quarter.

lying Southerly of the Southerly right-of-way line of County Road No.1378, also known as East Birch Creek Road and lying Westerly of the following described line:

Beginning at a 5/8" iron rebar on the Southerly right-of-way line of said East Birch Creek Road, said rebar bears South 73°21'04" West, a distance of 2,460.83 feet from the North Quarter corner of said Section 17 and the True Point of Beginning for this line description; thence to a 5/8" iron rebar, South 08°15'30" East, a distance of 3,623.50 feet; thence to a 5/8" iron rebar, South 86°29'48" East, a distance of 693.11 feet; thence on a bearing of South 3°03'32" West, a distance of 4,810, more or less, to a point on the South line of the North Half of the South Half of said Section 20, and the point of terminus for this line description.

Section 18: East Half of the Northeast Quarter.  
East Half of the West Half of the Northeast Quarter.  
Southeast Quarter.

Excepting therefrom any portion lying Northerly of the Southerly right-of-way line of County Road No. 1378 also known as East Birch Creek Road.

EXCEPTING THEREFROM, beginning at center of Section 18, Township 2 South, Range 33; thence South along West line of Southeast Quarter of Section 18 a distance of 34.29 chains; thence North 28 degrees East 2.49 chains; thence North 73 degrees 10' East 1.60 chains; thence North 16 degrees 05' East 1.48 chains; thence North 0 degrees 30' East 3.27 chains; thence North 2 degrees 20' West 3.03 chains; thence North 12 degrees 35' East 3.13 chains; thence North 0 degrees 10' West 4.54 chains; thence North 7 degrees 50' East 1.51 chains; thence North 0 degrees 55' West 2.29 chains; thence North 41 degrees 00' East 5.78 chains; thence North 6 degrees East 7.83 chains; thence West 8.67 chains to the point of beginning.

ALSO EXCEPTING THEREFROM, beginning at Northwest corner of Northeast Quarter of Section 18; thence East along North line thereof, a distance of 660 feet to Northwest corner of that tract of land in Section 18 conveyed to R.G. Schubert, et ux, by deed recorded in Book 319, Page 107, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence continuing East along North line of Section 18 a distance of 265 feet; thence Southwesterly in a straight line a distance of 228 feet to a point; thence Northeasterly in a straight line a distance of 250 feet to a point which is 143 feet South of North line of Section 18, when measured at right angles thereto, said point also being on West line of said Schubert Tract; thence North along West line of said Schubert Tract a distance of 143 feet to the point of beginning;



2005-4810553 4 of 4

**TRACT I (continued)**

**TOWNSHIP 2 SOUTH, RANGE 33, E.W.M.**

Section 19: Northeast Quarter.  
North Half of the Southeast Quarter.

Also the following described lands being a part of Lot 20 in Section 18; and Lots 1 and 10 in Section 19, to-wit: Commencing at center of Section 19; thence West 16 chains to bluff on West side of Pearson Creek; thence along said bluff North 20 degrees 25' East 48.82 chains to North and South center line through Section 18; thence South 45.75 chains to the place of beginning;

EXCEPTING HOWEVER that portion of said lands in Section 19, lying Westerly and of center line of the surfaced road constructed by Harris Pine Mills, Northerly and Southerly along Pearson Creek across said Section 19.

All being East of the Willamette Meridian, Umatilla County, Oregon.

RECEIVED

JUL 17 2023

OWRD





2005-4810554 1 of 3

RECEIVED



MAY 10 2005

UMATILLA COUNTY RECORDS

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Western Pioneer Title  
P.O. Box 10146  
Eugene, OR 97440

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

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

File No.: 7191-569792 (csl)

Date: April 27, 2005

State of Oregon )  
County of Umatilla )

This instrument was received and recorded on

05-10-05 at 4:00

in the record of instrument code type DE-WD

Instrument Number 2005-4810554  
Fee 36.00

Office of County Records

*Julius Hampshire*  
Records Officer

STATUTORY WARRANTY DEED

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

See attached exhibit "A"

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

This property is free from liens and encumbrances, EXCEPT:

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

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

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

RECEIVED

JUL 17 2023

OWRD

RECEIVED

JUN 23 2023

OWRD  
SALEM, OREGON

PIONEER TITLE CO. UMATILLA  
126 SE Court, Pend. OR, 97801



2005-4810554 2 of 3

APN: 1163177

Statutory Warranty Deed  
- continued

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

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

Dated this 9th day of May, 2005.

ATR Services, Inc.

By: [Signature]  
Greg Demers, President

McDougal Bros., Inc.

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



STATE OF Oregon )  
 )ss.  
County of Lane )

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

[Signature]

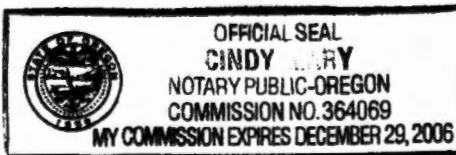
Notary Public for Oregon  
My commission expires:

STATE OF Oregon )  
 )ss.  
County of Lane )

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

[Signature]

Notary Public for Oregon  
My commission expires:



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JUL 17 2023

OWRD

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JUN 23 2023

OWRD  
SALEM, OREGON



**TRACT II**

**TOWNSHIP 2 SOUTH, RANGE 33, E.W.M.**

All that portion of the following described lands:

Section 16: North Half of the North Half.

lying Southerly of the Southerly right-of-way line of County Road No.1378 also known as East Birch Creek Road;

Section 16: Southwest Quarter of the Northwest Quarter.  
Southwest Quarter.

Section 17: Beginning at the brass capped monument marking the Southeast corner of said Section 17; thence along the East line of said Section 17 to a 5/8" iron rebar, North 0°00'25" West, a distance of 895.32 feet; thence to a 5/8" iron rebar North 75°52'24" West, a distance of 1,685.51 feet; thence to a 5/8" iron rebar South 72°02'37" West, a distance of 1,671.36 feet; thence to a 5/8" iron rebar North 86°29'48" West, a distance of 565.39 feet; thence on a bearing of South 3°03'32" West, a distance of 884 feet, more or less to a point on the South line of said Section 17; thence Easterly along said South line, 3,837 feet, more or less to the point of beginning.

Section 20: Northeast Quarter.  
North Half of the Southeast Quarter.

RECEIVED

JUN 23 2023

All that portion of the following described lands:

Section 20: Northwest Quarter.  
North Half of the Southwest Quarter.

OWRD  
SALEM, OREGON

lying Easterly of the following described line:

Beginning at a 5/8" iron rebar on the Southerly right-of-way line of County Road No. 1378 also known as East Birch Creek Road, said rebar bears South 73°21'04" West, a distance of 2,460.83 feet from the North Quarter corner of Section 17 in said Township 2 South, Range 33, E.W.M. and the True Point of Beginning for this line description; thence to a 5/8" iron rebar, South 08°15'30" East, a distance of 3,623.50 feet; thence to a 5/8" iron rebar, South 86°29'48" East, a distance of 693.11 feet; thence on a bearing of South 3°03'32" West, a distance of 4,810, more or less, to a point on the South line of the North Half of the South Half of said Section 20, and the point of terminus for this line description.

Section 21: North Half of the Northwest Quarter.  
Southwest Quarter of the Northwest Quarter.

RECEIVED

JUL 17 2023

All being East of the Willamette Meridian, Umatilla County, Oregon.

OWRD





After recording return to grantee herein.  
Until a change is requested send all tax  
statements to grantee herein.

**GRANTEE'S NAME AND ADDRESS:**

MICHAEL P. MILLER  
3330 HAYDEN BRIDGE RD  
SPRINGFIELD, OR 97477

**GRANTOR'S NAME AND ADDRESS:**

LINDA A. WOODFIN  
62852 E BIRCH CREEK RD  
PILOT ROCK, OR 97868

State of Oregon County of Umatilla		
Instrument received and recorded on 10/25/2021 01:01:00 PM		
in the record of instrument code type DE		
Instrument number	2021-7300599	
	\$101.00	
Office of County Records		
		
Records Officer		P2

**WARRANTY DEED -- STATUTORY FORM**

(INDIVIDUAL or CORPORATION)

**LINDA A. WOODFIN, Grantor,** conveys and warrants to: **MICHAEL P. MILLER, Grantee,** the following described real property free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The true consideration for this conveyance is \$500,000.00 PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE . However, if the actual consideration consists of or includes other property or other value given or promised, such other property or value is the whole of the 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 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), 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 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

Dated this 25<sup>th</sup> day of October, 2021.

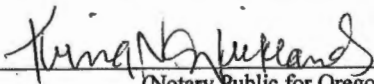
GRANTOR(S):

  
LINDA A. WOODFIN

State of Oregon  
County of UMATILLA

This instrument was acknowledged before me on October 25<sup>th</sup>, 2021 by LINDA A. WOODFIN.



  
(Notary Public for Oregon)

My commission expires 12-1-23

PIONEER TITLE CO. 1034719-2  
109 SW COURT, PEND. OR 97801

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JUL 17 2023

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JUN 23 2023  
CLERK  
SALEM, OREGON

Exhibit 'A'

A parcel of land located in Section 17, Township 2 South, Range 33, East of the Willamette Meridian, Umatilla County, Oregon, being described as commencing at the the Northeast corner of said Section 17; thence South 00°00'25" East along the East line of said Section 17, a distance of 609.37 feet to a point on the South right-of-way line of County Road No. 1378 (also known as East Birch Creek Road) and the True Point of Beginning for this description; thence South 00°00'25" East and continuing along the East line of said Section 17, a distance of 3,684.64 feet; thence North 75°52'24" West, a distance of 1,685.51 feet; thence South 72°02'37" West, a distance of 1,671.36 feet; thence North 86°29'48" West, a distance of 1,258.50 feet; thence North 08°15'30" West, a distance of 3,623.50 feet to a point on the South right-of-way line of said County Road; thence Easterly along the South right-of-way line of said County Road, a distance of 5,115 feet, more or less, to the point of beginning;

Excepting therefrom any portion lying within the County Road right-of-way.

Permitted Exceptions:

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.

Persons or parties acquiring title to said lands should check with the appropriate Planning Department and Assessors Office to verify zoning or classification.

2. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
3. Easement, including the terms and provisions thereof,  
Grantee : Pacific Power & Light Company  
Recorded : September 6, 1950, Book 194, Page 92, Deed Records.
4. Easement for electric power line, including the terms and provisions thereof, contained in Deed,  
First Party : William Orval McCormmach, etal  
Second Party : Helen M. Stangier and George J. Stangier  
Recorded : November 23, 1955, Book 230, Page 26, Deed Records.
5. Division of Water Rights, Reciprocal Water Right Easements, Diversion Agreements and Well Agreements, including the terms and provisions thereof,  
First Party : ATR Services, Inc.  
Second Party : McDougal Bros., Inc.  
Recorded : April 25, 2005, Instrument No. 2005-4800689, Office of Umatilla County Records.

RECEIVED

JUL 17 2023

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JUN 23 2023

OWRD  
SALEM, OREGON



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **141174**

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

RECEIVED FROM: Miller Valley Ltd  
BY: Partnership

APPLICATION	<u>6-12832</u>
PERMIT	
TRANSFER	

CASH:  CHECK:# X 1655 OTHER: (IDENTIFY)

TOTAL REC'D \$ 120.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS** 46111

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

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

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

0250 OTHER (IDENTIFY) Assignment \$120.00

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **141174**

DATED: 7-17-23

BY: [Signature]





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

June 29, 2023

Michael P. Miller  
Miller Valley LLC  
3330 Hayden Bridge Rd.  
Springfield, OR 97477

Reference: Application G-12832, Permit G-12242

The requested assignment by proof from Pioneer Resources LLC to Michael P. Miller/Miller Valley LLC cannot be performed at this time.

The required fee was not submitted with the request. As of July 1, 2021, the fee for a Request for Assignment is \$120.

Additionally, the deed that was submitted as proof of land ownership, appears to only cover a portion of the lands authorized by Application G-12832, Permit G-12242. Specifically, they describe lands in Section 17, but not Section 18.

If only a portion of the lands are being requested for assignment, then a partial assignment may be requested. This type of request is described in the second Action Box on the form and requires a map indicating the portion being requested for assignment.

Please return the Request with the required items so that the Department may process it in a timely manner.

Should you have any questions, please contact me at 503-979-9895 or [mary.f.bjork@water.oregon.gov](mailto:mary.f.bjork@water.oregon.gov).

Sincerely,

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosures: Original Request

cc: File



# Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

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

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

I, Michael P. Miller / Miller Valley LLC  
(Name of Party Requesting Assignment)  
3330 Hayden Bridge Rd. Springfield OR 97477 541-954-4454  
(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of an entire application/permit/transfer order /limited license/groundwater statement;
- hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement;  
(You must include a map showing the portion of the application/permit/transfer order /limited license/groundwater statement to be assigned.)

Application # G-12832 ; Permit # G-12242 ; Transfer Order # \_\_\_\_\_ **RECEIVED**  
Limited License # \_\_\_\_\_ ; Groundwater Statement # \_\_\_\_\_ **JUN 23 2023**

Pioneer Resources LLC  
(Name of Current Holder of Record)  
PO BOX 26139 Eugene, OR 97402  
(Mailing Address) (City) (State) (Zip) (Phone #) **OWRD SALEM, OREGON**

**Note:** Write the initials (first letters) of your first and last names at the spots indicated below \_\_\_\_\_.

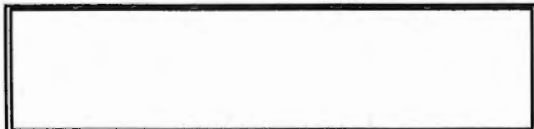
- 1) MP I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) MP I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) MP I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) MP I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 20<sup>th</sup> day of June, 2023  
(Day) (Month) (Year)

Signature of Party Requesting Assignment

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

**DO NOT WRITE IN THIS BOX**



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

**PRIORITY®  
MAIL**

**FLAT RATE ENVELOPE**  
ONE RATE ■ ANY WEIGHT

APPLY PRIORITY MAIL POSTAGE HERE



RDC 05



97301

U.S. POSTAGE PAID  
PM  
SPRINGFIELD, OR  
97477  
JUN 21, 23  
AMOUNT

**\$9.65**  
R2305K132970-14

*Mike Miller*



**RE/MAX INTEGRITY**

4710 Village Plaza Loop, Suite 200  
Eugene, OR 97401

Each Office Independently Owned and Operated

*Oregon Water Resources Dept  
725 Summer Street NE STE A  
Salem, OR  
97301-1266*



Proof OK

Miller  
3330 Hayden Br. Rd.  
Springfield, OR 97477



RDC 21



97402

U.S. POSTAGE PAID  
FCM LETTER  
SPRINGFIELD, OR  
97477  
MAY 31, 23  
AMOUNT

**\$4.78**

R2303S101650-22

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7022 3330 0001 9925 5793

Pioneer Resources LLC  
PO Box 26139  
Eugene OR  
UTF

NIXIE 971 4E 1 0106/08/23

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

UTF

BC: 97477183030 \*1429-04579-31-44

97477183030  
97402048330

RECEIVED

JUN 23 2023

OWRD  
SALEM, OREGON

# FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE

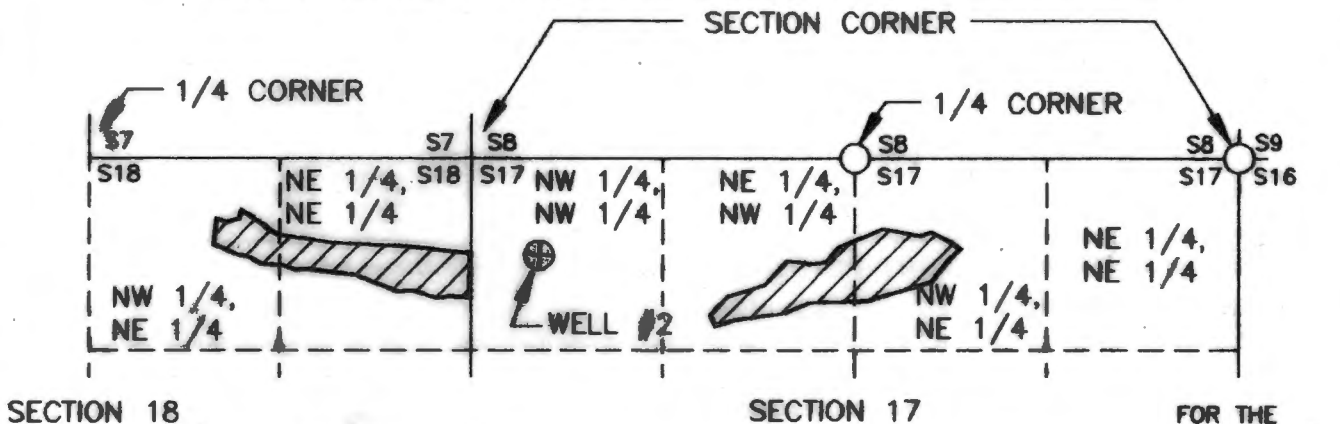
LOCATED WITHIN  
**NW1/4, NE 1/4 AND NE 1/4, NW 1/4, SECTION 17**  
 AND  
**NE 1/4, NE 1/4 AND NW 1/4, NE 1/4, SECTION 18**  
**T.2S., R.33E., W.M**  
 UMATILLA COUNTY, OREGON

APPLICATION G-12832

PERMIT G-12242

APPLICANT: PIONEER RESOURCES LLC

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



### LEGEND

 ORIGINAL MARKED CORNER STONE FOUND & TIED

 AREA BENEFICIALLY IRRIGATED

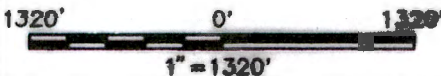
NW 1/4, NE/14	S17	4.2 ACRES
NE 1/4, NW/14	S17	3.7 ACRES
NE 1/4, NE/14	S18	8.2 ACRES
NW 1/4, NE/14	S18	2.7 ACRES

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

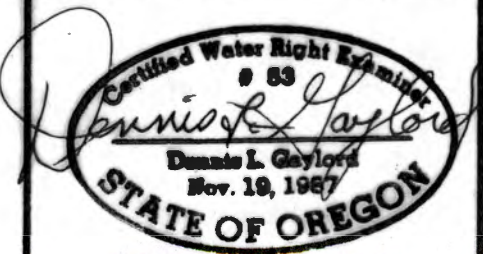
**RECEIVED**

JUL 14 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



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



RENEWS 6/30/2001

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

Drawn by: Mill Creek Drafting

Work Copy



2005-4810554 1 of 3



RECEIVED

MAY 10 2005

UMATILLA COUNTY RECORDS

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Western Pioneer Title  
P.O. Box 10146  
Eugene, OR 97440

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

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

File No.: 7191-569792 (csi)

Date: April 27, 2005

State of Oregon )  
County of Umatilla )

This instrument was received and recorded on

05-10-05 at 4:00

in the record of instrument code type DE-ND

Instrument Number 2005-4810554  
Fee 38.00

Office of County Records

*John Hemphill*  
Records Officer

STATUTORY WARRANTY DEED

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

See attached exhibit "A"

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

This property is free from liens and encumbrances, EXCEPT:

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

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

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

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JUN 23 2005

OWRD  
SALEM, OREGON

21

126 SE Court, Pend. OR, 97801





TRACT II

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

All that portion of the following described lands:

Section 16: North Half of the North Half.

lying Southerly of the Southerly right-of-way line of County Road No.1378 also known as East Birch Creek Road;

Section 16: Southwest Quarter of the Northwest Quarter.  
Southwest Quarter.

*OK*  
Section 17: Beginning at the brass capped monument marking the Southeast corner of said Section 17; thence along the East line of said Section 17 to a 5/8" iron rebar, North 0°00'25" West, a distance of 895.32 feet; thence to a 5/8" iron rebar North 75°52'24" West, a distance of 1,685.51 feet; thence to a 5/8" iron rebar South 72°02'37" West, a distance of 1,671.36 feet; thence to a 5/8" iron rebar North 86°29'48" West, a distance of 565.39 feet; thence on a bearing of South 3°03'32" West, a distance of 884 feet, more or less to a point on the South line of said Section 17; thence Easterly along said South line, 3,837 feet, more or less to the point of beginning.

