

**Oregon Water Resources Department
Water Right Services Division**

Water Rights Application
Number G-15965

**Final Order
Extension of Time for Permit Number G-15516
Permit Holder: Treasure Valley Community College**

Permit Information

Application File G-15965 Permit G-15516

Basin: 10 – Malheur / Watermaster District 9

Date of Priority: March 27, 2003

Authorized Use of Water

Source of Water: Well 1, Well 2, Well 3, Well 4(2), Well 6, Well 7, and Well
8 in Snake River Basin

Purpose of Use: Irrigation of 33.3 Acres

Maximum Rate: 0.42 Cubic Feet per Second (cfs)

**This Extension of Time request is being processed in accordance with
Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative
Rule Chapter 690, Division 315**

Application History

Permit G-15516 was issued by the Department on November 25, 2005. The permit called for completion of construction and complete application of water to beneficial use by October 1, 2008. On July 11, 2012, Treasure Valley Community College submitted to the Department an Application for Extension of Time for Permit G-15516. In accordance with OAR 690-315-0050(2), on June 11, 2013, the Department issued a Proposed Final Order proposing to extend the time to complete construction and the time to fully apply water to beneficial use to October 1, 2017. The protest period closed July 26, 2013, in accordance with OAR 690-315-0060(1). No protest was filed.

Final Order: Permit G-15516

Page 1 of 3

Appeal Rights

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

Findings of Fact

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated June 11, 2013.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to no additional conditions.

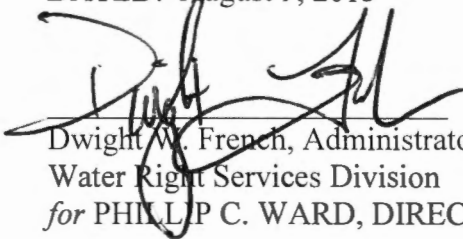
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-15965, Permit G-15516, therefore, is approved. The deadline for completing and for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2012 to October 1, 2017.

DATED: August 9, 2013



Dwight W. French, Administrator
Water Right Services Division
for PHILLIP C. WARD, DIRECTOR

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- If you have any questions about statements contained in this document, please contact Michele McAleer at (503) 986-0825.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: August 9, 2013

Copies Mailed

Application G-15965
Permit G-15516

By: SH
On: 8-13-2013

Original mailed to Applicant:

Treasure Valley Community College
Attn: Bernie Babcock, Director of Physical Plant
650 College Blvd
Ontario, OR 97914

Copies sent to:

1. WRD - App. File G-15965/ Permit G-15516

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date)
(DONE BY EXTENSION SPECIALIST)

CASEWORKER: MRM

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-15516, Water Right Application G-15965) PROPOSED FINAL ORDER
in the name of Treasure Valley Community College)

Permit Information

Application File G-15965 Permit G-15516

Basin: 10 – Malheur / Watermaster District 9

Date of Priority: March 27, 2003

Authorized Use of Water

Source of Water: Well 1, Well 2, Well 3, Well 4(2), Well 6, Well 7, and
Well 8 in Snake River Basin

Purpose of Use: Irrigation of 33.3 Acres

Maximum Rate: 0.42 Cubic Feet per Second (cfs)

**This Extension of Time request is being processed in accordance with
Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative
Rule Chapter 690, Division 315**

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit G-15516, water right Application G-15965.
A copy of Permit G-15516 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension

The Department proposes to:

- Grant an extension of time for complete construction of the well and to
apply water to full beneficial use from October 1, 2012 to October 1, 2013.

Att: Bernie
Babcock,
Dir. of Phys.
Plant.

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-15516, Water Right Application G-15965)
in the name of Treasure Valley Community College) **PROPOSED FINAL ORDER**

Permit Information

Application File G-15965 Permit G-15516

Basin: 10 – Malheur / Watermaster District 9

Date of Priority: March 27, 2003

Authorized Use of Water

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Rule Chapter 690, Division 315**

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit G-15516, water right Application G-15965.
A copy of Permit G-15516 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time for complete construction of the water system and time to apply water to full beneficial use from October 1, 2012 to October 1, 2017.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(1) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

FINDINGS OF FACT

Background

1. Permit G-15516 was granted by the Department on November 25, 2005. The permit authorizes the use of up to 0.42 cfs of water from Well 1, Well 2, Well 3, Well 4(2), Well 6, Well 7, and Well 8 in Snake River Basin for irrigation of 33.3 acres. The permit specified complete application of water was to be made on or before October 1, 2008.
2. One prior permit extension has been granted for Permit G-15516. The most recent extension request resulted in the completion dates for construction and full application of water being extended from October 1, 2008 to October 1, 2012.

3. The permit holder submitted an “Application for Extension of Time” to the Department on July 11, 2012 requesting the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit G-15516 be extended from October 1, 2012 to October 1, 2017. This is the second permit extension requested for Permit G-15516.
4. Notification of the Application for Extension of Time for Permit G-15516 was published in the Department’s Public Notice dated July 17, 2012. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

5. On July 11, 2012, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

6. Senate Bill 300 (1999 legislation) eliminated the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999, including this application.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

7. As of July 11, 2012, the remaining work to be completed consists of completing construction of the water system and applying water to full beneficial use.
8. Given the amount of development left to occur, the Department has determined that the permit holder’s request to have until October 1, 2017, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-15516 is both reasonable and necessary.

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 539.010(5) applies to surface water and ground water permits.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

9. Work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of the wells was completed prior to October 1, 2008.
 - b. Work was completed (specified in the Application for an Extension of Time) during the original development time frame under Permit G-15516.
 - c. During the most recent extension period, being from October 1, 2008, to October 1, 2012, the following was accomplished:
 - A National Guard Armory was constructed on the property, in the location identified as that where water was to be used beneficially from Well 8.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

10. The following beneficial use of water was made during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-15516 on November 25, 2005, a maximum rate of 0.21 cfs of water has been appropriated from the well for irrigation of 16.9 acres. The authorized amount of water for irrigation use is 0.42 cfs.
 - b. Delay of full beneficial use of water under Permit G-15516 was due, in part, to the additional time required to obtain permits for development within the wetland area where Well 8, the remaining permitted well, is located. The permit holder needs more time in which to gain approval for the completion of construction of Well 8, and to begin making beneficial use of the full quantity of water allowed under the permit.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

11. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

12. Financial investments made toward developing the beneficial water use.
 - a. As of July 11, 2012, the permit holder has invested approximately \$10,000, which is approximately 20 percent of the total projected cost for complete development of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

13. The permit holder anticipates an additional \$40,000 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

14. The Department has found good faith of the appropriator under Permit G-15516.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

15. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-15516; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-15516, located within the Snake River Basin, are not located within a limited or critical ground water area. Snake River is not located within or above any state or federal scenic waterway, however it is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is not located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Snake River is not listed by the Department of Environmental Quality as a water quality limited stream.

16. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
 - a. As of July 11, 2012, the permit holder has invested approximately \$10,000.
17. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. None have been identified.
18. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
 - a. None have been identified.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

19. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

20. Delay in the development of this project was in part caused by governmental requirements throughout the development of the property.

Unforeseen Events [OAR 690-315-0040(2)(h)]

21. Unforeseen events extended the length of time needed to fully develop and perfect Permit G-15516, in that the permit holders were faced with additional project requirements that restricted their ability to complete development of the project in a timely manner.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2017⁵, as required by OAR 690-315-0040(1)(c).

⁵Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

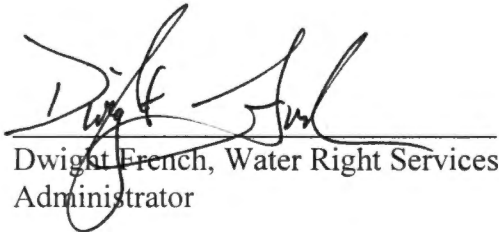
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system and the time to apply water to beneficial use under Permit G-15516 from October 1, 2012 to October 1, 2017.

DATED: June 11, 2013


Dwight French, Water Right Services
Administrator

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **July 26, 2013**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;

Mailing List for Extension PFO Copies

PFO Date: June 11, 2013

Copies Mailed

Application G-15965
Permit G-15516

By: CH
On: 6/11/13

Original mailed to Applicant:

Treasure Valley Community College
Bernie Babcock, Director of Physical Plant
650 College Blvd
Ontario, OR 97914

Copies sent to:

1. WRD - App. File G-15965/ Permit G-15516

~~2. Agent or CWRE representing the Permit Holder~~

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date) (DONE BY EXTENSION SPECIALIST)

~~A.~~ WRD - Watermaster District 9, Ron Jacobs

MRM 6/11/13

CASEWORKER: MRM

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits
(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 15965 Permit: G- 15516 Permit Amendment? No Yes T- _____ pending approved

Permit Holder's Name: Treasure Valley Community College

Permit Holder's Mailing Address: 650 College Blvd, Ontario OR 97914 email na

Phone Number: 541-881-8822, ext 5706

POD Location: Township 18 S Range 47 E Section 9 $\frac{1}{4}$ NWSE/SWNE/NWNE/NESE

Drainage Basin: 10 County: Malheur Watermaster District: 9 Watermaster: Ron Jacobs

Date Permit was issued: 11/25/2005

Priority Date: 3/27/2003

Date of PN: 7/17/2012

Source: Well 1, Well 2, well 3, Well 4 (@), well 6, Well 7, and Well 8 in Snake River Basin

Use: Irrigation use on 33.3 acres

"Q": 0.42 cubic foot per second

Orig "A" Date: _____

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2008

Extension request rec'd: 7/11/2012

Last Authorized "B" Date: 10/1/

Last Authorized "C" Date: 10/1/2012

Request Number (1, 2, 3...): 2

Proposed "B" Date: 10/1/

Proposed C Date: 10/1/2017

Conditions of Permit:

| Condition Met? | Condition Not Met? | Permit Condition |
|-------------------------------------|-------------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Water meters installed |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | One well not in service and use |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$10,000 Estimated Remaining Cost: \$40,000 20%

- Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used 0.21 cfs gpm af of the total permitted quantity of water on 16.9 acres

GW REVIEW: Y DWP

MITIGATION REVIEW: Y N

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes No

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. Greater than 1 mile from Snake River

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- above a state scenic waterway? Name _____ Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.html"
- within a critical or limited Ground Water Area? Name of area _____
- within a Withdrawn Area? Name of area _____
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- within an area ranking low / moderate / high / highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. Approval of Extension Request

No ... "Good Cause" cannot be found. Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes No

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

5-year Progress Report Checkpoints (Years: _____)

Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

COBU Requirement - Surface Water - post July 9, 1987

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

COBU Requirement - Ground Water - post July 9, 1987

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

last well not in use yet / 1st ext due to construction of Nat Guard Armory on property (well #8 here), now waiting for Wetland mitigation plan/associated permits before water can be put to ben use from well #8.

Extension "PFO" Dates

Mailing / Issuance Date: June 11, 2013

Protest Deadline Date: July 21, 2013

Reviewer's Name: Michael Mitchell

Date: 28 May 2013

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$500.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the

\$500 STATUTORY FEE TO:

**Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301**



GENERAL TIPS:

- Permit holders of municipal or quasi-municipal water use permits **DO NOT** use this form. The correct form is *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, available at the following link:
<http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:
<http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

RECEIVED BY OWRD

- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department’s Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification;, a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Answer the Following Questions to Complete this Application for Extension of Time

[OAR 690-315-0020(3)(d)]

1. **Did the actual construction of the water system/well drilling begin within the time specified in the permit?** Yes No



TIP: *Not all permits specify a date by which construction was to begin.*

Date construction began is: 1965

Details of construction: Wells Nos. 1, 2, 3, 4, 5, 6, and 7 have been completed along with irrigation system for landscaping and lawns. The system is complete and operating. Well No. 8 has been constructed and is not operating. Treasure Valley Community College was waiting for construction of the Oregon National Guard to finish construction of a new armory in the area that Well No. 8 was to water.

RECEIVED BY OWRD

JUL 11 2012

SALEM, OR

2. Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit? Yes No

2-A) Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.



TIP: The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

CHART-A

| Condition No.** | Date Satisfied | Describe How Permit Condition Has Been Satisfied |
|-----------------|----------------|--|
| I | 3/2003 | Water meters have been installed on well |
| II | 3/2003 | Water Master will be allowed access |
| III | 3/2003 | Water use records are sent to OWRD |
| IV | 10/2006 | Wells drilled in accordance with Oregon requirements |
| V | 10/2006 | Pump tests have been submitted by driller |
| VI | 7/2008 | Extension request submitted |
| VII | 6/2008 | COBU has been submitted for Wells 1, 2, 3, 4, 6, and 7 |
| | | |

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension). Include a copy of your hand-numbered permit with the application.

2-B) If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-B

| Condition No.** | Date Will Comply | Explain Why Each Permit Condition Has NOT Been Satisfied |
|-----------------|------------------|--|
| I | 7/2017 | Well is not in service |
| III | 7/2017 | Water use records will be sent to OWRD |
| VI | 7/2017 | Construction of facilities and irrigation will start |
| VII | 9/2017 | COBU will be completed and filed |
| | | |
| | | |

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension). Include a copy of your hand-numbered permit with the application.

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3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

3-A) CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

CHART-C

| DATE | WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i> | COST* |
|---------|--|--------|
| 10/2006 | Well was drilled | 10,000 |
| | | |

| DATE | WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i> | COST* |
|----------|--|-------|
| | Date the permit was signed - find date above signature on last page of permit. | |
| 11/25/03 | No other work accomplished | 0 |
| | | |
| | Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date. | |
| N/A | | |
| | | |
| | | |
| | | |
| 10/1/08 | Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date. | |

CHART-C (continued)

| DATE | WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i> | COST* |
|------|--|-------|
| N/A | | |
| | | |
| | | |
| | | |

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JUL 11 2012

| | |
|-------------------------------|------------------|
| Total Cost for Chart-C | SALEM, OR |
|-------------------------------|------------------|

* If exact cost is not known, you must provide your best estimate.

3-B) If this is not your 1st Application for Extension of Time request, fill out CHART-D below (in addition to CHART-C above). Use chronological order.

CHART-D

| DATE | WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i> | COST* |
|---------|---|-------|
| 10/1/08 | "Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time. | |
| | National Guard Armory was constructed | |
| | No work done by TVCC | 0 |
| | | |
| | | |
| | | |
| | | |
| 10/1/12 | "Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time. | |

CHART-D (Continued)

| DATE | WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i> | COST* |
|------|---|-------|
| | No work accomplished | 0 |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Total Cost of Chart-D

* If exact cost is not known, you must provide your best estimate.

[OAR 690-315-0020(3)(f)]

4. Cost of project to date: \$10,000.00
(The total combined cost from CHART-C and CHART-D)

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SALEM, OR

5. Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.



TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

5-A) For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):



TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = 0.21 cfs (cubic feet per second) or,

Maximum rate used to date = _____ gpm (gallons per minute) or,

Acre-feet stored to date = _____ AF

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JUL 11 2012

5-B) For Ground Water Permit Extensions (e.g. G-XXXX):



TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

SALEM, OR

CHART-E

| Well # as identified on Permit | Water User's Well # | Has this well been drilled? | IF DRILLED | | | | | |
|---|---------------------|--|------------------------------------|--|--|---|--|--|
| | | | Well Log Number e.g. MORR 50473 | Well Tag Number e.g. # 27566 or N/A | Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below) | Maximum instantaneous rate used from this well -- under this permit only (CFS or GPM) | Is this well authorized or utilized under any OTHER water rights? | If yes, provide the Permit, Certificate, or Transfer No. |
| No. 1 | No. 1 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | MALH 1584 | 13222 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | 150 GPM | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | - - |
| No. 2 | No. 2 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | MALH 1574 | 11905 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | 126 GPM | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | - - |
| No. 3 | No. 3 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | 32053 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | 90 GPM | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | - - |
| No. 4 | No. 4 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | MALH 2632 | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | 90 GPM | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | - |
| Total instantaneous rate from all wells utilized under this permit | | | | | | | | |

5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a permit amendment application been/be filed? Yes No N/A

If a Permit Amendment Application has been filed: Transfer No. T-_____

5-B) For Ground Water Permit Extensions (e.g. G-XXXX):



TIP:

Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-E Continued

| Well # as identified on Permit | Water User's Well # | Has this well been drilled? | IF DRILLED | | | | | If yes, provide the Permit, Certificate, or Transfer No. |
|---|---------------------|--|------------------------------------|--|---|---|--|--|
| | | | Well Log Number e.g. MORR 50473 | Well Tag Number e.g. # 27566 or N/A | Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below) | Maximum instantaneous rate used from this well -- under this permit only (CFS or GPM) | Is this well authorized or utilized under any OTHER water rights? | |
| No. 6 | No. 6 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | 90 GPM | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | - - |
| No. 7 | No. 7 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | 230 GPM | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | - - |
| No. 8 | No. 8 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | MALH 52730 | 07417 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | - - |
| | | | | | | | | |
| Total instantaneous rate from all wells utilized under this permit | | | | | | | | |

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JUL 11 2012

SALEM, OR

Well # ____ : Actual location: ____

Well # ____ : Actual location: ____

[OAR 690-315-0020(3)(e)(C)]

6. Provide the total number of acres irrigated to date under this permit (if applicable).

Total acres irrigated to date: 16.9

Ground Water Permits: Please specify which wells are being utilized for this irrigation.

Well #1 Acres16.9

Well #3 Acres16.9

Well #6 Acres16.9

Well #2 Acres16.9

Well #4 Acres16.9

Well #7 Acres16.9

[OAR 690-315-0020(3)(j)]

7. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-F

| APPROXIMATE DATE RANGE (projected) | WORK OR ACTION TO BE ACCOMPLISHED (projected) | ESTIMATED COST (projected) |
|------------------------------------|--|----------------------------|
| 7/12—6/17 | Planning, permits and construction drawing will be completed | \$10,000. |
| 6/17—9/17 | Complete construction and finalize water application and use | \$28,000 |
| 9/17—10/17 | Prepare and submit COBU | \$2,000 |
| | | |
| | | |
| | | |
| Year: 2017 | Date intend to apply water to full beneficial use under the terms and conditions of this permit. | |
| | Total Cost | \$40,000 |

[OAR 690-315-0020(3)(g)]

8. Estimated remaining cost to complete the project: \$40,000
(The total cost from CHART-F)

[OAR 690-315-0020(3)(h)]

9. List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

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JUL 11 2012

9-A) The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.

9-B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

9-C) Good faith attempts to comply with permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

X

The original project for well No. 8 was delayed due to the construction of the National Guard Armory. The second delay is due to the cost of a wetland mitigation program and delay in permits for state agencies.

9-D) Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.

[OAR 690-315-0020(3)(k)]

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

X

The original project for well No. 8 was delayed due to the construction of the National Guard Armory. The second delay is due to the cost of a wetland mitigation program and delay in permits for state agencies.

11. Provide any other information you wish OWRD to consider while evaluating your Extension of Time Application.

I am the permit holder, or have authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.



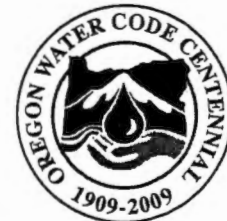
Signature

7/9/12

Date

RECEIVED BY OWRD

Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number G-15965

Final Order
Extension of Time for Permit Number G-15516

Appeal Rights

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

Application History

Permit G-15516 was issued by the Department on November 25, 2003. The permit called for complete application of water to beneficial use by October 1, 2008. On July 28, 2008 Treasure Valley Community College submitted to the Department an Application for Extension of Time for Permit G-15516. In accordance with OAR 690-315-0050(2), on May 26, 2009 the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2012. The protest period closed July 10, 2009 in accordance with OAR 690-315-0060(1). No protest was filed.


At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-15965, Permit G-15516, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2012.

DATED: July 14, 2009


Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

-
- If you have any questions about statements contained in this document, please contact Scott Kudlemyer at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

TREASURE VALLEY
COMMUNITY COLLEGE

RECEIVED
APR 19 2012
WATER RESOURCES DEPT
SALEM, OREGON

April 16, 2012

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

To Whom It May Concern,

Included with letter is an **Application for Extension of Time for Transfer of Water Right** for Transfer G15965.

Treasure Valley Community College mailed check 191814, in the amount of \$500.00, to the Oregon Water Resources Dept. on April 11, 2012. This check is for the Transfer Application Fee.

Thanks you for your attention in this matter.

Officially,



Bernie Babcock
Director of Physical Plant



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

April 20, 2012

Treasure Valley Community College
Bernie Babcock
650 College Blvd
Ontario, OR 97914

RE: Application File G-15965, Permit G-15516 - Permit Extension of Time

Dear Mr. Babcock,

Thank you for your time this morning. As we discussed, we are returning the Transfer Extension of Time application you recently submitted and requesting that you complete the form for a Permit Extension of Time.

If you have any questions concerning the completion of the extension form, please feel free to contact Jerry Gainey at 503-986-0812.

At this time we are returning the Transfer Extension of Time application along with your check in the amount of \$500.00. We have not retained a copy of the application for our records.

If I can be of any assistance, please do not hesitate to contact me at 503-986-0811.

Sincerely,

Gerry Clark
Water Right Specialist
Certificates

Cc: file

**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 # **106230**

INVOICE # _____

RECEIVED FROM: Treasure Valley Community College
BY: _____

| | |
|-------------|---------|
| APPLICATION | G-15965 |
| PERMIT | |
| TRANSFER | |

CASH: CHECK:# 191814 OTHER: (IDENTIFY)

TOTAL REC'D \$ 500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ 500.00

46111

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 | \$ |

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **106230**

DATED: 7-11-12 BY: X Bell

Application # G-15965

Permit # G-15516

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**

Money Received on: 7-11-12

◆ **Extension Specialist ...**

Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

◆ **Codi Holmes...**

Publish on Public Notice (initial 30-day comment): Date of notice 7/17/12

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No: Return file to Extension Specialist after PN Jerry G.



