

ASSIGNED

Application No. S 69868 ^E *WFD*

Permit No. 50968

Certificate No. _____

SEE FILE R-69872 *fp map D-29-9 assignment*

Stream Index, Page No. 13.22B

map in wo area 13.0040.0550.0410 > Hay Cr.

FEES PAID

Date	Amount	Receipt No.
4-10-89	\$200.00	57666
4-9-90	474.00	62319
7-13-94	10.00	114228
4/4/14	\$5.00	111627
7/18/14	\$5.00	112789
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Name Edward L. Garrett

By _____

Address HC 60 Box 4310
Lakeview, OR 97630

Date filed April 10, 1989

Priority April 10, 1989 - S. Ann Reservoir
Aug. 24, 1989 - Hay Creek

Action suspended until C. 2015

Return to applicant _____

Date of approval APR 30 1990

CONSTRUCTION

Date for beginning APR 30 1991

Date for completion OCT 01 1992

Extended to 10-1-93

Date for application of water OCT 01 1993

Extended to 10-30-2015

PROSECUTION OF WORK

Form "A" filed Started

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received C.O.B.L. 8/12/1994

Date certificate issued _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
4/14/2014	ASSIGNED MILDRED GARRETT 1992 LIVING TRUST 16025 GARRETT ROAD LAKEVIEW OR 97630	HC 60 Box 4310, Lakeview 97630	7	2926
	ASSIGNED RICHARD E MORGAN 19230 HOOKER CREEK RD COTTONWOOD CA 96022			

REMARKS

CARD FOR B OCT 16 1992

CCWRE 12/15/93

fp map D-29-9

7/18/2014
RICHARD E MORGAN
19230 HOOKER CREEK RD
COTTONWOOD CA 96022

Date	Amount	Receipt #
11/3/14	575.00	113873

RECEIVED

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

WATER RESOURCES DEPT.
SALEM, OREGON

SEP 13 1993

Application No. 69868

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Mildred Garrett, the holder of Permit No. 50968

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 3 day of September, 1993.

Remarks:

IN WITNESS WHEREOF, I have hereunto set my hand this 3 day of September, 1993.

Mildred Garrett (Signature of Applicant)

HC 60 Box 4310 Lakeview, OR 97630 (Address)

RECEIVED

Form D (690-9-77)

WATER RESOURCES DEPT.
SALEM, OREGON

SEP 13 1993

Application No. 69868

NOTICE OF COMPLETION OF CONSTRUCTION

Mildred Garrett, the holder of Permit No. 50968

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 3 day of September, 1993.

Remarks:

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 3 day of September, 1993.

Mildred Garrett (Signature of Applicant)

HC 60 Box 4310 Lakeview, OR 97630 (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

RECEIVED

Form A (690-9-77)

WATER RESOURCES DEPT.
SALEM, OREGON

NOV 19 1992

Application No. 69868

NOTICE OF BEGINNING OF CONSTRUCTION

Mildred Garrett, the holder of Permit No. 50968

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 16 day of November, 1992.

Remarks:

The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of November, 1992.

Mildred Garrett (Signature of Applicant)

HC 60 Box 4310 Lakeview, Ore (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

SP*35567-690

OK
JES

WITH EXT.
OK
JES

OK
SAFETY INFO
JES

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EDWARD L. GARRETT
HC 60, BOX 4310
LAKEVIEW, OREGON 97630

503-947-2940

to use the waters of HAY CREEK and SOUTH ARM RESERVOIR, to be constructed under Application R-69872, Permit R-11221, a tributary of DREWS CREEK, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 197.0 ACRES.

This Permit is issued approving Application 69868. The dates of priority are APRIL 10, 1989 FOR USE FROM SOUTH ARM RESERVOIR, AND AUGUST 24, 1989 FOR USE FROM HAY CREEK. The use is limited to not more than 4.93 CUBIC FEET PER SECOND, BEING IRRIGATION OF 45.1 ACRES (TRACT 1) FROM HAY CREEK AND SOUTH ARM RESERVOIR AND SUPPLEMENTAL IRRIGATION OF 151.9 ACRES (TRACT 2) FROM SOUTH ARM RESERVOIR, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 22, T 40 S, R 16 E, W.M.; 1580 FEET NORTH AND 240 FEET WEST FROM SE CORNER, SECTION 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.

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

A description of the proposed place of use under the Permit is as follows:

TRACT 2 - SUPPLEMENTAL	TRACT 1 - PRIMARY
NE 1/4 SW 1/4 15.1 ACRES	
NW 1/4 SW 1/4 14.1 ACRES	
SW 1/4 SW 1/4 26.8 ACRES	
NW 1/4 SE 1/4 10.1 ACRES	
SECTION 14	
NE 1/4 SE 1/4 9.7 ACRES	
SW 1/4 SE 1/4	0.3 ACRE
SE 1/4 SE 1/4 32.3 ACRES	
SECTION 15	
NE 1/4 NE 1/4	26.6 ACRES
NW 1/4 NE 1/4	1.6 ACRES
SE 1/4 NE 1/4 20.7 ACRES	
NE 1/4 SE 1/4 4.5 ACRES	
SECTION 22	
NW 1/4 NW 1/4	16.6 ACRES
SW 1/4 NW 1/4 16.0 ACRES	
NW 1/4 SW 1/4 2.6 ACRES	
SECTION 23	
TOWNSHIP 40 SOUTH, RANGE 16 EAST, W.M.	

This project was considered and approved by the Water Resources Commission on March 30, 1990.

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water to the use shall be made on or before October 1, 1993.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, APRIL 30, 1990.

W/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

B ext. 10-1-93

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number S-69868

FINAL ORDER

Extension of Time for Permit Number S-50968
Permit Holder: Richard Morgan

	Permit Information
Application:	S-69868
Permit:	S-50968
Basin:	13 – Goose and Summer Lakes / Watermaster District 12
Date of Priority:	April 11, 1989 for use from South Arm Reservoir, and August 24, 1989 for use from Hay Creek
Source of Water:	Hay Creek, a tributary of Drews Creek and South Arm Reservoir
Purpose of Use:	Irrigation and supplemental irrigation of 197.0 acres, being irrigation of 45.1 acres from Hay Creek and South Arm Reservoir and supplemental irrigation of 151.9 acres from South Arm Reservoir
Maximum Rate:	4.93 cubic feet per second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

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 S-50968 was issued by the Department on April 30, 1990. The permit called for completion of construction by October 1, 1992 and complete application of water to beneficial use by October 1, 1993. On November 3, 2014, Richard Morgan submitted to the Department an Application for Extension of Time for Permit S-50968. In accordance with OAR 690-315-0050(2), on December 16, 2014, the Department issued a Proposed Final Order proposing to extend the time to complete construction from October 1, 1993 to October 30, 2015 and the time to apply water to full beneficial use from October 1, 1993 to October 30, 2015. The protest period closed January 30, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

Except as expressly stated herein, The Department adopts and incorporates by reference the findings in the Proposed Final Order dated December 16, 2014.

Shown in the Proposed Final Order is corrected as follows (deletions are shown in "strikethrough" text):

Date of Priority: April ~~11~~ 10, 1989 for use from South Arm Reservoir, and
August 24, 1989 for use from Hay Creek

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 the following conditions:

CONDITIONS

1. **Last Extension Condition**
This is to be the last extension of time granted for Permit S-50968. Any future extensions of time requests will be denied

CONCLUSION OF LAW

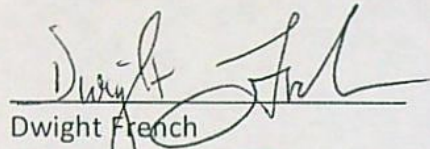
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

Continued on the following page

ORDER

The extension of time for Application S-69868, Permit S-50968, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1993 to October 30, 2015. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1993 to October 30, 2015.

DATED: February 6, 2015


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

-
- If you have any questions about statements contained in this document, please contact Permit Extension Specialist at (503) 986-0802.
 - 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

FO Date: February 6, 2015

Copies Mailed

Application: S-69868

By: FW

Permit: S-50968

On: 2/6/15

Original mailed to permit holder

Richard Morgan
19230 Hooker Creek Road
Cottonwood, CA 96022

Copies sent to:

1. WRD - App. File S-69868/ Permit S-50968
2. Anderson Engineering & Surveying, Inc.
P.O. Box 28
Lakeview, OR 97630

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving notification via e-mail FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 12, Brian Mayer

CASEWORKER: MAB

Oregon Water Resources Department
Water Right Services Division

PROPOSED FINAL ORDER

In the Matter of the Application for an Extension of Time for Permit S-50968, Water Right Application S-69868, in the name of Richard Morgan.