Section 20: Northeast Quarter.  
North Half of the Southeast Quarter.

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JUN 23 2023  
OWRD  
SALEM, OREGON

All that portion of the following described lands:

Section 20: Northwest Quarter.  
North Half of the Southwest Quarter.

lying Easterly of the following described line:

Beginning at a 5/8" iron rebar on the Southerly right-of-way line of County Road No. 1378 also known as East Birch Creek Road, said rebar bears South 73°21'04" West, a distance of 2,460.83 feet from the North Quarter corner of Section 17 in said Township 2 South, Range 33, E.W.M. and the True Point of Beginning for this line description; thence to a 5/8" iron rebar, South 08°15'30" East, a distance of 3,623.50 feet; thence to a 5/8" iron rebar, South 86°29'48" East, a distance of 693.11 feet; thence on a bearing of South 3°03'32" West, a distance of 4,810, more or less, to a point on the South line of the North Half of the South Half of said Section 20, and the point of terminus for this line description.



Section 21: North Half of the Northwest Quarter.  
Southwest Quarter of the Northwest Quarter.

All being East of the Willamette Meridian, Umatilla County, Oregon.

After recording return to grantee herein.  
Until a change is requested send all tax  
statements to grantee herein.

GRANTEE'S NAME AND ADDRESS:  
MICHAEL P. MILLER  
3330 HAYDEN BRIDGE RD  
SPRINGFIELD, OR 97477

GRANTOR'S NAME AND ADDRESS:  
LINDA A. WOODFIN  
62852 E BIRCH CREEK RD  
PILOT ROCK, OR 97868

State of Oregon County of Umatilla	
Instrument received and recorded on	10/25/2021 01:01:00 PM
in the record of instrument code type DE	
Instrument number	2021-7300599
	\$101.00
Office of County Records	
	
Records Officer	P2

## WARRANTY DEED -- STATUTORY FORM

(INDIVIDUAL or CORPORATION)

**LINDA A. WOODFIN, Grantor,** conveys and warrants to: **MICHAEL P. MILLER,**  
Grantee, the following described real property free of encumbrances except as specifically set  
forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The true consideration for this conveyance is \$500,000.00 PURSUANT TO AN IRC 1031  
TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE . However, if the  
actual consideration consists of or includes other property or other value given or promised, such  
other property or value is the whole of the 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 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative  
findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and  
Conservation Fund) 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  
(Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), 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  
(Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF  
ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for  
restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

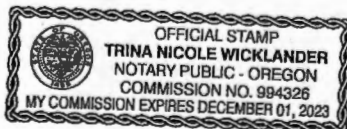
Dated this 25<sup>th</sup> day of October, 2021.

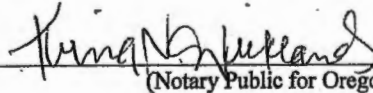
GRANTOR(S):

  
LINDA A. WOODFIN

State of Oregon  
County of UMATILLA

This instrument was acknowledged before me on October 25<sup>th</sup>, 2021 by LINDA A. WOODFIN.



  
(Notary Public for Oregon)

My commission expires 12-1-23

RECEIVED

JUN 23 2023

SALEM, OREGON

PIONEER TITLE CO. 103479-2  
109 SW COURT, PEND. OR 97801



Exhibit 'A'

A parcel of land located in Section 17, Township 2 South, Range 33, East of the Willamette Meridian, Umatilla County, Oregon, being described as commencing at the the Northeast corner of said Section 17; thence South 00°00'25" East along the East line of said Section 17, a distance of 609.37 feet to a point on the South right-of-way line of County Road No. 1378 (also known as East Birch Creek Road) and the True Point of Beginning for this description; thence South 00°00'25" East and continuing along the East line of said Section 17, a distance of 3,684.64 feet; thence North 75°52'24" West, a distance of 1,685.51 feet; thence South 72°02'37" West, a distance of 1,671.36 feet; thence North 86°29'48" West, a distance of 1,258.50 feet; thence North 08°15'30" West, a distance of 3,623.50 feet to a point on the South right-of-way line of said County Road; thence Easterly along the South right-of-way line of said County Road, a distance of 5,115 feet, more or less, to the point of beginning;

Excepting therefrom any portion lying within the County Road right-of-way.

Permitted Exceptions:

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.

Persons or parties acquiring title to said lands should check with the appropriate Planning Department and Assessors Office to verify zoning or classification.

2. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
3. Easement, including the terms and provisions thereof,  
Grantee : Pacific Power & Light Company  
Recorded : September 6, 1950, Book 194, Page 92, Deed Records.
4. Easement for electric power line, including the terms and provisions thereof, contained in Deed,  
First Party : William Orval McCormach, etal  
Second Party : Helen M. Stangier and George J. Stangier  
Recorded : November 23, 1955, Book 230, Page 26, Deed Records.
5. Division of Water Rights, Reciprocal Water Right Easements, Diversion Agreements and Well Agreements, including the terms and provisions thereof,  
First Party : ATR Services, Inc.  
Second Party : McDougal Bros., Inc.  
Recorded : April 25, 2005, Instrument No. 2005-4800689, Office of Umatilla County Records.

RECEIVED

JUN 23 2023

CLERK  
SALEM, OREGON



# FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE

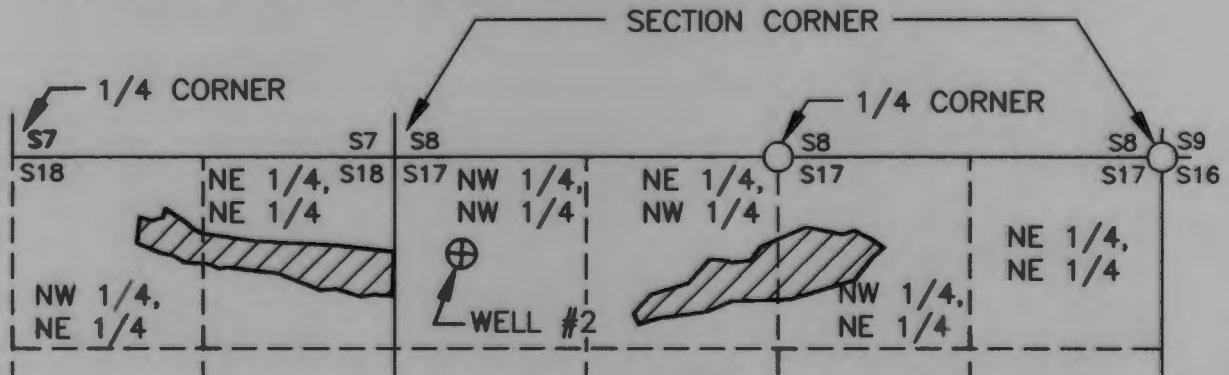
LOCATED WITHIN  
NW1/4, NE 1/4 AND NE 1/4, NW 1/4, SECTION 17  
AND  
NE 1/4, NE 1/4 AND NW 1/4, NE 1/4, SECTION 18  
T.2S., R.33E., W.M  
UMATILLA COUNTY, OREGON

APPLICATION G-12832

PERMIT G-12242

APPLICANT: PIONEER RESOURCES LLC

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



SECTION 18

SECTION 17

### LEGEND



ORIGINAL MARKED CORNER STONE FOUND & TIED



AREA BENEFICIALLY IRRIGATED

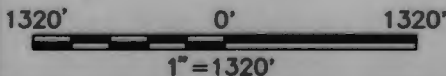
NW 1/4, NE/14	S17	4.2 ACRES
NE 1/4, NW/14	S17	3.7 ACRES
NE 1/4, NE/14	S18	8.2 ACRES
NW 1/4, NE/14	S18	2.7 ACRES

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

RECEIVED

JUL 14 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



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

**Dennis L. Gaylord**  
Certified Water Right Examiner  
# 53  
Nov. 19, 1987  
STATE OF OREGON

RENEWS 6/30/2001

DENNIS L. GAYLORD,  
CWRE  
71614 S.W. LAKE DRIVE  
PENDLETON, OR 97801  
(541)-276-6260 ©  
JUNE, 2000  
Drawn by: Mill Creek Drafting



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

~~UMAT~~  
5531

UMAT  
5531

2S/33E/18 aa

(START CARD) # 23057

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

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  
 Other

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

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval Yes  No  Depth of Completed Well 230 ft.  
Explosives used Yes  No  Type \_\_\_\_\_ Amount \_\_\_\_\_

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

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

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

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Steel		Welded		Threaded	
					Plastic	Welded	Threaded	Threaded		
Casing:	8"	71	193	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 193

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

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

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  
Yield gal/min 300+ Drawdown \_\_\_\_\_ Drill stem at 230 Time 1 hr.

Temperature of water 61° Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

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

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

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

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

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

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

**RECEIVED**  
JUN 3 1991  
WATER RESOURCES DEPT.  
SALEM, OREGON

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

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
Signed Patrick Wallace WWC Number 1218 Date 5-29-91

RETURN  
TO

KARL W.



# CLAIM OF BENEFICIAL USE AND SITE REPORT

Application G - 12832

Permit G - 12242

**Information:** This report covers the development of a well and irrigation system located within the NW 1/4, NE 1/4; NE 1/4, NW 1/4 and NW 1/4, NW 1/4, section 17, and NE 1/4, NE 1/4, and NW 1/4, NE 1/4, section 18, T. 2 S., R. 33 E., W.M., Umatilla County, Oregon. The point of appropriation is located within the NW 1/4, NW 1/4 of said section 17. The applicant is Pioneer Resources LLC, PO Box 26139, Eugene, OR, 97402 - 0463.

**Area beneficially irrigated:** The area beneficially irrigated, authorized place of use, is as follows:

NW 1/4, NE 1/4	4.2 ACRES
NE 1/4, NW 1/4	3.7 ACRES
SECTION 17	

NE 1/4, NE 1/4	8.2 ACRES
NW 1/4, NE 1/4	2.7 ACRES
SECTION 18	

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

**Source and Survey Tie:** The point of appropriation is a well (well #2) in the East Birch Creek Basin, and is located within the NW 1/4, NW 1/4, section 17, T. 2 S., R. 33 E., W.M., 700 feet south and 2165 feet west of the north 1/4 corner of said section 17.

**Motor and Pump:** Well # 2 is fitted with two motor/pumps. In the well is a 25 horsepower Franklin electric motor which operates at 3450 RPM. The pump is a Jacuzzi turbine pump with a 4 inch diameter discharge. At the ground surface is a booster motor/pump. This pump is powered by a 25 horsepower Marathon electric motor which rotates at 3470 RPM. This motor is short coupled directly to a Paco 7.1 inch diameter centrifugal pump. Intake and discharge pipes on this pump are 2 inch diameter.

**Water meter and Quantity of Water:** The system is fitted with a Grainland model 400R flow meter, serial number 13331. The system was placing 405 gallons per minute at the time of the Site Inspection. The totalizer reading on the water meter was 16065.

**RECEIVED**

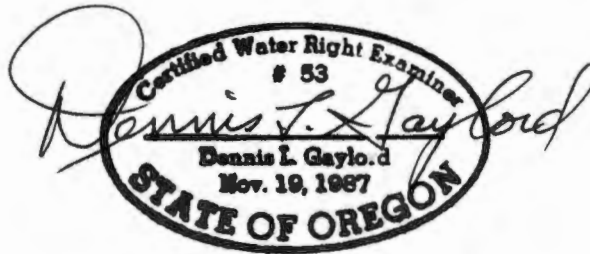
JUL 14 2000

Pipe: Water from well # 2 is distributed by a system of buried lines. Near the well, the lines consist of 5" diameter pipes. The size reduces to 4" lines farther from the well, and for lateral lines to the risers. Water is placed using four Nelson "Big Guns" with .60 inch diameter nozzles. The location of the buried lines and risers is shown on the Final Proof Map for Permit G - 10861, prepared by me in 1992.

Use of water: The water is being used for irrigation of hay and pasture.

Person interviewed: I interviewed Ranch Manager, Jerry McKague.

The Final Proof Survey and Inspection of Water Use was conducted by me on May 22, 2000, and the facts contained within this report and the accompanying Final Proof Survey Map are true and correct to the best of my knowledge.



Renews June 30, 2001

I, Jerry McKague, Ranch Manager for owner Pioneer Resources LLC, agree to the findings of the Certified Water Right Examiner, and do submit this Site Report and the accompanying Final Proof Survey Map as the Claim of Beneficial Use of Water as provided under the terms and conditions of Permit G - 12242.

Jerry McKague Date 7-11-00

**RECEIVED**

JUL 14 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

ATTN: ONLY Send letters to → Joe Tolan

~~Revised~~ Groundwater Review ~~X~~

TO: Water Rights Section 9/27, 1995

FROM: Groundwater/Hydrology Section Gates  
Reviewer's Name

SUBJECT: Application G- 12832

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE \_\_\_\_\_ Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source (\_\_\_\_\_) and taps a groundwater source hydraulically connected to the surface water.
- N/A
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
- a. \_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest
  - b.  will not \_\_\_\_\_ surface water source, namely East Birch Creek; or
  - c. \_\_\_ will if properly conditioned, adequately protect the surface water from interference:
    - i. \_\_\_ The permit should contain condition #(s) \_\_\_\_\_;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
  - d. \_\_\_ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
- a. \_\_\_ will, or \_\_\_\_\_ likely be available in the amounts requested without injury to prior rights
  - b. \_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i. \_\_\_ The permit should contain condition #(s) TB;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
- 4.
- a. \_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b. \_\_\_ The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c. \_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d. \_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e. \_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Review changed based on additional information supplied (well log)

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

(Well Construction Considerations on Reverse Side)

12832



STATE OF OREGON INTEROFFICE MEMO  
WATER RESOURCES DEPARTMENT

DATE : September 27, 1995

TO: G-12832

FROM: Sarah Gates

SUBJECT: Objection

Objection relative to the substantial interference with surface water should be accepted based on new supporting data (well log). Well is developing water from an confined aquifer and with not substantially interfere with stream. Please send ALL correspondence to Joe Tolar by his request. Thanks.

Water Right Conditions  
Tracking Slip

Groundwater/Hydrology Section

7/27, 1992

TO:  
FROM:  
SUBJECT:

Meyer  
er's Name

FILE ## 612832

ROUTED TO: FOR SUPP. SERV / TOM & HOOR

TOWNSHIP/

RANGE-SECTION: T2N/R33E-17

APPLICATION ACCEPTED?  yes  no

CONDITIONS ATTACHED?  yes  no

REMARKS OR FURTHER INSTRUCTIONS:

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

Reviewer: Meyer

posed POA's is/is not within \_\_\_\_\_  
; a groundwater source hydraulically

ed that the proposed groundwater use  
ce with the nearest surface water

Creek; or  
e water from interference:

;  
ndicated in "Remarks" below;  
em 4 below; or

ce water from substantial interference.

1. PER  
feet/  
conn

2. BAS  
a.   
b.   
c.

d. \_\_\_\_\_

3. **BASED UPON** available data, I have determined that groundwater for the proposed use
- a.  will, or } likely be available in the amounts requested without injury to prior rights and/or
  - b.  will not } within the capacity of the resource; or
  - c.  can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
    - i.  The permit should contain condition #(s) \_\_\_\_\_;
    - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii.  The permit should be conditioned as indicated in item 4 below.

- 4.
- a.  THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b.  The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c.  The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d.  Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e.  One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6-12832

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

TO: FILE G-12832  
FROM: SARAH C MEYER  
SUBJECT: SURFACE/GROUND WATER CONSIDERATIONS *Owner's well # 2*

DATE: 7/27 -92

The applicant seeks 105.7 gpm from a well for irrigations

Township 25 Range 33E Section 17 County Umatilla

Per Division 9

The well is located (250) from East Birch Creek  
Elevation of well \_\_\_\_\_ river \_\_\_\_\_ difference (<10') 30'

Depth of well 230  
Casing to 193  
Lined to \_\_\_\_\_  
Sealed to \_\_\_\_\_  
SWL \_\_\_\_\_ on \_\_\_\_\_  
Depth water first found 6'

*no well log.*

Perforations/screens \_\_\_\_\_ units  
\_\_\_\_\_ units  
\_\_\_\_\_ units  
\_\_\_\_\_ units

Well Tests (P/A/B/FA) \_\_\_\_\_

Information source \_\_\_\_\_  
Hydrograph declines? \_\_\_\_\_

General geology in area \_\_\_\_\_  
\_\_\_\_\_

General hydrology in area \_\_\_\_\_  
\_\_\_\_\_

Confined or unconfined? unconfined?

DIRECT hydraulic connection? YES NO

Potential to cause substantial interference? YES NO





**Water Right Conditions  
Tracking Slip**

*Groundwater/Hydrology Section*

FILE ## G-12832

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T2S/R33E-17

CONDITIONS ATTACHED?  yes  no

REMARKS OR FURTHER INSTRUCTIONS:

\_\_\_\_\_

\_\_\_\_\_

Reviewer: Michael Zward

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

(208)772-6011

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

APPLICATION FILE NUMBER: G-12832

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

PURPOSE OR USE: IRRIGATION OF 18.8 ACRES

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

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 23, 1992

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

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4 3.6 ACRES

NE 1/4 NW 1/4 4.3 ACRES

SECTION 17

NE 1/4 NE 1/4 8.2 ACRES

NW 1/4 NE 1/4 2.7 ACRES

SECTION 18

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

Measurement, recording and reporting conditions:

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



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

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

#### STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued January 26, 1996

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

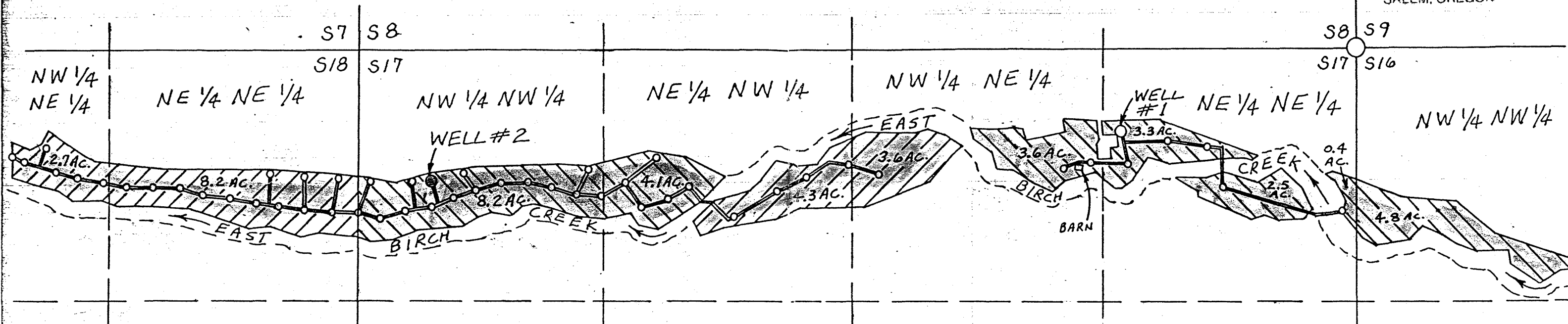
FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T. 2 S., R. 33 E., W.M.