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 17, 2012

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-15965 (Permit G-15516)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you are interested in having your application reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jerry Gainey (503) 986-0812. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

CHART-A-1

RECEIVED

STATE OF OREGON

JUL 02 2008

COUNTY OF MALHEUR

WATER RESOURCES DEPT
SALEM, OREGON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TREASURE VALLEY COMMUNITY COLLEGE
650 COLLEGE BLVD
ONTARIO, OR 97914

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

APPLICATION FILE NUMBER: G-15965

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, WELL 4 (2), WELL 6, WELL 7, AND
WELL 8 IN SNAKE RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 33.3 ACRES

MAXIMUM RATE: 0.42 CUBIC FOOT PER SECOND

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PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

JUL 11 2012

DATE OF PRIORITY: MARCH 27, 2003

SALEM, OR

WELL LOCATIONS:

WELL #1: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 890 FEET SOUTH &
1270 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #2: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 510 FEET SOUTH &
200 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #3: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 30 FEET NORTH &
550 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #4(2): SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 920 FEET NORTH
& 250 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #6: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 1540 FEET NORTH
& 560 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #7: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 1680 FEET NORTH
& 810 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #8: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 760 FEET NORTH &
1550 FEET EAST FROM C1/4 CORNER, SECTION 9

The amount of water used for irrigation under this right, together with
the amount secured under any other right existing for the same lands, is

limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW ¼ NE ¼ 3.0 ACRES
SW ¼ NE ¼ 3.4 ACRES
NE ¼ SE ¼ 16.4 ACRES
NW ¼ SE ¼ 10.5 ACRES

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SECTION 9

TOWNSHIP 18 SOUTH, RANGE 47 EAST, W.M.

JUL 11 2012

Measurement, recording and reporting conditions:

SALEM, OR

- I 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.
- II 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.
- III 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.

STANDARD CONDITIONS

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.

IV 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.

V 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.

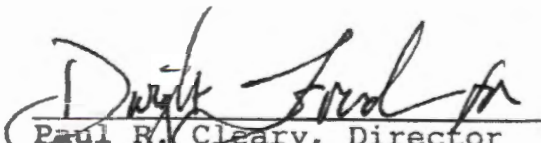
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.

VI Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued November 25, 2003


Paul R. Cleary, Director
Water Resources Department

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JUL 11 2012

SALEM, OR

RECEIVED

JUL 02 2008

WATER RESOURCES DEPT
SALEM OREGON

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

RECEIVED BY OWRD

JUL 11 2012

SALEM, OR

CHART-A-5

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15965

Final Order

Application History

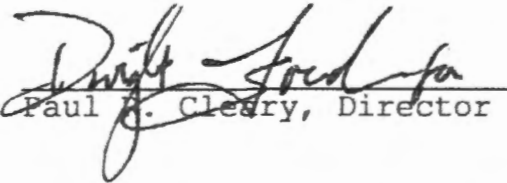
On March 27, 2003, TREASURE VALLEY COMMUNITY COLLEGE submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 9, 2003. The protest period closed October 24, 2003, and no protest was filed.

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

Order

Application G-15965 therefore is approved as proposed by the Proposed Final Order, and Permit G-15516 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED November 25, 2003


Paul J. Cleary, Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

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

RECEIVED BY OWRD

JUL 11 2012

SALEM, OR

CHART-A-6

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 503-986-0812.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Mouhun at 503-986-0824.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271; Fax: 503-986-0901.

RECEIVED BY OWRD

JUL 11 2012

SALEM, OR

RECEIVED

JUL 02 2008

**WATER RESOURCES DEPT
SALEM OREGON**

CHART-A-7

APPLICATION MAP
in the name of:

G-15965
G-15516

TREASURE VALLEY COMMUNITY COLLEGE
T 18 S R 47 E section 9 WM

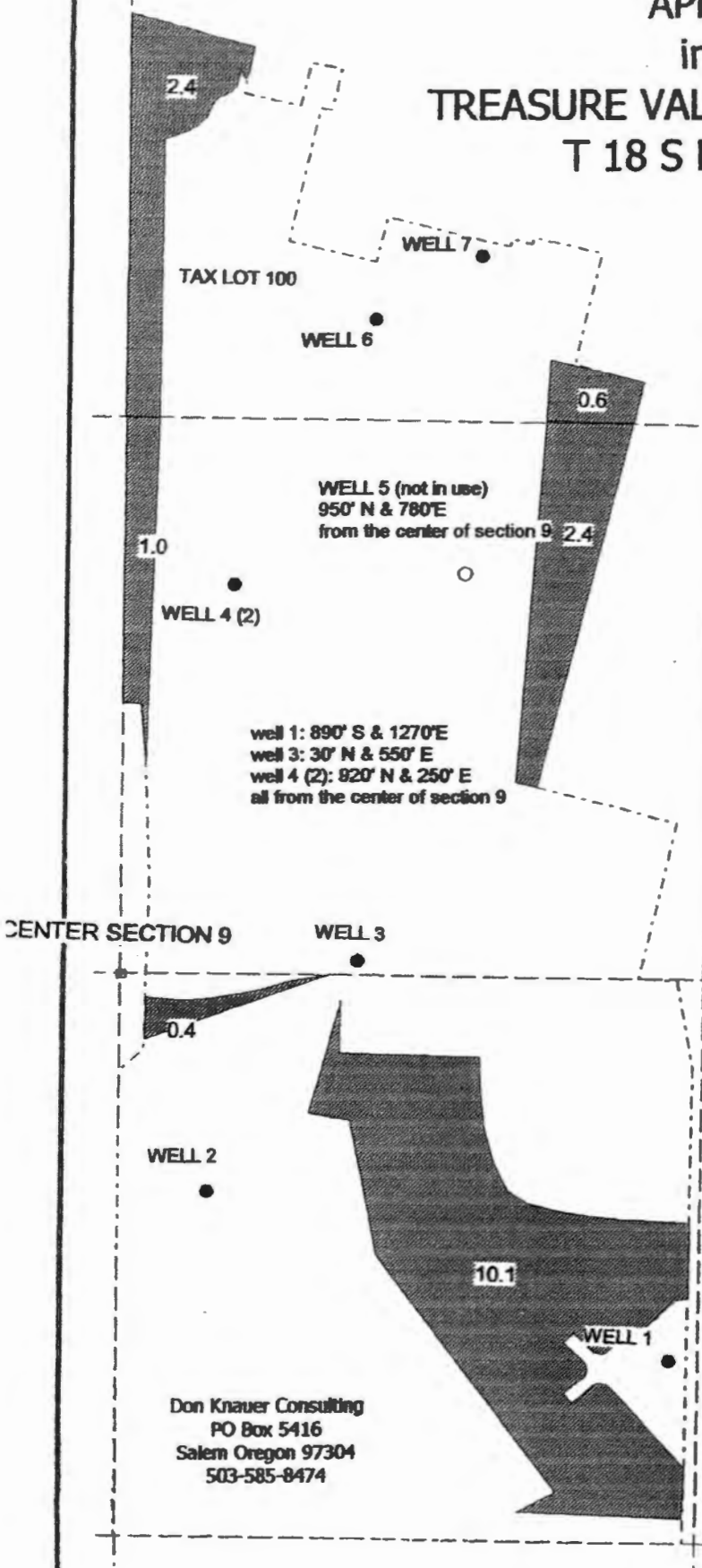
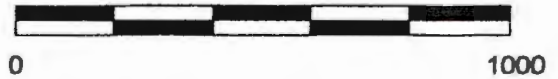


RECEIVED BY OWRD

JUL 11 2012

SALEM, OR

scale 1" = 400'



well 1: 890' S & 1270' E
well 3: 30' N & 550' E
well 4 (2): 820' N & 250' E
all from the center of section 9

well 2: 510' S & 200' E
well 6: 1540' N & 560' E
well 7: 1680' N & 810' E
well 8: 760' S & 1550' E
from the center of section 9

This map is for water
right purposes only.

RECEIVED

JUL 02 2008

WATER RESOURCES DEPT
SALEM, OREGON

Don Knauer Consulting
PO Box 5416
Salem Oregon 97304
503-585-8474

Mailing List for Extension FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: July 14, 2009

Copies Mailed

**Application G-15965
Permit G-15516**

By: SAS
On: 7/15/09

Original mailed to permit holder

Treasure Valley Community College
650 College Blvd
Ontario, OR 97914

Copies sent to:

1. WRD - App. File G-15965/ Permit G-15516
2. WRD - Watermaster District 9, Ron Jacobs
3. WRD - ER Regional Manager, Ivan Gall
4. ~~WRD - Support Staff, Salem~~

Fee paid as specified under ORS 536.050 to receive copy:

5. None

Receiving via e-mail (10 AM day of signature date)

6. None

CASEWORKER: SBK

**Oregon Water Resources Department
Water Rights Division**



Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-15516, Water Right Application G-15965) PROPOSED FINAL ORDER
in the name of Treasure Valley Community College.)

Permit Information

Application File G-15965 Permit G-15516

Basin: 10 – Malhuer / Watermaster District 9

Date of Priority: March 27, 2003

Authorized Use of Water

Source of Water: Seven wells within the Snake River Basin

Purpose of Use: Irrigation of 33.3 Acres

Maximum Rate: 0.42 cfs Cubic Feet per Second (cfs)

**This Extension of Time request is being processed in accordance with Oregon
Administrative Rule Chapter 690, Division 315**

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit G-15516, water right Application G-15965.
A copy of Permit G-15516 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2008, to October 1, 2012.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

Generally, see **ORS 537.630** and **OAR Chapter 690 Division 315**.

ORS 537.630(1) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under **ORS 539.010(5)** and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

FINDINGS OF FACT

Background

1. Permit G-15516 was granted by the Department on November 25, 2003. The permit authorizes the use of up to 0.42 cfs of water from Well 1, Well 2, Well 3, Well 4 (2), Well 6, and Well 7 for irrigation of 33.3 acres. The permit specified complete application of water was to be made on or before October 1, 2008.
2. The permit holder submitted an "Application for Extension of Time" to the Department on July 28, 2009, requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-15516 be extended from October 1, 2008, to October 1, 2012. This is the first permit extension requested for Permit G-15516.
3. Notification of the Application for Extension of Time for Permit G-15516 was published in the Department's Public Notice dated August 5, 2003. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

4. On July 28, 2008, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

5. Senate Bill 300 (1999 legislation) eliminates the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

6. As of July 28, 2008, the remaining work to be completed consists of completing

¹ORS 537.230 applies to surface water permits only.

²ORS 537.248 applies to reservoir permits only.

³ORS 537.630 applies to ground water permits only.

⁴ORS 539.010(5) applies to surface water and ground water permits.

construction of and installing a flow meter on Well 8, irrigation on the remaining 16.4 acres, and applying water to full beneficial use.

7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2012, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-15516 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

8. Work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of Well 8 was started prior to October 1, 2008.
 - b. During the original development time frame under Permit G-15516, being November 11, 2003, to October 1, 2008, Well 8 was drilled and capped.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

9. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-15516 on November 25, 2003, a maximum rate of 0.42 cfs of water has been appropriated from Well 1, Well 2, Well 3, Well 4 (2), Well 6, and Well 7 for irrigation of 16.9 acres.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

10. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

11. Financial investments made toward developing the beneficial water use.
 - a. As of July 28, 2008, the permit holder has invested approximately \$210,000.

which is approximately 92 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$18,500. investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

12. As of July 28, 2008, the permit holder has invested approximately \$210,000. which is approximately 92 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$18,500. investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

13. The Department has found good faith of the appropriator under Permit G-15516.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

14. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-15516; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-15516, located within the Snake River Basin, are not located within a limited or critical ground water area. The Snake River Basin is not located within or above any state or federal scenic waterway, is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is not located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Snake River is listed by the Department of Environmental Quality as a water quality limited stream.

15. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
 - a. As of July 28, 2008, the permit holder has invested approximately \$210,000.
16. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. Treasure Valley Community College has entered into an agreement with the Oregon National Guard to construct a new Oregon Readiness Center beginning in 2010. The area will be irrigated and wetlands area reconstructed using water from Well 8.
17. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
 - a. None have been identified.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

18. Use and income from the permitted water development results in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

19. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

20. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Full application of water to beneficial use can be accomplished by October 1, 2012⁵, as required by OAR 690-315-0040(1)(c).

⁵Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

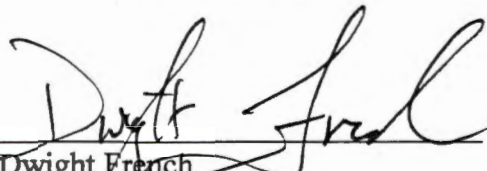
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to apply water to beneficial use under Permit G-15516 from October 1, 2008, to October 1, 2012.

DATED: May 26, 2009


Dwight French
Administrator
Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **July 10, 2009**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;

- d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050, if petitioner is other than the water right permit holder.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
- a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have any questions about statements contained in this document, please contact Scott Kudlemyer at 503-986-0813.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0819.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to : Water Rights and Adjudications Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
- Fax: 503-986-0901
-

Mailing List for Extension PFO Copies

PFO Date: May 26, 2009

Copies Mailed

**Application G-15965
Permit G-15516**

By: AS
On: 5/26/09

Original mailed to Applicant:

Treasure Valley Community College
650 College Blvd
Ontario, OR 97914

Copies sent to:

1. WRD - App. File G-15965/ Permit G-15516
2. WRD - Watermaster District 9, Ron Jacobs
3. Holladay Engineering Company. PO Box 235, Payette, ID 83661

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving via e-mail (10 AM Tuesday of signature date)

5. None

CASEWORKER: SBK

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15965

Final Order

Application History

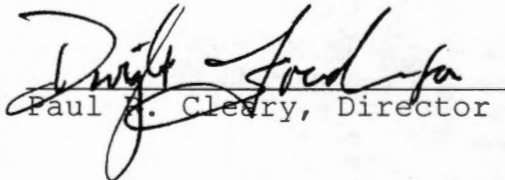
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The proposed use would not impair or be detrimental to the public interest.

Order

Application G-15965 therefore is approved as proposed by the Proposed Final Order, and Permit G-15516 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED November 25, 2003


Paul A. Cleary, Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

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This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 503-986-0812.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at 503-986-0824.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271; Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TREASURE VALLEY COMMUNITY COLLEGE
650 COLLEGE BLVD
ONTARIO, OR 97914

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

APPLICATION FILE NUMBER: G-15965

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, WELL 4 (2), WELL 6, WELL 7, AND
WELL 8 IN SNAKE RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 33.3 ACRES

MAXIMUM RATE: 0.42 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 27, 2003

WELL LOCATIONS:

WELL #1: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 890 FEET SOUTH &
1270 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #2: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 510 FEET SOUTH &
200 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #3: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 30 FEET NORTH &
550 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #4(2): SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 920 FEET NORTH
& 250 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #6: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 1540 FEET NORTH
& 560 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #7: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 1680 FEET NORTH
& 810 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #8: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 760 FEET NORTH &
1550 FEET EAST FROM C1/4 CORNER, SECTION 9

The amount of water used for irrigation under this right, together with
the amount secured under any other right existing for the same lands, is

limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.4 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.4 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.5 ACRES

SECTION 9

TOWNSHIP 18 SOUTH, RANGE 47 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.

STANDARD CONDITIONS

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

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

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.

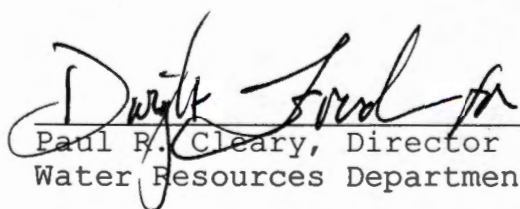
The use of water shall be limited when it interferes with any prior surface or ground water rights.

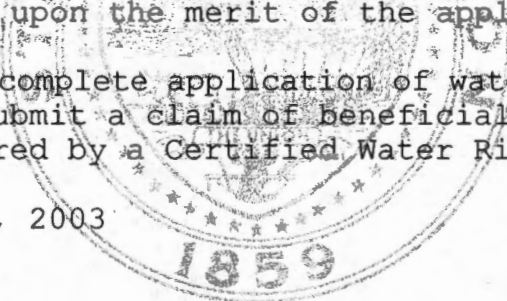
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued November 25, 2003


Paul R. Cleary, Director
Water Resources Department



REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Mailing List for FO Copies

Application # G-15965

Mailing List Print Date: November 3, 2003

Original mailed to(when permit issued, include copy of permit map):

Applicant: TREASURE VALLEY COMMUNITY COLLEGE, 650 COLLEGE BLVD, ONTARIO
OR 97914

For FO w/Permit - Copies sent to:

1. WRD - File # G-15965
2. WRD - Ken Stahr

| |
|---------------------|
| Copies Mailed |
| By: <u>JK</u> |
| (SUPPORT STAFF) |
| on: <u>11/26/03</u> |

For FO w/ Permit - FO and Map Copies sent to (Remember to reduce copy margins):

3. WRD - Data Center
4. WRD - Watermaster District #: 9
5. WRD - Regional Manager: ER

For FO w/PERMIT, w/Permit, or for Denial - Copies to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

1. Steven P Applegate Consulting, 532 Inverness Dr SE, Salem OR 97306
2. Don Knauer Consulting, PO Box 5416, Salem OR 97304

For FO w/PERMIT or w/Permit - "\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____
2. _____

CASEWORKER: Gaineyjw

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 15965 Permit: G- 15516 Permit Amendment? No Yes T- _____ pending approved

Permit Holder's Name: Treasure Valley Community College

Permit Holder's Mailing Address: 650 College Blvd, Ontario, OR 97914 email _____

Phone Number: 541-881-8822 ext 354

POD Location: Township 18S Range 47E Section 9 $\frac{1}{4}$ NESE, NWNE, NWSE, SWNE

Drainage Basin: 10 County: Malheur Watermaster District: 9 Watermaster: Ron Jacobs

Date Permit was issued: 11/25/2003

Priority Date: 3/27/2003

Date of PN: 8/5/2008

Source: Well 1, Well 2, Well 3, Well 4 (2), Well 6, Well 7 and Well 8, all within the Snake River Basin

Use: Irrigation on 33.3 acres

"Q": 0.42 cfs

Orig "A" Date: _____

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2008

Extension request rec'd: 7/28/2008

Last Authorized "B" Date: 10/1/

Last Authorized "C" Date: 10/1/2008

Request Number (1, 2, 3...): 1st

Proposed "B" Date: 10/1/

Proposed C Date: 10/1/2012

Conditions of Permit:

| Condition Met? | Condition Not Met? | Permit Condition |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | install meter prior to water use - meters on all wells except #8 |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$210,000 + Estimated Remaining Cost: \$18,500

- Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used 0.42 (from Well 1, Well 2, Well 3, Well 4 (2), Well 6, Well 7, cfs gpm af of the total permitted quantity of water on 16.9 acres

NO GW review.
DWP

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes No

Application: G- 15965 Permit: G- 15516 Township _____ Range _____ Section _____

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. Snake River
Ground Water Permits: Is the POA located...
Surface Water Permits: Is the POD located...

- Yes No
- above a state scenic waterway? Name _____ Source: OWRD "Areas Above State Scenic Waterways" Map
 - within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
 - within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"
 - within a critical or limited Ground Water Area? Name of area _____
 - in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
 - within an area ranking low / moderate / high for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. Approval of Extension Request
No ... "Good Cause" cannot be found. Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes No

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

- 5-year Progress Report Checkpoints (Years: _____)
- Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

all wells are completed except #8; this extension is to give the permit holder more time to complete well 8

e-mail extension update received on August 1, 2008

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: _____ Date: _____

Application # G-15965 Permit # G-15516

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**

Money Received on: 7/28/08

◆ **Extension Specialist ...**

Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

◆ **Jonnine Skaug...**

Publish on Public Notice (initial 30-day comment): Date of notice 8/5/06/JS

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

**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 # **93494**

INVOICE # _____

RECEIVED FROM: TREASURE VALLEY COMMUNITY COLLEGE
BY: _____

| | |
|-------------|----------------|
| APPLICATION | <u>6-15965</u> |
| PERMIT | |
| TRANSFER | |

CASH: CHECK: # 148225 OTHER: (IDENTIFY)

TOTAL REC'D \$ 350.00

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 \$ 350.00

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 | \$ _____ |

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **93494**

DATED: 7/28/08 BY: [Signature]

TREASURE VALLEY COMMUNITY COLLEGE

VENDOR ID: 260505

CHECK 148225

650 COLLEGE BOULEVARD, ONTARIO, OR 97914

**

| Date | Invoice# | Description | Account Number | Amount |
|-------------|-----------------|--------------------|-----------------------|---------------|
| 06/25/2008 | 0608 | Extension of Time | | \$50.00 |

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WATER RESOURCES DEPT
SALEM, OREGON**DATE OF CHECK 6/25/2008****CHECK # 148225****TOTAL 350.00**



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

August 4, 2008

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE # G-15965 (PERMIT # G-15516)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Ann Reece at (503) 986-0827. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "**www.wrd.state.or.us**".

Holladay

Engineering Co.