	Permit Information
Application:	S-69868
Permit:	S-50968
Basin:	13 – Goose and Summer Lakes / Watermaster District 12
Date of Priority:	April 11, 1989 for use from South Arm Reservoir, and August 24, 1989 for use from Hay Creek
Source of Water:	Hay Creek, a tributary of Drews Creek and South Arm Reservoir
Purpose of Use:	Irrigation and supplemental irrigation of 197.0 acres, being irrigation of 45.1 acres from Hay Creek and South Arm Reservoir and supplemental irrigation of 151.9 acres from South Arm Reservoir
Maximum Rate:	4.93 cubic feet per second (cfs)

*****Please read this Proposed Final Order in its entirety as it may contain additional conditions not included in the original permit*****

In summary, the Department proposes to:

- Grant an extension of time to complete construction of the water system from October 1, 1993 to October 30, 2015.
- Grant an extension of time to apply water to full beneficial use from October 1, 1993 to October 30, 2015.¹
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

¹ 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.

ACRONYM QUICK REFERENCE

Department – Oregon Water Resources Department

PFO – Proposed Final Order

cfs – cubic feet per second

gpm – gallons per minute

AF – acre-feet

AUTHORITY

Generally, see ORS 537.230 and OAR Chapter 690 Division 315.

ORS 537.230(3) provides 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 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.

OAR 690-315-0050(5) states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

FINDINGS OF FACT

Background

1. Permit S-50968 was granted by the Department on April 30, 1990. The permit authorizes the use up to 4.93 cfs of water diverted from Hay Creek, a tributary of Drews Creek and South Arm Reservoir, for irrigation of 45.1 acres from Hay Creek and South Arm Reservoir and supplemental irrigation of 151.9 acres from South Arm Reservoir. The permit specified actual construction was to begin by April 30, 1991, construction of the water system was to be completed by October 1, 1992, and complete application of water was to be made on or before October 1, 1993.

2. One prior permit extension had been granted for Permit S-50968. The most recent extension resulted in the completion dates for construction being extended to October 1, 1993.
3. The permit holder submitted an "Application for Extension of Time" to the Department on November 3, 2014, requesting the time to complete construction of the water system extended from October 1, 1993 to October 30, 2015 and the time to apply water to full beneficial use under the terms of Permit S-50968 be extended from October 1, 1993 to October 30, 2015. This is the first permit extension requested for Permit S-50968.
4. Notification of the Application for Extension of Time for Permit S-50968 was published in the Department's Public Notice dated November 11, 2014. 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 537.230², 537.248³ and/or 539.010(5)⁴.

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

5. On November 3, 2014, 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. Actual construction of the water system began prior to the April 30, 1991 deadline specified in the permit.

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 November 3, 2014, the remaining work to be completed consists of meeting permit conditions for Permit R-11221, 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 30, 2015, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit S-50968 is both reasonable and necessary.

²ORS 537.230 applies to surface water permits only.

³ORS 537.248 applies to reservoir permits only.

⁴ORS 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 water system began prior to the April 30, 1991 deadline specified in the permit. Construction of the water system was completed before issuance of the Permit.

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

10. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit S-50968 on April 30, 1990, the permit holder has used 4.93 cfs of water diverted from the Hay Creek, a tributary of Drews Creek and South Arm Reservoir for irrigation and supplemental irrigation on 197 acres.

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 under this permit, but the record does show the permit holder has not meet all Permit conditions under Permit R-11221 for South Arm Reservoir.
 - b. Failure to comply with permit conditions constitutes illegal use of water. Beneficial use of water under this permit, therefore, has not yet been demonstrated. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

Financial Investments to appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]

12. As of November 3, 2014, the permit holder invested approximately \$1,000, which is about 66 percent of the total projected cost for complete development of this project.

The permit holder anticipates an additional \$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 S-50968.

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 S-50968; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The point of diversion is located on Hay Creek, a tributary of Drews Creek, and is not located within a Withdrawn Area. Hay Creek is not located within or above a state or federal scenic waterway, however, it is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The point of diversion is not in a location listed by the Department of Environmental Quality as a water quality limited stream.

15. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

a. None have been identified.

16. 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.

17. OAR 690-315-0050(5) provides for extension orders to include, but are not limited to, any condition or provision needed to ensure future diligence, and/or mitigate the effects of the subsequent development on competing demands on the resource. The Department determined the need to place a "Last Extension Condition" on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. This condition, specified under Item 1 of the "Conditions" section of this PFO, was determined to be necessary due to no additional work having been accomplished since October 1, 1993.

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

18. 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)]

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 537.230(3).
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 537.230 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 30, 2015⁵, as required by OAR 690-315-0040(1)(c).
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,

⁵Pursuant to ORS 537.230(3), 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.

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).

6. As authorized in OAR 690-315-0050(5) and as described in Finding 17, above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), a "Last Extension Condition" in order to ensure future diligence is exercised in the development and perfection of Permit S-50968.

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 complete construction of the water system under Permit S-50968 from October 1, 1993 to October 30, 2015.

Extend the time to apply water to beneficial use under Permit S-50968 from October 1, 1993 to October 30, 2015.


Subject to the following conditions:

CONDITIONS

1. Last Extension Condition

This is to be the last extension of time granted for Permit S-50968. Any future extensions of time requests will be denied.

DATED: December 16, 2014


Dwight W. French, Administrator
Water Right Services 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 January 30, 2015, 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 applicant or non-applicant protest fee required under ORS 536.050.
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 Mabelle Bamberger at (503) 986-0802.
 - 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 503-986-0820.
 - 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 Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
Fax: 503-986-0901
-

Mailing List for Extension PFO Copies

PFO Date: December 16, 2014

Copies Mailed

Application: S-69868

Permit: S-50968

By: FWJ
On: 12/16/14

Original mailed to Applicant:

Richard Morgan
19230 Hooker Creek Road
Cottonwood, CA 96022

Copies sent to:

1. WRD - App. File S-69868/ Permit S-50968
2. Anderson Engineering & Surveying, Inc.
P.O. Box 28
Lakeview, OR 97630

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)

4. WRD - Watermaster District 12, Brian Mayer

CASEWORKER: MAB

Application # S-69868 Permit # S-50968

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: 11-4-14

◆ **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 11/11/14

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 Machelle

STATE OF OREGON
 WATER RESOURCES DEPARTMENT

RECEIPT # 113873

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

R-69872

RECEIVED FROM: Holiday Ranches, Inc.
 BY: _____

APPLICATION	R-69868
PERMIT	
TRANSFER	

CASH: CHECK:# X 30539 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 1150.00

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		46111 R-69872 575.00	\$
0410 RESEARCH FEES		S-69868 575.00	\$
0408 MISC REVENUE: (IDENTIFY) _____			\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____			\$
0240 EXTENSION OF TIME			\$ 1150.00
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER	20575.00	\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
LANDOWNER'S PERMIT			0220 \$
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: 113873

DATED: 11/3/14

BY: Chungate

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



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

November 4, 2014

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 #: S-69868 and R-69872 (Permit S-50968 and R-11221)**. 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 Mabelle Bamberger at (503) 986-0802. 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.

Completeness Checklist for Permit Extension of Time Application

Minimum completeness criteria for Extension of Time Applications are set forth in OAR 690-086-0020(3) for NON-Municipal or NON-Quasi-Municipal permits and in OAR 690-086-0070(3) for Municipal or Quasi-Municipal permits.