Application No. G-12832  
Permit No. G-12242

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MAR 23 1992

WATER RESOURCES DEPT.  
SALEM, OREGON



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

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

APPLICATION - PLACE OF USE  
AND SOURCE

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

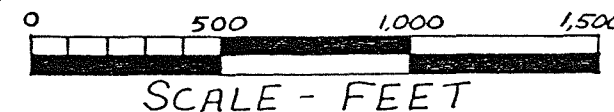
LOCATION OF WELLS

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



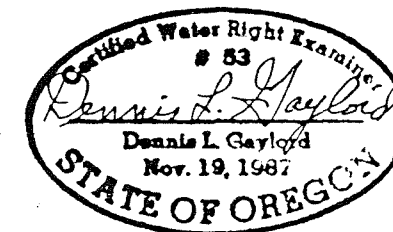
LEGEND

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



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

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



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



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AUG - 9 1996

STATE OF OREGON

WATER RESOURCES DEPT.  
SALEM, OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

(208) 772-6011

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

APPLICATION FILE NUMBER: G-12832

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

PURPOSE OR USE: IRRIGATION OF 18.8 ACRES

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SECTION 17

NE 1/4 NE 1/4 8.2 ACRES

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SECTION 18

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

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

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

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

Issued January 26, 1996

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

**RECEIVED**

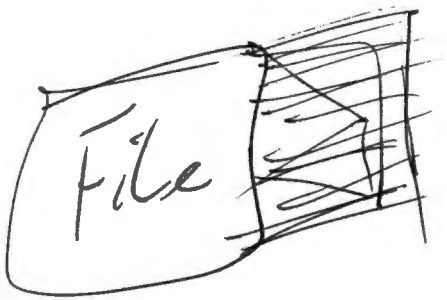
AUG - 9 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Application G-12832  
Basin 07  
DLB

Water Resources Department  
Volume 4 EAST BIRCH CR & MISC  
MGMT.CODE 7BG, 7BR

PERMIT G-12242  
District 05



S 69243



August 15, 1996

WATER  
RESOURCES  
DEPARTMENT

PIONEER RESOURCES LLC  
PO BOX 26139  
EUGENE OR 97402-0463

REFERENCE: Files G-11873 & G-12832

The assignments of Permits G-10861 and G-12242 from Louisiana Pacific Corporation to you have been recorded in the records of the Water Resources Department. Our records have been changed accordingly and the original assignments are enclosed.

Our receipts number 5261 and 5262 covering the \$20 recording fee have been sent to Louisiana Pacific Corporation.

Sincerely,

Dallas S. Miller  
Water Rights Specialist

DSM:jh

enclosures

cc: Tony Justus, Watermaster  
Dennis Gaylord, CWRE  
Louisiana Pacific Corporation



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT #

**5261**

158 12TH ST. N.E.

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

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

RECEIVED FROM:

*Louisiana-Pacific*

APPLICATION

*12832*

PERMIT

*12242*

TRANSFER

CASH:

CHECK: #

*50-937*

OTHER: (IDENTIFY)

TOTAL REC'D

\$ *1000*

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS

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

PUBLICATIONS / MAPS

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

OTHER: (IDENTIFY)

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

OTHER: (IDENTIFY)

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

**REDUCTION OF EXPENSE**

CASH ACCT.

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

PCA AND OBJECT CLASS

VOUCHER #

**0427 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407

COPY & TAPE FEES

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

0410

RESEARCH FEES

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

0408

MISC REVENUE: (IDENTIFY)

*assignment.*

\$ *1000*

TC165

DEPOSIT LIAB. (IDENTIFY)

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

**WATER RIGHTS:**

0201

SURFACE WATER

EXAM FEE

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

0202

RECORD FEE

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

0203

GROUND WATER

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

0204

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

0205

TRANSFER

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

0206

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

**WELL CONSTRUCTION**

0218

WELL DRILL CONSTRUCTOR

EXAM FEE

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

0219

LICENSE FEE

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

LANDOWNER'S PERMIT

0220

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

OTHER (IDENTIFY)

**0437 WELL CONST. START FEE**

0211

WELL CONST START FEE

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

CARD #

0210

MONITORING WELLS

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

CARD #

OTHER (IDENTIFY)

**0539 LOTTERY PROCEEDS**

1302

LOTTERY PROCEEDS

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

**0467 HYDRO ACTIVITY**

LIC NUMBER

0233

POWER LICENSE FEE (FWWRD)

\_\_\_\_\_

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

0231

HYDRO LICENSE FEE (FWWRD)

\_\_\_\_\_

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

HRDRO APPLICATION

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

RECEIPT #

**5261**

DATED:

*8-9-96*

BY:

*JLO L*

DETACH BEFORE DEPOSITING

SW 5581 001-95020



No. 363868

INVOICE DATE	INVOICE NUMBER	INVOICE AMOUNT	DISCOUNT	AMOUNT PAID
7-25-96	PERMIT	10.00 10.00 *	.00 *	10.00 10.00 *

**RECEIVED**  
AUG - 9 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON



AUG - 9 1996

REQUEST FOR ASSIGNMENT

WATER RESOURCES DEPT.  
SALEM, OREGON

I, (permit holder/applicant) LOUISIANA-PACIFIC CORP.  
P.O. BOX 4000-98 HAYDEN LAKE KOTENAI ID 83835 (208)772-6011  
(mailing address) (city) (county) (state) (zip) (phone)

CHECK ONE

-hereby assign all my interest in and to application/permit;

-hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);

-hereby assign a portion of my interest in and to the entire application/permit;

Application # G11873, Permit # G-10861: Or GR Statement # \_\_\_\_\_, GR Certificate of Registration # \_\_\_\_\_ as filed in the office of the Water Resources Director, to:

PIONEER RESOURCES, LLC  
(name of new owner)

P.O. BOX 26139 EUGENE LANE OR 97402-0463 (541)465-4890  
(address) (city) (county) (state) (zip) (phone)

( Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form. )

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 28~~th~~ day of June 1996.

applicant/permit holder [Signature]  
applicant/permit holder \_\_\_\_\_

The completed assignment must be submitted to the Water Resources Department, together with a recording fee of \$10. Additional pages will cost \$5 per page.

STATE OF OREGON, )  
County of Marion. )

WATER RESOURCES DEPARTMENT  
158 12 TH STREET NE  
SALEM, OREGON 97310-0210

I certify that the within was received by me on the 9th day of August, 1996 at 8 o'clock A.M., and was recorded in the Miscellaneous Records, Vol. 7 Page 3219

Water Resources Director

OK  
DSM

COPY

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # G-12832

WATERMASTER #05

REGIONAL MANAGER: N C - MIKE LADD

ODF&W - Umatilla County

CWRE (if agent): #53 DENNIS GAYLORD

DEO

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: \_\_\_\_\_ COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;  
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER; KEN STAHR

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

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

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

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

CASEWORKER : KDD



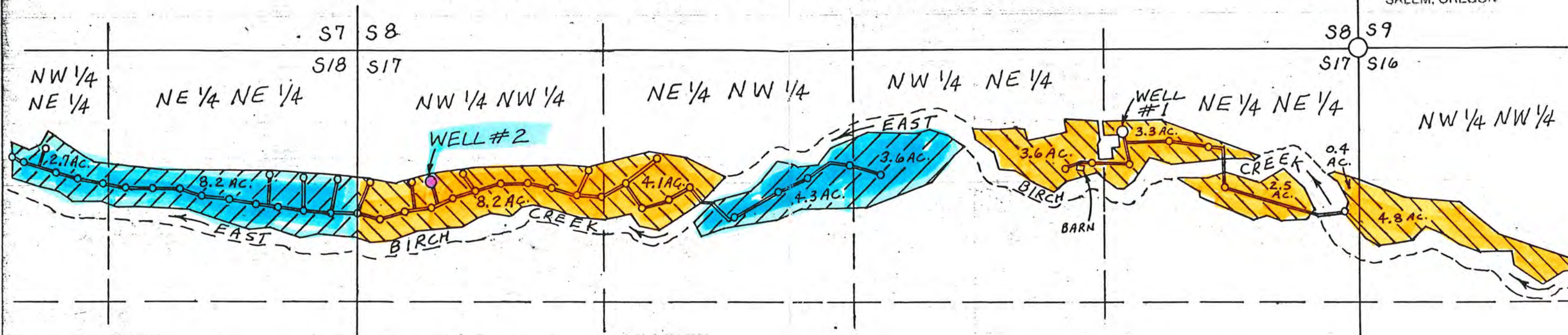
FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T.2 S., R.33 E., W.M.

Application No. G-12832  
Permit No. G-12242

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MAR 23 1992

WATER RESOURCES DEPT.  
SALEM, OREGON



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

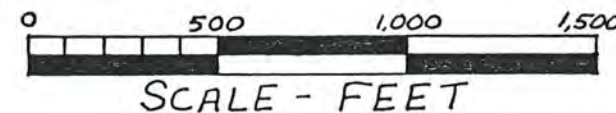
LOCATION	SOURCE	AREA	1875 RIGHT
NW 1/4 NW 1/4 S16	WELL #1	4.8 ACRES	NONE
NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
<b>TOTALS:</b>		<b>26.9 ACRES</b>	<b>17 ACRES</b>

**LOCATION OF WELLS**

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

**LEGEND**

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

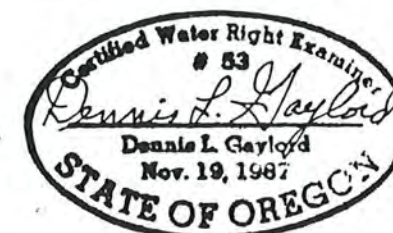


**APPLICATION - PLACE OF USE  
AND SOURCE**

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

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

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



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



020212

TR 18  
to 1944

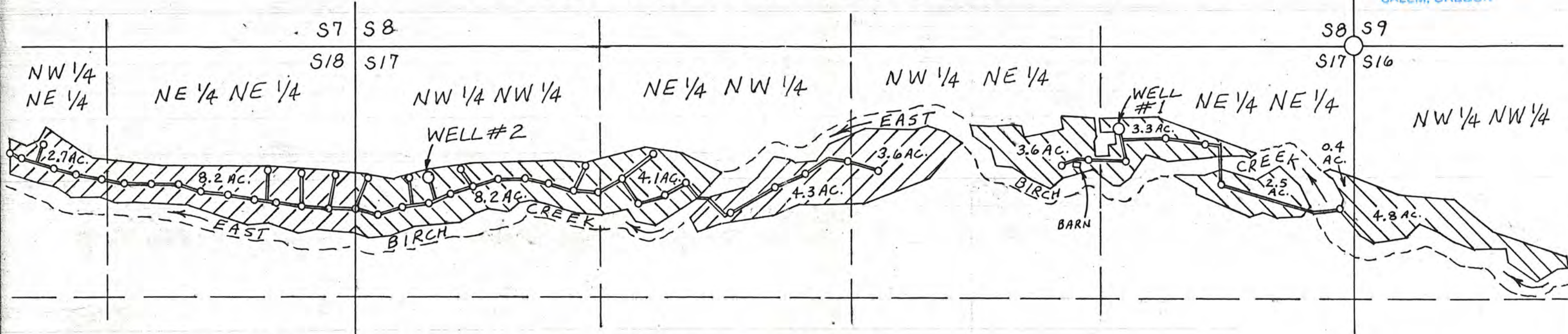
**FINAL PROOF SURVEY AND CLAIM OF BENEFICIAL USE  
AND  
APPLICATION TO APPROPRIATE GROUND WATER  
SECTIONS 16, 17 & 18, T. 2 S., R. 33 E., W.M.**

Application No. G-12832  
Permit No.

**RECEIVED**

MAR 23 1992

WATER RESOURCES DEPT.  
SALEM, OREGON



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

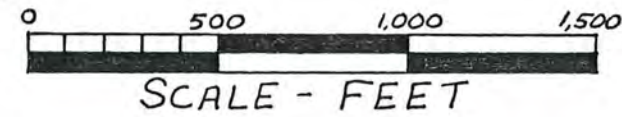
LOCATION	SOURCE	AREA	1875 RIGHT
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NE 1/4 NE 1/4 S17	WELL #1	6.2 ACRES	6 ACRES
NW 1/4 NE 1/4 S17	WELL #1	3.6 ACRES	3 ACRES
NE 1/4 NW 1/4 S17	WELL #2	4.1 ACRES	4 ACRES
NW 1/4 NW 1/4 S17	WELL #2	8.2 ACRES	4 ACRES
<b>TOTALS:</b>		<b>26.9 ACRES</b>	<b>17 ACRES</b>

**LOCATION OF WELLS**

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

**LEGEND**

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



**APPLICATION - PLACE OF USE  
AND SOURCE**

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


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

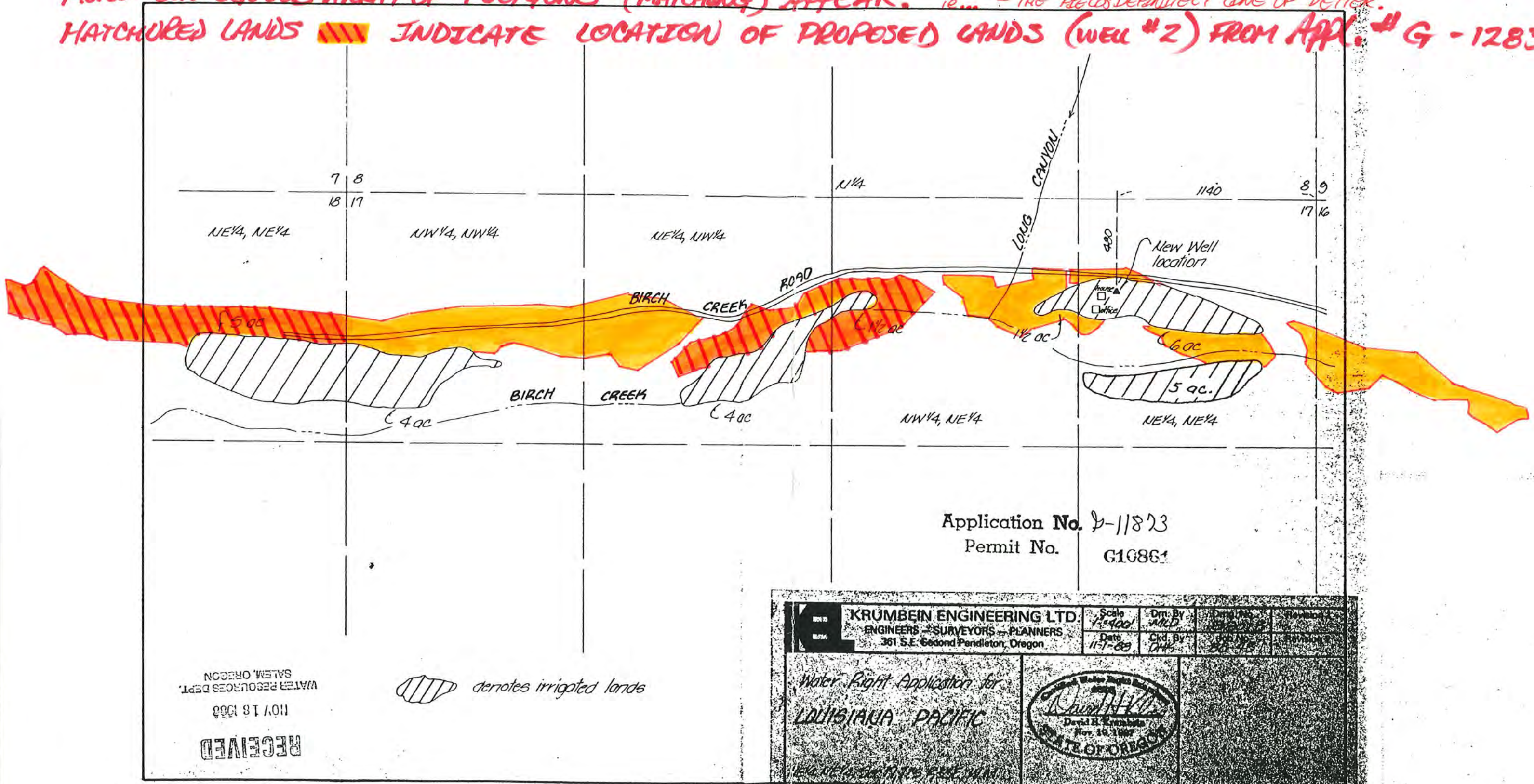
APPLICANT:  
LOUISIANA-PACIFIC  
P.O. Box 4000-98  
HAYDEN LAKE, IDAHO  
83835



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



LINING UP SECTION LINES, COMPARING FINAL PROOF MAP (DENNIS GAYNOR), LANDS IN ORANGE  
 REPRESENT LANDS OUTSIDE PERMITTED BOUNDARIES. BY LINING UP THE CREEK ON BOTH MAPS, A  
MORE CONTIGUOUS ARRAY OF POLYGONS (MATCHING) APPEAR. i.e. - THE FIELDS DEFINITELY LINE UP BETTER.  
 HATCHURED LANDS  INDICATE LOCATION OF PROPOSED LANDS (WELL #2) FROM APPL. # G-12832




Application No. G-11873  
 Permit No. G10864

NOV 18 1988  
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 WATER RESOURCES DEPT.  
 SALEM, OREGON

 denotes irrigated lands

<b>KRUMBEIN ENGINEERING LTD.</b> ENGINEERS - SURVEYORS - PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1"=400'	Drn. By MCD	Date 11-7-88
	Date 11-7-88	Ckd. By DMK	Drn. No. 20-157

Water Right Application for  
**LOUISIANA PACIFIC**

  
 David H. Krumbein  
 Nov 10 1988  
 STATE OF OREGON

IT IS ASSUMED THAT THIS MAP ALONG w/ APPLICATION (FILE G-11873) REPRESENT CERT. 2528, 1875 WATER RIGHTS



STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of ) FINAL  
Groundwater Application ) ORDER  
G-12832 submitted by )  
LOUISIANA-PACIFIC CORPORATION

**FINDINGS OF FACT**

*Water Use Request*

1. LOUISIANA-PACIFIC CORPORATION requested use of 105.7 GALLONS PER MINUTE of water from WELL 2 IN EAST BIRCH CREEK BASIN within the Umatilla basin for IRRIGATION OF 18.8 ACRES.
2. The area of proposed use is in Umatilla County within SECTION 17, SECTION 18, TOWNSHIP 2 SOUTH, RANGE 33 EAST, W.M.
3. The water delivery system is described by the applicant as follows: Applicant proposes to appropriate groundwater using two 25 horsepower pumps. Water will be conveyed through combination of 5 inch and 4 inch buried pipe. Four nelson sprinkler heads attached directly to riser pipes are fitted with nozzles.
4. The request was made in Application G-12832 which was received by the Water Resources Department on March 23, 1992.

*Affected Waters*

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are no senior water rights from this point of appropriation.

*Department Actions*

1. The application was determined to be complete and not defective.
2. The Department determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely **EAST BIRCH CREEK**.
3. An Initial Review of the application was completed and a report of the results of that review was mailed to the applicant on AUGUST 25, 1995.
4. The Initial Review determined:
  - a. IRRIGATION is allowed under the Umatilla Basin Program.
  - b. The use is not prohibited by Statute.
  - c. Water for the proposed use is available in the



amounts requested for the period JUNE 1 THROUGH DECEMBER 31.

- d. The use would not injure existing water rights.
5. The report of Initial Review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in PERMIT G-12242.
6. The applicant did not notify the Department to stop processing this application within 14 days after the report was mailed as provided in ORS 537.150(5).
7. The Department proceeded with processing the application and on SEPTEMBER 8, 1995 published notice of the application in its weekly Public Notice of Water Rights.
8. At the close of the 30 day comment period provided in ORS 537.150(7), the Department had not received comments on the application.
9. A Proposed Final Order for this application was completed and a copy of that review was mailed to the applicant on November 21, 1995. The Proposed Final Order determined that there will be no potential for interference with the flows of East Birch Creek and a full season could be allowed for the proposed use of groundwater.
10. The Department has reviewed the application pursuant to ORS 390.835, and is unable to find that there is a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

*Assessment*

1. In proceeding with evaluation of Application G-12832, the following criteria were found to be relevant by the Department.
  - a. The Umatilla Basin Program (OAR Chapter 690, Division 507)
  - b. The Umatilla County Comprehensive Plan and Zoning Ordinance
  - c. Revised Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9)
  - d. The established rate and duty for the proposed use
  - e. Pending, senior applications and existing water rights of record
  - f. The Scenic Waterway Act (ORS 390.835) as amended by SB 1033 enacted by the 68th Legislative Assembly
  - g. Comments received


**CONCLUSIONS OF LAW**

1. Based upon continued evaluation, the Department finds the determinations of the Proposed Final Order remain valid.
2. The period of allowed use is MARCH 1 THROUGH OCTOBER 31.
3. The Department finds that no more than 0.235 CUBIC FOOT PER SECOND would be necessary for the proposed use. The amount of water requested, 105.7 GALLONS PER MINUTE (0.235 cfs), is allowable.
4. Umatilla County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Umatilla County Comprehensive Land Use Plan.
5. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.
6. The proposed use complies with all other rules of the Commission.
7. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in PERMIT G-12242.
8. No protests were timely filed in response to the Proposed Final Order of November 21, 1995, and no significant issues or disputes are known to the Department at this time.
9. Therefore, the proposed use, as conditioned, and described in PERMIT G-12242, would not impair or be detrimental to the public interest.