32 N. Main
PO Box 235
Payette, ID 83661
Phone: (208) 642-3304
Fax: (208) 642-2159
hec@holladayengineering.com

TRANSMITTAL

| | |
|---|----------------------------------|
| To: Ann Reece | From: Michael E. Holladay |
| Of: Oregon Dept. Water Resources | Date: July 22, 2008 |
| Pages: | Project: PR 071205_A |
| Re: Revised Application for Extension of Time of Water Right: TVCC | |

Dear Ms. Reece,

The revised documents are for the Application for Extension of Time of Water Right for Treasure Valley Community College in Ontario, Oregon.

If you have any questions, please contact Mike Holladay at the number listed above.

Respectfully,

Shawna Warden

Administrative Assistant
Holladay Engineering Co.

in behalf of Michael E. Holladay, P.E.

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Ann Reece

File G-15965

From: Ann Reece
Sent: Monday, August 04, 2008 8:06 AM
To: 'hec@holladayengineering.com'
Subject: RE: Treasure Valley Community College - Extension of Time G-15516

Shawna,

Thanks for your reply. I will update TVCC's extension application.

Ann Reece
Water Resources Department

From: hec [mailto:hec@holladayengineering.com]
Sent: Friday, August 01, 2008 8:53 AM
To: Ann Reece
Subject: re: Treasure Valley Community College - Extension of Time G-15516

Good Morning Ann,

Here are the answers to those questions:

#1 – All Wells No. 1 thru No. 7 have meters on them.

#2 – TVCC has spent \$150,000 to \$200,000 on 7 Wells and irrigation system.

Thanks for your time,

Shawna Warden
Admin. Assistant

In behalf of Mike Holladay, PE

Holladay Engineering Co.
(208) 642-3304

From: Mike Holladay [mailto:mikeh@holladayengineering.com]
Sent: Thursday, July 31, 2008 3:18 PM
To: hec@holladayengineering.com
Subject: FW: Treasure Valley Community College - Extension of Time G-15516

From: Ann Reece [mailto:reeceal@wrdd.state.or.us]

Sent: Wednesday, July 30, 2008 10:44 AM
To: mikeh@holladayengineering.com
Subject: Treasure Valley Community College - Extension of Time G-15516

Holladay Engineering Co
Payette, ID

Mike,

I received your telephone message explaining that construction has been completed on Well 1, Well 2, Well 3, Well 4 (2), Well 6 and Well 7, and that the only part of the system remaining to be developed is the completion of Well 8 and its distribution system. If you could respond to the questions in this e-mail as an update to the extension application, I'd really appreciate it. I understand that you are leaving for vacation very soon.

Questions:

- (1) Have meters been installed on any of the completed wells?**
- (2) The cost of the project to date is listed on the extension application as \$10,000. Does this include the cost of the completed wells and distributions systems? If not, please give an estimation of this investment into the project as well.**

Thank you very much.

Sincerely,

Ann Reece
Extensions Specialist
Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301-1271
tele: 503-986-0827
fax: 503-986-0901

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$350.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the

\$350 STATUTORY FEE TO:

**Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301**



GENERAL TIPS:

- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

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SALEM, OREGON**

- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Answer the Following Questions to Complete this Application for Extension of Time

[OAR 690-315-0020(3)(d)]

1. Did the actual construction of the water system/well drilling begin within the time specified in the permit? [yes/no] n/a



TIP: Not all permits specify a date by which construction was to begin.

Date construction began is: _____

Details of construction: _____

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2. Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit? [yes/no] no

A) Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.



TIP: The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

CHART-A

| Condition No.** | Date Satisfied | Describe How Permit Condition Has Been Satisfied |
|-----------------|----------------|--|
| 1 | 10-01-06 | #8 Well drilled & capped |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

B) If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-B

| Condition No.** | Date Will Comply | Explain Why Each Permit Condition Has NOT Been Satisfied |
|-----------------|------------------|--|
| 1 | 10/2012 | #8 Need to finish construction of well and conduct pump test. |
| 2 | 10/2012 | Need to install flow meter |
| 3 | 10/2012 | Need to begin beneficial use of water |
| 4 | 10/2012 | Need to complete Claim of Beneficial Use and file with OWRD |
| | | |
| | | |
| | | |

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

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3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

A) CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

CHART-C

| INSERT DATES | WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i> | COST* |
|---------------------------|--|-------|
| n/a | | |
| | | |
| INSERT DATES | WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i> | COST* |
| 11-25-03 | The permit was signed - find date above signature on last page of permit. | |
| 10-01-06 | Drilled well & capped | |
| | | |
| n/a | The permit specified "Actual Construction Work" shall begin ("A-Date") - not all permits contain this date. | |
| | | |
| | | |
| | | |
| | | |
| | | |
| 10/1/2008 | The permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date. | |
| | | |
| INSERT DATES | WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i> | COST* |
| n/a | | |
| | | |
| | | |
| | | |
| Total Cost to Date | | |

* If exact cost is not known, you must provide your best estimate.

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SALEM, OREGON

B) If this is not your 1st Application for Extension of Time request, fill out CHART-D below (in addition to CHART-C above). Use chronological order.

CHART-D

| INSERT DATES | WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i> | COST* |
|--------------|---|-------|
| 10/1/____ | "Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time. | |
| | n/a | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| 10/1/____ | "Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time. | |

| INSERT DATES | WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i> | COST* |
|---------------------------|---|-------|
| | n/a | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| Total Cost to Date | | |

* If exact cost is not known, you must provide your best estimate.

[OAR 690-315-0020(3)(f)]

4. Cost of project to date: \$10,000.00
(The total cost from CHART-C and CHART-D)

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**WATER RESOURCES DEPT
SALEM OREGON**

[OAR 690-315-0020(3)(e)(B)]

- 5. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit and/or prior extensions of time, if any, made to date.



TIP: Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Maximum rate = 0.42 cfs (cubic feet per second) or,

Maximum rate = ----- gpm (gallons per minute) or,

Acre Feet Stored = X AF

[OAR 690-315-0020(3)(e)(C)]

- 6. Provide the total number of acres irrigated to date under this permit.

Total acres irrigated to date: 16.9

[OAR 690-315-0020(3)(j)]

- 7. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

| APPROXIMATE DATE RANGE (projected) | WORK OR ACTION TO BE ACCOMPLISHED (projected) | ESTIMATED COST (projected) |
|------------------------------------|---|----------------------------|
| 10/1/2012 | Finish construction of well ^{#8} & begin pumping water | \$3,500.00 |
| 10/1/2012 | Install flow meter ^{for well #8} | \$2,500.00 |
| 10/1/2012 | Install piping & irrigation system | \$10,000.00 |
| 10/1/2013 | File Claim of Beneficial Use | \$3,500.00 |
| | | |
| Year: 2012 | Intend to apply water to full beneficial use under the terms and conditions of this permit. | |
| Total Cost | | \$18,500.00 |

[OAR 690-315-0020(3)(g)]

- 8. Estimated remaining cost to complete the project: \$18,500.00
(The total cost from CHART-E)

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SALEM, OREGON**

9. List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances.

A) The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.

The College has entered into an agreement with the Oregon National Guard to construct a new Oregon Readiness Center beginning in 2010. The area will be irrigated and the wetland area will be reconstructed using water from Well #8.

B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

\$18,500.00 - Well and irrigation system doesn't include cost of Readiness Center.

C) Good faith attempts to comply with permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

See 9.A.

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WATER RESOURCES DEPT SALEM, OREGON

D) Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.

See 9.A.

[OAR 690-315-0020(3)(k)]

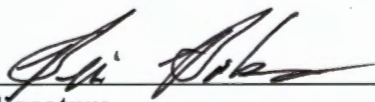
10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2, 3-A, 3-B, 7 and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

The well needs to be finished and pumping water. The irrigation system needs to be installed
and landscaping completed. Readiness Center needs to be completed before all of these items
can be completed.

11. Provide any other information you wish OWRD to consider while evaluating your Extension of Time Application.

Oregon National Guard Readiness Center is not budgeted to be completed until after
10/1/2012.

I am the permit holder, or have authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.


Signature

7/21/08
Date

RECEIVED
JUL 28 2008
WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

CAREFULLY READ THE FOLLOWING INSTRUCTIONS

READ YOUR PERMIT. BE SURE YOU UNDERSTAND ALL OF THE PERMIT CONDITIONS BEFORE YOU USE THE WATER. FAILURE TO FOLLOW OR MEET ANY OF THE PERMIT CONDITIONS MAY RESULT IN CANCELLATION OF THE PERMIT.

If you have any questions about the wording on your permit, contact your local watermaster's office or our Salem office at 503-986-0900.

Your permit has been recorded in our office, but you should retain the original permit as evidence of your right to use water.

Time limits are fixed in the permit for complete application of water to beneficial use. The Director of the Oregon Water Resources Department (WRD) may extend the time for complete application of water to the proposed use. There must be good cause to extend the date and reasonable diligence must be shown in prosecution of work. Forms to file for an extension of time will be furnished upon request, or may be obtained from our website*. A fee is required when you file a request for an extension.

1. Within one year after you have completed application of water to the proposed use, you must submit a final proof map and claim of beneficial use report prepared by a Certified Water Rights Examiner (CWRE). (Smaller reservoir permits received under the alternate application review process require a final proof map and claim of beneficial use report but they **may not** need to be prepared by a CWRE.
2. You should contact the Department to determine if your alternate reservoir will require a CWRE.)
3. The claim must document that **all** conditions in the permit have been met. This includes a demonstration that the complete application to use water date requirements were met. A list of CWREs will be furnished upon request.
- 4.

After satisfactory proof has been submitted to the Director, the right will be confirmed by issuance of a certificate of water right. The certificate will limit the right to the extent that water has been applied to beneficial use in accordance with the terms of the permit.

Any related correspondence from WRD's office will be mailed to the address on the permit unless the permittee notifies our office that the address has changed. In the event that the land, or a portion of the land covered under the permit is sold, an assignment to the new owners must be filed. Forms to file for an assignment will be furnished upon request, or may be obtained from our website*. A base fee of \$25.00 is required when you file a request for assignment.

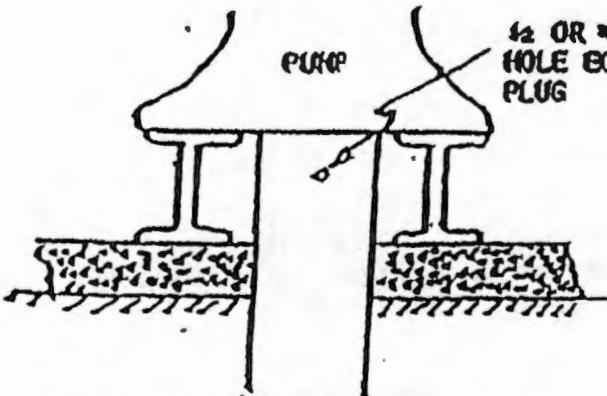
*www.wrd.state.or.us Forms may be found under "Water Rights in Oregon" section, application forms.

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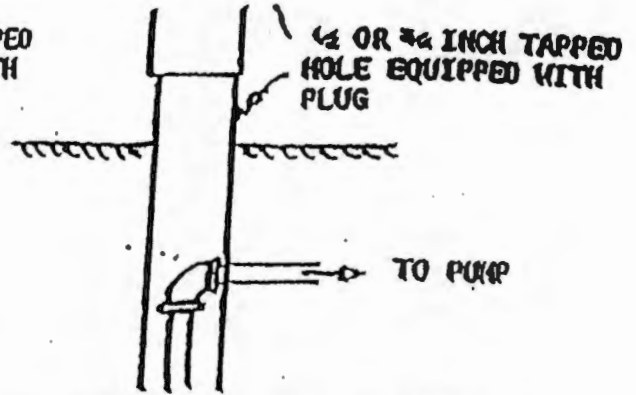
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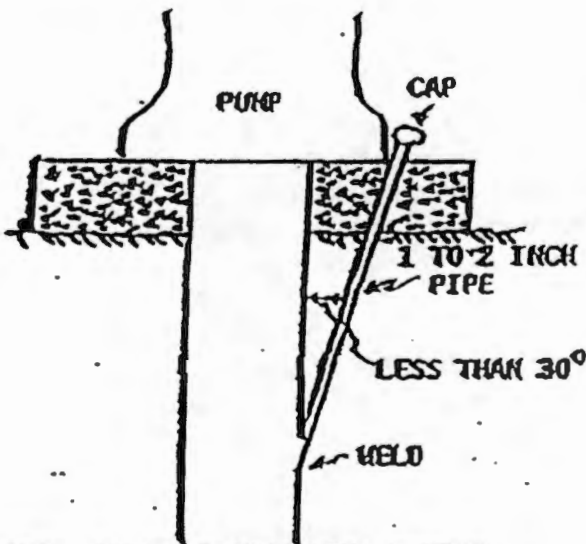
**BESTED METHODS OF INSTALLING ACCESS PORTS, PRESSURE GAUGES,
AND AIR LINES FOR MEASURING WATER LEVELS IN WELLS**



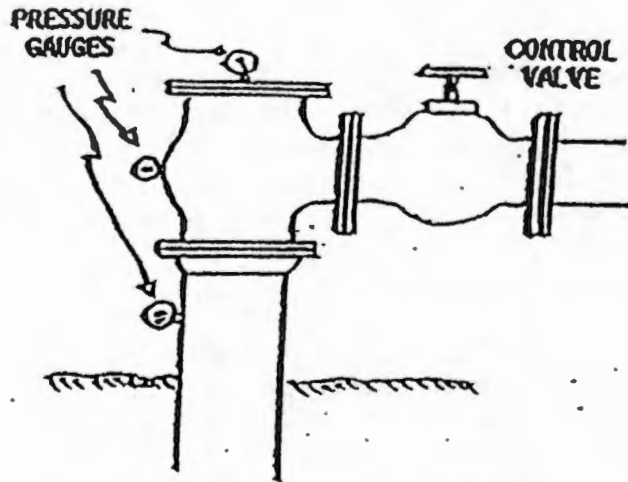
ACCESS PORT FOR MEASURING DEVICE



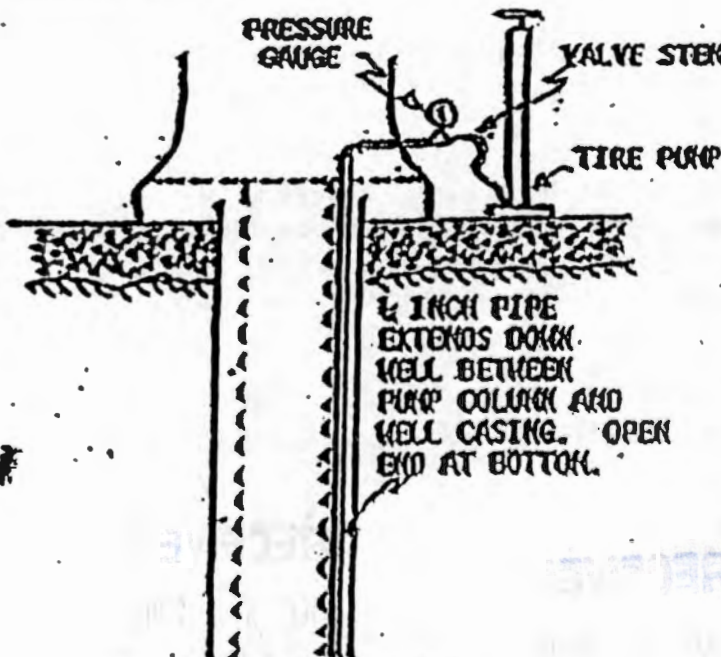
ACCESS PORT FOR MEASURING DEVICE



ACCESS PORT FOR MEASURING DEVICE



POSSIBLE LOCATION FOR PRESSURE GAUGES ON AN ARTESIAN WELL



AIR LINE INSTALLATION

AN AIR LINE INSTALLATION IS RECOMMENDED WHERE THE WATER LEVEL LIES AT A CONSIDERABLE DEPTH BELOW LAND SURFACE. THE AMOUNT OF AIR PRESSURE THAT CAN BE BUILT UP INSIDE THE AIR LINE WILL BE EQUAL TO THE DEPTH OF WATER STANDING ABOVE THE BOTTOM OF THE AIR LINE. THE EXACT DEPTH OF THE BOTTOM OF THE AIR LINE IS REQUIRED TO OBTAIN AN ACCURATE MEASUREMENT OF THE WATER LEVEL IN THE WELL. ONE POUND PER SQUARE INCH PRESSURE EQUALS 2.31 FEET OF WATER.

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TREASURE VALLEY COMMUNITY COLLEGE
650 COLLEGE BLVD
ONTARIO, OR 97914

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

APPLICATION FILE NUMBER: G-15965

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, WELL 4 (2), WELL 6, WELL 7, AND WELL 8 IN SNAKE RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 33.3 ACRES

MAXIMUM RATE: 0.42 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 27, 2003

WELL LOCATIONS:

WELL #1: NW ¼ SE ¼, SECTION 9, T18S, R47E, W.M.; 890 FEET SOUTH & 1270 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #2: NW ¼ SE ¼, SECTION 9, T18S, R47E, W.M.; 510 FEET SOUTH & 200 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #3: SW ¼ NE ¼, SECTION 9, T18S, R47E, W.M.; 550 FEET SOUTH & 550 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #4(2): SW ¼ NE ¼, SECTION 9, T18S, R47E, W.M.; 550 FEET SOUTH & 250 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #6: NW ¼ NE ¼, SECTION 9, T18S, R47E, W.M.; 550 FEET SOUTH & 560 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #7: NW ¼ NE ¼, SECTION 9, T18S, R47E, W.M.; 1680 FEET NORTH & 810 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #8: NE ¼ SE ¼, SECTION 9, T18S, R47E, W.M.; 760 FEET NORTH & 1550 FEET EAST FROM C1/4 CORNER, SECTION 9

NO GW

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

STATE OF OREGON
COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TREASURE VALLEY COMMUNITY COLLEGE
650 COLLEGE BLVD
ONTARIO, OR 97914

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PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 27, 2003

WELL LOCATIONS:

WELL #1: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 890 FEET SOUTH &
1270 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #2: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 510 FEET SOUTH &
200 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #3: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 30 FEET NORTH &
550 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #4(2): SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 920 FEET NORTH
& 250 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #6: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 1540 FEET NORTH
& 560 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #7: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 1680 FEET NORTH
& 810 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #8: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T18S, R47E, W.M.; 760 FEET NORTH &
1550 FEET EAST FROM C1/4 CORNER, SECTION 9

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

Application G-15965 Water Resources Department

PERMIT G-15516

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limited to a diversion of ONE-EIGHTIETH of one cubic foot per second 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 $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.4 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.4 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.5 ACRES

SECTION 9

TOWNSHIP 18 SOUTH, RANGE 47 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.
- 1.
 - 2.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- 1.
 - 2.
- 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.
- 3.

STANDARD CONDITIONS

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

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

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

- 1. 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.

- 3. 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.

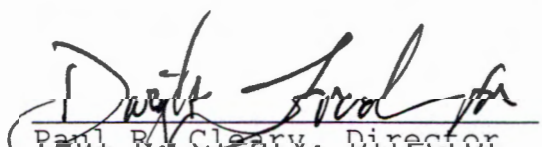
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued November 25, 2003


 Paul R. Cleary, Director
 Water Resources Department

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Application G-15965
Basin 10

Water Resources Department
Volume 2A BIRCH CR & MISC

PERMIT G-15516

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15965

Final Order

Application History

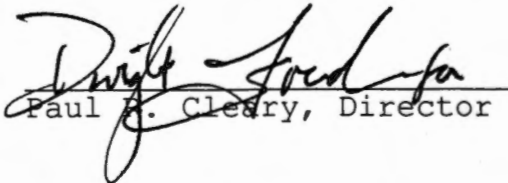
On March 27, 2003, TREASURE VALLEY COMMUNITY COLLEGE submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 9, 2003. The protest period closed October 24, 2003, and no protest was filed.

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

Order

Application G-15965 therefore is approved as proposed by the Proposed Final Order, and Permit G-15516 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED November 25, 2003


Paul J. Cleary, Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

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

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This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 503-986-0812.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at 503-986-0824.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271; Fax: 503-986-0901.