1. Pull the permit file. If a copy of the permit is not in the file, pull up an image of the permit in WRIS.
2. Is the permit to be extended Non-Cancelled according to WRIS and the permit file? _____
If the permit has been cancelled, the Extension Application cannot be accepted.
3. Is the extension applicant's name and mailing address supplied? _____
If yes, is the applicant a permit holder of record (i.e., permit issued or assigned to them)? _____
If the extension applicant is **NOT** a permit holder of record, a "Request for Assignment" must be accepted and processed before the Extension Application can be processed.
If an Assignment has **not** yet occurred, and is **not** submitted with the Extension of Time Application, the application cannot be accepted.
*** NOTE:** The applicant **may** submit a complete "Request for Assignment," at the same time, which **must** include the statutory fee of \$85 for the assignment, required proof of ownership, or signature of previous permit holder, in addition to all necessary items required for the Extension of Time Application so that **both applications can be accepted**.
4. Is the appropriate Extension of Time Application used? _____
If the wrong application form is used, the Extension Application cannot be accepted.
• If a Municipal or Quasi-Municipal permit, use: "Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits."
• If a NON-Municipal or NON-Quasi-Municipal permit, use: "Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)."
5. Are the requested date(s) for extension identified (Page 1)? _____
• Check the permit to see if it includes a "B-Date" and/or a "C-Date."
"B-Date" = date by which construction of the water delivery system for the permit is to be completed.
"C-Date" = date by which full beneficial use of water under the permit is to be accomplished.
NOTE: For permits with both a "B-Date and a "C-Date," the applicant will likely request an extension of both dates (i.e., to complete construction of the water delivery/distribution system and to apply water to full beneficial use). Unless, of course, construction of the water delivery system is complete. In which case, the applicant would likely only request an extension of the "C-Date" (i.e., to apply water to full beneficial use).
For permits with only a "C-Date," the applicant will only be requesting an extension of the date in which to apply water to full beneficial use.
6. Is the Extension Application signed (with an original signature) by permit holder(s) of record or an authorized agent? _____
(If signed by agent, documentation from the permit holder(s) granting authorization for the agent to sign on their behalf must be provided or be present and current in the permit file.)
If **not** signed by a permit holder of record or authorized agent, the Extension Application cannot be accepted.
NOTE: If the permit covers land that has been subdivided and assigned to different, individual parties... we only need signatures of the permit holder(s) of record for the portion of the permit involved in the Extension of Time Application.

7. Are all questions on the application answered? Need more info on surface water construction
 (NOTE: Supporting documentation such as: copies of the permit, well log(s), annual water use reports, static water level measurement reports, evidence demonstrating construction/work/water use accomplished, etc. may be included.)

The tables below are informational only. No need to check off.

■ NON-Municipal or NON-Quasi-Municipal Permit Extension Applications:

• Ques. #1 - Information provided on beginning of construction ("A" Date) under the permit.	• Ques. #5-C - Well location information provided <u>and</u> whether a permit amendment is necessary.
• Ques. #2 - Information provided on compliance with permit conditions.	• Ques. #6 - Information provided on number of acres irrigated, if applicable.
• Ques. #3 - Description provided of progress made in developing the permit.	• Ques. #7 - Description provided of remaining work left to be accomplished to perfect the permit.
• Ques. #4 - Monetary investment made in the project to date provided.	• Ques. #8 - Description provided of estimated cost to complete the project associated with the permit.
• Ques. #5-A - Max amount of water beneficially used to date for a SW permit indicated.	• Ques. #9 - Explanation provided of why the permit has not been fully developed/perfected.
• Ques. #5-B - Well construction information provided <u>and</u> max amount of water beneficially used to date for a GW permit indicated.	• Ques. #10 - Justification provided of why the requested time is necessary to complete project.

■ Municipal/Quasi-Municipal Permit Extension Applications:

• Ques. #2 - For Quasi-Municipal permits only, information provided on beginning of construction ("A" Date) under the permit.	• Ques. #8 - Estimate provided of current peak water demand of the population served <u>and</u> the methodology used to make the estimate.
• Ques. #3 - For Municipal permits issued on or after June 29, 2005, information provided on beginning of construction ("A" Date).	• Ques. #9 - Explanation provided of why the permit has not been fully developed/perfected.
• Ques. #4 - Description provided of progress made in developing the permit <u>and</u> financial expenditures made in the project to date.	• Ques. #10-A - Estimate provided of demand projection for the permit, the methodology used to make the estimate <u>and</u> anticipated date for full beneficial use of the permit.
• Ques. #5-A & #5-B - Information provided on compliance (or non-compliance) with permit conditions.	• Ques. #10-B - For extension requests greater than 50 years, documentation provided that the demand projection is consistent with the lands and uses proposed to be served by the permit holder.
• Ques. #6-A - Max amount of water beneficially used to date for a SW permit indicated.	• Ques. #11 - Estimate of costs to complete the project and a summary of future schedule to complete construction / perfect the water right.
• Ques. #6-B - Well construction information provided <u>and</u> max amount of water beneficially used to date for a GW permit indicated.	• Ques. #12 - Justification provided of why the requested time is necessary to complete project and/or apply water to full beneficial use.
• Ques. #6-C - Well location information provided <u>and</u> whether a permit amendment is necessary.	• Ques. #14 - A copy of any agreements regarding use of the undeveloped portion of the permit and maintaining the persistence of fish, if applicable.
• Ques. #7 - Estimate provided of current population served under the permit <u>and</u> the methodology used to make the estimate.	• Attachment A - A tabular inventory of the water supplier's water rights and any other water use authorizations.

8. Has the \$575 fee been paid? _____
 *If applicable, has the \$85 fee for the Assignment been paid? _____
 (As of July 1, 2013, the Extension of Time fee is \$575, and Request for Assignment fee is \$85)

If the fee has NOT been paid, the application cannot be accepted.

****NOTE:** If the fee is the only item missing, contact the applicant to see if they can submit the fee with the next few days. If the applicant commits to submitting the fee within one week, hold the Extension Application, and explain to them that if it is not received the application will be returned (as we are required to keep any application, regardless of how complete, if retained by the Department as long as two weeks).

9. If after completing this checklist, it is not clear whether the application can be accepted, please route both the money slip and Extension Application to **Extension Specialist**, or **Anne Reece** for municipal and quasi-municipal applications. One will either: 1) accept the application; 2) return the application; or 3) prepare a deficiency letter.

Reviewed by: Machelle Bamberg Date: 11-4-14

Extension PFO Checklist for Other than Muni or Quasi-Municipal

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

Application: S- 69868 Permit: S- 50968 Permit Amendment? No Yes T- _____ pending approved

Permit Holder's Name: Richard Morgan

Permit Holder's Mailing Address: 19230 Hooker Creek Road email _____

Phone Number: 530-347-0488

POD Location: Township _____ Range _____ Section _____ 1/4 _____

Drainage Basin: 13 County: Lake Watermaster District: 12 Watermaster: Brain Mayer

Date Permit was issued: 4/30/1990 Priority Date: 4/10/1989 Date of PN: _____

Source: Hay Creek and South Arm reservoir

Use: for irrigation and supplemental irrigation of 197.0 acres

"Q": 4.93 cfs, being irrigation os 45.1 acres from hay creek and south arm resercvoir and supplemental irrigation of 151.9 acres from south arm reservoir

Orig "A" Date: 4/30/1991 Orig "B" Date: 10/1/1992 Orig "C" Date: 10/1/1993

Extension request rec'd: _____ Last Authorized "B" Date: 10/1/1993 Last Authorized "C" Date: 10/1/

Request Number (1, 2, 3...): 2 Proposed "B" Date: 10/1/2015 Proposed C Date: 10/1/2015

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input type="checkbox"/>	<input type="checkbox"/>	None
<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: \$1,000 Estimated Remaining Cost: \$0
 - Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used 815.8 cfs gpm af of the total permitted quantity of water on _____ acres

GW REVIEW: Y N _____

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. Hay Creek

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 _____
- 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:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: _____ Date: _____



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301
 (503) 986-0900
 www.wrd.state.or.us

RECEIVED BY OWRD

NOV 03 2014

SALEM, OR

Application for Extension of Time for a Water Right Permit
 (Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

I, Richard E. Morgan

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

the holder of: Application Number S-69868 Permit Number S-50968 [OAR 690-315-0020(3)(b)]

****A separate application must be submitted for each permit as per OAR 690-315-0020(2). ****

19230 Hooker Creek Road
 MAILING ADDRESS

Cottonwood, CA, 96022
 CITY, STATE, ZIP

530-347-0488
 PHONE

 E-MAIL ADDRESS

X **do hereby request that** the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month 10 Day 1 Year 1993, be extended to October 30, Year 2015.

Please Note. If the permit **does** specify a date when **construction** must be **completed**, you should request to extend both the time to apply water to full beneficial use **and** to complete construction. These dates are typically found on the permit above the signature of the Director.

and

do hereby request that the time to complete construction of the water system, which now expires on Month 10 Day 1 Year 1993, be extended to October 30, Year 2015

Sign after completing the entire application, questions 1-11.

I am the permit holder, or have attached to this application written 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. I have completed the entire application.