**ORDER**

IT IS HEREBY ORDERED that Application G-12832 in the name of LOUISIANA-PACIFIC CORPORATION be approved for IRRIGATION OF 18.8 ACRES as provided in PERMIT G-12242.

DATED January 26, 1996

  
Martha O. Page  
Director  
Water Resources Department

**NOTICE:**

This Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

If this Final Order has modified the Department's prior findings or conditions, the applicant may request a contested case hearing within 14 days from the date of this order.

Issues on which a contested case hearing may be requested and conducted are limited to issues based on modifications to the Proposed Final Order.

Requests for a contested case hearing must be made in proper form, submitting the information required under Section 11(6), Chapter 416, Oregon Laws, 1995.

**Requests for a contested case hearing must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on February 9, 1996.**

Only the applicant and any persons who timely filed a protest may appeal the provisions of this final order.



A F F I D A V I T

RECEIVED

STATE OF IDAHO )  
 ) ss.  
County of Kootenai )

NOV 18 1988

WATER RESOURCES DEPT.  
SALEM, OREGON

(I), (We), Louisiana-Pacific Corp. , being first  
duly sworn, depose and say that (I am), (we are) the owner(s)  
of a water right and the land to which it is appurtenant,  
which is for the use of not to exceed .27 cubic foot of  
water per second from East Birch Creek for the irrigation of

- 6 Acres NE $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 3 Acres NW $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 4 Acres NE $\frac{1}{4}$  NW $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 4 Acres NW $\frac{1}{4}$  NW $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 17
- 5 Acres NE $\frac{1}{4}$  NE $\frac{1}{4}$  TSP. 2-S RANGE 33E SECTION 18

under a priority date of 1875, as evidenced by the certificate  
recorded at Page 2528. (I), (We) wish to diminish the character  
of the water right from Primary Irrigation to Supplemental  
Irrigation. We are in the process of filing for a Primary  
Permit from a well.

The above change contingent upon approval of the ground  
water application to a permit.

IN WITNESS WHEREOF, (I), (We) have hereunto set (my)  
(our) hand(s) this 10<sup>th</sup> day of November, 1988.

Joe R. Tolson

Subscribed and sworn to before me this 10<sup>th</sup> day  
of November, 1988.

Lea Bennett  
Notary Public for Idaho

My commission expires 1-20-92

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of ) PROPOSED  
Groundwater Application ) FINAL  
G-12832 submitted by ) ORDER  
LOUISIANA-PACIFIC CORPORATION

**FINDINGS OF FACT**

*Water Use Request*

1. LOUISIANA-PACIFIC CORPORATION requested use of 105.7 GALLONS PER MINUTE of water from WELL 2 IN EAST BIRCH CREEK BASIN within the Umatilla basin for IRRIGATION OF 18.8 ACRES.
2. The area of proposed use is in Umatilla County within SECTION 17, SECTION 18, TOWNSHIP 2 SOUTH, RANGE 33 EAST, W.M.
3. The water delivery system is described by the applicant as follows: Applicant proposes to appropriate groundwater using two 25 horsepower pumps. Water will be conveyed through combination of 5 inch and 4 inch buried pipe. Four nelson sprinkler heads attached directly to riser pipes are fitted with nozzles.
4. The request was made in Application G-12832 which was received by the Water Resources Department on March 23, 1992.

*Affected Waters*

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are no senior water rights from this point of appropriation.

*Department Actions*

1. The application was determined to be complete and not defective.
2. The Department originally determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely **EAST BIRCH CREEK**.
3. An Initial Review of the application was completed and a report of the results of that review was mailed to the applicant on AUGUST 25, 1995.

4. The Initial Review determined:
  - a. IRRIGATION OF 18.8 ACRES is allowed under the Umatilla Basin Program.
  - b. The use is not prohibited by Statute.
  - c. Water for the proposed use is available in the amounts requested for the period JUNE 1 THROUGH DECEMBER 31.
  - d. The use would not injure existing water rights.
5. The report of Initial Review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.
6. The applicant did not notify the Department to stop processing this application within 14 days after the report was mailed as provided in ORS 537.150(5).
7. The Department proceeded with processing the application and on SEPTEMBER 8, 1995 published notice of the application in its weekly Public Notice of Water Rights.
8. At the close of the 30 day comment period provided in ORS 537.150(7), the Department had not received comments on the application.

*Assessment*

1. In proceeding with evaluation of Application G-12832, the following criteria were found to be relevant by the Department.
  - a. The Umatilla Basin Program (OAR Chapter 690, Division 507)
  - b. The Umatilla County Comprehensive Plan and Zoning Ordinance
  - c. Revised Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9)
  - d. The established rate and duty for the proposed use
  - e. Pending, senior applications and existing water rights of record
  - f. Comments received

**CONCLUSIONS OF LAW**

1. Based upon continued evaluation, the Department finds the determinations of the Initial Review requires modification.
2. Based on comments and data received, the Department has determined that there will be no potential for interference with the flows of East Birch Creek and a full season be allowed for use of groundwater. The Department has further determined that, to protect the resource, an additional condition on the proposed water use is necessary. The condition, as further described on the



attached draft permit, would require the Department to discontinue or reduce use of the well if substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit.

3. The period of allowed use is MARCH 1 THROUGH OCTOBER 31.

4. The Department finds that no more than 0.235 CUBIC FOOT PER SECOND would be necessary for the proposed use. The amount of water requested, 105.7 GALLONS PER MINUTE (0.235 cfs), is allowable.

5. Umatilla County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Umatilla County Comprehensive Land Use Plan.

6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.

7. The proposed use complies with all other rules of the Commission.

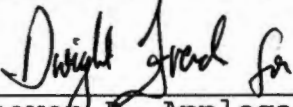
8. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.

9. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

**PROPOSED ORDER**

IT IS PROPOSED that Application G-12832 in the name of LOUISIANA-PACIFIC CORPORATION be approved for IRRIGATION OF 18.8 ACRES as provided in the attached draft permit.

DATED November 21, 1995

  
\_\_\_\_\_  
Steven P. Applegate  
Administrator  
Water Rights and Adjudications Division

**NOTICE:**

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

**Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on January 5, 1996.**

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT  
STATE OF OREGON

COUNTY OF UMATILLA

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

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

(208) 772-6011

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

APPLICATION FILE NUMBER: G-12832

SOURCE OF WATER: WELL #2 IN EAST BIRCH CREEK BASIN within the Umatilla Basin

PURPOSE OR USE: IRRIGATION OF 18.8 ACRES

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

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 23, 1992

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

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4 3.6 ACRES

NE 1/4 NW 1/4 4.3 ACRES

SECTION 17

NE 1/4 NE 1/4 8.2 ACRES

NW 1/4 NE 1/4 2.7 ACRES

SECTION 18

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



Measurement, recording and reporting conditions:

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

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

**STANDARD CONDITIONS**

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued \_\_\_\_\_, 199\_

DRAFT

Water Resources Department  
Martha O. Pagel  
Director

**Water Right Conditions  
Tracking Slip**

*Groundwater/Hydrology Section*

FILE ## G-12832

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T2S/R33E-17

CONDITIONS ATTACHED?  yes  no

REMARKS OR FURTHER INSTRUCTIONS:

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

Reviewer: Michael Zward













**Louisiana-Pacific Corporation**

RECEIVED

NOV 13 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

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

November 9, 1995

Ken Dowden  
Water Resources Department  
158 12th Street N.E.  
Salem OR 97310-0210

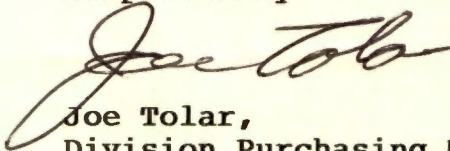
Re: File Applications G12832 & G11873

Dear Mr. Dowden:

Please accept this letter as my request to invalidate my letter of October 30, 1995 requesting supplemental rights for 5.0 acres.

I understand after this is processed the 5.0 acres will go back to it's original status as requested in our affidavit.

Respectfully



Joe Tolar,  
Division Purchasing Manager

JT/po



November 2, 1995

JOE TOLAR  
c/o LOUISIANA-PACIFIC CORP.  
P.O. BOX 4000-98  
HAYDEN LAKE, ID 83835

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File applications G-12832 & G-11873

Dear Mr. Tolar,

We have received your letter dated October 30, 1995 requesting amendment to file G-12832. It will be sufficient to cover the underlying 1875 right on 5 acres in the NE 1/4 NE 1/4 section 18.

However, after reviewing the nearby, (similar) groundwater application G-11873, I find in the file an application map from David Krumbein, CWRE showing what I believe to be all the 1875 water rights. This map along with an affidavit diminishing the older right certificate 2528 to supplemental was the basis for the issuance of permit G-10861.

The affidavit shows, in part, 5 acres in the NE 1/4 NE 1/4 of section 18 to be supplemental to application G-11873, although there were no lands to cover it as this new application was not submitted as of that date. My request for your amending the new application may have been premature if your intent is to have this new application, along with the other groundwater application remain, as you originally intended, to be the primary, underlying right. A copy of the affidavit will be placed in this file G-12832.

Currently, the final proof survey (on permit G-10861) portion of the map from Dennis Gaylord shows lands outside the permitted boundaries. The allowable acreage will be handled at a later date when a certificate is issued.

I propose to go ahead with the generation of the Proposed Final Order of file G-12832, and, with your approval, identify all lands as primary irrigation and rely on the intent of the affidavit dated November 10, 1988 as per our telephone conversation today.

Please verify in writing your request to invalidate your letter of October 30, 1995 in regards to this 5 acres; then once processed, would go back to its original status as requested in the affidavit.

Respectfully,

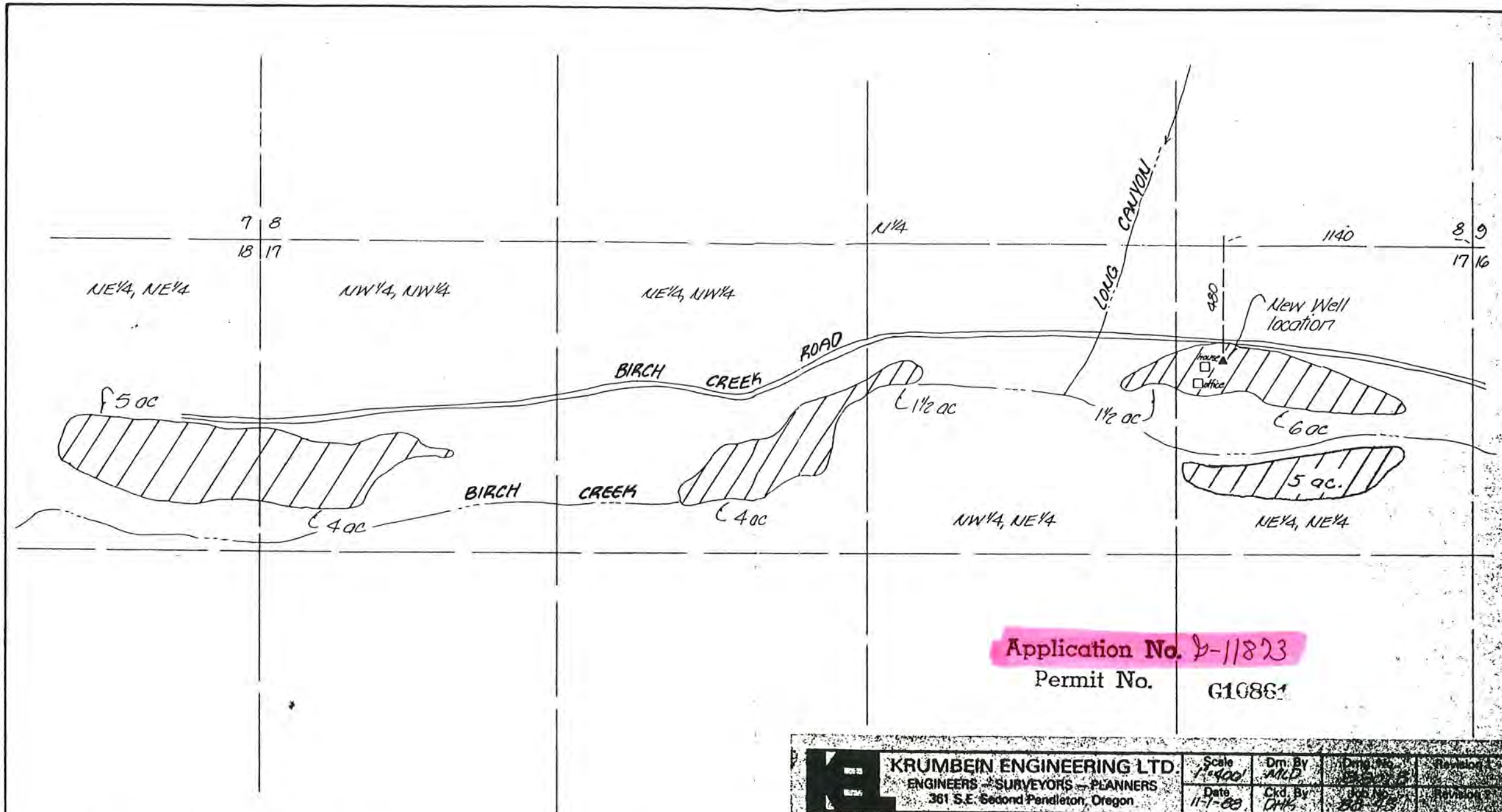


KEN DOWDEN  
WATER RIGHTS/ADJUDICATION DIVISION




enclosures: affidavit from file G-11873, map


Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



Application No. B-11823  
 Permit No. G10861

RECEIVED  
 NOV 18 1988  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

 denotes irrigated lands

<b>K</b> KRUMBEIN ENGINEERING LTD. ENGINEERS - SURVEYORS - PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1"=400'	Dwn. By MCD	Drawn By DMS	Revision
	Date 11-1-88	Ckd. By DMS	Job No. 500-11823	Revision
Water Right Application for <b>LOUISIANA PACIFIC</b> New Well Location 480' E. of NW 1/4, NE 1/4				





RECEIVED

NOV - 1 1995 / ED

WATER RESOURCES DEPT  
SALEM, OREGON

WATER RESOURCES DEPT  
SALEM, OREGON

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

October 30, 1995

Ken Dowden  
Water Resources Department  
158 12th Street NE  
Salem OR 97310-0210

RE: Application HG-12832

Dear Mr. Dowden:

Per our phone conversation today, please ammend the above noted application to read 13.8 acres of primary irrigation and 5.0 acres of supplemental irrigation.

I trust you find this request in order. Please notify me if there is anything further needed.

Sincerely

Joe Tolar,  
Division Purchasing Manager

JT/po

INVALID

11/3/95

TO BE RESCINDED BY  
JOE TOLAR. LETTER WILL  
COME IN SOON.

Ken Dowden  
SEE LETTER  
of Nov. 3, 95





RECEIVED  
NOV - 1 1995 / ED  
WATER RESOURCES DEPT  
SALEM, OREGON 1995  
S DEPT  
OREGON

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

October 30, 1995

Ken Dowden  
Water Resources Department  
158 12th Street NE  
Salem OR 97310-0210

RE: Application HG-12832

Dear Mr. Dowden:

Per our phone conversation today, please ammend the above noted application to read 13.8 acres of primary irrigation and 5.0 acres of supplemental irrigation.

I trust you find this request in order. Please notify me if there is anything further needed.

Sincerely

A handwritten signature in black ink, appearing to read 'Joe Tolar'.

Joe Tolar,  
Division Purchasing Manager

JT/po

# INITIAL REVIEW CHECKLIST

APPLICATION # 9 12832  
WAB # 507-020212  
POU-WAB 507-020212

"Well # 2"  
NW 1/4 NW 1/4 S17, T2S, R33E

ITEMS HAVE BEEN VERIFIED ON COMPLETENESS CHECKLIST *OATTN*  
 BASIN NAME/NUMBER IS CORRECT *7-Umatilla*

DETERMINATION OF WHETHER USE IS OR IS NOT ALLOWED BY...

BASIN PLAN  
 LEGISLATIVE WITHDRAWAL (ORS 538) *Pendleton?*  
 RULES  
 SCENIC WATERWAY (OTHER THAN WA ORS 390.826)  
 OTHER

WATER AVAILABILITY (WA) HAS BEEN CHECKED *3/23/92*  
50 % BEFORE JULY 17, 1992; 80 % LIVE FLOW 50 % STORAGE  
AFTER JULY 17, 1992

INSTREAM WATER RIGHT EXEMPTIONS ARE DOCUMENTED ON WATER  
AVAILABILITY SHEETS

USE IS NOT FROM A BOR PROJECT OR A SIGNED CONTRACT IS IN  
THE FILE

GROUND WATER REVIEW HAS BEEN EVALUATED FOR HYDRAULIC  
CONNECTION (USE WA DATABASE IF CONNECTED) AND REQUIRED  
CONDITIONS FROM THE REVIEW HAVE BEEN ADDED TO THE LETTER

DIVISION 33 HAS BEEN ADDRESSED... *prior to 7/17/92 -> WA*  
 SEASON FOR DIRECT FLOW  
 WATER QUALITY PARAGRAPH  
 EFFICIENCY DESCRIPTION (BELOW BONN AND MORE THAN 1 CFS)

PLAT CARDS HAVE BEEN CHECKED AND A COPY OF THE MAP SHOWING  
THE CONFLICT HAS BEEN ATTACHED

SEASON *March 1 - Oct 31 Umatilla R.* (DECREE, BASIN PLAN, PERMIT, GENERIC)

RATE & DUTY *1/40, 6 ac-ft or 1/80, 3 ac-ft* (DECREE, BASIN PLAN, PERMIT, GENERIC)  
GROUND WATER ALWAYS GENERIC FOR RATE AND DUTY

ALL DOCUMENTS USED IN EVALUATION ARE ATTACHED AND  
HIGHLIGHTED AND PACKET IS STAPLED TOGETHER

SPELL CHECK HAS BEEN COMPLETED

WATERMASTER # *5*

REGIONAL MANAGER (NW, SW, NC, SC, E)

LETTER WAS SAVED FROM M:\T\IRWORK95 TO M:\T\IRSENT95

*gw a*

*105.7 gpm requested  
irrigation - 18.8 acres  
18.8 ac x 1/80 \* 448.8 gpm = 105.5  
1 cfs*

NAME KERRY LOREVER DATE 8/15/95

*GW IS NOT  
connected  
GW IS  
Hyp. Conn.*

*\* SEE \*  
Memo by  
S. Gales  
dated 9/27/95  
& Revised  
GW Review  
K.L.*

*condition FB  
NO  
CONDITIONS  
listed*



OREGON WATER RESOURCES DEPARTMENT  
ADMINISTRATIVE RULES  
CHAPTER 690  
DIVISION 507  
UMATILLA BASIN PROGRAM

**Definitions**

**690-507-010**

The following meanings apply to the terms as used in these rules for the Umatilla Basin program. Other rules of the Department may define these words differently.

- (1) "Classification" or "classified" means the allowed and preferred beneficial use(s) of a given surface or ground water source for which future appropriations of water shall be permitted.
- (2) "Commission" means the Water Resources Commission.
- (3) "Department" means the Oregon Water Resources Department.
- (4) "Director" means the Water Resources Director.
- (5) "Minimum Perennial Streamflow" or "minimum streamflow" means an administrative rule that establishes a flow necessary to support aquatic life, or recreation or minimize pollution. The rule includes a priority date and specifies streamflow levels for all or any period of the year. It establishes priority for instream use over future appropriations and identifies flow objectives for future management in streams where shortages occur.
- (6) "Statutorily exempt ground water uses" means those uses for which no ground water application, permit, or certificate is required under ORS 537.545. These uses are for:
  - (a) Stockwatering purposes;
  - (b) Watering any lawn or noncommercial garden not exceeding one-half acre in area;
  - (c) Watering the grounds, three acres in size or less, of schools that have less than 100 students and that are located in cities with a population of less than 10,000;
  - (d) Single or group domestic purposes in an amount not exceeding 15,000 gallons a day;
  - (e) Down-hole heat exchange purposes; or
  - (f) Any single industrial or commercial purpose in an amount not exceeding 5,000 gallons a day.
- (7) "Subbasin" means any subarea of a basin defined by surface drainage patterns such as the drainage basin of any tributary, or the area draining to any point on a river or draining between two points on a river.