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APPLICATION MAP

in the name of:

TREASURE VALLEY COMMUNITY COLLEGE
T 18 S R 47 E section 9 WM

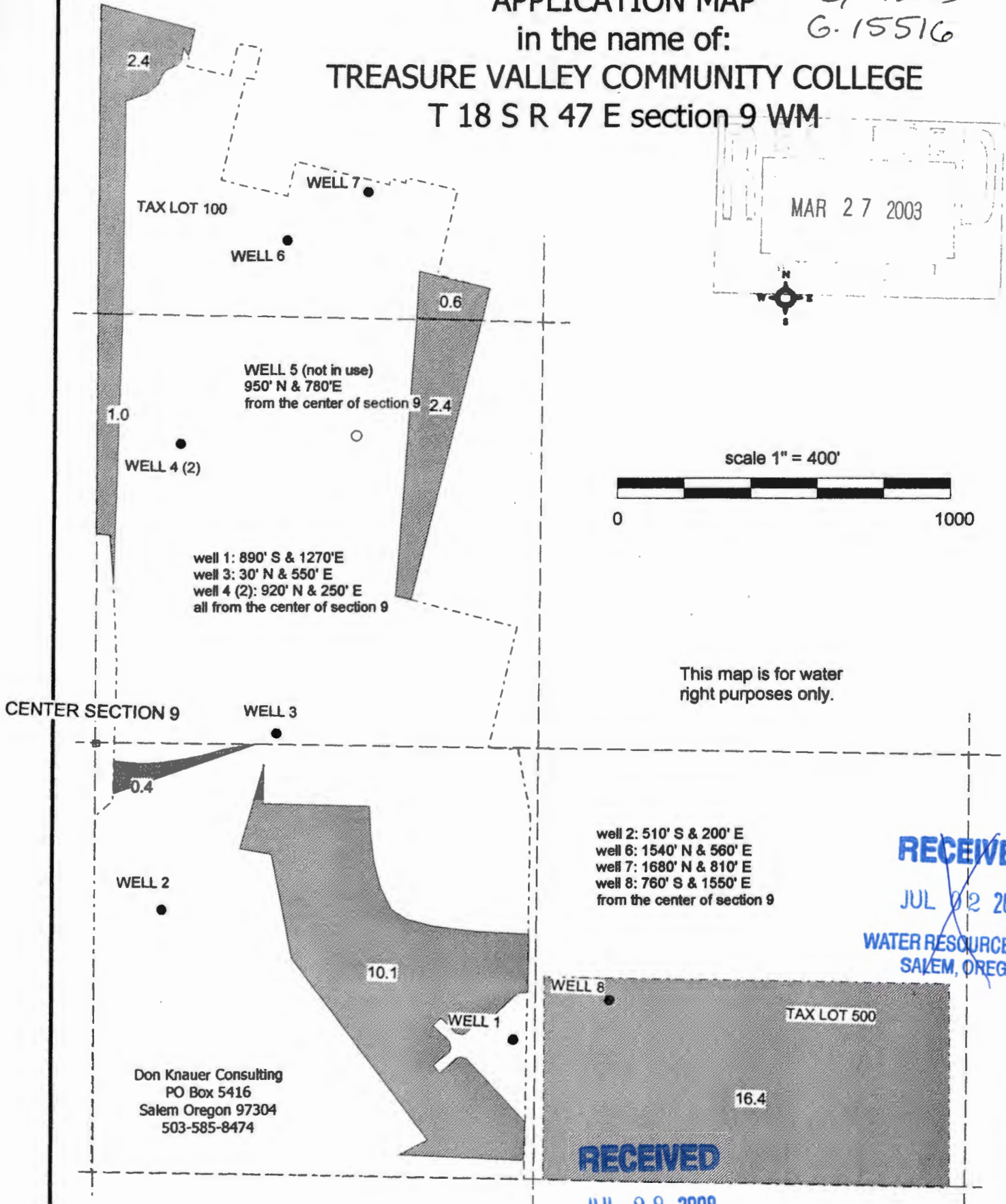
G-15965
G-15516



scale 1" = 400'



This map is for water right purposes only.



well 1: 890' S & 1270' E
well 3: 30' N & 550' E
well 4 (2): 920' N & 250' E
all from the center of section 9

well 2: 510' S & 200' E
well 6: 1540' N & 560' E
well 7: 1680' N & 810' E
well 8: 760' S & 1550' E
from the center of section 9

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Salem Oregon 97304
503-585-8474

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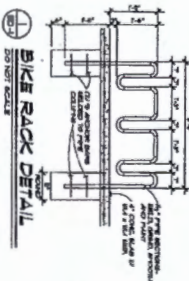
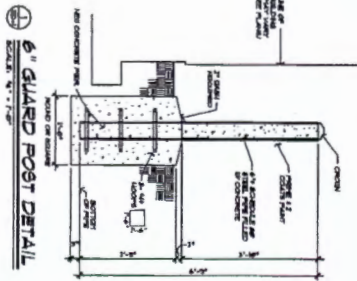
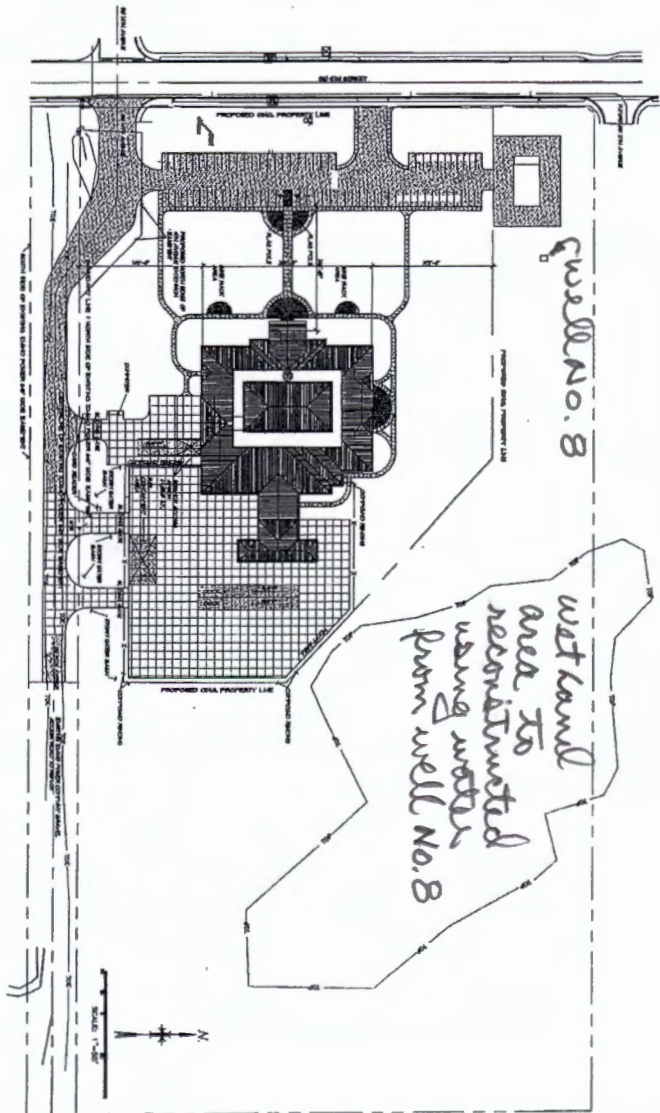
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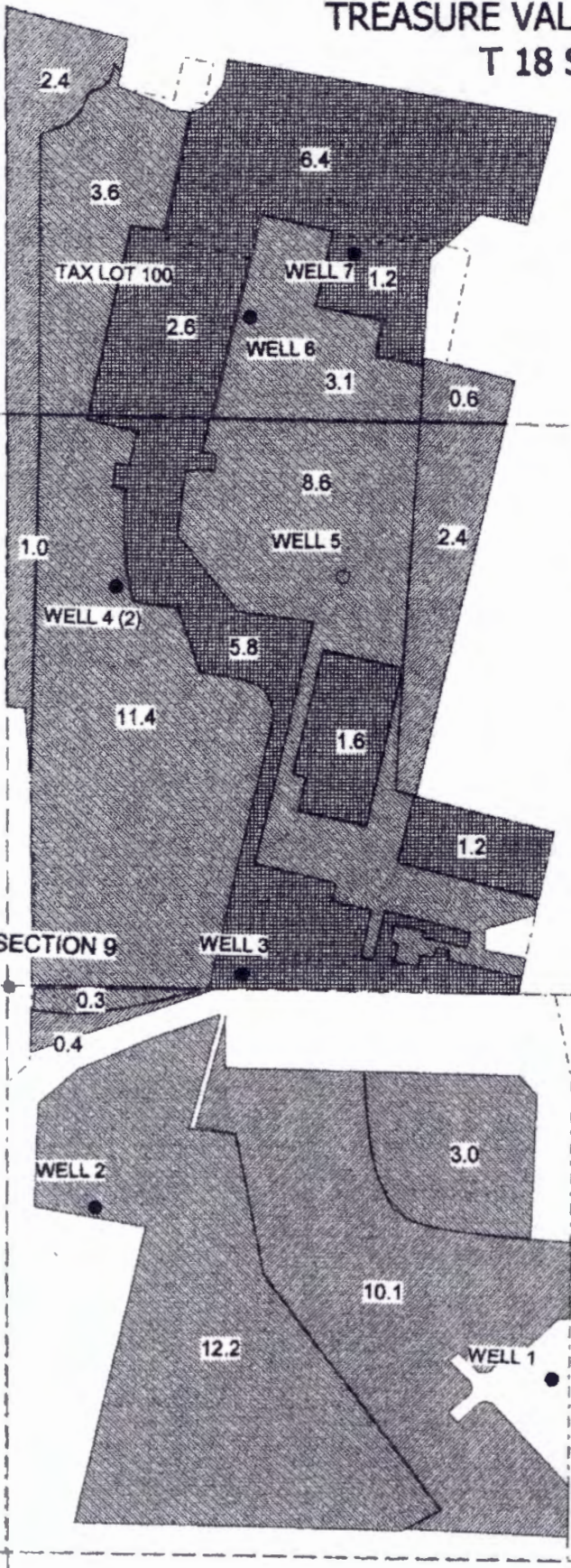
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G-15965

WATER RIGHT MAP FOR: TREASURE VALLEY COMMUNITY COLLEGE T 18 S R 47 E section 9



scale 1" = 400'



WELL 5 (not in use)
950' N & 780' E
from the center of section 9

- existing water right
- application for permit
- water right to be cancelled

Don Knauer Consulting
PO Box 5416
Salem Oregon 97304
503-585-8474

well 1: 890' S & 1270' E
well 3: 30' N & 550' E
well 4 (2): 920' N & 250' E
all from the center of section 9

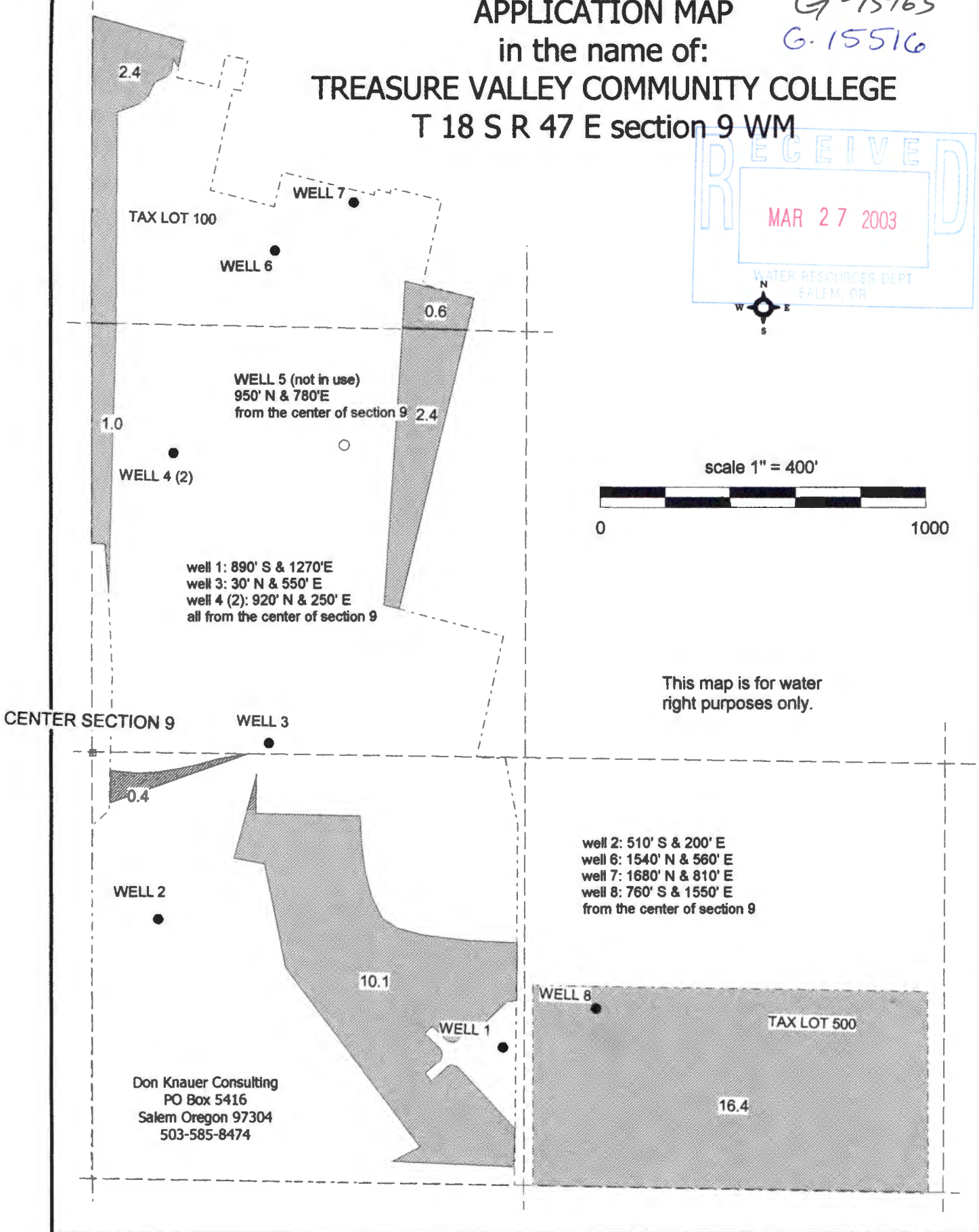
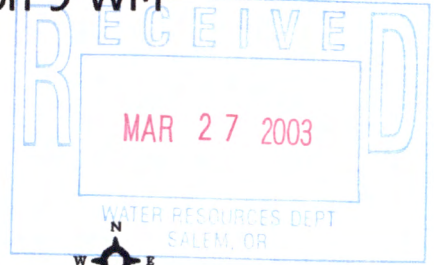
well 2: 510' S & 200' E
well 6: 1540' N & 560' E
well 7: 1680' N & 810' E
well 8: 760' S & 1550' E
from the center of section 9

CENTER SECTION 9

APPLICATION MAP

G-15965
G-15516

in the name of:
TREASURE VALLEY COMMUNITY COLLEGE
T 18 S R 47 E section 9 WM



WELL 5 (not in use)
950' N & 780'E
from the center of section 9

well 1: 890' S & 1270'E
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all from the center of section 9

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from the center of section 9

scale 1" = 400'



This map is for water right purposes only.

Don Knauer Consulting
PO Box 5416
Salem Oregon 97304
503-585-8474

FO CHECKLIST

FILE # G-15965
PFO WEEK # 424
FO WEEK # 393

PFO TO FO CONVERSION

REVIEW DATE: 11/3/03
INITIALS: JWG
WM District 9
Region Mgr EK
ODFW Bio

Y/N Has applicant name and address changed, or has the file been reassigned?
If new: _____

In preparing to create the FO, you should check the following:

- Y/N** Were comments received? If so, **from whom and when?** _____
Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
- On the PFO CC list, verify names and mailing addresses of **ALL** commentors (regardless of comment date, **affected landowners, and those who paid the \$10 fee.**

- Y/N/NA** Have affected land owners been notified? If not, refer to #9.
- Y/N/NA** Has ODFW asked for self certification of screening condition? If yes, include fish screening form
- Correct PFO errors (such as POD or POU location (verify from map.))
- Include or exclude permit conditions
- Verify Payment of recording fees (*circle the appropriate option*)

| | | |
|---|---|--|
| <input checked="" type="checkbox"/> (1) | Issue FO w/permit if fees are paid — Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO. | |
| <input type="checkbox"/> (2) | Issue FO w/o permit if fees are lacking. | Exam Fee Paid <u>250</u> |
| | | Q fee <u>150</u> |
| | 1 st CFS/AF <u>150</u> | Subtotal <u>400</u> |
| | Addnl. <u>150</u> | Recording Fee <u>250.00</u> <u>175.00</u> <i>2 way</i> |
| | TOTAL Q <u>150</u> | Total <u>575</u> |
| | | Amount Paid <u>575.00</u> |
| | | Amount due/refund <u>0</u> |

Y/N Is further processing possible? If not state reason: _____

FO Type: (circle types) DENIAL FO w/o PERMIT (REASON: Lacks Fees Lacks Easement Lacks Approved Dam Plans and Specifications)

FO & PERMIT (Permit # G-15916)

Once FO document is completed:

- Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 392
- Print final draft of document and submit for peer review
- Complete routing list

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

PFO CHECKLIST

10. IR Date 7/19/03 Public Notice Date 7/22/03 Comment Rec'd No

20. Filed after 10/23/99? Y / N (if N A date should be included)

Changes from IR determinations: _____

Agencies and Additional People to Notify: _____

30. Shortcomings preventing PFO, FO, or permit? Y / N Should process continue? Y / N

40. Is second groundwater review complete? Y / N necessary? Y / N

50. IR identifies as on DEQ 303d List? Y / N / NA Comments received? Y / N

Initials: swg Date: 8/27/03

Revised 3/7/02

| | | |
|------|------------|------------|
| EES: | EXAM: | <u>250</u> |
| | Q | <u>150</u> |
| | SUBTOTAL | <u>400</u> |
| | RECORD | <u>175</u> |
| | TOTAL | <u>575</u> |
| | PD | <u>575</u> |
| | OWE/REFUND | <u>0</u> |

Application G-15965
PFO WEEK 424

Peer Review:
Anita

IR CHECKLIST

Application #: G-15965

County MALHEUR Basin: 16 - Malheur WAB: _____
Township 18S Range 47E Section 9 1/4 1/4 SEE MAP

- 20. Groundwater Review A B D River/Stream Name _____
- a. Groundwater Availability A B
- b. Is the well located in a GWLA or CGWA or T1N R3E? (If applicable, include map with POD) Y / N
- 25. Use IR - 33.3A Priority Date(s) 3/2/03
(*chk munic or quasi-munic send to Doug Pagano*)
- 30. Allowed under Basin Program N Limitations? Y / N

- 40. Withdrawn? Y N season allowed _____
- 45. Basin Maps have been checked. Y / N River Mile NA
- 50. SWW Y / N (if Y notify state parks)
- 60. Surface water Availability (80% live flow / 50% storage) NA
- 70. Divis 33: Y / N / NA Above Bonn Y / N Not allowed April 15 - September 30 Y / N
Below Bonn Y / N If Y add PISPC
Statewide Y / N

Rate 180
Duty 3 Rate: Max 0.42 CFS Req 190 GPM = 0.42 CFS
Season: Normal 3/1 - 10/31 Req 3/1 - 10/31

- 90. B.O.R. or Doug Co. project Y / N contract # _____
- 100. Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF, Contract Stored Water) or Large (≥ 1.5 cfs, ≥ 100 AF) condition 7I and municipal require the Large conditions _____
- 110. Land use approval OK'd needs approval county notified NA

- 120. Watermaster Dist: (1 2 16 18 20 - NWR) (3 4 5 21 - NCR) (6 8 10 - ER) (11 12 17 - SCR) (13 14 15 19 - SWR)
- 125. Conflict? Yes No Some @ to be cx
- 130. per interactive mapping DOA 1010 Y / N (NO COPY TO PAUL MEASLES) 303D Y / N / NA CTUIR Y N

- 140. within Oregon Streamflow Restoration Area? Y / N / NA
- 150. Letter format -- Good -- Limited -- Bad -- Bad w/ IRshort -- Bad w/ HC Opportunity

- 155. Attach basin map indicating point of diversion?
- 160. CWRE, representative, etc. to notify? Y / N
well log for wells 4-7
 Steven P. Applegate Consulting
532 Inverness Dr SE
Salem OR 97306
 Don Knauer Consulting, P.O. Box 5416,
Salem OR 97304

Name: Jerry Gentry Date: 7/14/03 c:\myfiles\forms\checkirnew 7/5/02

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

Analysis for Application: G15965

Location: 18S-47E-9-NWNE

Uses: IR 3 P

Basins

| BASIN_NUM | BASIN_NAME |
|-----------|------------|
| 10 | Malheur |

Records Found: 1

WaterMaster Districts

| WATERDIST | REGION | ACRES | SQ_MILES | WMASTER | ADDRESS | CITY | Z |
|-----------|--------|---------|----------|------------|---|------|---|
| 9 | E | 6133168 | 9583 | Ron Jacobs | Malheur Co Courthouse #4, 251 "B" Street West | Vale | 9 |

Records Found: 1

WAB Records Found: 0

County

| COUNTY | FIPS |
|---------|-------|
| Malheur | 41045 |

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area Records Found: 0

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 18S-47E-9-SWNE

Uses: IR 3.4 P

Basins

| BASIN_NUM | BASIN_NAME |
|-----------|------------|
| 10 | Malheur |

Records Found: 1

WaterMaster Districts

| WATERDIST | REGION | ACRES | SQ MILES | WMASTER | ADDRESS | CITY | Z |
|-----------|--------|---------|----------|------------|---|------|---|
| 9 | E | 6133168 | 9583 | Ron Jacobs | Malheur Co Courthouse #4, 251 "B" Street West | Vale | 9 |

Records Found: 1

WAB Records Found: 0

County

| COUNTY | FIPS |
|---------|-------|
| Malheur | 41045 |

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area Records Found: 0

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 18S-47E-9-NESE

Uses: IR 16.4 P

Basins

| BASIN_NUM | BASIN_NAME |
|-----------|------------|
| 10 | Malheur |

Records Found: 1**WaterMaster Districts**

| WATERDIST | REGION | ACRES | SQ_MILES | WMASTER | ADDRESS | CITY | Z |
|-----------|--------|---------|----------|------------|---|------|---|
| 9 | E | 6133168 | 9583 | Ron Jacobs | Malheur Co Courthouse #4, 251 "B" Street West | Vale | 9 |

Records Found: 1**WAB Records Found: 0****County**

| COUNTY | FIPS |
|---------|-------|
| Malheur | 41045 |

Records Found: 1**Groundwater Restricted Records Found: 0****Divison 33 Area Records Found: 0****Rule 4D Records Found: 0****303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 18S-47E-9-NWSE