Richard E. Morgan _____ 10-27-14
 Signature Date

Printed Name/Title RICHARD E. MORGAN PRES

MAIL COMPLETED and SIGNED APPLICATION with the \$575 STATUTORY FEE TO:

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

RECEIVED BY OWRD

NOV 03 2014

SALEM, OR

Submit the following items with your Application for Extension of Time:

- **The signed and completed Application for Extension of Time.**
- **\$575 check to OWRD or Oregon Water Resources Department**
- **All supporting documentation and/or evidence referenced in the application.**

Reference materials needed to complete this Application:

- **Water right permit.** A copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (using the link to the Water Rights Information System (WRIS)). A copy of the permit may be requested from the Water Rights Division at 503-986-0801 (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.).

Helpful information for completing this Application:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The form *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits* is 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 construction of the water project and/or to fully use the permitted quantity of water under the permit terms & conditions.
- The attached *Instructions for Completing an Application for Extension of Time for a Water Right Permit* will help you answer each question on the application. If, after reading the instructions, you need assistance, please call the Extensions Specialist at 503-986-0900.
- Permit extensions are evaluated under OAR Chapter 690, Division 315, which may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>. Please note that OWRD may require additional information, if necessary, to evaluate the application per OAR 315-0020(3)(n).
- OWRD will review applications received for completeness and will return incomplete or deficient applications per OAR 690-315-0040(1)(a) to the applicant.

Questions to Complete this Application for Extension of Time

Please see the instruction sheet to help you answers these questions.

[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, if not specified in this permit

Date "actual construction" began is: June 1989

Describe details of construction: Existing dam and spillway was surveyed to determine any improvements that may be required for proper working outlets and safety of the structures.

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

- 2-A. **Please Describe how you have complied with each standard and special condition in the original permit [and, if applicable, conditions contained in any order approving a permit amendment and/or order approving a prior extension of time].**

TIP: The instruction sheet explains which typical conditions must be addressed here.

Condition Number: Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit.

CHART-A

Condition Number	Date Satisfied	Describe How Permit Condition Has Been Satisfied

- 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 Number	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied

RECEIVED BY OWRD

NOV 03 2014
Revised April 11, 2014

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

3-A. Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the original permitted time period.

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

CHART-C

DATE	LIST & DESCRIBE WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST*
6/16/1989	Survey work and structure improvement work started	\$5,000.00
4/30/1990	Improvement work to spill way and outlet works completed.	\$10,000.00
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE FOR COMPLETE APPLICATION OF WATER	COST*
	Date the permit was signed - find date above signature on last page of permit.	
4/30/1990		
4/30/1991	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
5/1/1991	Water used for irrigation	N/A
10/1/1993		
	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER DATE FOR COMPLETE APPLICATION OF WATER UP TO NOW Complete if this is your first request for extension of time.	COST*
7/29/1994	Final Proof Inspection	\$2,000.00
*Total Cost for Chart-C		\$17,000.00

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

RECEIVED BY OWRD

NOV 03 2014

Revised April 11, 2014

SALEM, OR

IF this is your first Application for an Extension of Time, write NA in Chart D below and proceed to question 4 at the bottom of this page.

3-B) Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the most recent extension period.

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	LIST AND DESCRIBE WORK ACCOMPLISHED <u>DURING</u> THE LAST EXTENSION PERIOD	COST*
	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	
DATE	LIST AND DESCRIBE WORK ACCOMPLISHED <u>AFTER</u> THE LAST EXPIRED EXTENSION PERIOD UP TO NOW	COST*
Total Cost of Chart-D		

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

RECEIVED BY OWRD

4. [OAR 690-315-0020(3)(f)]
Cost of project to date: \$17,000.00
(The total combined cost from CHART-C and CHART-D)

NOV 03 2014

SALEM, OR

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

5. Provide evidence of the maximum rate (or duty, if applicable) of water actually 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 in the same units of measurement as specified in the permit. 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):

Maximum measured rate used to date = 4.93 cfs (cubic feet per second)

or

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

or

Acre-feet stored to date = _____ AF

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

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

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 measured 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.
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
Total measured 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

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

Well # _____: Actual location: _____

Well # _____: Actual location: _____

RECEIVED BY OWRD

NOV 03 2014

SALEM, OR

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

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

Surface Water Permits: I have applied water to 197 acres for irrigation to date.

Ground Water Permits: I have applied water to _____ acres for irrigation to date.

Please specify which wells are being utilized for this irrigation.

Well # _____ Acres _____ Well # _____ Acres _____

Well # _____ Acres _____ Well # _____ Acres _____

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

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

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
10/2014 -10/2015	Engineer certification of construction	\$2,000.00
10/2014 -10/2015	COBU identifying Hay Creek as a source	\$1,000.00
Year: 2015	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8.	Estimated remaining total cost to complete the water development: [OAR 690-315-0020(3)(g)]	\$3,000.00

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

9. Describe the reasons why the water development 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).

9-A) Is the project 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? If yes, describe.

NO

RECEIVED BY OWRD

NOV 03 2014

SALEM, OR

9-B) Did the financial resources needed to develop the project preclude completion of the project within authorized time frames? If yes, describe.

NO

9-C) Did good faith attempts to comply with other agency permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delay completion of the project? If yes, describe.

NO

9-D) Have other unforeseen events delayed full development of the water system and use of water within the authorized time frames? If yes, describe.

NO

[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. 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.

This extension will provide adequate time to submit proper documentation

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

Thank you for submitting a complete and accurate application. Remember to sign the front page. If you have questions or need assistance, please ask to speak with the Department's Extension Specialist by calling 503-986-0900 during business hours.

RECEIVED BY OWRD

NOV 03 2014
Revised April 11, 2014

Application for Extension of Time for a Water Right Permit

Page 8

SALEM, OR



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301
 (503) 986-0900
 www.wrd.state.or.us

Request for Assignment RECEIVED BY OWRD
 JUL 18 2014

SALEM, OR

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

1. *Mildred Banett 1992 Living Trust - Louise E. Moulton*
 (Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

new

1117 TAMERA DR. KLAMATH FALLS OR - 541-882-5722
 (Mailing Address) (City) (State) (Zip) (Phone #)

hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;

hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)

hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # *569868* ; Permit # *550968 J.M.* ; Transfer # _____
~~569892~~ ; ~~R41224~~
 -OR-

License # _____ ; GR Statement # _____ ; GR Certificate of Registration # _____

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

RICHARD E. MORGAN
 (Name of New Owner)

19230 HOOKER CREEK RD. COTTONWOOD Ca 96022 ⁵³⁰
 (Mailing Address) (City) (State) (Zip) (Phone #) *347-0488*

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this *15th* day of *July*, 20 *14*.

Applicant/Permit Holder *Mildred Banett 1992 Living Trust*

Applicant/Permit Holder *By Louise E. Moulton - Trustee*

ASSIGN
 JM
 7/21/2014

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # *112789*
- For Director by Jerry Sauter, Program Analyst in

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$85.



Oregon

John A. Kitzhaber, MD, Governor

July 22, 2014

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

Louise E. Moulton
1117 Tamera Dr.
Klamath Falls, Oregon 97603

Reference: Application S-69868, Permit S-50968 – Application R-69872, Permit R-11221

The assignment from the Mildred Garrett 1992 Living Trust to Richard E. Morgan has been recorded in the records of the Water Resources Department.

The Departments records will now show Richard E. Morgan as the permit holder of record.

Our records have been changed accordingly and the original requests are enclosed. Receipt numbers 112789 and 112790 covering the recording fees are also enclosed.

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

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipts 112789 and 112790

cc: Watermaster 12
Richard E. Morgan
Data Center, OWRD (cover letter & request)
Hydrographics
File

RECEIVED BY OWRD

JUL 18 2014

SALEM, OR

July 15, 2014

Gerry Clark
Water Right Service Div.
Water Resources Dept.
725 Summer St. NE, Suite A
Salem, OR 97301

ATTENTION: GERRY CLARK

TO WHOM IT MAY CONCERN:

RE: Permit # R11221
Permit # S50968

Enclosed please find the 2 above signed "REQUEST for ASSIGNMENT"
FORMS.

I am the sole trustee of the MILDRED GARRETT 1992 LIVING TRUST.

Please let me know if there is anything else that I should do to help Mr. Morgan complete
these permits to WATER CERTIFICATES.

THANK YOU for your help concerning this.