(8) "Umatilla Basin" means the area comprised by the Walla Walla River, Wildhorse Creek, Upper Umatilla River, Birch and McKay Creeks, Columbia-Umatilla Plateau, Butter Creek, and Willow Creek subbasins as shown on Water Resources Department map number 7.6.

(9) "Withdrawal" or "withdrawn" means an order of the Commission, or State Engineer or a Legislative act prohibiting all new appropriations for particular uses from a source for part or all of the year. A withdrawal can be set for a prescribed length of time or indefinitely until modified by the Commission.

## **Policies**

690-507-020

(1) All rights to the surface waters of the Umatilla River and its tributaries initiated after September 28, 1987, shall be subordinate to permitted appropriations for the purpose of artificial ground water recharge established before that date.

(2) To support present and proposed basin resource developments, no out-of-basin or out-of-state appropriations of water shall be made or granted by any state agency or public corporation of the state for the waters of the Umatilla River Basin.

(3) Rights to use water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluent or return flows from such uses shall not interfere with other beneficial uses of water.

(4) Future permits for consumptive water use shall be issued only on condition that efficient water use techniques or water conservation measures are proposed in the application. Failure to implement the proposed measures shall be a violation of the terms of the permit.

(5) Municipal water supplies, interstate cooperation in water management, instream needs, out-of-stream needs, water quality and watershed management are issues of concern in the Umatilla River Basin. The Commission's policies on these issues are as follows:

(a) Municipal water supply: in addressing the issue of municipal water supply in the Umatilla River Basin, it shall be the Commission's policy to:

(A) Assist cities with limited financial resources secure needed capital to develop, expand and improve municipal water supplies.

(B) Promote and aid municipal water conservation and encourage cities to plan for water service emergencies.

(C) Encourage the use of artificial ground water recharge to supplement city ground water supplies and help reduce water level declines in the basalt ground water reservoir.

(D) Encourage and promote the concept of regional municipal water supply systems and preserve the options for proposed systems.

(E) Promote and support the purchase and transfer of water rights to municipal use.

(F) Promote the continued viability of municipal water systems reliant on the basalt ground water reservoir.

(b) Interstate cooperation on water management: in addressing the issue of interstate cooperation on water management, it shall be the Commission's policy to:

(A) Coordinate and cooperate with the state of Washington in managing the water resources of the Walla Walla subbasin to the extent judicial decisions, stipulations and statutory authority allow.

(B) Open negotiations with the Washington Department of Ecology by 1990.

(c) Instream needs: in addressing the issue of instream needs, it shall be the Commission's policy to:

(A) Support the anadromous fish production goals of the Northwest Power Planning Council, Oregon Department of Fish and Wildlife and Confederated Tribes of the Umatilla Indian Reservation for the Umatilla River Basin.

(B) Protect and enhance instream values by limiting new uses of water from heavily appropriated streams and managing interconnected surface and ground water conjunctively.

(C) Support and encourage watershed and riparian zone projects which improve instream habitat and water quantity and quality, and which provide multiple water resources benefits.

(d) Out-of-stream use: in addressing the issue of out-of-stream use, it shall be the Commission's policy to:

(A) Require conservation and efficient water use.

(B) Control growth of water demand by limiting new irrigation appropriations on selected streams to stored or conserved water.

(C) Support the efficient use of surplus surface and ground water to supplement declining ground water levels through artificial ground water recharge.

(D) Support development of multipurpose surface storage consistent with policies in paragraphs (A), (B), and (C) of this subsection.

(e) Water quality: in addressing the issue of water quality, it shall be the Commission's policy to:

(A) Encourage and promote a formal ground water quality monitoring program to ensure safe municipal and domestic ground water supplies.

(B) Encourage development of management plans for ground water aquifers susceptible to contamination.

(C) Support surface water quality standards to satisfy selected subbasin beneficial water uses identified in this basin program.

(D) Encourage and promote control of nonpoint and point sources of water pollution.

(f) Watershed management: in addressing the issue of watershed management, it shall be the Commission's policy to:

(A) Encourage and promote improvements in water quality, quantity and related resources through agency-public cooperation and education about the benefits of watershed management.

(B) Encourage public and private landowners and managers to employ best management practices to benefit water quality and quantity.

(C) Encourage and support the retirement of highly erodible cropland as a means to enhance water quality and improve runoff patterns.

(D) Encourage and support riparian and stream channel enhancement as a means of improving flow distribution, water quality and related resource values.

### Walla Walla River Subbasin

690-507-030

(1) Objectives: In developing a program for the management, use and control of the surface and ground water resources of the Walla Walla subbasin, the Commission has the following objectives:

(a) Develop interstate cooperation with Washington in the management of surface and ground water and related resources.

(b) Protect instream values in selected streams by closing them to future appropriations or limiting new appropriations to selected nonirrigation uses.

(c) Preserve the opportunity for future upstream storage for all beneficial uses.

(d) Permit artificial ground water recharge to offset declining ground water levels and supplement existing ground water uses.

(e) Protect municipal ground water supplies.

(f) Prevent new appropriations from causing ground water/surface water interference.

(2) Surface Water: appropriation and use of surface water in the Walla Walla River subbasin shall comply with the following provisions:

(a) The unappropriated waters of the Walla Walla River and tributaries from and including the Little Walla Walla Diversion to the state border are withdrawn from further appropriation. This withdrawal does not apply to domestic, livestock, fish and wildlife uses or water released from storage. Frost protection between March 1 and May 15, up to a cumulative total of 35 cfs of permits and rights with priority dates after December 2, 1985, is also exempt from this withdrawal. This withdrawal was established by the Commission on January 17, 1986.



(B) Ground water from the basalt reservoir in a five-mile radius around any municipal well of the cities of Adams and Pendleton is classified for municipal, group domestic and statutorily exempt ground water uses (see definition) only. Other uses may be permitted if it is documented that a barrier to ground water movement separates a proposed well from municipal wells and there will be no interference with municipal wells. Applications for other uses of ground water within a five-mile radius of a municipal well shall automatically be referred to the Commission for review and consideration of public interest unless the affected city affirms that it is in favor of the proposed appropriation. This classification applies only when the affected city(ies) have a full-time conservation program in effect.

(b) Permits issued to appropriate ground waters that may be hydraulically connected with surface water shall be specially conditioned. The condition shall specify that when exercise of the permit unduly interferes with surface water, the permit shall be regulated in favor of the surface water source.

### Birch and McKay Creeks Subbasin

690-507-060

(1) Objectives: in developing a program for the management, use and control of the surface and ground water resources of the Birch and McKay Creeks subbasin, the Commission has the following objectives:

- (a) Protect instream values by closing streams to future appropriations during the low-flow season and limiting future appropriations during the high-flow season to selected nonirrigation or nonconsumptive uses.
- (b) Preserve the opportunity for future upstream storage for all beneficial uses.
- (c) Permit artificial ground water recharge to offset declining ground water levels and supplement existing ground water uses.
- (d) Protect municipal ground water supplies.
- (e) Prevent new appropriations from causing ground water/surface water interference.

(2) Surface Water: appropriation and use of surface water in the Birch and McKay Creeks subbasin shall comply with the following provisions:

(a) Birch and McKay Creeks and tributaries are withdrawn from further appropriation of unappropriated waters during the period June 1 through October 31 each year. The withdrawal does not apply to domestic, livestock, fish and wildlife uses or water released from storage. This action was taken by the Commission on December 2, 1985.

(b) Classification: permits to use surface water may be issued only for the following classified uses:

NEW GW REPORT  
INDICATES NO POTENTIAL  
FOR INTERFERENCE w/ E. BIRCH CR.

Withdrawn  
June 1 - Oct 31  
→ irrigation

Irrigation not  
listed →

⇒ no water  
Nov 1 - May 31  
→ irrigation

(A) The surface waters of Birch and McKay Creeks and tributaries are classified for domestic, livestock, irrigation of noncommercial lawn and garden not to exceed 1/2 acre, municipal, industrial, power development (subject to the limitations of OAR Chapter 690, Division 51), mining, fish life, wildlife, recreation, pollution abatement, artificial ground water recharge and public instream uses during the period November 1 through May 31 each year. This classification rescinds the Commission's order of December 2, 1985, withdrawing the Umatilla River and tributaries from further appropriation from November 1 through May 31 each year until December 31, 1988.

(B) Subject to the rights and priorities existing on June 24, 1988, and the withdrawal of Birch Creek and tributaries from June 1 through October 31, Birch Creek and tributaries are further classified for all beneficial uses in conjunction with storage. All natural flow rights issued on Birch Creek and tributaries after this date shall be subordinate to this classification. Any storage project built under this classification shall include provisions for municipal, fish and wildlife, and recreation uses acceptable to the Commission.

(c) Storage: surface waters, legally stored during the period November 1 through May 31, and legally released, may be used for any beneficial purpose.

(d) Artificial ground water recharge: use of surface water for ground water recharge shall be subject to the following conditions:

(A) Recharged water used under a secondary permit for irrigation may only provide supplemental water to lands with existing irrigation rights or permits on June 24, 1988;

(B) Diversion of surface water for recharge for irrigation under a secondary permit shall not exceed 2.25 acre feet per acre to be irrigated; and

(C) If the recharged water is to be used for municipal or industrial purposes under a secondary permit, the applicant shall demonstrate to the satisfaction of the Commission that it has an active water conservation program.

(e) Minimum perennial streamflows: minimum streamflows may be established to support aquatic life, minimize pollution or maintain recreation values:

(A) To support aquatic life in accordance with Section 3, Chapter 796, Oregon Laws 1983, no appropriation of water shall be made or granted by any state agency or public corporation of the state for waters of Birch Creek and tributaries when flows are below the levels specified in Table 1. This limitation shall not apply to domestic and livestock use or to waters legally stored or released from storage; and

(B) To support aquatic life, no appropriations of water except for domestic and livestock uses or waters legally stored or released from storage shall be made or granted by any state agency or public corporation of the state when flows are below the specified levels for the streams listed in Table 1 with priority dates of 3-31-88.

(3) Ground Water: appropriation and use of ground water in the Birch and McKay Creeks subbasin shall comply with the following provisions:



(a) Classification: permits to use ground water may be issued only for the following classified uses:

(A) The ground water resources of the Birch and McKay Creeks subbasin are classified for statutorily exempt ground water uses (see definition), irrigation, municipal, industrial, power development, low temperature geothermal, mining, fish life, wildlife, recreation, pollution abatement, and artificial ground water recharge; and

(B) Ground water from the basalt reservoir in a five-mile radius around any municipal well of the cities of Pendleton and Pilot Rock is classified for municipal, group domestic and statutorily exempt ground water uses (see definition) only. Other uses may be permitted if it is documented that a barrier to ground water movement separates a proposed well from municipal wells and there will be no interference with municipal wells. Applications for other uses of ground water within a five-mile radius of a municipal well shall automatically be referred to the Commission for review and consideration of public interest unless the affected city affirms that it is in favor of the proposed appropriation. This classification applies only when the affected city(ies) have a full-time conservation program in effect.

(b) Permits issued to appropriate ground waters that may be hydraulically connected with surface water shall be specially conditioned. The condition shall specify that when exercise of the permit unduly interferes with surface water, the permit will be regulated in favor of the surface water source.

*Does Pilot Rock have a full-time conservation program?*

### Columbia-Umatilla Plateau Subbasin

690-507-070

(1) Objectives: in developing a program for the management, use and control of the surface and ground water resources of the Columbia-Umatilla Plateau subbasin, the Commission has the following objectives:

(a) Protect instream values in the Umatilla River main stem by closing the main stem to future appropriations during the low flow season and limiting future appropriations during the high flow season to selected nonirrigation or nonconsumptive uses.

(b) Permit future surface water storage for any beneficial use.

(c) Permit artificial ground water recharge to offset declining ground water levels and supplement existing ground water uses.

(d) Achieve a balance between ground water pumpage and natural recharge in designated critical ground water areas and ground water study areas.

(e) Protect municipal ground water supplies.

(f) Prevent new appropriations from causing ground water/surface water interference.

(2) Surface Water: appropriation and use of surface water in the Columbia-Umatilla Plateau subbasin shall comply with the following provisions:



(a) Umatilla River and tributaries are withdrawn from further appropriation of unappropriated waters during the period June 1 through October 31 each year. The withdrawal does not apply to domestic, livestock, fish and wildlife uses or water released from storage. This action was taken by the Commission on December 2, 1985.

(b) Classification: permits to use surface water may be issued only for the following classified uses:

(A) Subject to the provisions of OAR 690-507-050 (2)(c)(B) and (C), the surface waters of the Umatilla River main stem are classified for domestic, livestock, irrigation of noncommercial lawn and garden not to exceed 1/2 acre, frost control, municipal, industrial, mining, fish life, wildlife, recreation, pollution abatement, artificial ground water recharge and public instream uses during the period November 1 through May 31 each year. This classification rescinds the Commission's order of December 2, 1985, withdrawing the Umatilla River and tributaries from further appropriation from November 1 through May 31 each year until December 31, 1988.

(B) The surface waters of Umatilla River tributaries are classified for domestic, livestock, irrigation, frost control, power development (subject to the limitations of OAR Chapter 690, Division 51), mining, pollution abatement and artificial ground water recharge during the period November 1 through May 31 each year; and

(C) The surface waters of all other streams are classified for domestic, livestock, irrigation, frost control, power development (subject to limitations of OAR Chapter 690, Division 51), mining and artificial ground water recharge.

(c) Storage: surface waters, legally stored during the period November 1 through May 31, and legally released, may be used for any beneficial purpose.

(d) Artificial ground water recharge: use of surface water for ground water recharge shall be subject to the following conditions:

(A) Recharged water used under a secondary permit for irrigation may only provide supplemental water to lands with existing irrigation rights or permits on June 24, 1988;

(B) Diversion of surface water for recharge for irrigation under a secondary permit shall not exceed 2.25 acre feet per acre to be irrigated; and

(C) If the recharged water is to be used for municipal or industrial purposes under a secondary permit, the applicant shall demonstrate to the satisfaction of the Commission that it has an active water conservation program.

(e) Minimum Perennial Streamflows: to support aquatic life in accordance with Section 3, Chapter 796, Oregon Laws 1983, no appropriation of water shall be made or granted by any state agency or public corporation of the state for waters of the Umatilla River and tributaries when flows are below the levels specified in Table 1. This limitation shall not apply to domestic and livestock use or to waters legally stored or released from storage.

(3) Ground Water: appropriation and use of ground water in the Columbia-Umatilla Plateau subbasin shall comply with the following provisions:

TOWNSHIP **2 S.** RANGE **33 E.** W. M. North half SECTION **18**

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR				LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES														
				40	40	40	40	316°	320°	40	40	40	40	40	40			

NO CONFLICT  
NO CONFLICT

5°

17  
28  
22

Part cancelled

Decree, Vol. 3 Page 127 2528  
 T-6254 69233  
 Decree, Vol. 3 Page 127 2569  
 16903 12663 15572  
 61611 45865  
 G-11873 G-10861  
 T-6254 (c-2569)  
 G-12832

Unable to  
 locate  
 825 mg  
 270/2

applicant's  
 permit

(SEE BACK OF CARD FOR PLAT OF SECTION)

2533E

Lot 5 316°	Lot 4 40	Lot 3 40	Lot 2 40	Lot 1 40		
Lot 6 320°	Lot 7 40	Lot 8 40	Lot 9 40	Lot 10 40		
Lot 15 324°	Lot 14 40	Lot 13 40	Lot 12 40	Lot 11 40		18
Lot 16 328°	Lot 17 40	Lot 18 40	Lot 19 40	Lot 20 40		

TOWNSHIP 25 RANGE 33E W. M.

SECTION 17

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
6	3			4	4											Decree Vol 3	Page 127	2528
11 <sup>0</sup>	3 <sup>0</sup>			4 <sup>0</sup>	4 <sup>0</sup>											G-11873	G-10861	2
	3 <sup>6</sup>			4 <sup>2</sup>												G-12632		

Tom Gibson  
 applicant's permit



WATER AVAILABILITY TABLE

Basin: UMATILLA Exceedance Level: 50  
 Water Availability Subbasin: 0202120000000000 (and Nested Subbasins)  
 Time: 16:08 Date: 08/15/1995

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	020000000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
2	020200000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
3	020210000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
4	020212000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES

STREAM NAMES

Basin: UMATILLA  
 Water Availability Subbasin: 0202120000000000 (and Nested Subbasins)  
 Time: 16:08 Date: 08/15/1995

WAB #	Stream Name	Tributary to
020000000000000000	UMATILLA R	COLUMBIA R
020200000000000000	UMATILLA R	COLUMBIA R
020210000000000000	BIRCH CR	UMATILLA R
020212000000000000	E BIRCH CR	BIRCH CR

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0202120000000000  
 Basin: UMATILLA  
 Exceedance Level: 50  
 Time: 16:08 Date: 08/15/1995

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	020212000000000000	E BIRCH CR	YES	0.1
2	020212000000000000	E BIRCH CR	YES	15.3
3	020212000000000000	E BIRCH CR	YES	11.0
4	020212000000000000	E BIRCH CR	YES	30.8
5	020212000000000000	E BIRCH CR	YES	8.8
6	020000000000000000	UMATILLA R	NO	-497.0
7	020000000000000000	UMATILLA R	NO	-593.0
8	020000000000000000	UMATILLA R	NO	-535.0
9	020000000000000000	UMATILLA R	NO	-534.0
10	020000000000000000	UMATILLA R	NO	-395.0
11	020000000000000000	UMATILLA R	NO	-259.0
12	020000000000000000	UMATILLA R	NO	-18.0
Stor	020212000000000000	E BIRCH CR	YES	3950.0

NO WATER June 1 - Dec 31  
 due to reg flows → June 1 - Oct 31  
 due to ISWR (no exceptions for irrig.) → Nov 1 - Dec 31

DETAILED REPORT ON WATER AVAILABILITY

Basin: UMATILLA  
 Stream: UMATILLA R > COLUMBIA R  
 Water Availability Subbasin: 0200000000000000  
 Exceedance Level: 50  
 Time: 16:08 Date: 08/15/1995

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	667.00	317.00	350.00	0.12	349.90	250.00	99.90
2	1150.00	366.00	784.00	0.30	784.00	250.00	534.00
3	1320.00	428.00	892.00	1.53	890.00	250.00	640.00
4	1610.00	625.00	985.00	6.69	978.00	250.00	728.00
5	1050.00	669.00	381.00	8.33	373.00	250.00	123.00
6	341.00	578.00	-237.00	10.30	-247.00	250.00	-497.00
7	169.00	628.00	-459.00	14.30	-473.00	120.00	-593.00
8	116.00	554.00	-438.00	11.60	-450.00	85.00	-535.00
9	111.00	388.00	-277.00	7.11	-284.00	250.00	-534.00
10	110.00	202.00	-92.40	3.01	-95.00	300.00	-395.00
11	186.00	145.00	40.60	0.00	41.00	300.00	-259.00
12	533.00	301.00	232.00	0.00	232.00	250.00	-18.00
Stor	441000	312000	219000	3790	218000	168000	127000

DETAILED REPORT OF ISWRs

Basin: UMATILLA  
 Stream: UMATILLA R > COLUMBIA R  
 Water Availability Subbasin: 0200000000000000  
 Time: 16:08 Date: 08/15/1995

APP # :	ISWRs	0	0	0	0	RESULTANT
STATUS:	221A Cert. 59837					
1	250.0	0.0	0.0	0.0	0.0	250.0 C
2	250.0	0.0	0.0	0.0	0.0	250.0 C
3	250.0	0.0	0.0	0.0	0.0	250.0 C
4	250.0	0.0	0.0	0.0	0.0	250.0 C
5	250.0	0.0	0.0	0.0	0.0	250.0 C
6	250.0	0.0	0.0	0.0	0.0	250.0 C
7	120.0	0.0	0.0	0.0	0.0	120.0 C
8	85.0	0.0	0.0	0.0	0.0	85.0 C
9	250.0	0.0	0.0	0.0	0.0	250.0 C
10	300.0	0.0	0.0	0.0	0.0	300.0 C
11	300.0	0.0	0.0	0.0	0.0	300.0 C
12	250.0	0.0	0.0	0.0	0.0	250.0 C

Cert #59837

This ISWR shall not have priority over domestic or livestock uses or waters to be legally stored or legally released from storage.