Uses: IR 10.5 P

Basins

| BASIN_NUM | BASIN_NAME |
|-----------|------------|
| 10 | Malheur |

Records Found: 1

WaterMaster Districts

| WATERDIST | REGION | ACRES | SQ_MILES | WMASTER | ADDRESS | CITY |
|-----------|--------|---------|----------|------------|---|------|
| 9 | E | 6133168 | 9583 | Ron Jacobs | Malheur Co Courthouse #4, 251 "B" Street West | Vale |

Records Found: 1

WAB Records Found: 0

County

| COUNTY | FIPS |
|---------|-------|
| Malheur | 41045 |

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area Records Found: 0

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

DIVISION 510 - MALHEUR-OWYHEE BASINS PROGRAM

690-510-0000 - Classifications

(1) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Malheur-Owyhee Basins and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, **irrigation**, power development, industrial, mining, recreation, wildlife, fish life, pollution abatement uses, and the waters of the Malheur-Owyhee Basins are hereby so classified with the following exceptions:

690-510-0010 - Classifications

(1) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Malheur Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, **irrigation**, power development, industrial, mining, recreation, wildlife, and fish life uses, and the waters of the Malheur Basin are hereby so classified with the following exceptions:

TO: Water Rights Section Date August 12, 2003

FROM: Ground Water/Hydrology Section Michael Zwart
Reviewer's Name

SUBJECT: Application G- 15965 Supersedes review of July 10, 2003
Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

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

A. GENERAL INFORMATION: Applicant's Name: Treasure Valley Community College

- A1. Applicant(s) seek(s) 0.42 cfs from 7 well(s) in the Malheur Basin,
 _____ subbasin Quad Map: Payette, Idaho - Oregon
- A2. Proposed use: Irrigation, 33.3 acres Seasonality: April 1 to October 31
- A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

| Well | Logid | Proposed Aquifer* | Proposed Rate(cfs) | Location (T/R-S QQ-Q) | Location, metes and bounds, example: 2250' N, 1200' E fr NW cor S 36 |
|------|------------------|-------------------|--------------------|------------------------|---|
| 1 | MALH 1584 | Alluvium | 0.42 | 18S/47E-9 NW-SE | 890' S, 1270' E fr Ctr. Sec. 9 |
| 6 | MALH 1574 | Alluvium | 0.42 | 18S/47E-9 NW-NE | 1540' N, 560' E fr Ctr. Sec. 9 |
| 2 | None | Alluvium | 0.42 | 18S/47E-9 NW-SE | 510' S, 200' E fr Ctr. Sec. 9 |
| 3 | None | Alluvium | 0.42 | 18S/47E-9 SW-NE | 30' N, 550' E fr Ctr. Sec. 9 |
| 4 | None | Alluvium | 0.42 | 18S/47E-9 SW-NE | 920' N, 250' E fr Ctr. Sec. 9 |
| 7 | None | Alluvium | 0.42 | 18S/47E-9 NW-NE | 1680' N, 810' E fr Ctr. Sec. 9 |
| 8 | None | Alluvium | 0.42 | 18S/47E-9 NE-SE | 760' S, 1550' E fr Ctr. Sec. 9 |

* Alluvium, CRB, Bedrock

| Well | Well Elev ft msl | First Water ft bls | SWL ft bls | SWL Date | Well Depth (ft) | Seal Interval | Casing Intervals | Liner Intervals | Perforations Or Screens | Well Yield | Draw Down | Test Type |
|------|------------------|--------------------|------------|----------|-----------------|---------------|------------------|-----------------|-------------------------|------------|-----------|-----------|
| 1 | 2150 | 10? | 16 | 5/18/68 | 96 | 0-21 | 0-33 | None | 21-33 | 400 | 64 | P |
| 6 | 2150 | ? | 12 | 9/1/65 | 50 | 0-20 | 0-45 | None | 25-45 | 458 | 33 | P |
| 2 | 2168 | | | | 84 | | 0-44 | | | | | |
| 3 | 2151 | | 2 | | 30 | | | | | | | |
| 4 | 2149 | | 2 | | 31 | | | | | | | |
| 7 | 2151 | | 12 | | | | | | | 458 | | |
| 8 | 2150 | | | | | | | | | | | |

Use data from application for proposed wells.

A4. Comments: **Application ID's seven wells, but only three logs are included and only two of these are being applied on. For the purpose of expediting this review, I am assuming similar construction for all wells.**

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

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

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

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

| Well | Aquifer or Proposed Aquifer | Confined | Unconfined |
|------|-----------------------------|--------------------------|-------------------------------------|
| All | Alluvium (sand and gravel) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | <input type="checkbox"/> | <input type="checkbox"/> |

Basis for aquifer confinement evaluation: Wells in this aquifer and with this construction typically have shallow water levels which are similar to the depth ground water was first encountered.

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

| Well | SW # | Surface Water Name | GW Elev ft msl | SW Elev ft msl | Distance (ft) | Hydraulically Connected? | | | Potential for Subst. Interfer. Assumed? | |
|------|------|--------------------|----------------|----------------|---------------|-------------------------------------|--------------------------|--------------------------|---|-------------------------------------|
| | | | | | | YES | NO | ASSUMED | YES | NO |
| 1 | 1 | Snake River | 2134 | 2135 | 7500 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2 | 1 | Snake River | ? | 2135 | 8500 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3 | 1 | Snake River | 2149 | 2135 | 8500 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4 | 1 | Snake River | 2147 | 2135 | 7200 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6 | 1 | Snake River | 2138 | 2135 | 6500 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7 | 1 | Snake River | 2139 | 2135 | 6300 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8 | 1 | Snake River | ? | 2135 | 7200 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Basis for aquifer hydraulic connection evaluation: The GW elevation is likely to be between 2150 and 2130 for wells #2 & #8. This indicates a low gradient between the aquifer and the river, which is a good indication of hydraulic connection.

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

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

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

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

Comments: **This section does not apply because the river is greater than one mile from all wells.**

C4a. **690-09-040 (5):** Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (c) and (d), which are not included on this form. For simple analytical models, model non-distributed wells once as a single well at the full rate using the closest hydraulically connected stream beyond one mile. For distributed wells, model each well once at the identified rate per well using the closest hydraulically connected stream beyond one mile. Adjust aquifer parameters to reflect uncertainties in streambed conductance, partial penetration, etc. Calculate the difference of the **1% WAB flow – Interference as CFS**. Negative numbers indicate those months where calculated interference exceeds 1% of natural stream flow. Under “basis” identify which WAB was used and attach the ground water model parameters/results and water availability table to this review.

| Non-Distributed Wells | | | | | | | | | | | | | |
|------------------------------|-----|-------------|-------------|------------|----------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|-------------|
| Well | SW# | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
| 7 | 1 | 22 | 21 | 19 | 0 | 1 | 4 | 7 | 11 | 14 | 17 | 20 | 22 |
| Well Q as CFS | | 0 | 0 | 0 | 0.42 | 0.42 | 0.42 | 0.42 | 0.42 | 0.42 | 0.42 | 0 | 0 |
| Interference CFS | | .091 | .086 | .08 | 0 | .0042 | .0168 | .0294 | .0462 | .0575 | .0707 | .084 | .091 |
| Distributed Wells | | | | | | | | | | | | | |
| Well | SW# | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| Total Interf. CFS | | .091 | .086 | .08 | 0 | .0042 | .0168 | .0294 | .0462 | .0575 | .0707 | .084 | .091 |
| 1 % WAB Nat. Q | | | | | | | | | | | | | |
| 1%WAB – Interf. | | | | | | | | | | | | | |

Basis for impact evaluation: Wells not located within a designated WAB. Used Wozniak-modified version of Jenkins analytical model to estimate impacts.

Lined area for additional text or notes.

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

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

C6. SW / GW Remarks _____

Lined area for SW / GW Remarks.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: All Logid: Not all logs included with application

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

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

D3. **THE WELL construction deficiency:**

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

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

- D5. **THE WELL**
- a. was, or was not constructed according to the standards in effect at the time of original construction or most recent modification.
 - b. I don't know if it met standards at the time of construction.

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

_____, 200____.

(Enforcement Section Signature)

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

INTEROFFICE MEMORANDUM

Water Rights Section

TO: Mike Zwart
FROM: Jerry Gainey, Ext. 458
RE: GW File Number G-15965

July 31, 2003

Mike the attached file is being returned to you for review. In your initial review you had indicated well logs had not been received for all wells proposed under this application. The attached information was submitted for the wells. Please review the attached file and return to me when finished.

Thanks.

Jerry,

The attachments to the first review are still valid.

207

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-15965

ROUTED TO: Water Rights

TOWNSHIP/ ab

RANGE-SECTION: 18S/47E-9 ac
db, da

CONDITIONS ATTACHED? Yes No

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

TO: Water Rights Section Date July 10, 2003

FROM: Ground Water/Hydrology Section Michael Zwart

Reviewer's Name

SUBJECT: Application G- 15965 Supersedes review of N/A

Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

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

A. GENERAL INFORMATION: Applicant's Name: Treasure Valley Community College

A1. Applicant(s) seek(s) 0.42 cfs from 7 well(s) in the Malheur Basin,
subbasin Quad Map: Payette, Idaho - Oregon

A2. Proposed use: Irrigation, 33.3 acres Seasonality: April 1 to October 31

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

| Well | Logid | Proposed Aquifer* | Proposed Rate(cfs) | Location (T/R-S QQ-Q) | Location, metes and bounds, example: 2250' N, 1200' E fr NW cor S 36 |
|------|-----------|-------------------|--------------------|-----------------------|---|
| 1 | MALH 2632 | Alluvium | 0.42 | 18S/47E-9 SW-NE | unknown |
| 2 | MALH 1584 | Alluvium | 0.42 | 18S/47E-9 NW-SE | unknown |
| 3 | MALH 1574 | Alluvium | 0.42 | 18S/47E-9 NW-NE | unknown |
| 4 | | | | | |
| 5 | | | | | |

* Alluvium, CRB, Bedrock

| Well | Well Elev ft msl | First Water ft bls | SWL ft bls | SWL Date | Well Depth (ft) | Seal Interval | Casing Intervals | Liner Intervals | Perforations Or Screens | Well Yield | Draw Down | Test Type |
|------|------------------|--------------------|------------|----------|-----------------|---------------|------------------|-----------------|-------------------------|------------|-----------|-----------|
| (1) | ? | 20 | 7 | 4/15/91 | 185 | 0-18 | 0-80 | None | 20-39 | 175 | 14 | P |
| (2) | ? | 10? | 16 | 5/18/68 | 96 | 0-21 | 0-33 | None | 21-33 | 400 | 64 | P |
| (3) | ? | ? | 12 | 9/1/65 | 50 | 0-20 | 0-45 | None | 25-45 | 458 | 33 | P |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |

Use data from application for proposed wells.

A4. Comments: **Application ID's seven wells, but only three logs are included, and these are not tied to well numbers. For the purpose of expediting this review, I am assuming similar construction for all wells. However, I would expect the applicant to provide copies of all available logs. I cannot fill in certain information above without making these ties. Well numbers above may not match those in application.**

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

Comments: _____

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

Comments: _____

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

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

| Well | Aquifer or Proposed Aquifer | Confined | Unconfined |
|------|-----------------------------|--------------------------|-------------------------------------|
| All | Alluvium (sand and gravel) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | <input type="checkbox"/> | <input type="checkbox"/> |

Basis for aquifer confinement evaluation: Wells in this aquifer and with this construction typically have shallow water levels which are similar to the depth ground water was first encountered.

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

| Well | SW # | Surface Water Name | GW Elev ft msl | SW Elev ft msl | Distance (ft) | Hydraulically Connected? | | | Potential for Subst. Interfer. Assumed? | |
|------|------|--------------------|----------------|----------------|---------------|-------------------------------------|--------------------------|--------------------------|---|-------------------------------------|
| | | | | | | YES | NO | ASSUMED | YES | NO |
| 1 | 1 | Snake River | ? | 2135 | 7500 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2 | 1 | Snake River | ? | 2135 | 8500 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3 | 1 | Snake River | ? | 2135 | 8500 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4 | 1 | Snake River | ? | 2135 | 7200 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6 | 1 | Snake River | ? | 2135 | 6500 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7 | 1 | Snake River | ? | 2135 | 6300 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8 | 1 | Snake River | ? | 2135 | 7200 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Basis for aquifer hydraulic connection evaluation: The GW elevation is likely to be between 2145 and 2130. This indicates a low gradient between the aquifer and the river, which is a good indication of hydraulic connection.

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

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

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

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

Comments: This section does not apply because the river is greater than one mile from all wells.

C4a. **690-09-040 (5):** Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (c) and (d), which are not included on this form. For simple analytical models, model non-distributed wells once as a single well at the full rate using the closest hydraulically connected stream beyond one mile. For distributed wells, model each well once at the identified rate per well using the closest hydraulically connected stream beyond one mile. Adjust aquifer parameters to reflect uncertainties in streambed conductance, partial penetration, etc. Calculate the difference of the **1% WAB flow – Interference as CFS**. Negative numbers indicate those months where calculated interference exceeds 1% of natural stream flow. Under “basis” identify which WAB was used and attach the ground water model parameters/results and water availability table to this review.

| Non-Distributed Wells | | | | | | | | | | | | | |
|------------------------------|-----|-------------|-------------|------------|----------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|-------------|
| Well | SW# | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
| 7 | 1 | 22 | 21 | 19 | 0 | 1 | 4 | 7 | 11 | 14 | 17 | 20 | 22 |
| Well Q as CFS | | 0 | 0 | 0 | 0.42 | 0.42 | 0.42 | 0.42 | 0.42 | 0.42 | 0.42 | 0 | 0 |
| Interference CFS | | .091 | .086 | .08 | 0 | .0042 | .0168 | .0294 | .0462 | .0575 | .0707 | .084 | .091 |
| Distributed Wells | | | | | | | | | | | | | |
| Well | SW# | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
| | | | | | | | | | | | | | |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| Well Q as CFS | | | | | | | | | | | | | |
| Interference CFS | | | | | | | | | | | | | |
| Total Interf. CFS | | .091 | .086 | .08 | 0 | .0042 | .0168 | .0294 | .0462 | .0575 | .0707 | .084 | .091 |
| 1 % WAB Nat. Q | | | | | | | | | | | | | |
| 1%WAB – Interf. | | | | | | | | | | | | | |

Basis for impact evaluation: Wells not located within a designated WAB. Used Wozniak-modified version of Jenkins analytical model to estimate impacts.

Multiple horizontal lines for additional text or notes.

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

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

C6. SW / GW Remarks _____

Multiple horizontal lines for SW / GW Remarks.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: All Logid: Not all logs included with application

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

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

D3. **THE WELL construction deficiency:**

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

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

- D5. **THE WELL**
- a. was, or was not constructed according to the standards in effect at the time of original construction or most recent modification.
 - b. I don't know if it met standards at the time of construction.

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

_____, 200_____
(Enforcement Section Signature)

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

Stream Depletion Analysis:

Written by Karl C. Wozniak (OWRD) 7/1/91; last modified 1/18/98.

References: Theis (1941), Jenkins (1968), Jenkins (1970), Walton (1984), and Wilson and Linderfelt (1991).

See bottom of worksheet for detailed references and model assumptions.

y = Coordinate axis perpendicular to stream

x = Coordinate axis parallel to stream

0,0 = Coordinate of Stream at Perpendicular to Well

Model calculates:

1. Transient Stream Depletion (Theis, 1941; Jenkins, 1970)
2. Steady-State induced infiltration (Wilson & Linderfelt, 1991)
3. Head distribution along a line perpendicular to stream at a distance y from well at a specified time

Input Data:

| Variable | Name | Minimum | "Best" | Maximum | Unit |
|--|------|---------|---------|---------|-------------|
| Well Owner or Well Number | Well | | TVCC 1 | | |
| X Coord. for X-Section (Head Distribution) | x | | 0 | | [ft] |
| Perpendicular Distance From Well to Stream | a | | 6,300 | | [ft] |
| Net Steady Pumping Rate | Q | | 190 | | [gpm] |
| Hydraulic Conductivity | K | 50 | 150 | 300 | [gpd/ft*ft] |
| Aquifer Thickness | b | 175 | 200 | 175 | [ft] |
| Well Depth | d | | 150 | | [ft] |
| Storativity | S | | 0.08000 | | |
| Effective porosity | n | | 0.08000 | | |
| Hydr. Grad. Perpend. to Stream (must be > 0) | i | 0.00095 | 0.00095 | 0.00095 | |
| Time Since Pumping Started | time | | 210.00 | | [days] |

Output Data:

| General Output: | | | | | |
|--------------------------------|-----|----------|----------|----------|------------------|
| Transmissivity | T | 8,750 | 30,000 | 52,500 | [gpd/ft] = K*b |
| Hydraulic Conductivity | K | 50 | 150 | 300 | [gpd/ft*ft] |
| | | 7 | 20 | 40 | [ft/day] |
| | | 2.34E-05 | 7.03E-05 | 1.41E-04 | [m/s] |
| Average linear velocity | ALV | 0.08 | 0.24 | 0.47 | [ft/day] = K*i/n |
| | | 28.90 | 86.70 | 173.40 | [ft/yr] |
| Ambient Flux at River per Foot | dQ | 0.0058 | 0.0197 | 0.0345 | [gpm/ft] = K*b*i |

| Transient Stream Depletion Output: | | | | | |
|--|--------|--------|--------|--------|------------------------|
| k | SDTr_k | 3.2314 | 0.9425 | 0.5386 | = ((a^2*S)/(4Tt))^7.48 |
| Transient Stream Depletion (Theis/Jenkins) | SDTr | 1% | 17% | 30% | = erfc SQRT(a*a*S/4Tt) |
| Transient Induced Infiltration (Theis/Jenkins) | IITr | | | | |

| Steady-State Stream Depletion: | | | | | |
|---|-----------------|------|------|------|--|
| Dimensionless Pumping Rate | Beta, β | 1.67 | 0.49 | 0.28 | = Q/(K*b*i*a) |
| (β >= 1 ==> velocity divide has reached stream) | | | | | |
| SQRT(Beta-1) | | 0.82 | 0.00 | 0.00 | |
| Critical pumping rate | Qc | 114 | 390 | 683 | [gpm] = K*b*i*a |
| Dist. fr Well to Velocity Divide at Steady State | r _{vd} | 6300 | 1786 | 947 | [ft] = a-(a*SQRT(1-β)) |
| Steady-State Stream Depletion (Wilson & Linderfelt) | | 100% | 100% | 100% | |
| Steady-State Induced Infiltration (Wilson & Linderfelt) | | 12% | 0% | 0% | = (2/a)*{-SQRT(β-1)/β+ATAN[1/SQRT(β-1)]} |

Q = 190 gpm

S = 0.0800

a = 6300 ft

t = 210.00 days

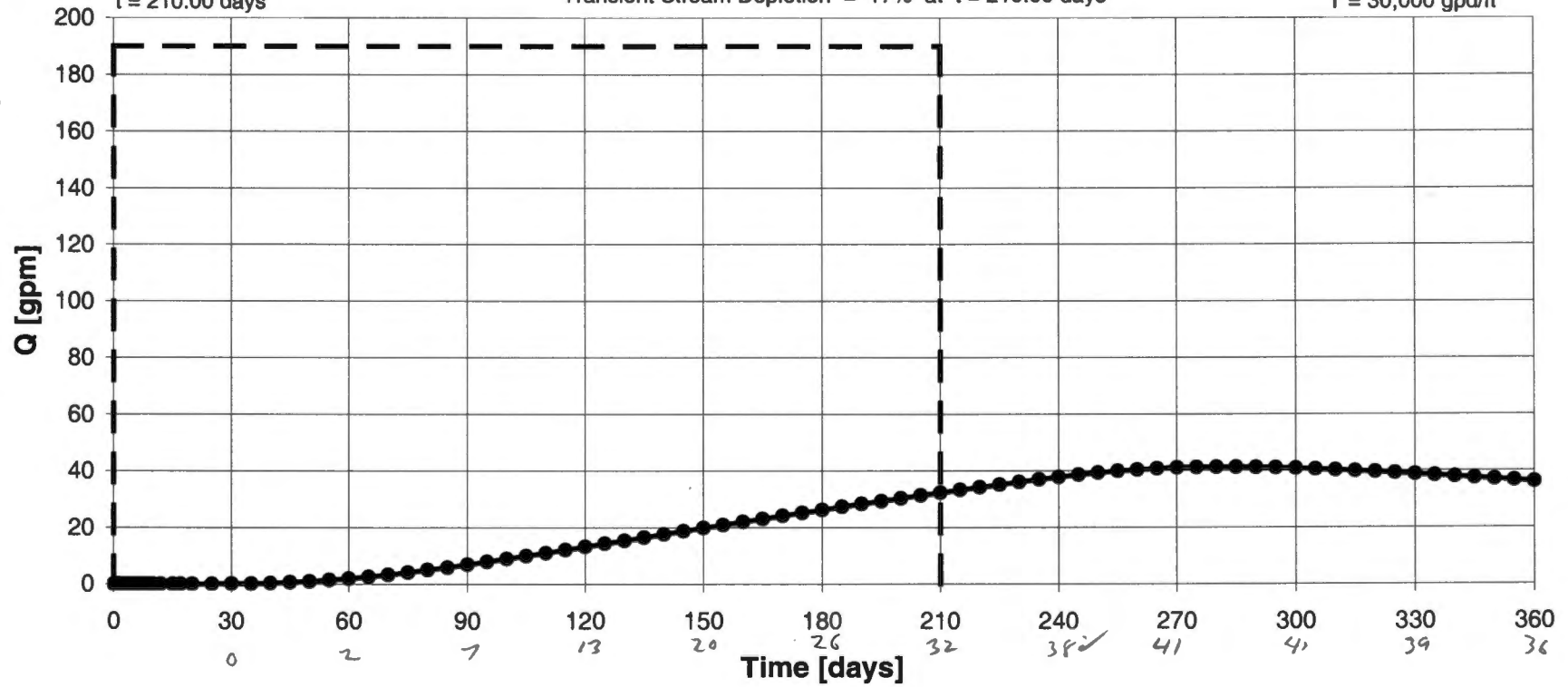
TVCC 1

Transient Stream Depletion - Linear

K = 150 gpd/ft*ft

T = 30,000 gpd/ft

Transient Stream Depletion = 17% at t = 210.00 days



--- Q ● --- Residual SD

WELL LOGS WITHIN 1 MILE OF APPLICATION G 15965

ABANDON: 248
 RECONDITIONED: 224
 REPAIRED: 162
 CONVERSION: 0
 DEEPENINGS: 116
 NEW CONSTRUCT: 2462

 COMMUNITY USE: 66
 DOMESTIC USE: 2141
 INDUSTRIAL USE: 40
 INJECTION USE: 2
 IRRIGATION USE: 431
 THERMAL USE: 2
 LIVESTOCK USE: 56