Louise E. Moulton

Louise E. Moulton, trustee
Mildred Garrett 1992 Living Trust
1117 Tamera Drive
Klamath Falls, Oregon 97603
Phone# 541-882-5722
Email: mickey1939@charter.net

Encls: ck#1055 \$85
ck#1056 \$85

cc: Richard E. Morgan

CLARK Gerry E

From: CLARK Gerry E
Sent: Monday, June 30, 2014 9:38 AM
To: 'holidayranches@sbcglobal.net'
Subject: Water Right Information

Maxine,

Here is the information that we discussed:

Link to permit R-11221 documents

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=32100

Link to permit S-50968 documents

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=49631

Assignment Form – each permit must be covered by a separate assignment request and fee (To be signed by Mildred as trustee)

http://www.oregon.gov/owrd/pubs/docs/forms/Assign_7_19_13.pdf

Extension of Time application – each permit must be covered by a separate assignment request and fee

http://www.oregon.gov/owrd/PUBS/docs/forms/fillable_non_muni_ext_app_form_041114.doc

As we discussed, the Assignment and request to request reconsideration of the proposed order are the most important items at this time. In your letter requesting reconsideration, please provide a timeline for the submittal of the application for the Extension of time.

Please let me know if you have any additional questions.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

Mailing List for Proposed Cancel Scheduled Mailing Date:

Application: S-69868

Permit: S-50968

Permit Holder:

Mildred Garrett 1992 Living Trust
16025 Garrett Rd
Lakeview, OR 97630

Copies Mailed

by:

Connie Vance
(STAFF)

on:

JUN 19 2014

(DATE)

Copies of Order to be sent to:

1. Watermaster (Proposed Cancel): 12
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. Darryl Anderson, CWRE, Anderson Engineering and Surveying Inc., PO Box 28,
Lakeview, OR 97630
2. Richard Morgan, 19230 Hooker Creek Rd, Cottonwood, CA 96022

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

Order of Certification in the Matter of)
Cancellation of Permit S-50968)

FINAL ORDER

Findings of Fact

1. Application S-69868, in the name of Edward L Garrett, was received April 10, 1989. Permit S-50968 was issued April 30, 1990, approving the application. The permit was subsequently assigned to Mildred Garrett 1992 Living Trust.
2. Permit S-50968 allowed the use of water from Hay Creek and South Arm Reservoir for irrigation and supplemental irrigation. The extended date for the complete application of water was set for October 1, 1993.
3. The Department received a Claim of Beneficial Use (COBU) on August 12, 1994. The COBU only identified South Arm Reservoir as the source used under the permit; it did not identify Hay Creek as a source.
4. Permit R-11221 for South Arm Reservoir, contains a condition which reads, "No water shall be stored until this department receives written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, and written authorization for storage is received from this department."
5. The Department's records do not contain either written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, or any written authorization for storage by the department.
6. Water was not legally stored in South Arm Reservoir under permit R-11221. Beneficial use under permit S-50968 has not been made.

Conclusions of Law

Satisfactory proof of beneficial use was not received. The use allowed by Permit S-50968 is lost. The permit should be cancelled.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 7-004-0080, you may petition for judicial review and 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.

Under the provisions of OAR 690-320-0020, when it appears from an onsite examination by the Water Resources Department that no appropriation has been made under the terms of the permit, or that use once made has undergone a period of five successive years of nonuse, a certified letter of intent to cancel the permit shall be sent to the permittee, allowing 60 days from the date of the letter for response. Failure to respond during the 60-day period shall result in cancellation of the permit.

Now, therefore, it is ORDERED:

Permit S-50968 is cancelled and is of no further force or effect.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Director
Oregon Water Resources Department



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

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Certified # 7012 2210 0000 1304 8443

DATE MAILED: JUN 19 2014

NOTICE

Reference: Permit R-11221 Application R-69872
Permit S-50968 Application S-69868

Enclosed is a proposed order of certification. The order proposes to cancel the permit.

If you do not agree with the proposed order, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed order.

If the permit is cancelled and you request reinstatement of the permit, you will be required to pay a fee of \$450.00 to have the permit reinstated.

If you agree with the proposed order, no response to this notice is required. Sometime after comment period, the recorded order will be mailed to the permit holder of record.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French
Water Right Services Division Administrator, for
Director
Oregon Water Resources Department

Cc: Watermaster #12
Darryl Anderson, CWRE
Mildred Garrett 1992 Living Trust
Richard Morgan

MEMO

TO: FILE 5-69868

FROM: Mary Lehling DATE: 6-9-14, 2014

RE: DETERMINATION OF PROOF

I've determined that a PROPOSED / FINAL certificate should be prepared and mailed to the permit holder consistent with:

The Permit/Transfer

The FPS/COBU

As described in the permit/transfer but as clarified by the FPS or COBU

As described in the PERMIT/TRANSFER and FPS or COBU but as further specified below:

- source → only RES listed, (also HayCo on Perm.)
- RES under acc. perm. R-69872, P. R 11221
COBU doesn't include written cert. fr. engineer on construction

✓ Conflict check

✓ Check area of interest. Irrigation District identified? Y N

Draft certificate(s) are available in the transfer directory.

✓ Check ownership prior to mailing the proposed and/or final cert. If there is a new owner list or attach list from assessor office. Update mailing list with new owner address information. → emailed Lake Co. Assessor

✓ Prepare a mailing list.

Assigned to Mildred Garrett 1992 Living Trust
16025 Garrett Rd Lakeview OR 97630

CWRE to Darryl Anderson, Anderson Engineering & Surveying Inc, PO Box 28 Lakeview OR 97630

current owner TL 800 to Richard Morgan 19230 Hooper Creek Rd
Cottonwood CA 96022

Completion Checklist for Claims of Beneficial Use

Application # 5-69868 Transfer # _____
 Date Received 8-12-94
 CWRE Name Darryl J. Anderson Claim Logged _____
 File Marked _____
 Oversized Map # _____
 Reviewer MFR

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #: or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050) Res only
MJB Rec'd
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #: or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
 - Calculated capacity of system (required)
 - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)

- Time limits
- Initial water level measurements
- Annual static water level measurements
- Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting
- Fish screening and/or by-pass
- Pump test (ground water)
- Other conditions
 - IR standard 1140 of 2.5
 - DEF * for R-69427 org. cert NOT on file
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee or transfer holder (OAR 690-014-0100)

issued - 4-30-90
 C-Date - 10-1-93
 COBU Rec'd - 8-12-94

DEF = deficient
 N/A = Not Applicable

Certificate Issuance Processing Checklist

- _____ Map and COBU reviewed
- _____ Conflict check Any Conflicts? _____
- _____ Check for ownership

Check Area of Interest YES NO
Identified Party _____

Staff Recommendations:

- _____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
- _____ Proof to the Satisfaction has not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
- _____ Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?
_____ Yes

If "Yes":
_____ Proposed
_____ Final Certificate # _____

Mailing list:

Proposed:

Final:

Water Right Information Query Result

Contact Information	Documents View all scanned documents																												
<p>Current contact information</p> <p>OWNER: MILDRED GARRETT 1992 LIVING TRUST MILDRED GARRETT 16025 GARRETT RD LAKEVIEW, OR 97630</p> <p>Prior contact information</p> <p>OWNER: NORTHWEST FARM CREDIT SERVICES ACA PO BOX 148 KLAMATH FALLS, OR 97601</p>	<p>Application: S 69868</p> <p>Permit: S 50968 document</p> <p>Signature: 4/30/1990</p> <table border="1"> <thead> <tr> <th colspan="4">Permit Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Permit Issued</td> <td>4/30/1990</td> <td></td> <td></td> </tr> <tr> <td>CBU Received</td> <td>8/12/1994</td> <td></td> <td>DARRYL ANDERSON</td> </tr> </tbody> </table> <p>Order(s)</p> <table border="1"> <thead> <tr> <th>Order Origin</th> <th>Volume-Page</th> <th>Signature</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Miscellaneous</td> <td>7-2926</td> <td>7/1/1994</td> <td>MILDRED GARRETT, EXECUTOR OF THE ESTATE OF EDWARD L GARRETT, ASSIGNS ALL INTEREST IN</td> </tr> <tr> <td>Special</td> <td>47-383</td> <td>12/2/1993</td> <td>EXTENDS TIME LIMITS ON PERMITS</td> </tr> </tbody> </table> <p>View right with Web Mapping View Places of Use from Water Rights in the Same Area</p>	Permit Workflow				Action	Date	Result	Completed By	Permit Issued	4/30/1990			CBU Received	8/12/1994		DARRYL ANDERSON	Order Origin	Volume-Page	Signature	Description	Miscellaneous	7-2926	7/1/1994	MILDRED GARRETT, EXECUTOR OF THE ESTATE OF EDWARD L GARRETT, ASSIGNS ALL INTEREST IN	Special	47-383	12/2/1993	EXTENDS TIME LIMITS ON PERMITS
Permit Workflow																													
Action	Date	Result	Completed By																										
Permit Issued	4/30/1990																												
CBU Received	8/12/1994		DARRYL ANDERSON																										
Order Origin	Volume-Page	Signature	Description																										
Miscellaneous	7-2926	7/1/1994	MILDRED GARRETT, EXECUTOR OF THE ESTATE OF EDWARD L GARRETT, ASSIGNS ALL INTEREST IN																										
Special	47-383	12/2/1993	EXTENDS TIME LIMITS ON PERMITS																										
Water Right Information																													
Status: Non-Cancelled County: Lake File Folder Location: Salem Watermaster District: 12																													