DETAILED REPORT ON WATER AVAILABILITY

Basin: UMATILLA  
 Stream: UMATILLA R > COLUMBIA R  
 Water Availability Subbasin: 0202000000000000  
 Exceedance Level: 50  
 Time: 16:08 Date: 08/15/1995

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	605.00	202.00	403.00	0.10	403.00	0.00	403.00
2	1020.00	200.00	820.00	0.20	820.00	0.00	820.00
3	1150.00	184.00	966.00	1.43	965.00	0.00	965.00
4	1450.00	150.00	1300.00	6.57	1290.00	0.00	1290.00
5	958.00	84.00	874.00	8.31	866.00	0.00	866.00
6	300.00	78.00	222.00	10.30	212.00	0.00	212.00
7	145.00	110.00	35.20	14.30	20.90	0.00	20.90
8	99.60	88.40	11.20	11.60	-0.42	0.00	-0.42
9	99.80	59.40	40.40	7.11	33.30	0.00	33.30
10	98.80	33.20	65.60	3.01	62.60	0.00	62.60
11	169.00	49.00	120.00	0.00	120.00	0.00	120.00
12	498.00	151.00	347.00	0.00	347.00	0.00	347.00
Stor	395000	83200	312000	3770	308000	0	308000

DETAILED REPORT OF ISWRs

Basin: UMATILLA  
 Stream: UMATILLA R > COLUMBIA R  
 Water Availability Subbasin: 0202000000000000  
 Time: 16:08 Date: 08/15/1995

APP # :	0	0	0	0	0	0	RESULTANT
1	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
2	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
3	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
4	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
5	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
6	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
8	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
9	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
11	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C
12	0.0	0.0	0.0	0.0	0.0	0.0	0.0 C



DETAILED REPORT ON WATER AVAILABILITY

Basin: UMATILLA  
 Stream: BIRCH CR > UMATILLA R  
 Water Availability Subbasin: 0202100000000000  
 Exceedance Level: 50  
 Time: 16:08 Date: 08/15/1995

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	57.80	0.80	57.00	0.00	57.00	20.00	37.00
2	80.20	1.10	79.10	0.00	79.10	30.00	49.10
3	111.00	3.00	108.00	0.01	108.00	30.00	78.00
4	156.00	15.00	141.00	0.05	141.00	30.00	111.00
5	95.50	21.50	74.00	0.08	73.90	30.00	43.90
6	39.30	26.70	12.60	0.10	12.50	20.00	-7.50
7	31.90	36.80	-4.93	0.14	-5.10	12.00	-17.10
8	25.70	30.00	-4.30	0.11	-4.40	8.00	-12.40
9	15.80	18.40	-2.57	0.07	-2.60	8.00	-10.60
10	9.20	7.92	1.28	0.03	1.25	8.00	-6.75
11	15.00	0.30	14.70	0.00	14.70	8.00	6.70
12	44.50	0.60	43.90	0.00	43.90	20.00	23.90
Stor	40800	9710	31800	35	31800	13400	20900

DETAILED REPORT OF ISWRs

Basin: UMATILLA  
 Stream: BIRCH CR > UMATILLA R  
 Water Availability Subbasin: 0202100000000000  
 Time: 16:08 Date: 08/15/1995

APP # :	220A	0	0	0	0	RESULTANT
STATUS:	Cert. 59836					
1	20.0	0.0	0.0	0.0	0.0	20.0 C
2	30.0	0.0	0.0	0.0	0.0	30.0 C
3	30.0	0.0	0.0	0.0	0.0	30.0 C
4	30.0	0.0	0.0	0.0	0.0	30.0 C
5	30.0	0.0	0.0	0.0	0.0	30.0 C
6	20.0	0.0	0.0	0.0	0.0	20.0 C
7	12.0	0.0	0.0	0.0	0.0	12.0 C
8	8.0	0.0	0.0	0.0	0.0	8.0 C
9	8.0	0.0	0.0	0.0	0.0	8.0 C
10	8.0	0.0	0.0	0.0	0.0	8.0 C
11	8.0	0.0	0.0	0.0	0.0	8.0 C
12	20.0	0.0	0.0	0.0	0.0	20.0 C

Cert # 59836

This ISWR shall not have priority over domestic or livestock uses or waters to be legally stored or legally released from storage.

DETAILED REPORT ON WATER AVAILABILITY

Basin: UMATILLA  
 Stream: E BIRCH CR > BIRCH CR  
 Water Availability Subbasin: 0202120000000000  
 Exceedance Level: 50  
 Time: 16:08

Date: 08/15/1995

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	28.30	0.00	28.30	0.00	28.30	28.20	0.10
2	53.30	0.00	53.30	0.00	53.30	38.00	15.30
3	49.40	0.40	49.00	0.00	49.00	38.00	11.00
4	71.50	2.70	68.80	0.00	68.80	38.00	30.80
5	51.00	4.20	46.80	0.00	46.80	38.00	8.80
6	16.50	5.40	11.10	0.00	11.10	16.50	-5.40
7	9.84	7.45	2.39	0.00	2.39	9.84	-7.45
8	6.55	6.05	0.50	0.00	0.50	6.55	-6.05
9	5.63	3.70	1.93	0.00	1.93	5.63	-3.70
10	6.53	1.58	4.95	0.00	4.95	6.53	-1.58
11	10.70	0.00	10.70	0.00	10.70	10.70	0.00
12	23.80	0.00	23.80	0.00	23.80	23.00	0.80
Stor	19900	1890	18100	0	18100	15500	4000

DETAILED REPORT OF ISWRs

Basin: UMATILLA  
 Stream: E BIRCH CR > BIRCH CR  
 Water Availability Subbasin: 0202120000000000  
 Time: 16:08

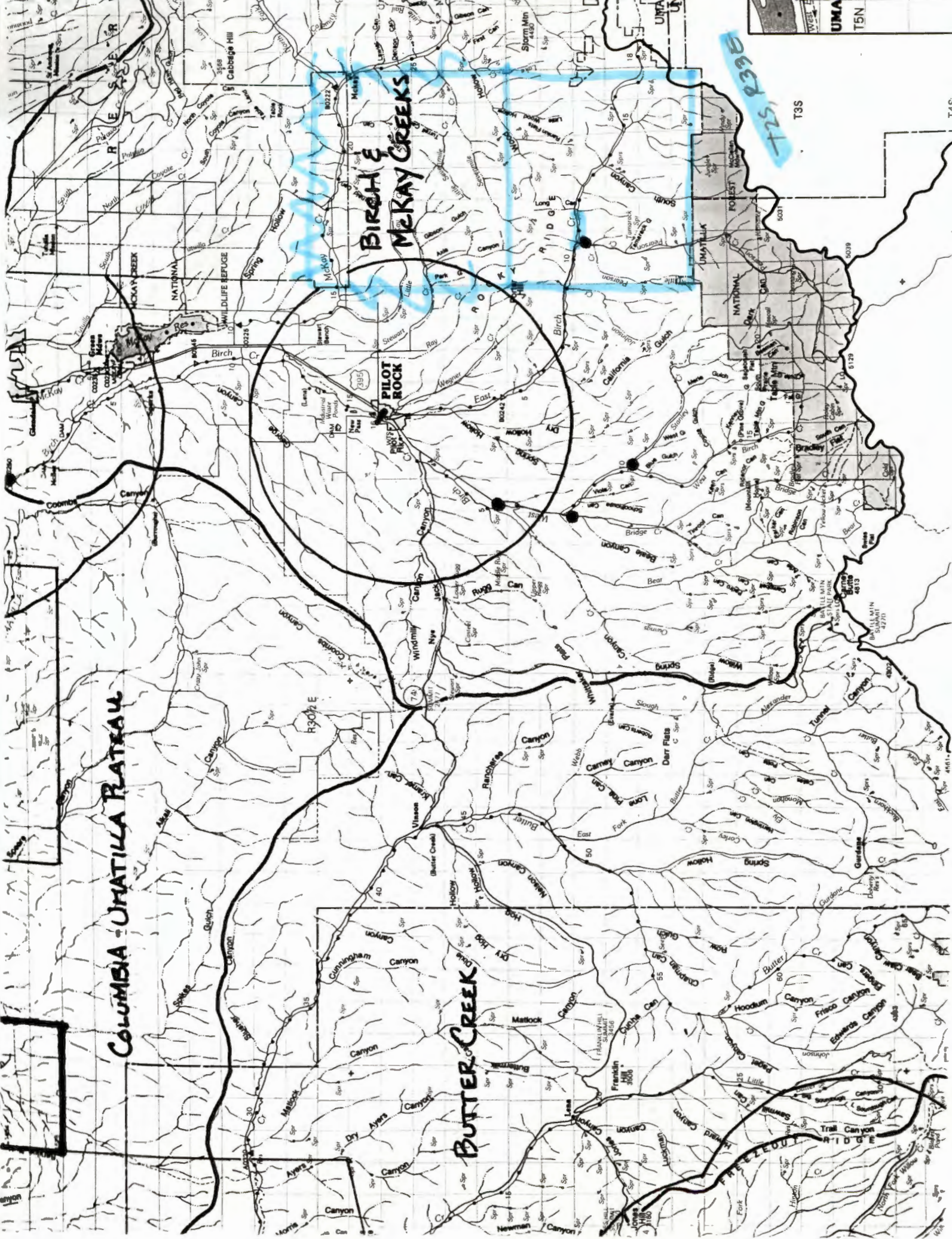
Date: 08/15/1995

APP # :	70681A	0	0	0	0	0	RESULTANT
STATUS:	App.						
1	28.2	0.0	0.0	0.0	0.0	0.0	28.2 A
2	38.0	0.0	0.0	0.0	0.0	0.0	38.0 A
3	38.0	0.0	0.0	0.0	0.0	0.0	38.0 A
4	38.0	0.0	0.0	0.0	0.0	0.0	38.0 A
5	38.0	0.0	0.0	0.0	0.0	0.0	38.0 A
6	16.5	0.0	0.0	0.0	0.0	0.0	16.5 A
7	9.8	0.0	0.0	0.0	0.0	0.0	9.8 A
8	6.6	0.0	0.0	0.0	0.0	0.0	6.6 A
9	5.6	0.0	0.0	0.0	0.0	0.0	5.6 A
10	6.5	0.0	0.0	0.0	0.0	0.0	6.5 A
11	10.7	0.0	0.0	0.0	0.0	0.0	10.7 A
12	23.0	0.0	0.0	0.0	0.0	0.0	23.0 A

App# 70681

This ISWR shall not apply to permits for human consumption or livestock use.





COLUMBIA-UMATILLA RIVER

BIRCH & MCKAY CREEKS

PILOT ROCK

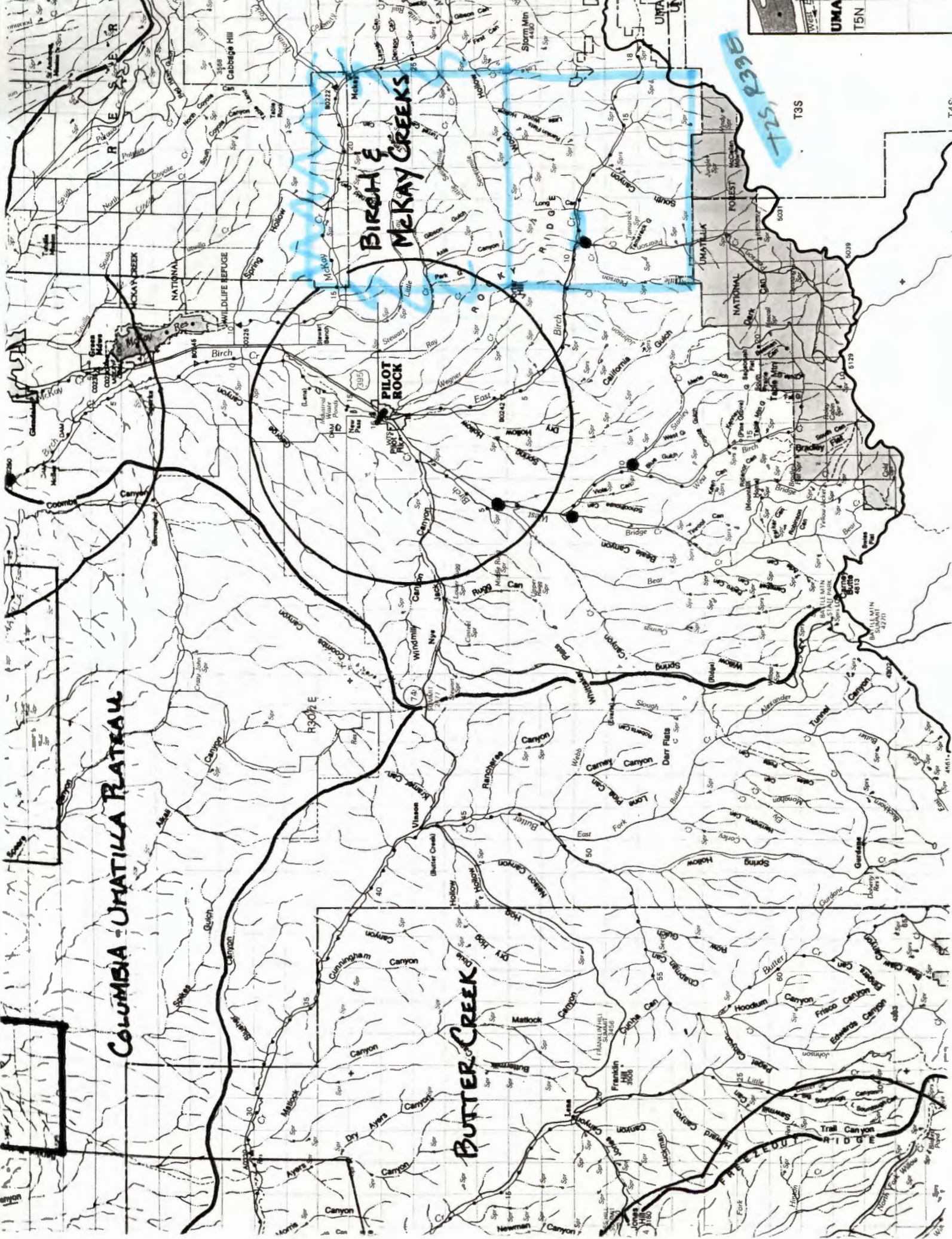
BUTTER CREEK

T2S, R29E

T3S

UMATILLA T5N

T4S



UMATILLA

UMATILLA

UMATILLA

UMATILLA

UMATILLA

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STATE OF OREGON INTEROFFICE MEMO  
WATER RESOURCES DEPARTMENT

DATE : September 27, 1995

TO: G-12832

FROM: Sarah Gates

SUBJECT: Objection

Objection relative to the substantial interference with surface water should be accepted based on new supporting data (well log). Well is developing water from an confined aquifer and with not substantially interfere with stream. Please send ALL correspondence to Joe Tolar by his request. Thanks.

ATTN: ONLY Send letters to → Joe Tolak

\* Revised Groundwater Review \*

TO: Water Rights Section 9/27, 1995

FROM: Groundwater/Hydrology Section Gates  
Reviewer's Name

SUBJECT: Application G- 12832

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE \_\_\_\_\_ Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source (\_\_\_\_\_) and taps a groundwater source hydraulically connected to the surface water.  
N/A

- 2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a. \_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest
  - b.  will not surface water source, namely East Birch Creek; or
  - c. \_\_\_ will if properly conditioned, adequately protect the surface water from interference:
    - i. \_\_\_ The permit should contain condition #(s) \_\_\_\_\_;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
  - d. \_\_\_ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

- 3. BASED UPON available data, I have determined that groundwater for the proposed use
  - a. \_\_\_ will, or \_\_\_\_\_ likely be available in the amounts requested without injury to prior rights
  - b. \_\_\_ will not and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i. \_\_\_ The permit should contain condition #(s) 7B;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or

- 4.
  - a. \_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b. \_\_\_ The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c. \_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d. \_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e. \_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Review changed based on additional information supplied (well log)

(Well Construction Considerations on Reverse Side)



Attns ONLY Send letters to → Joe Tolan

\* Revised Groundwater Review \*

TO: Water Rights Section 9/27, 1995

FROM: Groundwater/Hydrology Section Gates  
Reviewer's Name

SUBJECT: Application G- 12832

**GROUNDWATER/SURFACE WATER CONSIDERATIONS**

1. PER THE \_\_\_\_\_ Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source (\_\_\_\_\_) and taps a groundwater source hydraulically connected to the surface water.  
N/A

- 2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a. \_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest
  - b.  will not \_\_\_\_\_ surface water source, namely East Birch Creek; or
  - c. \_\_\_ will if properly conditioned, adequately protect the surface water from interference:
    - i. \_\_\_ The permit should contain condition #(s) \_\_\_\_\_;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
  - d. \_\_\_ will, with well reconstruction, adequately protect the surface from substantial interference.

**GROUNDWATER AVAILABILITY CONSIDERATIONS**

- 3. BASED UPON available data, I have determined that groundwater for the proposed use
  - a. \_\_\_ will, or \_\_\_\_\_ likely be available in the amounts requested without injury to prior rights
  - b. \_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i. \_\_\_ The permit should contain condition #(s) 7B;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
- 4.
  - a. \_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b. \_\_\_ The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c. \_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d. \_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e. \_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Review changed based on additional information supplied (well log)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Well Construction Considerations on Reverse Side)

Groundwater/Hydrology Section Gates  
Reviewer's Name

Application G- 12832

**GROUNDWATER/SURFACE WATER CONSIDERATIONS**

THE \_\_\_\_\_ Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source (\_\_\_\_\_) and taps a groundwater source hydraulically connected to the surface water.

BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use \_\_\_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest \_\_\_\_\_ will not \_\_\_\_\_ surface water source, namely East Birch Creek; or \_\_\_\_\_ will if properly conditioned, adequately protect the surface water from interference:

- i. \_\_\_\_\_ The permit should contain condition #(s) \_\_\_\_\_;
- ii. \_\_\_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
- iii. \_\_\_\_\_ The permit should be conditioned as indicated in item 4 below; or \_\_\_\_\_ will, with well reconstruction, adequately protect the surface from substantial interference.

**GROUNDWATER AVAILABILITY CONSIDERATIONS**

BASED UPON available data, I have determined that groundwater for the proposed use \_\_\_\_\_ will, or \_\_\_\_\_ likely be available in the amounts requested without injury to prior rights \_\_\_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or \_\_\_\_\_ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:

- i. \_\_\_\_\_ The permit should contain condition #(s) TB;
- ii. \_\_\_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
- iii. \_\_\_\_\_ The permit should be conditioned as indicated in item 4 below; or

THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;  
The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;  
The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;  
Well reconstruction is necessary to accomplish one or more of the above conditions;  
One or more POA's commingle 2 or more sources of water. The applicant must select a source of water per POA and specify the proportion of water to be produced from each source.

*Revised GW Review*

REMARKS: Review changed based on additional information supplied (well log)

(Well Construction Considerations on Reverse Side)



WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. \_\_\_ review of the well log;
  - b. \_\_\_ field inspection by \_\_\_\_\_;
  - c. \_\_\_ report of CWRE \_\_\_\_\_;
  - d. \_\_\_ other: (specify) \_\_\_\_\_
6. THE WELL construction deficiency:
- a. \_\_\_ constitutes a health threat under Division 200 rules;
  - b. \_\_\_ commingles water from more than one groundwater reservoir;
  - c. \_\_\_ permits the loss of artesian head;
  - d. \_\_\_ permits the de-watering of one or more groundwater reservoirs;
  - e. \_\_\_ other: (specify) \_\_\_\_\_
7. THE WELL construction deficiency is described as follows: \_\_\_\_\_
8. THE WELL a. \_\_\_ was, or constructed according to the standards in effect at the time of  
b. \_\_\_ was not original construction or most recent modification.  
c. \_\_\_ I don't know if it met standards at the time of construction.