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15965

| \$RECNO | APPLICATION | PERMIT | CLAIM | LOC-QQ | USE_CODE |
|---------|-------------|--------|---------|----------------------|----------|
| 1 | G | 2071 | G 1941 | 0 18.00S47.00E 3NWN | IM |
| 2 | G | 10033 | G 9741 | 0 18.00S47.00E 4NENE | IR |
| 3 | G | 807 | G 821 | 0 18.00S47.00E 3SE | IM |
| 3 | G | 807 | G 821 | 0 18.00S47.00E 3SE | IM |
| 3 | G | 807 | G 821 | 0 18.00S47.00E 3SE | IM |
| 4 | G | 2071 | G 1941 | 0 18.00S47.00E 3SW | IM |
| 5 | G | 619 | G 535 | 0 18.00S47.00E 4SE | IR |
| 6 | U | 58 | U 53 | 0 18.00S47.00E 4SE | IR |
| 7 | G | 6955 | G 6795 | 0 18.00S47.00E 2NWS | MU |
| 7 | G | 6955 | G 6795 | 0 18.00S47.00E 2NWS | MU |
| 7 | G | 6955 | G 6795 | 0 18.00S47.00E 2NWS | MU |
| 7 | G | 6482 | G 6028 | 0 18.00S47.00E 2NWS | IM |
| 7 | G | 6482 | G 6028 | 0 18.00S47.00E 2NWS | IM |
| 8 | G | 807 | G 821 | 0 18.00S47.00E 3NE | IM |
| 9 | G | 1935 | G 1778 | 0 18.00S47.00E 3SE | IR |
| 10 | G | 2234 | G 2057 | 0 18.00S47.00E 3SW | IS |
| 11 | U | 254 | U 226 | 0 18.00S47.00E 4SW | IR |
| 12 | G | 1935 | G 1778 | 0 18.00S47.00E 2SW | IR |
| 13 | G | 96 | G 17 | 0 18.00S47.00E10NW | IR |
| 13 | G | 96 | G 17 | 0 18.00S47.00E10NW | IR |
| 13 | G | 96 | G 17 | 0 18.00S47.00E10NW | IR |
| 14 | | | | 18.00S47.00E 9NW | |
| 15 | U | 472 | U 428 | 0 18.00S47.00E11SE | MU |
| 15 | U | 472 | U 428 | 0 18.00S47.00E11SE | MU |
| 16 | G | 9366 | G 8733 | 0 18.00S47.00E11SW | IR |
| 17 | G | 1727 | G 1581 | 0 18.00S47.00E10SE | IR |
| 18 | G | 625 | G 537 | 0 18.00S47.00E10SW | IR |
| 19 | G | 4857 | G 4573 | 0 18.00S47.00E10SE | IR |
| 19 | G | 6813 | G 6316 | 0 18.00S47.00E10SE | IR |
| 20 | U | 254 | U 226 | 0 18.00S47.00E 9SW | IR |
| 20 | U | 254 | U 226 | 0 18.00S47.00E 9SW | IR |
| 21 | G | 2222 | G 2044 | 0 18.00S47.00E 9SE | IR |
| 22 | | | | 18.00S47.00E 9SW | |
| 23 | G | 15761 | 0 | 0 18.00S47.00E11NE | MU |
| 24 | | | | 18.00S47.00E 9NE | |
| 25 | G | 4447 | G 4193 | 0 18.00S47.00E 9NW | IR |
| 26 | U | 254 | U 226 | 0 18.00S47.00E 9NE | IR |
| 26 | U | 473 | U 429 | 0 18.00S47.00E 9NE | IS |
| 26 | G | 2577 | G 2390 | 0 18.00S47.00E 9NE | IS |
| 27 | G | 15673 | G 15218 | 0 18.00S47.00E 9NWS | IR |
| 27 | G | 15673 | G 15218 | 0 18.00S47.00E 9NWS | IR |
| 28 | U | 301 | U 276 | 0 18.00S47.00E10SE | IR |
| 29 | G | 15654 | 0 | 0 18.00S47.00E 9SE | IR |
| 30 | G | 957 | G 859 | 0 18.00S47.00E 9SW | IS |
| 31 | G | 956 | G 889 | 0 18.00S47.00E 9SE | IR |
| 32 | G | 628 | G 550 | 0 18.00S47.00E15NE | IR |
| 32 | G | 628 | G 550 | 0 18.00S47.00E15NE | IR |
| 33 | G | 892 | G 1145 | 0 18.00S47.00E16NW | IS |
| 34 | G | 405 | G 329 | 0 18.00S47.00E15SW | IR |

| | | | | | | | |
|----|---|-------|---|-------|---|--------------------|----|
| 34 | G | 2285 | G | 2111 | 0 | 18.00S47.00E15SWNE | IR |
| 35 | G | 15022 | G | 13877 | 0 | 18.00S47.00E15SENE | IR |
| 35 | G | 15022 | G | 13877 | 0 | 18.00S47.00E15SENE | IR |
| 36 | G | 958 | G | 860 | 0 | 18.00S47.00E16SWNW | IS |
| 37 | G | 790 | G | 684 | 0 | 18.00S47.00E16NWSW | IS |

NO CONDITIONED WELLS WITHIN 1 MILE OF APPLICATION G 15965

APPLICATION G 15965 FALLS WITHIN THESE QUAD(S)

PAYETTE

**Oregon Water Resources Department
Water Rights Division**

Water Rights Application
Number G-15965

Proposed Final Order

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

Application History

On March 27, 2003, Randy Griffin for Treasure Valley Community College submitted an application to the Department for the following water use permit:

- Amount of Water: 0.42 cubic foot per second (CFS)
- Use of Water: IRRIGATION USE ON 33.3 ACRES
- Source of Water: Well 1, Well 2, Well 3, Well 4 (2), Well 6, Well 7, and Well 8 in Snake River Basin
- Area of Proposed Use: Malheur County within Section 9, Township 18 South, Range 47 East, W.M.

On July 18, 2003, the Department mailed the applicant notice of its Initial Review, determining that "*The maximum total use of 0.42 cubic foot per second from Well 1, Well 2, Well 3, Well 4 (2), Well 6, Well 7, and Well 8 in Snake River Basin for irrigation use on 33.3 acres is allowable from March 1 through October 31 of each year.*" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On July 22, 2003, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use

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

Findings of Fact

The Malheur Basin Program allows the use of water for irrigation.

Well 1, Well 2, Well 3, Well 4 (2), Well 6, Well 7, and Well 8 in Snake River Basin are not within or above a State Scenic Waterway.

The Groundwater Section finds, per OAR 390.835(9), there is not 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.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.

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

The Department finds that the amount of water requested, 0.42 CFS, is an acceptable amount.

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

Conclusions of Law

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

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

Water is available for the proposed use.

The proposed use will not injure other water rights.

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

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

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

For these reasons, the required presumption has been established.

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

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

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

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

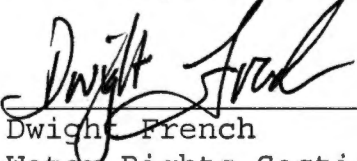
When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary

to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

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

DATED September 9, 2003


Dwight French
Water Rights Section Manager

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

Protest Rights and Standing

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the protest fee required by ORS 536.050 (\$200 before October 1, 2003; \$250 on or after October 1, 2003) and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$200.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **October 24, 2003**.

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

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

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 458.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST NE SALEM, OR 97301

Fax: (503)378-6203

DRAFT

This is not a permit.

DRAFT

STATE OF OREGON

COUNTY OF MALHEUR

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

TREASURE VALLEY COMMUNITY COLLEGE
650 COLLEGE BLVD
ONTARIO, OR 97914

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

APPLICATION FILE NUMBER: G-15965

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, WELL 4 (2), WELL 6, WELL 7, AND
WELL 8 IN SNAKE RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 33.3 ACRES

MAXIMUM RATE: 0.42 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 27, 2003

WELL LOCATIONS:

WELL #1: NW ¼ SE ¼, SECTION 9, T18S, R47E, W.M.; 890 FEET SOUTH &
1270 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #2: NW ¼ SE ¼, SECTION 9, T18S, R47E, W.M.; 510 FEET SOUTH &
200 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #3: SW ¼ NE ¼, SECTION 9, T18S, R47E, W.M.; 30 FEET NORTH &
550 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #4(2): SW ¼ NE ¼, SECTION 9, T18S, R47E, W.M.; 920 FEET NORTH
& 250 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #6: NW ¼ NE ¼, SECTION 9, T18S, R47E, W.M.; 1540 FEET NORTH
& 560 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #7: NW ¼ NE ¼, SECTION 9, T18S, R47E, W.M.; 1680 FEET NORTH
& 810 FEET EAST FROM C1/4 CORNER, SECTION 9

WELL #8: NE ¼ SE ¼, SECTION 9, T18S, R47E, W.M.; 760 FEET NORTH & 1550 FEET EAST FROM C1/4 CORNER, SECTION 9

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW ¼ NE ¼ 3.0 ACRES
SW ¼ NE ¼ 3.4 ACRES
NE ¼ SE ¼ 16.4 ACRES
NW ¼ SE ¼ 10.5 ACRES

SECTION 9

TOWNSHIP 18 SOUTH, RANGE 47 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.

STANDARD CONDITIONS

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

appropriators to jointly develop plans to mitigate interferences.

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

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.

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued _____, 2003

DRAFT - THIS IS NOT A PERMIT

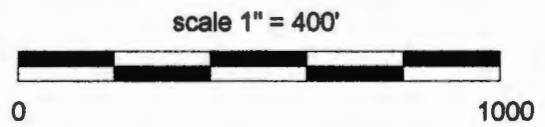
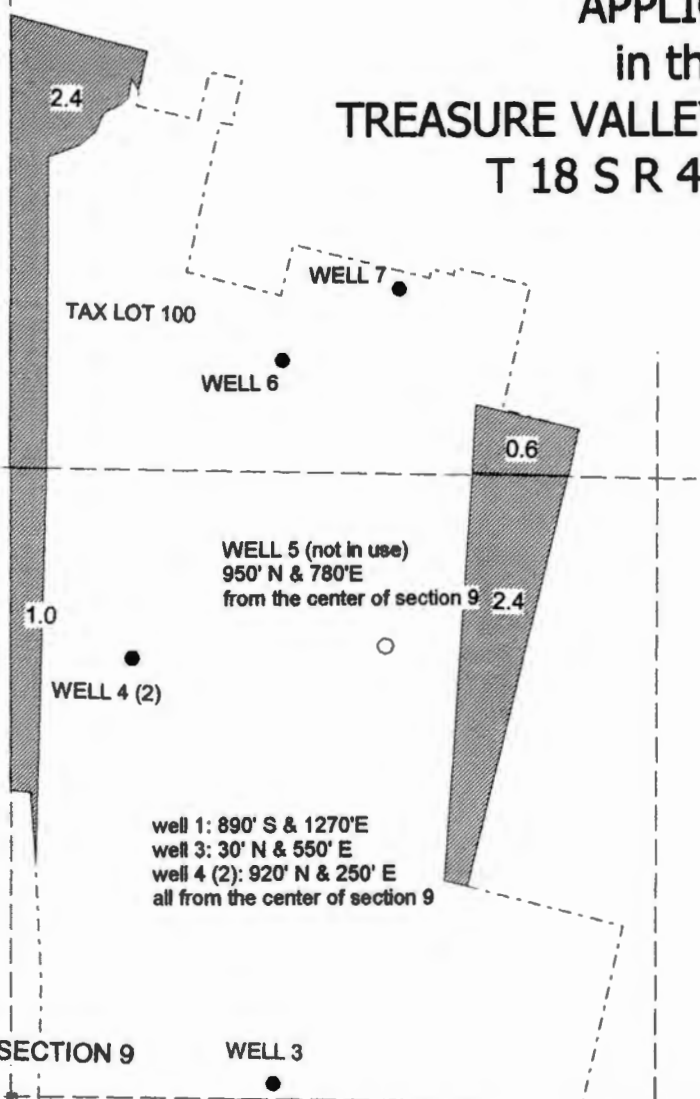
Paul R. Cleary, Director
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

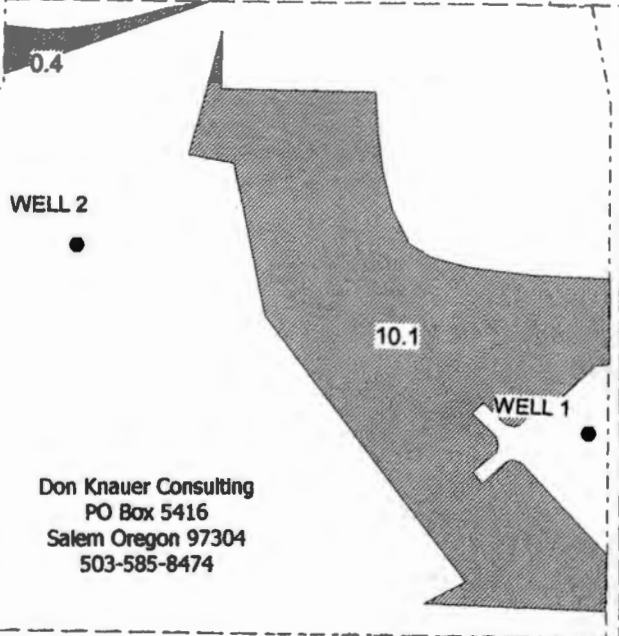
CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

G-15965

APPLICATION MAP
 in the name of:
TREASURE VALLEY COMMUNITY COLLEGE
 T 18 S R 47 E section 9 WM



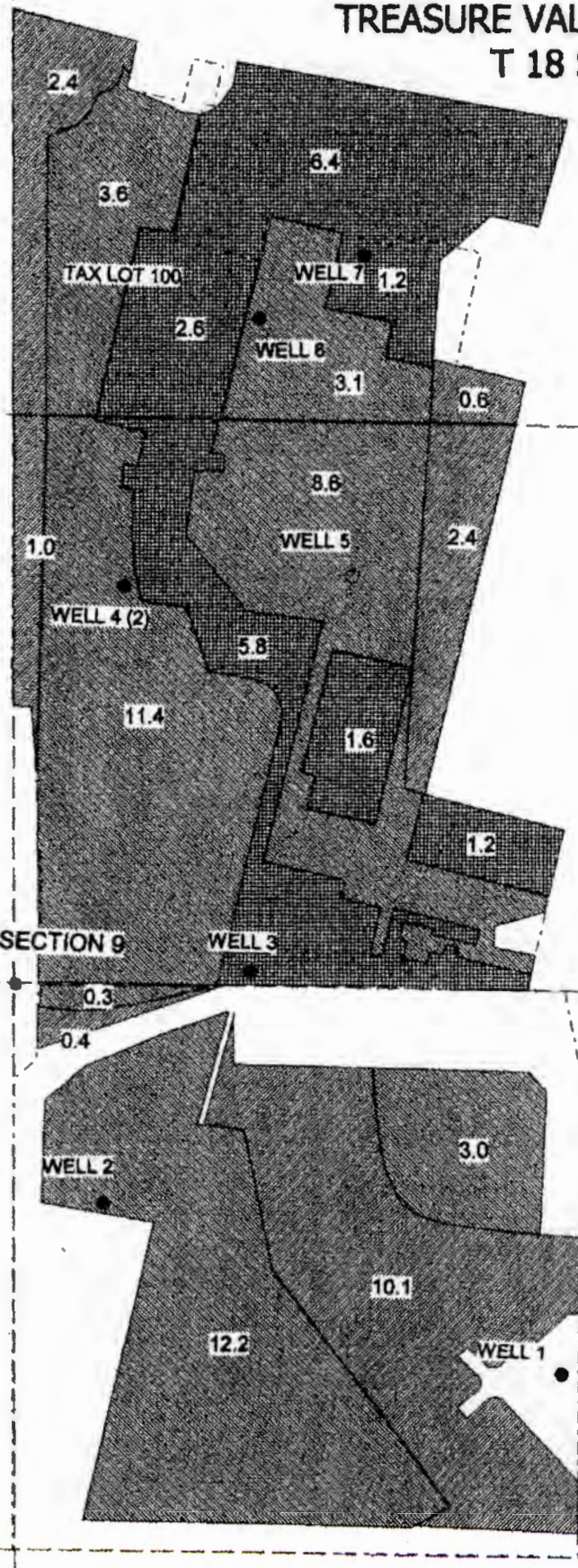
This map is for water
 right purposes only.



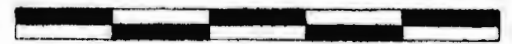
well 2: 510' S & 200' E
 well 6: 1540' N & 560' E
 well 7: 1680' N & 810' E
 well 8: 760' S & 1550' E
 from the center of section 9

G-15965




WATER RIGHT MAP FOR: TREASURE VALLEY COMMUNITY COLLEGE T 18 S R 47 E section 9



scale 1" = 400'



WELL 5 (not in use)
950' N & 780' E
from the center of section 9

-  existing water right
-  application for permit
-  water right to be cancelled

Don Knauer Consulting
PO Box 5416
Salem Oregon 97304
503-585-8474

well 1: 890' S & 1270' E
well 3: 30' N & 550' E
well 4 (2): 920' N & 250' E
all from the center of section 9

well 2: 510' S & 200' E
well 6: 1540' N & 560' E
well 7: 1680' N & 810' E
well 8: 780' S & 1550' E
from the center of section 9

CENTER SECTION 9

Mailing List for PFO Copies

Application #G-15965

PFO Date September 9, 2003

Original mailed to:

~~Applicant:~~ TREASURE VALLEY COMMUNITY COLLEGE, 650 COLLEGE BLVD, ONTARIO, OR 97914

Copies sent to:

- ~~1.~~ WRD - File # G-15965
- ~~2.~~ Water Availability: Ken Stahr

PFO and Map Copies sent to:

- ~~3.~~ WRD - Watermaster # 9
- ~~4.~~ Regional Manager: ER

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

- ~~5.~~ Steven P. Applegate Consulting, 532 Inverness Dr Se, Salem OR 97306
- ~~6.~~ Don Knauer Consulting, PO Box 5416, Salem OR 97304

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

CASEWORKER : Gaineyjw- WEEK 424

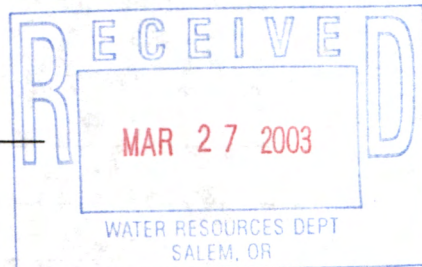
| |
|---|
| <p>Copies Mailed By: <u> </u> (SUPPORT STAFF) on: <u>9/9/03</u> (DATE)</p> |
|---|



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

Application for a Permit to Use Ground Water

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



1. APPLICANT INFORMATION

A. Individuals

Applicant: _____
First Last

Co-applicant: _____
First Last

Mailing address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

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

Name of organization: TREASURE VALLEY COMMUNITY COLLEGE

Name and title of person applying: RANDY R. GRIFFIN, DEAN OF ADMIN. SERVICES

Mailing address of organization: 650 COLLEGE BLVD.
ONTARIO OR 97914
City State Zip

Phone: (541) 881-8822
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

| | | |
|-------------------------|------------------|------------|
| For Department Use | | |
| App. No. <u>G-15965</u> | Permit No. _____ | Date _____ |

2. PROPERTY OWNERSHIP

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

Yes (Skip to section 3 "Ground water Development.")

No Please check the appropriate box below.

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

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

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

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 7 B. Name of nearest surface water body: SNAKE RIVER

C. Distance from well(s) to nearest stream or lake: 1) ~10,000 ft. (ALL)

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 20 feet

2) _____ 3) _____ 4) _____

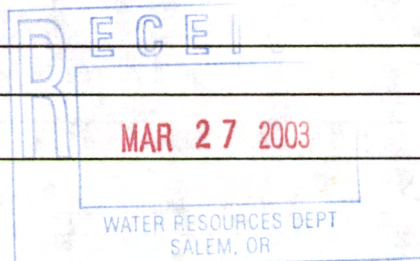
E. Well Characteristics

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

Well(s) will be constructed by: _____

Address: _____

Completion date: _____



B. Amount of Water

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

| Well No. | Source or aquifer | Type of use | Total rate of water requested (in gpm) | Total annual quantity (in-gallons) | Production rate of well (in gpm) |
|----------|-------------------|-------------|--|------------------------------------|----------------------------------|
| (ALL) | ALLUVIALS | IRRIGATION | 190 | 100 AF | 150 - 300 (each) |
| | | | | | |
| | | | | | |
| | | | | | |

C. Maximum Rate of Use Requested

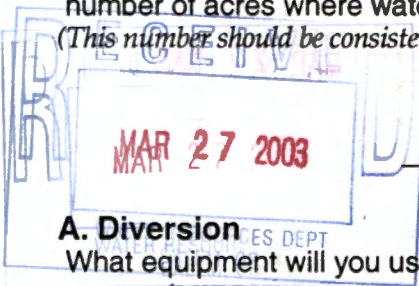
What is the maximum, instantaneous rate of water that will be used? 0.42 cfs
 (The fees for your application will be based on this amount.)