Point(s) of Diversion

POD 1 - HAY CREEK > DREWS CREEK

Description

- T-R-S-QQ: 40.00S-16.00E-22-NE SE
- Location Description: 1580 FEET NORTH & 240 FEET WEST FROM SE CORNER, SECTION 22

POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
4.93	2.465(est)		

IRRIGATION (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
8/24/1989	4.93	2.465(est)			1/40	2.50000	1/1	12/31	

POD 2 - A RESERVOIR > HAY CREEK

Description

- Name: SOUTH ARM RESERVOIR
- T-R-S-QQ: 40.00S-16.00E-22-NE SE
- Location Description: 1580 FEET NORTH & 240 FEET WEST FROM SE CORNER, SECTION 22

POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
4.93	2.465(est)		

SUPPLEMENTAL IRRIGATION (Supplemental)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
4/10/1989	4.93	2.465(est)			1/40	2.50000	1/1	12/31	

Place(s) of Use [Add TRS grouping](#)

Use - IRRIGATION (Primary) - 45.1 acres; Priority Date: 8/24/1989

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks
40.00S-16.00E-15	SW SE				0.3	NC	/		TRACT 1
40.00S-16.00E-22	NE NE				26.6	NC	/		TRACT 1
40.00S-16.00E-22	NW NE				1.6	NC	/		TRACT 1
40.00S-16.00E-23	NW NW				16.6	NC	/		TRACT 1
Sum of Acres: 45.1									

Use - SUPPLEMENTAL IRRIGATION (Supplemental) - 151.9 acres; Priority Date: 4/10/1989

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks
40.00S-16.00E-14	NE SW				15.1	NC	/		TRACT 2
40.00S-16.00E-14	NW SW				14.1	NC	/		TRACT 2
40.00S-16.00E-14	SW SW				26.8	NC	/		TRACT 2
40.00S-16.00E-14	NW SE				10.1	NC	/		TRACT 2
40.00S-16.00E-15	NE SE				9.7	NC	/		TRACT 2
40.00S-16.00E-15	SE SE				32.3	NC	/		TRACT 2
40.00S-16.00E-22	SE NE				20.7	NC	/		TRACT 2
40.00S-16.00E-22	NE SE				4.5	NC	/		TRACT 2
40.00S-16.00E-23	SW NW				16.0	NC	/		TRACT 2
40.00S-16.00E-23	NW SW				2.6	NC	/		TRACT 2
Sum of Acres: 151.9									

Water Right Genealogy

No genealogy records available for this water right, try the family link below instead.

- [View Water Rights in Same Family](#)
- [Help understanding and working with the Water Rights Information System](#)
- [Report Errors with Water Right Data](#)
- [Return to WRIS Query](#)

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EDWARD L. GARRETT
HC 60, BOX 4310
LAKEVIEW, OREGON 97630

503-947-2940

to use the waters of HAY CREEK and SOUTH ARM RESERVOIR, to be constructed under Application R-69872, Permit R-11221, a tributary of DREWS CREEK, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 197.0 ACRES.

This Permit is issued approving Application 69868. The dates of priority are APRIL 10, 1989 FOR USE FROM SOUTH ARM RESERVOIR, AND AUGUST 24, 1989 FOR USE FROM HAY CREEK. The use is limited to not more than 4.93 CUBIC FEET PER SECOND, BEING IRRIGATION OF 45.1 ACRES (TRACT 1) FROM HAY CREEK AND SOUTH ARM RESERVOIR AND SUPPLEMENTAL IRRIGATION OF 151.9 ACRES (TRACT 2) FROM SOUTH ARM RESERVOIR, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 22, T 40 S, R 16 E, W.M.; 1580 FEET NORTH AND 240 FEET WEST FROM SE CORNER, SECTION 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.

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

A description of the proposed place of use under the Permit is as follows:

TRACT 2 - SUPPLEMENTAL	TRACT 1 - PRIMARY
NE 1/4 SW 1/4 15.1 ACRES	
NW 1/4 SW 1/4 14.1 ACRES	
SW 1/4 SW 1/4 26.8 ACRES	
NW 1/4 SE 1/4 10.1 ACRES	
SECTION 14	
NE 1/4 SE 1/4 9.7 ACRES	
SW 1/4 SE 1/4	0.3 ACRE
SE 1/4 SE 1/4 32.3 ACRES	
SECTION 15	
NE 1/4 NE 1/4	26.6 ACRES
NW 1/4 NE 1/4	1.6 ACRES
SE 1/4 NE 1/4 20.7 ACRES	
NE 1/4 SE 1/4 4.5 ACRES	
SECTION 22	
NW 1/4 NW 1/4	16.6 ACRES
SW 1/4 NW 1/4 16.0 ACRES	
NW 1/4 SW 1/4 2.6 ACRES	
SECTION 23	
TOWNSHIP 40 SOUTH, RANGE 16 EAST, W.M.	

This project was considered and approved by the Water Resources Commission on March 30, 1990.

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water to the use shall be made on or before October 1, 1993.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, APRIL 30, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

B EXT 1-1-93



Oregon

John A. Kitzhaber, MD, Governor

April 7, 2014

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

Northwest Farm Credit Services
1700 S. Assembly St.
Spokane, Washington 99220-2515

Reference: Application S-69868, Permit S-50968

The assignment from Northwest Farm Credit Services, ACA, and the Mildred Garrett 1992 Living Trust to the Mildred Garrett 1992 Living Trust has been recorded in the records of the Water Resources Department.

The Departments records will now show the Mildred Garrett 1992 Living Trust as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 111627 covering the recording fee is also enclosed.

Please review the permit to be familiar with the conditions and timelines contained in the permit. These conditions and timelines will have to be met before a Certificate of Water Right can be issued.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 111627

cc: Watermaster 12
Mildred Garrett 1992 Living Trust
Data Center, OWRD (cover letter & request)
Hydrographics
File



Oregon

August 16, 1994



NORTHWEST FARM CREDIT SERVICES ACA
PO BOX 148
KLAMATH FALLS OR 97601

REFERENCE: File R-69872 & 69868

The assignment of Permits R-11221 and 50968 from Mildred Garrett to you have been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 114228 and 114243 covering the recording fee of \$20 you submitted.

Under the terms of Permits R-11221 and 50968, the South Arm Reservoir was to have been filled and adequate irrigation equipment on hand and water used to the fullest extent intended by October 1, 1993.

To date, we have not been advised as to whether or not these requirements were met. Forms for reporting are enclosed.

Sincerely,

THOMAS E. SHOOK
Water Rights Specialist

TES:jh

Enclosure

cc: Mildred Garrett 1992 Living Trust

RECEIVED BY OWRD

APR 04 2014

SALEM, OR

RECEIVED BY OWRD

MAR 10 2014



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

RECEIVED

JUL 13 1994

WATER RESOURCES DEPT.
SALEM, OREGON

A S S I G N M E N T

I, Mildred Garrett, Executor of the Estate of Edward Garrett of

HC 60 Box 4310 Lakeview OR 97630
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

do hereby assign all my interest in and to water right Application
Number 69868, Permit 50968, as filed in the office of
the Water Resources Director, to:

Mildred Garrett 1992 Living Trust
Northwest Farm Credit Services, ACA

HC 60 Box 4310 (NAME) Lakeview OR 97630
P. O. Box 148 Klamath Falls OR 97601
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

TELEPHONE NUMBER (503) 947-2940
(503) 882-5551

WITNESS my hand this 7 day of July 19 94.

STATE OF OREGON, } ss
County of Marion.

X Mildred Garrett
(SIGNATURE OF PERMITTEE)

I certify that the within was received by me
on the 13th day of July, 19 94, at 8
o'clock A.m., and was recorded in Miscellaneous
Records, Vol. 7 Page 2926

Water Resources Director

RECEIVED BY OWRD

APR 04 2014

SALEM, OR

The completed assignment must be submitted to
the Water Resources Director, 3850 Portland
Road, N.E., Salem, Oregon 97310, together with a
recording fee of \$10.