---

**RECOMMENDATION:**

- A. \_\_\_ I recommend including the following condition in the permit:  
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. \_\_\_ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. \_\_\_ REFER this review to Enforcement Section for concurrence.

---

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

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit  
\_\_\_\_\_, 199\_\_.  
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, 199\_\_.  
(Signature)



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

UMATILLA  
 5531

25133E/18 a

(START CARD) # 23057

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

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  
 Other \_\_\_\_\_

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

(5) BORE HOLE CONSTRUCTION:  
 Special Construction approval Yes  No  Depth of Completed Well 230 ft.  
 Explosives used  Yes  No  Type \_\_\_\_\_ Amount \_\_\_\_\_

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

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

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

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Steel		Plastic		Welded		Threaded	
					✓				✓			
Casing:	8"	71	193	.250								
Liner:												

Final location of sheets: 193

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

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

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing  Artesian  
 Yield gal/min 300+ Drawdown \_\_\_\_\_ Drill stem at 230 Time 1 hr.

Temperature of water 61° Depth Artesian Flow Found \_\_\_\_\_  
 Was a water analysis done?  Yes By whom \_\_\_\_\_  
 Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
 Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
 County Umatilla Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 25 N or S, Range 33E E or W, WM.  
 Section 18 NE 1/4 NE 1/4  
 Tax Lot 1600 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) East Birch Creek  
Pilot Rock, OR 97868

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

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

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

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

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

RECEIVED  
 JUN 3 1991  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

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

(unbonded) Water Well Constructor Certification:  
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
 Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
 Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
 Signed Patrick Wallace WWC Number 1218  
 Date 5-29-91



# OREGON WATER RESOURCES DEPARTMENT



Commerce Building  
158 12th Street NE  
Salem OR 97310-0210

To Joe Tolar Date: 9/22/95 Page 1 of 4  
Louisiana-Pacific Corp

Fax # (208) 772-4966

From Kerry Lefever

Comments:  
Please find Initial Review Determinations  
for Application No. G-12832

Please call if you have any questions.

Kerry

## Fax. 503-378-2496

Dam Safety	Director's Office	GIS / Mapping
Groundwater	Hanford Studies	Hearings
Hydrographics	Information (Computer) Services	Legislative & Rules Coord.
Public Information	Strat. Planning & Policy Coord.	Water Resources Comm. Liaison

## Fax. 503-378-8130

Accounting / Fiscal	CWRE Coordination	Columbia / Snake Issues
Conservation	District 16 Watermaster	Enforcement
GWEB Liaison	Land Use Coordination	Northwest Region
Office Services	Personnel	Planning
Resource Management	Water Development Loan Fund	Water Use Reporting
Well Construction	Well Driller Licensing	

## Fax. 503-378-6203

Adjudications	Final Proof Surveys	Hydroelectric Permits
Transfers	Water Rights	

August 25, 1995

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

Reference: File G-12832

Dear Applicant:

This letter is to inform you of the unfavorable analysis of your proposed use of water and to describe some of your options. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. A groundwater review has determined that the well is in hydraulic connection with surface water.
4. The use of 105.5 GALLONS PER MINUTE (gpm), or 0.235 cubic feet per second (cfs), for IRRIGATION OF 18.8 ACRES is **not available** June 1 through December 31.
5. The irrigation season is limited to March 1 through October 31.
6. The use of water for IRRIGATION OF 18.8 ACRES is **not allowed** under OAR 507, the Umatilla Basin Program.



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



**Summary of Allowable Water Use**

*JUNE 1*  
*Like Front Page*  
The use of 0.235 cfs for IRRIGATION of 18.8 acres is not allowed January 1 through December 31 each year.

It is not likely that you will be issued a permit due to #4, #5, and #6 above. At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **September 8, 1995**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

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

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

1. You may be required to measure the amount of water used and report that use annually.
2. You will be required to comply with state and federal water quality standards.

LOUISIANA-PACIFIC CORPORATION

August 25, 1995

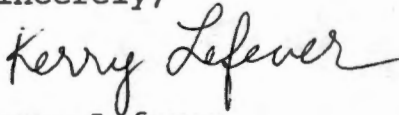
File G-12832

Page 3

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 455 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Kerry Lefever  
Initial Review

cc: Regional Manager, Watermaster, Water Availability  
Section

enclosures: Flow Chart of Water Right Process  
Stop Processing Form



August 25, 1995

LOUISIANA-PACIFIC CORPORATION  
PO BOX 4000 98  
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Revised GW Review  
by Sarah Gates

→ gw is NOT

hydraulically  
connected.

See: Memo dated  
9/27/95



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

August 25, 1995

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

Reference: File G-12832

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---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



### Summary of Allowable Water Use

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LOUISIANA-PACIFIC CORPORATION

August 25, 1995

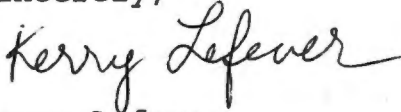
File G-12832

Page 3

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Sincerely,



Kerry Lefever  
Initial Review

cc: Regional Manager, Watermaster, Water Availability  
Section

enclosures: Flow Chart of Water Right Process  
Stop Processing Form



July 13, 1995

---

WATER  
RESOURCES  
DEPARTMENT

---

Joe Tolar  
Louisiana-Pacific Corporation  
PO Box 4000-98  
Hayden Lake, ID 83835

RE: Application # G-12832

Dear Mr Tolar,

The Water Resources Department is currently reviewing your application for water use. Preliminary review indicates the following items were not included with your application:

- ▶ Sign and return the enclosed oath.

In order to expedite the processing of your application, we request that you submit these items by July 28, 1995. We have enclosed a stamped envelope for your use.

Should you have any questions regarding your application or the required materials listed above, please call me personally at 1-800-624-3199 extension 261.

Sincerely,



Gerry Clark  
Completeness Team

enclosure

cc: general correspondence



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

TO: Water Rights Section

7/27, 1992

FROM: Groundwater/Hydrology Section

Reviewer's Name Meyer

SUBJECT: Application G- 12832

1. PER THE \_\_\_\_\_ Basin rules, one or more of the proposed POA's <sup>is</sup>/is not within \_\_\_\_\_ feet/mile of a surface water source (\_\_\_\_\_) and taps a groundwater source hydraulically connected to the surface water.
  
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a.  will, or } have the potential for substantial interference with the nearest surface water
  - b.  will not } source, namely East Birch Creek; or
  - c.  will, if properly conditioned, adequately protect the surface water from interference:
    - i.  The permit should contain condition #(s) \_\_\_\_\_;
    - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii.  The permit should be conditioned as indicated in item 4 below; or
  - d.  will, with well reconstruction, adequately protect the surface water from substantial interference.
  
3. BASED UPON available data, I have determined that groundwater for the proposed use
  - a.  will, or } likely be available in the amounts requested without injury to prior rights and/or
  - b.  will not } within the capacity of the resource; or
  - c.  can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
    - i.  The permit should contain condition #(s) \_\_\_\_\_;
    - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii.  The permit should be conditioned as indicated in item 4 below.
  
4.
  - a.  THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b.  The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c.  The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d.  Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e.  One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: \_\_\_\_\_

SUPERSEDED



WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. **THE WELL** which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. \_\_\_ review of the well log;
  - b. \_\_\_ field inspection by \_\_\_\_\_;
  - c. \_\_\_ report of CWRE \_\_\_\_\_;
  - d. \_\_\_ other: (specify) \_\_\_\_\_
6. **THE WELL** construction deficiency:
- a. \_\_\_ constitutes a health threat under Division 200 rules;
  - b. \_\_\_ commingles water from more than one groundwater reservoir;
  - c. \_\_\_ permits the loss of artesian head;
  - d. \_\_\_ permits the de-watering of one or more groundwater reservoirs;
  - e. \_\_\_ other: (specify) \_\_\_\_\_
7. **THE WELL** construction deficiency is described as follows: \_\_\_\_\_
8. **THE WELL**
- a. \_\_\_ was, or
  - b. \_\_\_ was not
  - c. \_\_\_ I don't know if it met standards at the time of construction.
- constructed according to the standards in effect at the time of original construction or most recent modification.

RECOMMENDATION:

- A. \_\_\_ I recommend including the following condition in the permit:  
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. \_\_\_ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. \_\_\_ REFER this review to Enforcement Section for concurrence.

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

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

\_\_\_\_\_, 1992.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: \_\_\_\_\_

\_\_\_\_\_, 1992.

(Signature)

(WRFORM 3/92)

TOWNSHIP 25 RANGE 33E W.M. SECTION 17											
NE			NW			SE			SW		
NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE
6	3	1/2	4	4	4	4	4	4	4	4	4
1/2	3/2	4	4	4	4	4	4	4	4	4	4
DECREE, Vol. 3 Page 127			DECREE, Vol. 3 Page 127			DECREE, Vol. 3 Page 127			DECREE, Vol. 3 Page 127		
G-11873 G-10861			G-11873 G-10861			G-11873 G-10861			G-11873 G-10861		
2528			2528			2528			2528		

NCR  
NCR  
NCR

TOWNSHIP 2 S. RANGE 33 E. W. M. North half SECTION 18											
NE			NW			SW			SE		
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT
1	2	3	4	5	6	7	8	9	10	11	12
40	40	40	40	36	32	40	40	40	40	40	40
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN OR GOVERNMENT PLAT IF OTHER THAN 40 ACRES											
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>5</p> <p>17</p> <p>28</p> <p>5</p> <p>8</p> </div> <div style="width: 40%;"> <p>Part cancelled</p> </div> <div style="width: 20%;"> <p>DECREE, Vol. 3 Page 127 7-6254</p> <p>DECREE, Vol. 3 Page 127 2569</p> <p>16903 12663 15572</p> <p>61611 45865</p> <p>G-11873 G-10861</p> <p>T-6254 (C-2569)</p> <p>E-12832</p> </div> </div>											
APPLICATION NUMBER			PERMIT NUMBER			CERTIFICATE NUMBER					

NCR

2 NCR



WATER AVAILABILITY TABLE

Basin: Umatilla

Water Availability Subbasin: 0202120000000000 (and Nested Subbasins)

Exceedance Level: 50

Time: 16:05

Date: 10/17/1994

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0200000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
2	0202000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
3	0202100000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES
4	0202120000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES

70681

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0202120000000000

Basin: Umatilla

Exceedance Level: 50

Time: 16:05

Date: 10/17/1994

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	0202120000000000	E BIRCH CR	YES	28.3
2	0202100000000000	BIRCH CR	YES	49.1
3	0202120000000000	E BIRCH CR	YES	49.0
4	0202120000000000	E BIRCH CR	YES	68.8
5	0202100000000000	BIRCH CR	YES	44.0
6	0200000000000000	UMATILLA R	NO	-487.0
7	0200000000000000	UMATILLA R	NO	-579.0
8	0200000000000000	UMATILLA R	NO	-523.0
9	0200000000000000	UMATILLA R	NO	-527.0
10	0200000000000000	UMATILLA R	NO	-392.0
11	0200000000000000	UMATILLA R	NO	-259.0
12	0200000000000000	UMATILLA R	NO	-18.0
Stor	0202120000000000	E BIRCH CR	YES	14300.0



DETAILED REPORT ON WATER AVAILABILITY

Basin: Umatilla

Stream: E BIRCH CR

> BIRCH CR

Water Availability Subbasin: 0202120000000000

Exceedance Level: 50

Time: 16:05

Date: 10/17/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	28.30	0.00	28.30	0.00	28.30	0.00	28.30
2	53.30	0.00	53.30	0.00	53.30	0.00	53.30
3	49.40	0.40	49.00	0.00	49.00	0.00	49.00
4	71.50	2.70	68.80	0.00	68.80	0.00	68.80
5	51.00	4.20	46.80	0.00	46.80	0.00	46.80
6	16.50	5.40	11.10	0.00	11.10	0.00	11.10
7	9.84	7.45	2.39	0.00	2.39	0.00	2.39
8	6.55	6.05	0.50	0.00	0.50	0.00	0.50
9	5.63	3.70	1.93	0.00	1.93	0.00	1.93
10	6.53	1.58	4.95	0.00	4.95	0.00	4.95
11	10.70	0.00	10.70	0.00	10.70	0.00	10.70
12	23.80	0.00	23.80	0.00	23.80	0.00	23.80
Stor	19900	1890	18100	0	18100	0	18100

## COMPLETENESS DETERMINATION CHECKLIST

Complete  
7-27-95  
MC

Application #	Review Date	Reviewer Initials
G-12832	7/13/95	GC

A checkmark (✓) indicates that the item is incomplete or defective.

- 1. Examination fees.
- 2. Name and address of the applicant, and title if applicable.
- 3. Source of water.
- 4. Use of water.
- 5. Amount of water.
- 6. Location & description of delivery system.
- 7. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
- 8. A statement declaring the existence of written authorization or easement permitting access to lands involved, but not owned by the applicant.
- 9. Proposed dates of beginning and completion of construction, and complete application of water.
- 10. If for **municipal use**, the present population to be served and expected future water requirements.
- 11. If for **mining use**, the type of mines and methods of supplying & utilizing the water.
- 12. If for a **reservoir**:
  - The height of the dam and the storage capacity.
  - The area submerged and the maximum depth.
  - The construction method (earthfill, concrete, flashboard, etc.).
  - A description of the outlet conduit and spillway.
- 13. If for **groundwater**, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
- 14. If the application was made under **HB 2107**:
  - Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
  - A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
  - The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
- 15. An oath that the application information is true and correct.
- 16. The signature of the applicant(s).
- 17. A satisfactory map of the proposed POD & POU.
- 18. A Land Use Information Form or receipt signed by appropriate planning official.

**TECHNICAL REVIEW CHECKLIST**

9/26/94

1. Application: G 12832
2. Review Date: 10 17 94 D Miller

S indicates information was completed or adequately addressed.  
 U indicates information is needed, or incomplete, or inadequately addressed  
 N/A indicates Not Applicable

SUMMARY	
<u>S</u>	Land Use
<u>NA/yes/no</u>	Substantial SW interference w/GW (if yes, see results of surface water availability analysis)
<u>U</u>	Conflicts
_____	Water Availability ( _____ ) <small>(Water Availability Sub-basin#)</small>
_____	The application, map and supporting data are complete and free of defects.
<u>yes/NA</u>	A TMDL letter has been received for this source or tributary. If yes, the period of use has been adjusted.

3. \_\_\_\_\_ The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge. An oath is required before a permit is issued regardless of the application's priority date.
5. \_\_\_\_\_ Application fees:
- |  |          |
|--|----------|
| Examination fee:                       | \$ _____ |
| Recording fee:                         | \$ _____ |
| TOTAL REQUIRED                         | \$ _____ |
| TOTAL SUBMITTED                        | \$ _____ |
| AMOUNT DUE prior to issuance of permit | \$ _____ |
| AMOUNT OVERPAID                        | _____    |
| refund due applicant                   | \$ _____ |
6. \_\_\_\_\_ Proposed dates of beginning and completion of construction, and complete application of water.
7. \_\_\_\_\_ A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.)



8. \_\_\_\_\_ A written copy of the legal description of the property on which the water is to be used.
9. \_\_\_\_\_ A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
10. \_\_\_\_\_ No statement of ownership was required for applications filed before August, 1990.
11. \_\_\_\_\_ The proposed use is not restricted or prohibited by statute.
12. \_\_\_\_\_ The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. \_\_\_\_\_ \_\_\_\_\_ use(s) is/are classified uses(s) under the \_\_\_\_\_ Basin Program, OAR 690 - \_\_\_\_\_.

**Land Use Compatibility:**

14. As expressed by the Planning Department of \_\_\_\_\_
15. 3 \_\_\_\_\_ The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 3.011).
16. / \_\_\_\_\_ The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
17. / \_\_\_\_\_ The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

**For reservoir applications:**

18. / \_\_\_\_\_ Plans, specifications and supporting information for the dam and impoundment area must be approved by dam safety before a technical review is issued. Plans and specifications are not required for dams less than 10 feet in height and store less than 9.2 acre-feet. (OAR 690, Div 20)

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That THOS. S. GIBSON

of Pilot Rock State of Oregon 97868 has a right to the use of the waters of East Birch Creek, a tributary of the Umatilla River,

for the purpose of the irrigation of 22 acres of land, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 3, at page 127 ; that the priority of the right hereby confirmed dates from 1875

that the amount of water to which such right is entitled and hereby confirmed for the purpose aforesaid, is limited to an amount actually beneficially used for said purpose, and shall not exceed 0.27 cubic feet per second, subject to the provisions of paragraph 33 of said decree and all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 6 acres in the Northeast quarter of Northeast quarter; 3 acres in the Northwest quarter of Northeast quarter; 4 acres in the Northeast quarter of Northwest quarter and 4 acres in the Northwest quarter of Northwest quarter of Section Seventeen, and 5 acres in the Northeast quarter of Northeast quarter of Section Eighteen, Township Two South, Range Thirty-three East of Willamette Meridian, in Umatilla County, Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

WITNESS the seal and signature of the State Water Board, affixed this 29th day of December, 1919. STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

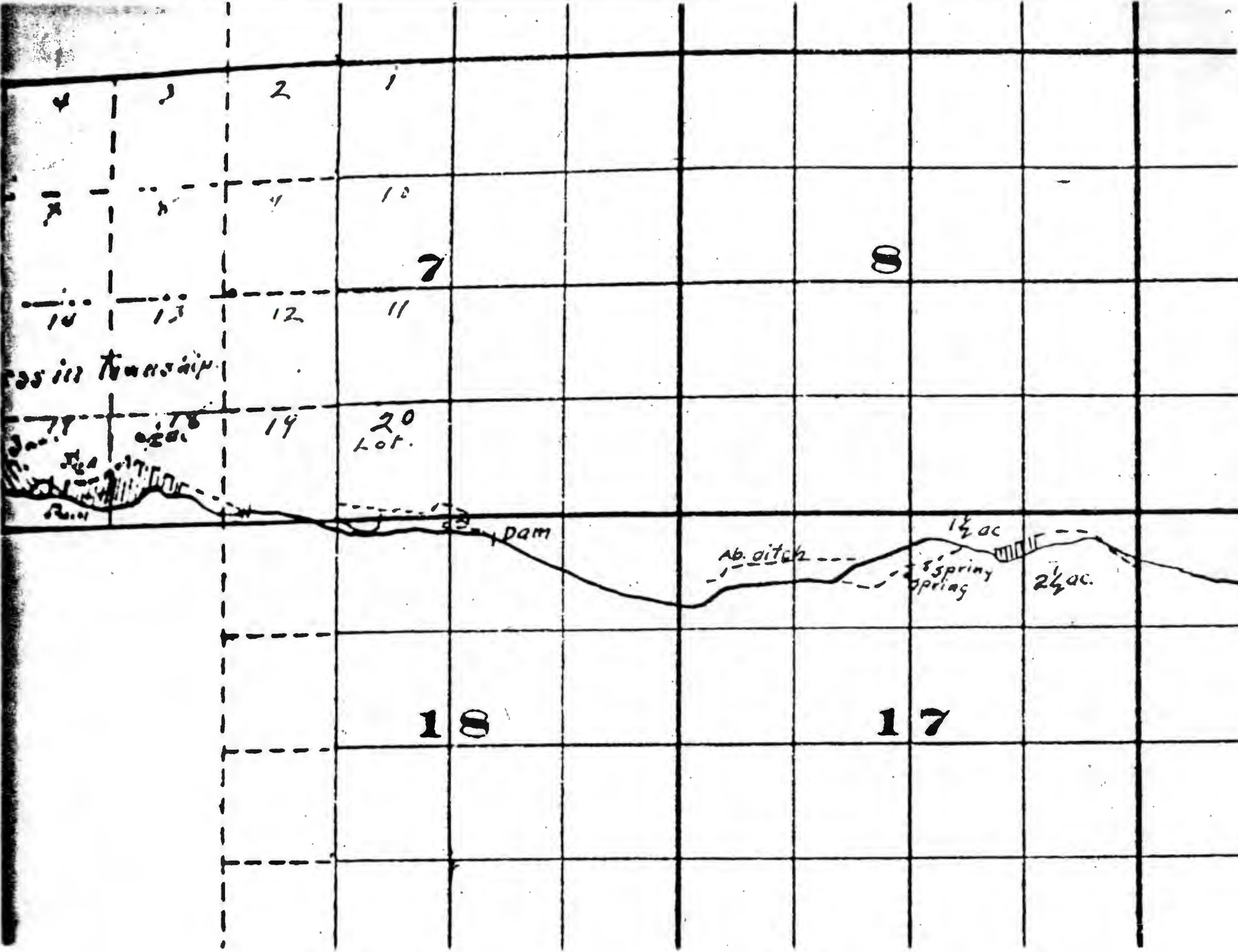
By Percy A. Cupper State Engineer, President

Attest:

R.W. Potter, Secretary

Recorded in State Record of Water Right Certificates, Volume 3, page 2528

Handwritten initials 'VR' and 'OR' on the right margin.