D. Period of Use

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

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 33.3
 (This number should be consistent with you application map.)



5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type) 15 to 20 Hp Submersibles
- Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)
 Width _____ Depth _____
 Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
 Diameter 4" PVC MAINS Length 5,000 ft. +
- Other (describe) _____

G-15965

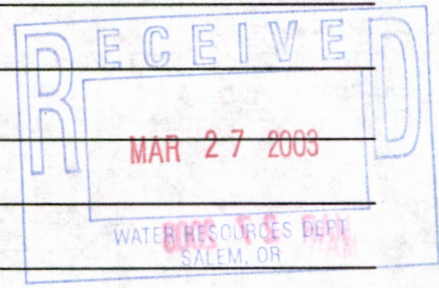
2. Please provide a description of your well development. (Attach additional sheets if needed.)

| Well No. | Diameter | Type and size of casing | No. of feet of casing | Intervals casing is perforated (in feet) | Seal depth | Est. depth to water | Est. depth to water bearing stratum | Type of access port or measuring device | Total well depth |
|----------|----------|-------------------------|-----------------------|--|------------|---------------------|-------------------------------------|---|------------------|
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

F. Artesian Flows

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

N/A



4. WATER USE

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

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

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

8. MAP REQUIREMENTS

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

9. SIGNATURE

By my signature below I confirm that I understand:

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

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

X David L. Suggs 3/3/03
Signature of Applicant Date

Signature of Co-applicant Date

RECEIVED
MAR 27 2003
WATER RESOURCES DEPT
SALEM, OR

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. $250 + 150 + 175 = \$575^{00}$

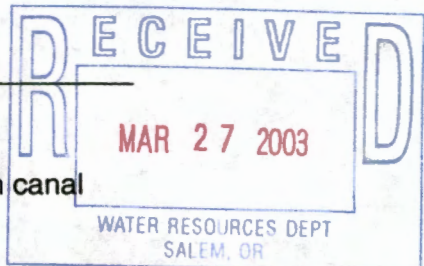
G-15965

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? BURIED, SOLID-SET
SPRINKLER IRRIGATION

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

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



Distribution method

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

D. Conservation

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

NIGHT IRRIGATION; LEAK-FREE PVC SYSTEM; TIMERS;
MEASURED APPLICATIONS.

6. PROJECT SCHEDULE

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

Proposed date construction will begin BEGUN

Proposed date construction will be completed COMPLETED

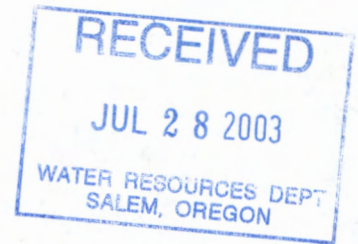
Proposed date beneficial water use will begin UPON APPROVAL

7. REMARKS

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

PLEASE SEND COPIES OF ALL CORRESPONDENCE AND
DIRECT QUESTIONS TO OUR AGENT FOR THIS APPLICATION:
STEVEN P. APPLIGATE CONSULTING
532 INVERNESS DR. SE
SALEM, OR 97306
(503) 362-4040

STEVEN P. APPLGATE CONSULTING
532 INVERNESS DRIVE SE
SALEM, OR 97306
Phone/fax (503)362-4040



July 25, 2003

Oregon Water Resources Department
158-12th St. NE
Salem, OR 97310
ATTN: Jerry Gainey

REFERENCE: Application G-15965
Treasure Valley Community College

Dear Mr. Gainey:

We are in receipt of your Initial Review (IR) of the above referenced application. This letter is our best effort to address the "Additional Information Required" referenced in the IR, specifically the request for well logs for all of the proposed wells.

Staff at the College have researched their records completely, and I have researched both your records and those at the Watermaster's office in Vale. The only well logs that have been found are the three submitted with the application, to which you refer in the IR. We have compiled, however, some additional information (some of which may be anecdotal) about the other wells, which we provide below. The well numbers referenced below correspond to the numbering used in the application.

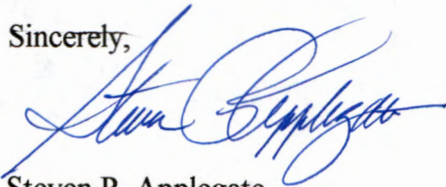
| <u>Well #</u> | <u>Depth</u> | <u>Static Level</u> | <u>Const. Date</u> | <u>Driller</u> | <u>Info Source/Remarks</u> |
|---------------|--------------|---------------------|--------------------|----------------|-----------------------------|
| 1 | 100' | 16' | 1968 | Holloway | Log- State # 1584 |
| 2 | 84' | ? | 1979 | Gilmore? | 44' casing; notes in a file |
| 3 | 30' | 2' | < 1955 | ? | FPRpt. P.U-226 (Bish) |
| 4 (Old #2) | 31' | 2' | < 1955 | ? | FPRpt. P.U-226 |
| 6 | 55' | 12' | 1965 | Holloway | Log- State # 1574 |
| 7 | ? | 12' | ? | ? | SWL/production same as 6 |
| 8 | N/A | N/A | N/A | N/A | Not yet drilled |

Only two of the currently used wells have logs that can be located. The 3rd log (# 2632) is for well 5, which is not applied for and is unused due to sanding problems. The info on Well 2 is not strongly reliable, but it is reasonable because the well is located about 30' higher in elevation from the others. Wells 3 and 4 (Old #2) were constructed prior to the time logs were required. The information provided is from your agency's (Mike Bish) final proof survey report in November 1955 for Permit U-226. Although we can find no information on Well 7, we believe it to be nearly identical to Well 6. They are only a few hundred feet apart, and have nearly identical production and water levels.

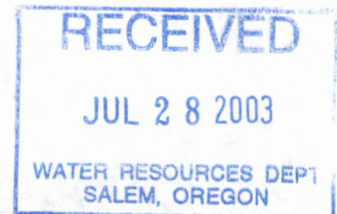
Well #8 is not yet constructed, and I apologize for not making that clear in the application. The statement in the application that construction is "completed" is therefore erroneous.

In short, all of the existing wells produce water from the unconsolidated alluvials. Water levels fluctuate with the seasons. I hope this provides sufficient information to proceed with the application. I doubt if any additional information currently exists on these wells. Please let me know if any further clarification is needed.

Sincerely,



Steven P. Applegate



cc: Randy Griffin, Bernie Babcock, TVCC

STEVEN P. APPLGATE CONSULTING
532 Inverness Drive SE
Salem, OR 97306
(503) 362-4040

2-15965



Oregon Water Resources Dept.
158- 12th St. NE
Salem, OR 97310

Attn: Jerry Cooney

97301/4172



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-15965
 TREASURE VALLEY CC
 ATTN: RANDY R. GRIFFIN
 650 COLLEGE BLVD
 ONTARIO OR 97914

2. Article Number*(Transfer from service label)*

7003 0500 0005 0270 1680

COMPLETE THIS SECTION ON DELIVERY**A. Signature****X***Melissa Frank* Agent Addressee**B. Received by (Printed Name)***Melissa Frank***C. Date of Delivery***7/22/02***D. Is delivery address different from item 1?** Yes

If YES, enter delivery address below:

 No**3. Service Type** Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.**4. Restricted Delivery? (Extra Fee)** Yes

UNITED STATES POSTAL SERVICE



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

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

RECEIVED

JUL 2 4 2

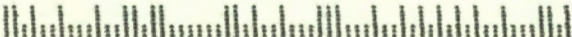
WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM OR 97301-4172

RECEIVED

JUL 2 4 2003

WATER RESOURCES DEPT.
SALEM, OREGON



03



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

July 18, 2003

CERTIFIED MAIL Return Receipt Requested

TREASURE VALLEY COMMUNITY COLLEGE
ATTN: RANDY GRIFFIN
650 COLLEGE BLVD
ONTARIO, OR 97914

Reference: File G-15965

Dear Mr. Griffin:

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

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

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except as otherwise noted below.
2. The use of water from seven wells in Snake River Basin for irrigation use on 33.3 acres is **allowable** under OAR 690-510, the Malheur Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. The Department has also determined, based upon available data, that the use of groundwater if properly conditioned, will not injure existing rights or the groundwater resource.
5. In Item 6 of your application, you have indicated that construction has been completed. Prior to permit issuance, well logs for all wells must be submitted to the Department.

The Department has determined from available information that only well logs for State Well No. 18/47-9 (MALH #1574), Start Card No. 16329 (MALH# 2632) and State Well No. 18/47-9 (MALH# 1584) were submitted with this application, G-15965. Please refer to the **ADDITIONAL INFORMATION REQUIRED** section below for details.

Summary of Initial Determinations

The maximum total use of 0.42 cubic foot per second from Well 1, Well 2, Well 3, Well 4 (2), Well 6, Well 7, and Well 8 in Snake River Basin for irrigation use on 33.3 acres is allowable from March 1 through October 31 of each year.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Additional Information Required:

The Department will not proceed with a positive Proposed Final Order and will not issue a permit approving the proposed use, as requested under this Application #G-15918, until well logs have been received for all wells. Also, each well log must correspond with a well number identified on the application map.

Please submit this information no later than **Thursday, August 21, 2003**. If you are unable to submit the above listed information, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

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

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

To Proceed With Your Application:

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, August 1, 2003**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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


1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. The priority date for this application is March 27, 2003.
3. NOTE: Additional conditions may be included after receipt and review of well logs.

The water source identified in your application is in an area that has an approved Agricultural Water Quality Management Area Plan. These plans have been developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Paul Measeles, (503) 986-4778 at the ODA to learn more about the plan and how it may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at 503-378-8455 extension 201. Feel free to call me at 503-378-8455 extension 458 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: 503-378-6203.

Sincerely,


Jerry W. Gainey
Water Right Processing Technician

enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-15965
wab 10-NA
pou 10-NA
gw c

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*

If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15965

Applicant: RANDY GRIFFIN FOR TREASURE VALLEY COMMUNITY COLLEGE

County: Malheur

Watermaster: 9

Priority Date: March 27, 2003

Source: SEVEN WELLS IN SNAKE RIVER BASIN

Use: IRRIGATION USE ON 33.3 ACRES

Quantity: 0.42 CUBIC FOOT PER SECOND

Basin Name & Number: Malheur, #10

Stream Index Reference: Volume 2A BIRCH CR & MISC

Well Locations:

Well #1: NWSE, SECTION 9, T18S, R47E, W.M.; 890 FEET SOUTH & 1270 FEET
EAST FROM C1/4 CORNER, SECTION 9

Well #2: NWSE, SECTION 9, T18S, R47E, W.M.; 510 FEET SOUTH & 200 FEET
EAST FROM C1/4 CORNER, SECTION 9

Well #3: SWNE, SECTION 9, T18S, R47E, W.M.; 30 FEET NORTH & 550 FEET
EAST FROM C1/4 CORNER, SECTION 9

Well #4(2): SWNE, SECTION 9, T18S, R47E, W.M.; 920 FEET NORTH & 250 FEET
EAST FROM C1/4 CORNER, SECTION 9

Well #6: NWN, SECTION 9, T18S, R47E, W.M.; 1540 FEET NORTH & 560 FEET EAST FROM C1/4 CORNER, SECTION 9

Well #7: NWN SECTION 9, T18S, R47E, W.M.; 1680 FEET NORTH & 810 FEET EAST FROM C1/4 CORNER, SECTION 9

Well #8: NESE, SECTION 9, T18S, R47E, W.M.; 760 FEET NORTH & 1550 FEET EAST FROM C1/4 CORNER, SECTION 9

Place of Use: NWN 3.0 ACRES, SWNE 3.4 ACRES, NESE 16.4 ACRES, NWSE 10.5 ACRES, SECTION 9, TOWNSHIP 18 SOUTH, RANGE 47 EAST, W.M.

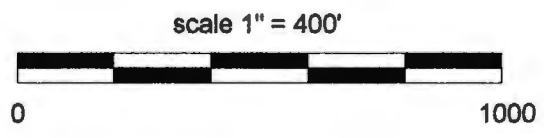
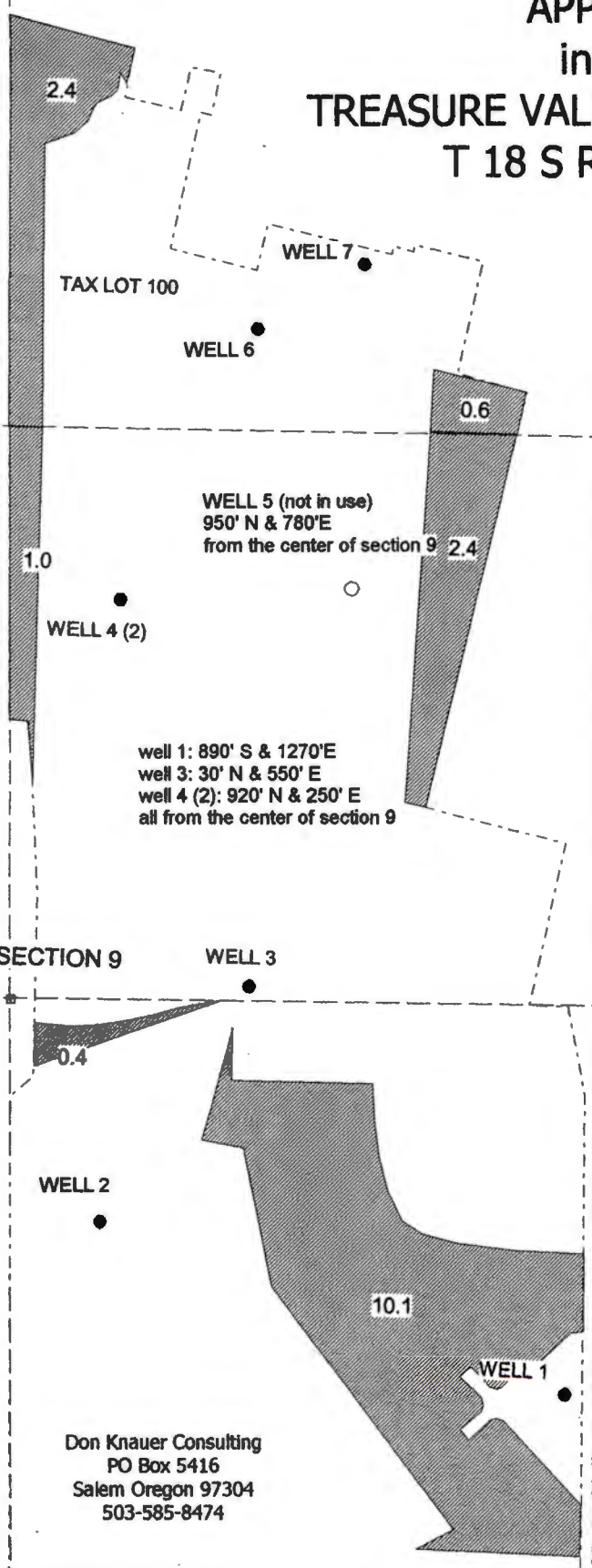
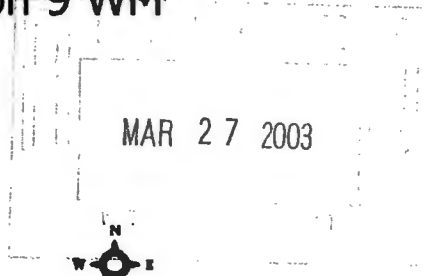
14 DAY STOP PROCESSING DEADLINE DATE: Friday, August 1, 2003

PUBLIC NOTICE DATE: Tuesday, July 22, 2003

30 DAY COMMENT DEADLINE DATE: Thursday, August 21, 2003

G-15965

APPLICATION MAP in the name of: TREASURE VALLEY COMMUNITY COLLEGE T 18 S R 47 E section 9 WM



This map is for water right purposes only.

well 2: 510' S & 200' E
well 6: 1540' N & 560' E
well 7: 1680' N & 810' E
well 8: 760' S & 1550' E
from the center of section 9

well 1: 890' S & 1270' E
well 3: 30' N & 550' E
well 4 (2): 920' N & 250' E
all from the center of section 9

WELL 5 (not in use)
950' N & 780' E
from the center of section 9

TAX LOT 100

TAX LOT 500

CENTER SECTION 9

Don Krauer Consulting
PO Box 5416
Salem Oregon 97304
503-585-8474

Mailing List for IR Copies

Application #G-15965

IR Date: July 18, 2003

Original mailed to:

Applicant: RANDY GRIFFIN FOR TREASURE VALLEY COMMUNITY COLLEGE, 650 COLLEGE BLVD, ONTARIO, OR 97914

Copies sent to:

- ✓ WRD - File # G-15965
- ✓ WRD - Water Availability: Ken Stahr
- ✓ WRD - Mike Zwart

IR, Map, and Fact Sheet Copies sent to:

- ✓ WRD - Watermaster # 9
- ✓ WRD - Regional Manager: Eastern Region

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

✓ Steven P. Applegate Consulting, 532 Inverness Dr SE, Salem OR 97306

✓ Don Knauer Consulting, PO Box 5416, Salem OR 97304

8. _____

9. _____

ID# JWG

COPYSHIRT

REMINDER: Copy *all* IR's for uses in the geographic Umatilla Basin to Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, 73239 Confederated Way, Pendleton, OR 97801.

REMINDER: Copy *all* IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)

| |
|--------------------|
| Copies Mailed |
| By: <u>JTB</u> |
| (SUPPORT STAFF) |
| on: <u>7/18/03</u> |
| (DATE) |

Platcard Report

Township 18.0S Range 47.0E Section 9

| | | | | | NE | | | | NW | | | | SW | | | | SE | | | | | |
|----------|---------------------|------------------------|------------------|-------------------------|----------|----------|----------|----------|------------------|------------------|----------|----------|------------------|------------------|------------------|----|----|----|------------------|----|----------------|-----|
| | App# Priority | Permit/ Certificate | Claim/ Decree | Status dlc/lot | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Govt Lot | DLC |
| i | - | - 6984 | | CN | | | | | 40.0 IR CN | | | | 35.0 IR CN | 15.0 IR CN | | | | | | | | |
| i | 10/30/1888 | - 9753 | | CN B37 | | | | | 13.0 IR CN | 16.3 IR CN | | | 20.7 IR CN | 6.9 IR CN | 16.0 IR CN | | | | 19.0 IR CN | | | |
| i | 10/30/1888 | - 31121 | | CN <u>see transfers</u> | IR CN | IR CN | IR CN | IR CN | 13.0 IR CN | 16.3 IR CN | | | 20.7 IR CN | 6.9 IR CN | 16.0 IR CN | | | | 19.0 IR CN | | | |
| i | - | - 45547 | | CN <u>see transfers</u> | | | | | 40.0 IR CN | | | | 35.0 IR CN | 15.0 IR CN | | | | | | | | |
| i | 12/31/1888 | - 75699 | | <u>see transfers</u> | IR | IR | IR | IR | 13.0 IR | 12.0 IR | | | 20.7 IR | 6.9 IR | 16.0 IR | | | | 19.0 IR | | | |
| i | 08/11/1958 | G999 68622 | | T6160 | MU | MU | MU | MU | MU | MU | MU | MU | | | | | | | MU | | | |
| i | G956 05/01/1958 | G889 27562 | | | | | | | | | | | | | | | | | 3.9 IR | | | |
| i | G957 05/01/1958 | G859 26996 | | | | | | | | | | | | | | | | | | | 36.4 IS (s) | |
| i | G1191 08/11/1958 | G999 32124 | | CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | | | | | | | MU CN | | | |
| i | G2030 05/24/1961 | G1867 32125 | | | | | | | | | | | | | | | | | MU | | | |

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[Return to Platcard Query Screen](#)

Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Run Time: 15 seconds

Platcard Report

Township 18.0S Range 47.0E Section 9

| | | | | | NE | | | | NW | | | | SW | | | | SE | | | | | |
|----------|----------------------|------------------------|------------------|-------------------|----------|----------|------------|----------|----------|----------|----------|---------------|----------------|-------------|----------|----------|----------|------------|----------|----------|-------------|-----|
| | App# Priority | Permit/ Certificate | Claim/ Decree | Status dlc/lot | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Govt Lot | DLC |
| i | G2222 01/31/1962 | G2044 32003 | | | | | 0.53 IR | | | | | 5.06 IR | 9.98 IR | | | | | 0.63 IR | | | | |
| i | G2577 03/28/1963 | G2390 35012 | | | | | | | | | | 8.0 IS (s) | 25.2 IS (s) | | | | | | | | | |
| i | G4447 06/18/1968 | G4193 41130 | | | | | | | | | | | | | | | | 15.2 IR | | | | |
| i | G4761 01/14/1969 | G4485 - | | | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU |
| i | G6892 04/14/1975 | G6794 60022 | | | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | | |
| i | G6955 05/23/1975 | G6795 - | | CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | MU CN | | |
| i | G9944 09/18/1980 | G9113 60023 | | | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | | |
| i | G9945 09/18/1980 | G9114 60024 | | | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | | |
| i | G15654 11/08/2001 | G15313 - | | | | | | | | | | | | | | | | | | | 2.96 IR | |
| i | G15673 12/24/2001 | G15218 - | | | | | | | | | | | | 14.32 IR | | | | | | | | |