RECEIVED BY OWRD
MAR 10 2014

SALEM, OR

August 16, 1994

DARRYL ANDERSON CWRE
PO BOX 28
LAKEVIEW OR 97630

REFERENCE: File R-69872

We received the Claim of Beneficial Use and map you submitted for Permit R-11221 in the name of Mildred Garrett.

A brief follow-up inspection may be conducted in the next few months.

If you have any questions, please call the Water Rights Section at 378-3739.

DSM:jh

cc: Mildred Garrett
Northwest Farm Credit Services, ACA



August 16, 1994

WATER
RESOURCES
DEPARTMENT

NORTHWEST FARM CREDIT SERVICES ACA
PO BOX 148
KLAMATH FALLS OR 97601

REFERENCE: File R-69872 & 69868

The assignment of Permits R-11221 and 50968 from Mildred Garrett to you have been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 114228 and 114243 covering the recording fee of \$20 you submitted.

Under the terms of Permits R-11221 and 50968, the South Arm Reservoir was to have been filled and adequate irrigation equipment on hand and water used to the fullest extent intended by October 1, 1993.

To date, we have not been advised as to whether or not these requirements were met. Forms for reporting are enclosed.

Sincerely,

THOMAS E. SHOOK
Water Rights Specialist

TES:jh

Enclosure

cc: Mildred Garrett 1992 Living Trust



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 114228

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

RECEIVED FROM: Farm Credit
BY: Services

APPLICATION	69668
PERMIT	50968
TRANSFER	

CASH: CHECK: # 24-12 OTHER: (IDENTIFY)

TOTAL REC'D \$ 90.-

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES	\$
850.200	RESEARCH FEEDS	\$
880.109	MISC REVENUE: (IDENTIFY)	\$ 10.- <i>assignment</i>
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	EXAM FEE	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
	LANDOWNER'S PERMIT	\$	842.024	\$
	OTHER (IDENTIFY)			

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #
	MONITORING WELLS	\$	CARD #

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
	HYDRO APPLICATION		\$

RECEIPT # 114228

DATED: 7-13-94 BY: D. Beechell

December 15, 1993

EDWARD L GARRETT
HC 60 BOX 4310
LAKEVIEW OR 97630

REFERENCE: File 69868 & R-69872

The date for the complete application of water to a beneficial use for your water use Permit 50968 and R-11221 was October 1, 1993. To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits. Forms will be furnished upon request.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before October 1, 1994. A list of certified water right examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

If you have any questions, please contact the Water Rights Section at 378-3739.

TES:jh

Enclosure



December 14, 1993

WATER
RESOURCES
DEPARTMENT

EDWARD L GARRETT
HC 60 BOX 4310
LAKEVIEW OR 97630

REFERENCE: File 69868 & R-69872

We have received your application for extension of the time limit to complete construction under Permit 50968 and R-11221. We also have your check in the amount of \$200.

The application indicates reasonable diligence to complete the proposed project. The time limit to complete construction is being extended to October 1, 1993. The order approving the extension was entered December 2, 1993.

If you have any questions, please contact the Water Rights Section at 378-3739.

TES:jh



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

11-25-92

DISCUSSED PROJECT WITH HOWARD DAGGETT.

RESERVOIR HAS BEEN IN PLACE & WATER USED
FOR MANY YEARS. BEGINNING OF CONSTRUCTION OK,

~~NEED ANOTHER \$100~~

JES

~~REQUESTED BY ALGONQUA TO P. ANDERSON~~

\$200 RECEIPTS 94330 & 94558

Application for Extension of Time

RECEIVED

NOV 19 1992

WATER RESOURCES DEPT.
SALEM, OREGON

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Mildred Garrett Name
HC 60 Box 4310 Mailing Address
Lakeview OR 97630
City State Zip

record owner of water permit No. 50968, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1992, be extended to October 1, 1993; and/or the time in which to

accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 19 , be extended to October 1, 19 .

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

- (1) within the past year easement from U.S. Forest Service has been obtained.
Unable to complete additional work. Please refer to letter dated 10/21/92
to Water Resources Department from Darryl J. Anderson, Engineer.;
- (2) prior to this past year _____

 _____;
- (3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) _____

(If additional space is required, attach separate sheet)

\$100.00
94330
11-19-92

Mildred Garrett owner
(If signing for a corporation please identify your title)

Dated 11-16-92

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department
 3850 Portland Road N.E.
 Salem, Oregon 97310

B
10-1-93
AKJ

**ANDERSON
ENGINEERING & SURVEYING**

618 South 1st Street
P.O. Box 28
LAKEVIEW, OR 97630
(503) 947-4407
FAX (503) 947-2321

344 SW 7th Street
REDMOND, OR 97756
(503) 923-4307
FAX (503) 923-4308

LETTER OF TRANSMITTAL

DATE November 18, 1992	JOB NO. 8905
ATTENTION	
RE: Garrett / South Arm Reservoir	

TO Water Resources Department
3850 Portland Road NE
Salem, OR 97310

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings
 Prints
 Plans
 Samples
 Specifications
 Copy of letter
 Change order
 See below

COPIES	DATE	NO.	DESCRIPTION
1			Application for Extension of Time
1			Application Fee - #2218
1			Notice of Beginning of Construction

RECEIVED
NOV 19 1992
WATER RESOURCES DEPT.
SALEM, OREGON

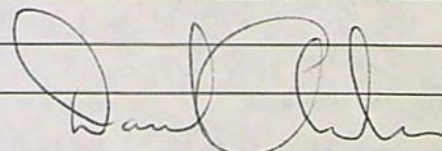
THESE ARE TRANSMITTED as checked below:

- For approval
 Approved as submitted
 Resubmit _____ copies for approval
 For your use
 Approved as noted
 Submit _____ copies for distribution
 As requested
 Returned for corrections
 Return _____ corrected prints
 For review and comment

 FOR BIDS DUE _____ 19 _____
 PRINTS RETURNED AFTER LOAN TO US

REMARKS If you have any questions or concerns, please call.

COPY TO _____


SIGNED: Darryl Anderson, PE, PLS, CWRE

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: 69868 PERMIT NO: 50968
DATE: 8/25/93

1. What service area or base was anticipated by the applicant at the time the permit was granted?
2. What water right development steps has the permittee completed to date?
3. Is the permittee currently meeting all conditions of the permit?
4. What is the current use of water under the permit?
5. What percent of the total allowable use under the permit does the current use represent?
6. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
8. Has there been any change in demand for water or power since the permit was granted?
9. If the extension request is denied, is the current level of water use under the permit economically feasible?
10. Is there an alternate source of water available at this time?
11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?
12. Have there been claims of injury to other water right holders or water users in the area?

REMARKS:

Forms B4 C RECEIVED 9-13-93



Anderson Engineering & Surveying

Professional Engineers & Land Surveyors

RECEIVED
NOV 27 1992
WATER RESOURCES DEPT
SALEM, OREGON

November 25, 1992

Water Resources Department
3850 Portland road NE
Salem, OR 97310

ATTN: Tom Shook

Dear Tom:

Enclosed please find a check #4707 for \$100.00 to allow a time extension for permit #R-11221 under the name of Ed Garrett of Lakeview, Oregon. Mildred Garrett forwarded to your office November 18th the Application for Time Extension and the application fee of \$100.00. This extension application only mentioned Permit 50968 excluding R-11221. Therefore to also allow an extension time for both permits we are submitting another \$100.00 application fee.

Also enclosed is a corrected copy of the Application for Time Extension.

Thank you for promptly considering our request for the Time Extension. If you have any questions, please feel free to call.

Sincerely,

Darryl Anderson, P.E., P.L.S.

cc: Mildred Garrett

618 South 1st Street • P.O. Box 28
Lakeview, Oregon 97630
(503) 947.4407
FAX 947.2321

344 Southwest 7th Street
Redmond, Oregon 97756
(503) 923.4307
FAX 923.4308



Anderson Engineering & Surveying

Professional Engineers & Land Surveyors

October 21, 1992

RECEIVED

OCT 26 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department
3850 Portland Road NE
Salem, OR 97310

RE: Permit #50968 & R-11221

Dear Sir/Madam:

This letter is a request for additional time to start and complete construction on South Arm Reservoir under the terms of the above issued permits.