4 3 2 1

10 11 12 13

7

8

35 in Township

14 15 16 17 18 19 20 Lot.

Dam

Ab. ditch

Spring opening

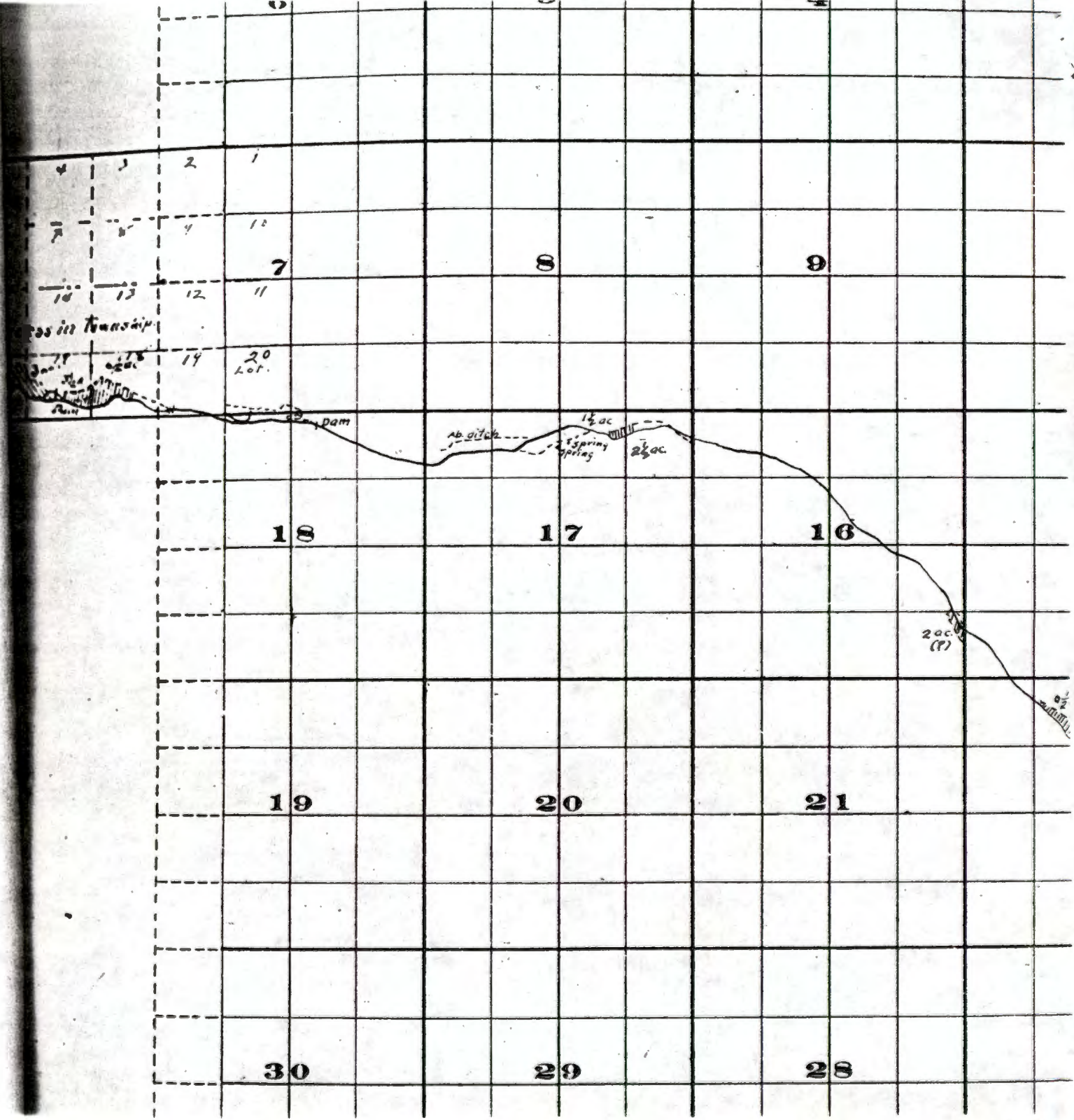
1 1/2 ac

2 1/4 ac

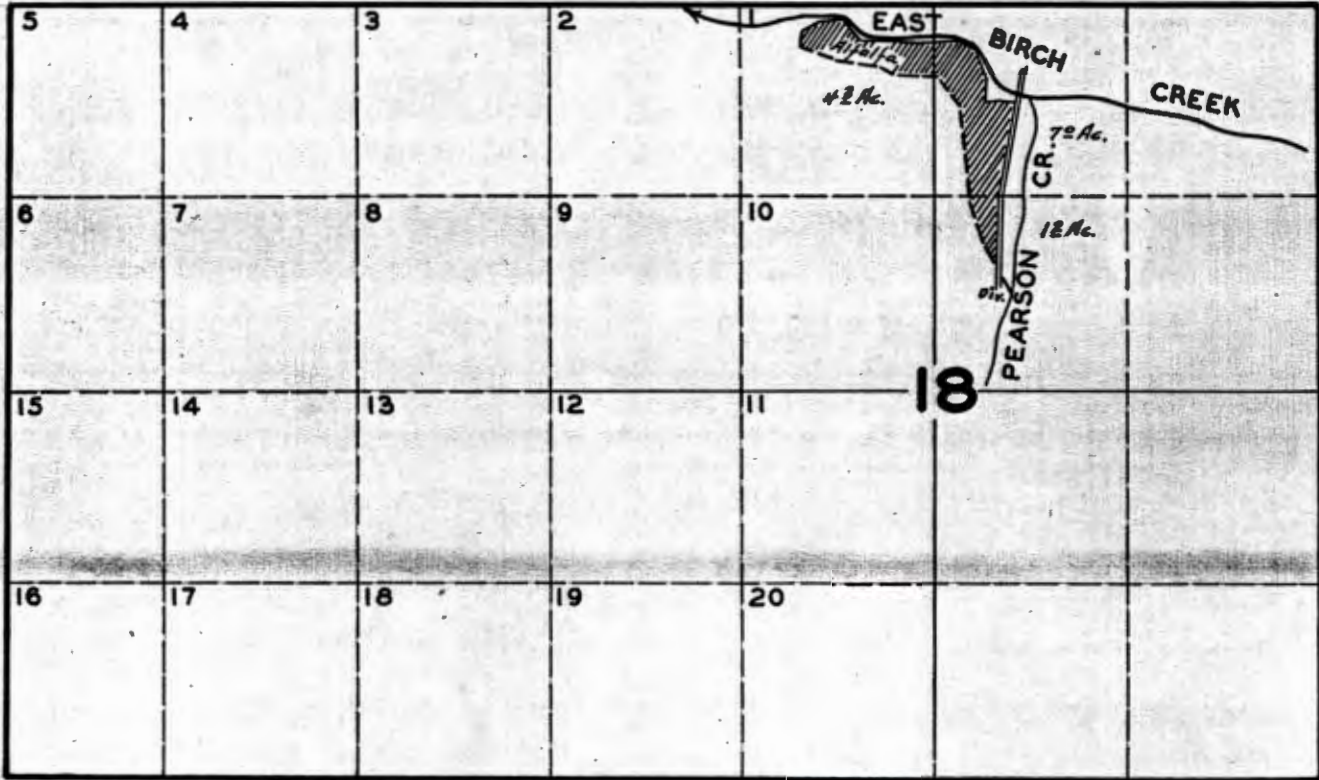
18

17





# T. 2S. R. 33E. W. M.



## FINAL PROOF SURVEY UNDER

Application No. 16903 Permit No. 12663

IN NAME OF

J. ARVINE PORTER

Surveyed APR. 22 1946, by JAS. E. BUNNELL



**RECEIVED**

MAR 23 1992

WATER RESOURCES DEPT  
SALEM, OREGON

Application No. G-12832  
Permit No.



**Louisiana-Pacific Corporation**

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

**march 20, 1992**

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

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

**Gentlemen:**

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

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

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

**Sincerely**

**Joe Tolar,  
Divison Purchasing Manager**

**Enclosure**

**JT/po**



# WaterWatch

O F O R E G O N

**RECEIVED**

APR 07 1992

WATER RESOURCES DEP  
SALEM, OREGON

April 6, 1992

Stephen C. Brown  
Application & Permits Section  
Water Resources Department  
3850 Portland Rd. N. E.  
Salem, OR 97310

RE: Application for Permit #G12832  
L-P Corp., East Birch Cr. Basin, Umatilla Co.  
105.7 gpm, Irrigation

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch would like to raise the following issues with regard to the issuance of this permit.

Is the groundwater source in question in hydraulic connection with surrounding surface waters? If so, what effect will this proposed use have on any instream water rights?

What is the condition of the groundwater aquifer that the applicant proposes to use? Has the Water Resources Department noticed any decline in the level of groundwater in this aquifer?

What will be the cumulative impact of all existing and proposed uses in the subject aquifer?

Will the applicant be required to measure and record all water use?

What special conditions will be placed on this permit to protect the aquifer from overdraft?

Please send us a copy of the analysis done by the Department's groundwater staff. Also please send us a copy of any proposed permit along with specific answers to the questions that we have raised.

Sincerely,



Jim Myron

cc: file

March 27, 1992

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

REFERENCE: File(s) G-12832

We received your application(s) proposing to use water, along with supporting data and fees. Your receipt is enclosed unless you received it earlier. The application has been assigned the above referenced file number and will be reviewed in detail as time allows. If you need to call or write to us, be sure to reference the file number(s) listed above so we may assist you promptly.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 60-day waiting period and after public interest matters are resolved.

Processing of applications which require additional information will be delayed further. If you feel that a delay in the processing of your application will cause a hardship, please advise in writing.

If the application is approved, the use allowed by the permit will be subject to the Water Resources Commission's Basin Program statements, instream flow requirements, and demands of prior rights.

If you have any questions, please contact the Water Right Section at the telephone number referenced below.

cc: CWRE





Land Use Information Form: Permits, Licenses, Water Uses in Addition to Classified Uses

MAR 23 1992

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the request for water use. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: LOUISIANA-PACIFIC CORPORATION  
 Address: P.O. Box 4000-98  
 City: HAYDEN LAKE State: IDAHO Zip: 83835  
 Phone: 208-772-6011 WRD Application No.: \_\_\_\_\_

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Used
2533, TL1600	ERU (Exclusive Farm Use - 160 ac. minimum lot size)	X	X	X

The following section must be completed by all local planning departments responsible for the property(ies) listed above. Please ask the Department for extra forms, as needed.

**For Local Government Use Only**

Local government planning officials are to complete the remainder of this form and return it to the applicant or the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.011.1. Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)**

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

WRD Applicant Name: \_\_\_\_\_

**Receipt for Request for Land Use Information**

This section should be completed by a local government official and returned to the applicant upon request by the applicant for land use information.

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

Staff Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date of Information Request: \_\_\_\_\_



(For Local Use Continued)

b) Please provide printed name and written signature.

Name: Bob Perry

Title: Senior Planner

Date: 3-12-92  
Phone: 276-7111, Ext 248

Signature: Bob Perry

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

Continuations or Additional Comments:

Lined area for providing continuations or additional comments.

# Application No. 6-12832

## Permit No. Description of Water Use

Planning Official Initials: BP

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

RECEIVED

Applicant Name: LOUISIANA-PACIFIC CORPORATION  
 Address: P.O. BOX 4000-98  
HAYDEN LAKE, IDAHO  
83835  
 Phone: 208-772-6011

MAR 23 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): PASTURE & HAY CROPS
- Livestock (type of livestock, feedlot, slaughterhouse): \_\_\_\_\_
- Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- Institutional (i.e., school, library, etc.): \_\_\_\_\_
- Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_
- Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- Other (Name and list key characteristics): \_\_\_\_\_

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>105.7</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	



DATE	INITIALS	MINIMUM REQUIREMENTS TO FILE
_____	_____	Name and mailing address
_____	_____	Source of water
_____	_____	Quantity of water
_____	_____	Location of project
_____	_____	Use of water
_____	_____	Signature of applicant
_____	_____	Allowable use by policy
_____	_____	State Engineer withdrawal
_____	_____	Legislative withdrawal
_____	_____	Land use approved _____ pending _____
<b>FIELD OPERATIONS</b>		
_____	_____	Application date stamped per money receipt date
_____	_____	Stream Indexed
_____	_____	Stream Code _____
_____	_____	Scenic Waterway _____
_____	_____	Findings:
_____	_____	1) Concluded - Scenic-Reg Ack letter
_____	_____	2) Under Study - Scenic-Ack letter
_____	_____	3) Basin 2 - Willamette-Ack letter
_____	_____	Plat Carded and copy made <span style="float:right">YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></span>
_____	_____	Conflicts (well _____ surface _____) <span style="float:right">_____ <input checked="" type="checkbox"/></span>
_____	_____	Prior ISWR # _____
_____	_____	Within Irrigation District _____ (name)
_____	_____	Notified _____
_____	_____	District excerpt received _____
_____	_____	Entered in Paradox _____
_____	_____	Prepare six copies of Draft Permit
_____	_____	Send one copy to Data Center
<b>SUPPORT SERVICES</b>		
3/31	_____	Stamp contents with application number
_____	_____	Mail/Provide copies of draft permits to DEQ, ODFW, PARKS, AND WATERMASTER
_____	_____	Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file
_____	_____	Place label on file and card
_____	_____	If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section
_____	_____	Notify Irrigation District
<b>FIELD OPERATIONS</b>		
_____	_____	Ownership Statement <span style="float:right">YES <input type="checkbox"/> NO <input type="checkbox"/></span>
_____	_____	Name and address of all owners <span style="float:right">_____</span>
_____	_____	Other landowners notified <span style="float:right">_____</span>
_____	_____	Legal Description <span style="float:right">_____</span>
_____	_____	Need Commission review <span style="float:right">_____</span>
_____	_____	Requests greater than 5.0 cfs <span style="float:right">_____</span>
_____	_____	Dam height greater than 20 feet <span style="float:right">_____</span>
_____	_____	Storage greater than 100 acre-feet <span style="float:right">_____</span>
_____	_____	Out of Basin diversion <span style="float:right">_____</span>
_____	_____	Groundwater recharge project <span style="float:right">_____</span>
_____	_____	Other substantial public interest <span style="float:right">_____</span>
_____	_____	GW comments received _____ resolved _____
_____	_____	ODFW comments received _____ resolved _____
_____	_____	DEQ comments received _____ resolved _____
_____	_____	Interest Groups _____
_____	_____	Water availability received _____
_____	_____	Objections received _____ resolved _____
_____	_____	Protest received _____ resolved _____
_____	_____	Management Codes _____

EXAMINATION FEE:	_____	REMARKS:	_____
RECORDING FEE:	_____		_____
	_____		_____
TOTAL:	_____		_____
REFUND:	_____		_____
DEFICIENT:	_____		_____



RECEIVED

MAR 23 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. A-12832

State of Oregon  
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) LOUISIANA-PACIFIC CORPORATION  
(Please print or type - use dark ink)

Mailing Address: P.O. Box 4000-98  
HAYDEN LAKE, IDAHO 83835 208-772-6011  
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): ONE WELL (OWNER'S WELL #2)

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 250' FROM EAST BIRCH CREEK

Elevation difference between streambed and development: LESS THAN 10'

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: 8" Depth in feet: 230' WHAT 5531

Type and size of well casing: 8" STEEL No. of feet: 193'

Estimated depth to water: 6'

Type of access port or measuring device: UNKNOWN

Wells ~~to be~~ drilled by: WALLACE DRILLING

Address: 1707 S.W. 18TH PENDLETON, OR 97801

If the water well is flowing artesian, describe your water control and conservation works: N/A

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: \_\_\_\_\_ cubic feet per second, OR 105.7 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: \_\_\_\_\_



3. INTENDED USE(S) OF WATER: IRRIGATION

If for more than one use, give the quantity of water from each source for each use; \_\_\_\_\_

If for DOMESTIC use, state the number of households to be supplied; \_\_\_\_\_

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; \_\_\_\_\_

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation 18.8  
Other (describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

COMBINATION OF BURIED 5" AND 4" PIPE. FOUR NELSON SPRINKLER HEADS ATTACHED DIRECTLY TO RISER PIPES ARE FITTED WITH 0.60 INCH DIAMETER OPENING NOZZLES, ARE USED TO DISTRIBUTE THE WATER ONTO THE GROUND SURFACE. TWO 25 H.P. PUMPS ARE USED TO PUMP WATER FROM WELL. SEE SITE REPORT FOR APPLICATION G-11873, PERMIT G-10861, WELL # 2, FOR DETAILS.

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin N/A  
Proposed date construction work will be completed COMPLETE  
Proposed date water use will be completed 9-15-92

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.



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JUL 24 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

I/We certify that the information I have provided in application # G-12832 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Joe Toler NORTHERN DIVISION FORECASTING MANAGER 7/19/95  
Name Title Date

\_\_\_\_\_  
Name Title Date

\_\_\_\_\_  
Name Title Date

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

       Applicant       CWRE             Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

       Applicant       CWRE             Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? YES. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS: WATER WILL BE PLACED AS FOLLOWS:

NW 1/4 NE 1/4 S17: 3.6 ACRES (T2S, R33E)

NE 1/4 NW 1/4 S17: 4.3 ACRES " "

NE 1/4 NE 1/4 S18: 8.2 ACRES " "

NW 1/4 NE 1/4 S18: 2.7 ACRES " "

TOTAL: 18.8 ACRES

WELL IS LOCATED 651' SOUTH & 4,881' WEST  
OF NE CORNER OF SECTION 17, T2S, R33E.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Joe Tolson for Louisiana Pacific  
Signature of Applicant

3/20/92  
Date

\_\_\_\_\_  
Signature of Co-Applicant, if any

\_\_\_\_\_  
Date



-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

\_\_\_\_\_

\_\_\_\_\_

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 23<sup>rd</sup> day of March, 1992, at 8 o'clock, a M.

APPLICATION NO: \_\_\_\_\_

IM 5883

**LP** Louisiana-Pacific Corporation  
NORTHERN DIVISION

No.932875

INVOICE DATE	INVOICE NUMBER	VENDOR NUMBER	INVOICE AMOUNT	DISCOUNT	AMOUNT PAID
		95464	318.00	.00	318.00

RECEIVED  
MAR 23 1992  
WATER RESOURCES DEPT.  
SALEM, OREGON

DETACH BEFORE DEPOSITING



NUMBER 07312

Check 318<sup>00</sup> NO \_\_\_\_\_ Cash \_\_\_\_\_

- Surface Application
- Reservoir Application
- Ground Water Application
- Transfer Application
- Power Claim
- Hydroelectric Examination
- Hydroelectric License
- Copying
- Assignment
- Extension of Time
- Other
- P-6
- Quadrangle
- Basin
- Protest
- Constructors Examination
- Constructors License
- Adjudication

200  
118

FPD

Application No. **G12832**  
Permit No. **G12242**

**ASSIGNED**

**LOUISIANA-PACIFIC CORPORATION**

PO BOX 4000 98

HAYDEN LAKE, ID 83835

Assigned **Pioneer Resources LLC**

Address **POB 26139 - Eugene OR 97402-0463**

Beginning construction **1-26-97**

Completion of construction **10-1-98**

Extended to

Complete application of water **10-1-99**

Extended to