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Run Time: 12 seconds

Platcard Report

Township 18.0S Range 47.0E Section 9

Subj
File

| | App# Priority | Permit/ Certificate | Claim/ Decree | Status dlc/lot | NE | | | | NW | | | | SW | | | | SE | | | | Govt Lot | DLC |
|---|----------------------|------------------------|------------------|-------------------|----|-----------|-----------|----|----------------------|----------------------|----------------------|------------------|----------------------|----------------------|----------------------|----|------------|------------------|----------------------|----|-------------|-----|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| i | G15910 01/17/2003 | - - | | | | | | | | | 1.5 IR | | | | | | | | | | | |
| i | G15965 03/27/2003 | - - | | | | 3.0 IR | 3.4 IR | | | | | | | | | | 16.4 IR | 10.5 IR | | | | |
| i | S3065 07/08/1913 | S1786 3524 | | CN | | | | | 10.0 IR CN | 40.0 IR CN | | 10.0 IR CN | 28.0 IR CN | 23.0 IR CN | 20.0 IR CN | | | 20.0 IR CN | | | | |
| i | S3065 07/08/1913 | S1786 51346 | | CN | | | | | 10.0 IR CN | 40.0 IR CN | | 38.0 IR CN | | 23.0 IR CN | 20.0 IR CN | | | 20.0 IR CN | | | | |
| i | S3065 07/08/1913 | S1786 75708 | | | | | | | | 1.4 IS (s) | | | 24.4 IS (s) | 7.5 IS (s) | | | | | | | | |
| i | S3065 07/08/1913 | S1786 75709 | | | | | | | | | | 10.0 IR | | | 20.0 IR | | | 20.0 IR | | | | |
| i | S11709 - | S8171 24707 | | CN | | | | | 18.0 IR CN | 38.0 IR CN | | | 30.0 IR CN | 20.0 IR CN | | | | | | | | |
| i | S11709 - | S8171 75691 | | | | | | | | 1.4 IR | | | 24.4 IR | 7.5 IR | | | | | | | | |
| i | S26524 10/01/1951 | S24285 24704 | | CN | | | | | 13.0 IS (s) CN | 34.3 IS (s) CN | 38.0 IS (s) CN | | 20.7 IS (s) CN | 36.9 IS (s) CN | 36.0 IS (s) CN | | | | 19.0 IS (s) CN | | | |
| i | S26524 10/01/1951 | S24285 75689 | | | | | | | | 1.4 IS (s) | | | 24.4 IS (s) | 7.5 IS (s) | | | | | | | | |

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Paul R. Cleary, Director

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Run Time: 11 seconds

Platcard Report

Township 18.0S Range 47.0E Section 9

| | | | | | NE | | | | NW | | | | SW | | | | SE | | | | | | |
|----------|----------------------|------------------------|------------------|-------------------|----|------------|----------------|----|----------------|----------------|----|---------------|----------------|-----------------|----------------|----|----|----|----------------|----|-------------|-----|--|
| | App# Priority | Permit/ Certificate | Claim/ Decree | Status dlc/lot | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Govt Lot | DLC | |
| i | S26524 10/01/1951 | S24285 75690 | | | | | | | 13.0 IS (s) | 12.0 IS (s) | | | 20.7 IS (s) | 6.9 IS (s) | 16.0 IS (s) | | | | 19.0 IS (s) | | | | |
| i | S29800 03/14/1955 | S23806 29394 | | | | | | | 13.0 IS (s) | 16.3 IS (s) | | | 20.7 IS (s) | 6.9 IS (s) | 16.0 IS (s) | | | | 19.0 IS (s) | | | | |
| i | S57572 06/26/1978 | S43401 - | | | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | MU | | |
| i | U32 07/10/1930 | U28 9095 | | CN | | | | | | | | | | 5.0 IR CN | | | | | | | | | |
| i | U33 07/11/1930 | U30 9103 | | CN | | | | | | | | | | 5.0 IR CN | | | | | | | | | |
| i | U254 12/15/1947 | U226 22842 | | | | 17.7 IR | 29.0 IR | | | | | 4.6 IR | 9.6 IR | | | | | | 1.2 IR | | | | |
| i | U472 03/10/1952 | U428 22879 | | | MU | MU | MU | MU | MU | | | MU | | | | | | | | | | | |
| i | U473 03/10/1952 | U429 22880 | | | | | 0.53 IS (s) | | | | | 4.6 IS (s) | 2.22 IS (s) | | | | | | 0.22 IS (s) | | | | |

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Paul R. Cleary, Director

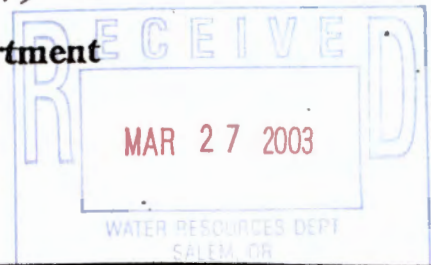
Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Run Time: 10 seconds



Oregon Water Resources Department

G-15965



FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 33.3 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: no. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. LANDSCAPING, REC. FIELDS Full season Partial season (from: Apr. to Oct.)
- 2. _____ Full season Partial season (from: _____ to _____)
- 3. _____ Full season Partial season (from: _____ to _____)
- 4. _____ Full season Partial season (from: _____ to _____)

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

100 acre-feet

(1 acre-foot equals 12 inches of water spread over one acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours
- Other, explain: _____

G-15965

AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A WATER RIGHT CERTIFICATE

State of Oregon)
) ss
County of Malheur)

We, Treasure Valley Community College, located at 650 College Boulevard, Ontario, Oregon 97914, phone (541)881-8822, being first duly sworn depose and say:

- 1. We are the legal owner(s) of the property described as tax lot number 100, within the W1/2 NW1/4, Section 9, Township 18 S, Range 47 E, of the Willamette Meridian, in Malheur County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 22842 issued to City of Ontario, with a date of priority of December 15, 1947, for use of 0.155 cubic foot per second of water from Well #2 for the purpose of irrigation of 12.4 acres is appurtenant to our property;
3. We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows:
The right to the use of 0.23 cubic foot per second from Well #2 for the irrigation of 18.8 acres located:

NW1/4 NE1/4 3.8 Acres
SW1/4 NE1/4 8.6 Acres

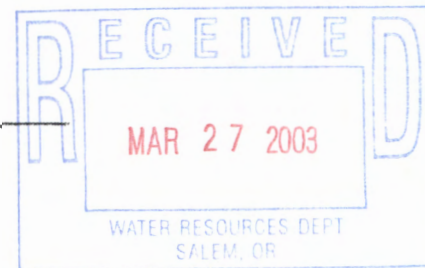
Section 9

Township 18 S, Range 47 E., WM, and

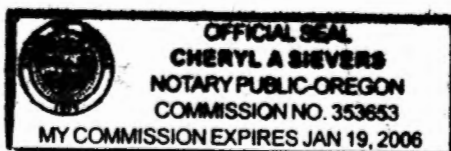
- 4. We request that, upon approval of our transfer request recently submitted, said portion of the right described above be canceled.
5. Our property is located within the Owyhee Irrigation District, but is not subject to assessment.
6. There are no encumbrance holders for our property.

X [Signature]
Signature
X Dean of Admin. Services
Title

X 3/3/03
Date



Subscribed and Sworn to Before Me this 3 day of March, 2003



[Signature]
Notary Public for Oregon

My Commission Expires 1-19-06

PLEASE ATTACH MAP AND DEED WITH LEGAL DESCRIPTION

NC

G-15965

RECEIVED

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON, within 30 days from the date of well completion.

OCT 1 1965 WATER WELL REPORT

Mail 1574

State Well No. 18/47-9
State Permit No.

(1) OWNER:
Name TREASURE VALLEY College
Address ONTARIO OREGON

(11) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? Driller
Yield: 4.58 gal./min. with 3.3 ft. drawdown after 30

(2) LOCATION OF WELL:
County MAHUR Driller's well number
NW 1/4 NE 1/4 Section 9 T. 18S-R. 47E W.M.
Bearing and distance from section or subdivision corner
LOCATION IN CITY OF ONTARIO
10' South of North Corner and
25' West of MAIN BUILDING

Bailer test gal./min. with ft. drawdown after
Artesian flow g.p.m. Date
Temperature of water 62 Was a chemical analysis made? Yes No

(3) TYPE OF WORK (check):
 Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(12) WELL LOG: Diameter of well below casing 1.574
Depth drilled 55 ft. Depth of completed well 50
Formation: Describe by color, character, size of material and structure, show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation

(4) PROPOSED USE (check):
 Domestic Industrial Municipal
 Irrigation Test Well Other
Heat Pump Well

(5) TYPE OF WELL:
 Rotary Driven
 Cable Jetted
 Dug Bored

| MATERIAL | FROM | TO |
|---------------------|------|----|
| SOIL SANDY | 0 | 3 |
| CLAY yellow | 3 | 17 |
| GRAVEL cemented | 17 | 30 |
| GRAVEL + SAND water | 30 | 40 |
| GRAVEL MEDIUM | 40 | 43 |
| CLAY blue | 43 | 50 |
| CLAY + BLACK SAND | 50 | 55 |

(6) CASING INSTALLED: Threaded Welded
16" Diam. from 0 ft. to 45 ft. Gage 4
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS: Perforated? Yes No
Type of perforator used TORCH
Size of perforations 3/8" in. by 256" in.
300 perforations from 256 ft. to 45 ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(8) SCREENS: Well screen installed? Yes No
Manufacturer's Name _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Work started 8-27 1965 Completed 9-1 1965
Date well drilling machine moved off of well 9-2 1965

(9) CONSTRUCTION:
Well seal—Material used in seal CONCRETE
Depth of seal 20 ft. Was a packer used? SAND
Diameter of well bore to bottom of seal 24 in.
Were any loose strata cemented off? Yes No Depth _____
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel: 3/4"
Gravel placed from 20 ft. to 45 ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____

(13) PUMP:
Manufacturer's Name NO PUMP YET.
Type: _____ H.P. _____

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report true to the best of my knowledge and belief,
NAME HOLLOWAY DRILLING CO.
(Person, firm or corporation) (Type or print)
Address ONTARIO OREGON
Drilling Machine Operator's License No. 100
[Signed] Max Holloway
(Water Well Contractor)
Contractor's License No. 16 Date 9-28 1965

(10) WATER LEVELS:
Static level 12' ft. below land surface Date 9-1-65
Artesian pressure _____ lbs. per square inch Date _____

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

WALLET 24632

G-15965 Start card # 185/42E/19C
 16329

(1) OWNER: Well Number _____
 Name Treasure Valley Community College
 Address 650 College Blvd
 City Antonia State Oregon Zip 97914

(9) LOCATION OF WELL by legal description:
 County Malheur Latitude _____ Longitude _____
 Township 18S N or S, Range 47E E or W, WM.
 Section 9 SW 1/4 NE 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 650 College Blvd
Antonia, Ore 97914

(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 185 ft.
 Explosives used Yes No Type _____ Amount _____

| HOLE | | | SEAL | | | Amount sacks or pounds |
|----------|------|-----|----------|------|----|---------------------------|
| Diameter | From | To | Material | From | To | |
| 16 | 0 | 18 | Cement | 0 | 18 | 4762 |
| 10 | 18 | 140 | | | | |
| 8 | 140 | 185 | | | | |

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

| Diameter | From | To | Gauge | Steel | Plastic | Welded | Threaded |
|------------|------|----|-------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Casing: 10 | 1 | 80 | .365 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Liner: | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Final location of shoe(a) 80'

(7) PERFORATIONS/SCREENS:

Perforations Method touch
 Screens Type _____ Material _____

| From | To | Slot size | Number | Diameter | Tele/pipe size | Casing | Liner |
|------|----|-----------|--------|-----------|----------------|-------------------------------------|--------------------------|
| 0 | 29 | | 400 | 1 1/2 x 4 | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 29 | 39 | | 400 | 1 1/2 x 4 | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

Pump Bailor Air Flowing Artesian

| Yield gal/min | Drawdown | Drill stem at | Time |
|-----------------|------------|---------------|----------------|
| <u>pump 175</u> | <u>14'</u> | | <u>5 min</u> |
| <u>dis 300</u> | | <u>185'</u> | <u>5 hours</u> |

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: _____

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date 4-15-
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 20

| From | To | Estimated Flow Rate | SWI |
|------|----|---------------------|-----|
| 20 | 99 | 250 | |

(12) WELL LOG: Ground elevation _____

| Material | From | To | SWI |
|--------------------------|------|-----|-----|
| <u>brown clay</u> | 0 | 14 | |
| <u>sand</u> | 14 | 17 | |
| <u>gravel + sand</u> | 17 | 31 | 7 |
| <u>black sand (med)</u> | 31 | 35 | |
| <u>black sand (fine)</u> | 35 | 68 | |
| <u>black sand (med)</u> | 68 | 72 | 7 |
| <u>black sand (fine)</u> | 72 | 77 | |
| <u>black sand (med)</u> | 77 | 78 | 7 |
| <u>black sand (fine)</u> | 78 | 99 | |
| <u>black sand (med)</u> | 99 | 101 | 7 |
| <u>broken clay</u> | 101 | 185 | |

RECEIVED
 MAR 27 2003
 JUL 29 1991
 WATER RESOURCES DEPT. WATER B. ...
 SALEM, OR. ...
 Date started 4-4-91 Completed 5-20-91

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, 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. 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 John J. ... WWC Number 682
 Date _____

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

RECEIVED WELL REPORT

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date of well completion.

JUN 18 1968
STATE OF OREGON
(Please type or print)
STATE ENGINEER
SALEM, OREGON

G-15965
State Well No. 18/47-91
State Permit No. _____
1584
2444

(1) OWNER:

Name TREASURY Valley College
Address ONTARIO OREGON

(11) LOCATION OF WELL:

County MALHEAR Driller's well number _____
NW 1/4 SE 1/4 Section 9 T. 18S R. 47E
Bearing and distance from section or subdivision corner _____

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
16" Diam. from 0 ft. to 33 ft. Gage 4
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? Yes No.
Type of perforator used TORCH
Size of perforations 3/8" in. by 1 1/2" in.
144 perforations from 21' ft. to 33' ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WATER LEVEL: Completed well.

Static level 16 ft. below land surface Date 5-18-68
Artesian pressure _____ lbs. per square inch Date _____

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No. If yes, by whom? DRILLER
Yield: 400 gal./min. with 64 ft. drawdown after 15 1/2 hrs.

Boiler test

gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow

g.p.m. Date _____

(10) CONSTRUCTION:

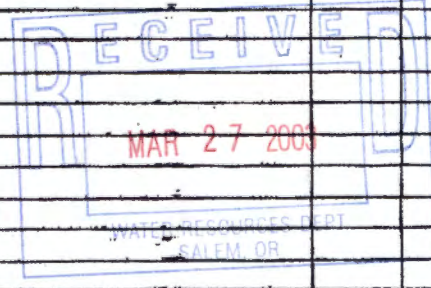
Well seal—Material used BENTONITE+CEMENT
Depth of seal 2.1 ft.
Diameter of well bore to bottom of seal 3.4" in.
Were any loose strata cemented off? Yes No Depth _____
Was a drive shoe used? Yes No
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: 1/4" x 3/8"
Gravel placed from 7.1' ft. to 7.1' ft.

(12) WELL LOG:

Diameter of well below casing 16"
Depth drilled 100 ft. Depth of completed well 96'

Formation: Describe color, texture, grain size and structure of material and show thickness and nature of each stratum and aquifer penetrated with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling r

| MATERIAL | From | To | ST |
|--------------|------|-----|----|
| SOIL SANDY | 0 | 3 | |
| CLAY YELLOW | 3 | 10 | |
| CLAY SANDY | 10 | 21 | 2 |
| SANDY GRAVEL | 21 | 31 | 2 |
| BLUE CLAY | 31 | 60 | 10 |
| SAND BLACK | 60 | 61 | 10 |
| CLAY BLUE | 61 | 80 | 1 |
| SAND BLACK | 80 | 82 | 1 |
| CLAY BLUE | 82 | 100 | 1 |



Work started 5-14 1968 Completed 5-18
Date well drilling machine moved off of well 5-20

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my knowledge and belief.

[Signed] Max Holloway Date 6-18
(Drilling Machine Operator)

Drilling Machine Operator's License No. 100

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME HOLLOWAY DRILLING CO
(Person, firm or corporation) (Type or print)

Address ONTARIO OREGON

[Signed] Max Holloway
(Water Well Contractor)

Contractor's License No. 16 Date 6-18, 1968



G-15965
Oregon Water Resources Department
Land Use Information Form

MAR 27 2003

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 water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: TREASURE VALLEY COMMUNITY COLLEGE
 Address: 650 COLLEGE BLVD.
 City: ONTARIO State: OR Zip: 97914 Day Phone: (541) 881-8822

B. Land and Location

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

| Tax Lot I.D. | Plan Designation (e.g. Rural Residential/RR-5) | Water to be: (check all that apply) | | |
|---------------------------|--|--|--|--|
| <u>100/500</u> | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used |
| <u>185/47E, Section 9</u> | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used |
| | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used |

List counties and cities where water is proposed to be diverted, conveyed, or used. MALHEUR / City of Ontario

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): IRRIGATION
 Briefly describe: WATERING OF LANDSCAPING & RECREATIONAL
FIELDS ON COLLEGE CAMPUS

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

0.42 CFS GPM Acre-Feet

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); IDA-52. Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

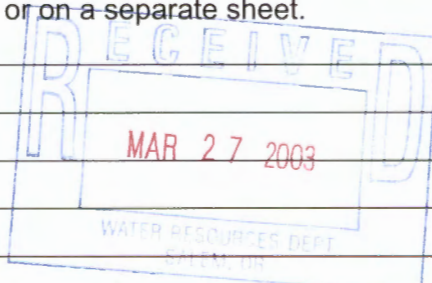
Name: GIAN PAOLO MAMMONE Date: 3/11/2003

Title: COMMUNITY DEVELOPMENT DEPARTMENT Phone: (541) 881-3222

Signature: Gian Paolo Mammone

C. Additional Comments

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



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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

158 12TH ST. N.E.

SALEM, OR 97301-4172

378-8455 / 378-8130 (FAX)

RECEIPT # **59001**

INVOICE # _____

RECEIVED FROM: Treasure Valley
BY: Community College

| | |
|-------------|--------------|
| APPLICATION | <u>below</u> |
| PERMIT | |
| TRANSFER | |

CASH: CHECK:# 96795 OTHER: (IDENTIFY)

TOTAL REC'D \$ 875.00

0401 TREASURY 0417 WRD MISC CASH ACCT

| | | | |
|-------|--------|------------|----|
| 0407 | COPIES | | \$ |
| _____ | OTHER: | (IDENTIFY) | \$ |
| _____ | OTHER: | (IDENTIFY) | \$ |

0427 WRD OPERATING ACCT

| | | | |
|----------------------|--------------------------|------------------------|----|
| MISCELLANEOUS | | | |
| 0407 | COPY & TAPE FEES | | \$ |
| 0410 | RESEARCH FEES | | \$ |
| 0408 | MISC REVENUE: (IDENTIFY) | <u>T 9383 * 300.00</u> | \$ |
| TC162 | DEPOSIT LIAB. (IDENTIFY) | | \$ |
| 0240 | EXTENSION OF TIME | | \$ |

| | | | |
|----------------------|------------------------|------------------|------------------|
| WATER RIGHTS: | | | |
| 0201 | SURFACE WATER | EXAM FEE | RECORD FEE |
| 0203 | GROUND WATER | \$ | \$ |
| 0205 | TRANSFER | \$ <u>400.00</u> | \$ <u>175.00</u> |
| 0218 | WELL DRILL CONSTRUCTOR | \$ <u>300.00</u> | |
| _____ | LANDOWNER'S PERMIT | EXAM FEE | LICENSE FEE |
| _____ | OTHER (IDENTIFY) | \$ | \$ |

G-15965 REC. 175.00
EXAM 400.00

**RECEIVED
OVER THE COUNTER**

0536 TREASURY 0437 WELL CONST. START FEE

| | | | |
|-------|----------------------|----|--------|
| 0211 | WELL CONST START FEE | \$ | CARD # |
| 0210 | MONITORING WELLS | \$ | CARD # |
| _____ | OTHER (IDENTIFY) | | |

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

| | | | |
|-------|----------------------------|--|----|
| 0233 | POWER LICENSE FEE (FW/WRD) | | \$ |
| 0231 | HYDRO LICENSE FEE (FW/WRD) | | \$ |
| _____ | HYDRO APPLICATION | | \$ |

TREASURY OTHER / RDX

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

RECEIPT: **59001**

DATED: 3/27/03 BY: Connie O...

TREASURE VALLEY COMMUNITY COLLEGE

VENDOR ID: 216338

CHECK 96795

350 COLLEGE BOULEVARD, ONTARIO, OR 97914

| Date | Invoice# | Description | Account Number | Amount |
|------------|----------|-------------------------------|----------------|--------|
| 03/17/2003 | 12428 | Water Rights Application fees | | 875.00 |

DATE OF CHECK 3/19/2003 **CHECK # 96795** **TOTAL 875.00**

← REMOVE DOCUMENT ALONG THIS PERFORATION →