South Arm Reservoir was an As-Built reservoir permit filing since the reservoir has been in existence for many years. The plans for the permit and corrective work were approved May 24, 1990 by the Water Resources Department. From the time of the approval of the plans and the issuance of the permit, the owner, Mr. Edward Garrett obtained an easement from the U.S. Forest Service, since part of the reservoir is backed up on Forest Service land. However Mr. Garrett was unable to complete the work to the dam and reservoir.

Mr. Garrett has passed away and his wife, Mrs. Mildred Garrett, is in the process of completing the work to comply with the permit. Mrs. Garrett would like to request an one year extension on this project. Due to this year being a drought year some of the work may possibly be done this fall.

Please consider our request for this extension, and let us know as soon as possible if the extension will be granted. In the meantime Mrs. Garrett will plan and make arrangements to begin the work.

Sincerely,

Darryl Anderson bjt

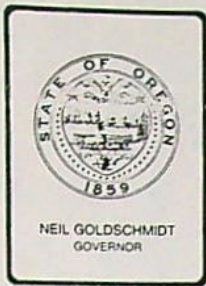
Darryl Anderson
P.E., P.L.S.

cc: Mildred Garrett
Dennis Glender, Wastermaster

*2 ext forms
sent JCB 11/4/92*

618 South 1st Street • P.O. Box 28
Lakeview, Oregon 97630
(503) 947-4407
FAX 947-2321

344 Southwest 7th Street
Redmond, Oregon 97756
(503) 923-4307
FAX 923-4308



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

MEMORANDUM

TO: Water Resources Commission

FROM: Director *W. Kelly*

SUBJECT: Agenda Item M, March 30, 1990, Water Resources Commission Meeting

Consideration for Approval of Applications R-69872 and 69868 to Store and Use Water from Hay Creek, Tributary to Drews Creek for Irrigation, Edward L. Garrett, Lake County.

Background:

On April 10 and April 14, 1989, Edward L. Garrett submitted Applications R-69872 (Attachment 1) and 69868 (Attachment 2) respectively. Application R-69872 proposes to store up to 815.8 acre-feet of water from Hay Creek behind an existing dam that is 19.2 feet high. Application 69868 proposes to use up to 4.93 cfs from direct flow and storage for irrigation on 45.1 acres of primary lands and on 151.9 acres of supplemental lands. The project is located near Lakeview (Attachment 3).

The question before the Commission is whether the issuance of a permit for up to 815.8 acre-feet of storage would have a significant adverse effect on the public interest. Administrative Rule 690-11-080 (2)(a)(C) specifies that appropriations for greater than 9.2 acre-feet of storage be referred to the Commission to make a public interest determination under ORS 537.170.

Evaluation:

The South Arm Reservoir (Attachment 4) is an earth-fill dam that is about 40 to 45 years old. The drainage area for the watershed is about 5.2 square miles, but most of the water entering the reservoir is from springs. The applicant intends to irrigate lands that are not covered by the Goose Lake Decree. Lands covered by the Goose Lake Decree will get supplemental water for irrigation.

The Dam Safety Section reviewed and approved the plans with conditions. Those conditions are listed in the draft permit (Attachment 5).

Notice of this application was provided to the public. The Oregon Department of Fish and Wildlife reviewed the project and submitted a "no comment" response. The Fremont National Forest indicated that the applicant will receive a special use permit.

Water is available in this reach to meet the demand during this time period and the use of water should not pose a problem. The applicant will be required to bypass water to meet the demands of downstream rights and provide adequate controlling devices for the watermaster to distribute on Hay Creek.

The Goose and Summer Lakes Basin Program adopted in August 1988 requires consideration of the following items for reservoir construction:

- 1) alternative sizing of the project to achieve a reasonable economic development of the proposed site;
- 2) the potential for use of the reservoir and any water which is stored and released for multiple beneficial uses; and
- 3) the maintenance of natural flows downstream from the reservoir at levels sufficient to meet instream and out-of-stream needs.

These issues were considered by the applicant and reviewed by staff. Since the reservoir was previously constructed, those matters could not be answered as readily as for a new reservoir. Alternative sizing was not a major determination because the reservoir was built and the applicant is filing on a previously constructed reservoir. Multiple use was considered, but the reservoir is too small for a major recreational site. The reservoir provides for some fishing and wildlife habitat.

Water is stored for irrigation. Reservoir releases are for irrigation and to meet downstream demand. Water released enters Drews Reservoir and is used by the Lakeview Water Users.

Staff does not believe that this proposal would have a significant adverse effect on the public interest or have an adverse impact on the water resources in the basin. Storage would be subject to downstream storage rights with senior priorities.

Alternatives:

1. Find that the proposed use of water may have a significant adverse effect on the public interest, and schedule a hearing to assist the Commission in making its determination.
2. Find that the proposed use of water would not have a significant adverse effect on the public interest, and authorize the Director to issue the permit with the appropriate conditions.

Summation:

The proposed use of water is from an existing reservoir. The applicant would store up to 815.8 acre-feet of water for irrigation. Water is available. The use of water should not have a significant adverse effect on the water resources in the basin.

Director's Recommendation:

The staff recommends Alternative 2, that the Commission find that the use of water would not have a significant adverse effect on the public interest and authorize the Director to issue the permit.

Attachments:

- 1) Copy of Application R-69872
- 2) Copy of Application 69868
- 3) Copy of location map
- 4) Copy of project map
- 5) Copy of Draft Permits

Jake Szramek
378-3066
February 7, 1990

cc: Edward L. Garrett, Applicant
ODFW Portland Office
Watermaster, District 12

Application No. R-69872

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

I, Edward L. Garrett
(Name of Applicant)

of HC 60 Box 4310, Lakeview
(Mailing Address) (City)

State of Oregon, 97530, Phone No. (503) 947-2940
(Zip Code)

do hereby make application for a permit to construct the South Arm reservoir

and to store the unappropriated waters of the State of Oregon, subject to existing rights.

1. The name of the stream from which the reservoir is to be filled is Hay Creek

tributary to Drews Creek

2. If not in channel of a stream, state how it is to be filled.

3. The dam will be located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 22,
Township 40S, Range 16E, W. M. (Lake County, Oregon)

4. The maximum height will be 19.2 (8.1) feet above stream bed or ground surface at the
centerline. The top width will be 14 (10) feet, slope of upstream face 3:1 (2:1),
slope of downstream face 2:1 (1:1), and height of dam above water line when full
5 (2) feet. Note: (Dike dimensions are in parenthesis See plans)

5. The dam will be (check one) earthfill, concrete, flashboard, other.

If "other", give description:

6. Give the location, description, and dimensions of the outlet conduit: Approximately 105' of
12" CMP located near the center of the main dam in the natural channel. Approximately
35' of 12" CMP located near the center of the dike.
(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

Handwritten calculations:
100 = 50 of
191.50 765 of 3.25
491.50

Application No. R-69872

Permit No.

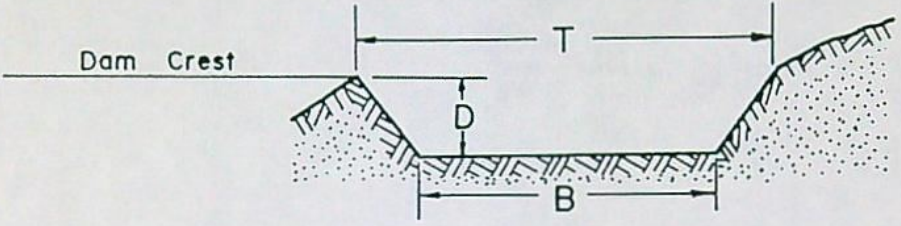
7. The impounded water will be used for irrigation

8. The amount of water to be stored is 815.8 acre feet.

Handwritten notes:
4.4
4.4
7.1

9. The area submerged by the reservoir, when full, will be 128.6 acres,
and the maximum depth of water will be 14 feet.

10. Give the location and dimensions of the spillway 100 linear feet around dike (See plans)
(State whether over or around dam)



The bottom width of the spillway, B, will be 50 feet.

The top width of the spillway, T, will be Varies 60 - 70 feet.

The distance between the crest of the dam and the crest of the spillway, D, will be 5 feet.
(Must be at least 2 1/2 feet)

If any other type of spillway describe and give dimensions:

.....
.....
.....
.....

11. Construction work will begin on or before July 1, 1989

12. Construction work will be completed and the reservoir filled by May 1, 1990

Remarks: This is an existing reservoir. Items 4, 6, 8, 9, and 10 will be addressed at a later date upon completion of an on-site inspection of the dam. Any necessary improvements to the structure will be reflected in these items at that time.

.....
.....

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Edward L. Lavett
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before November 6, 1989

WITNESS my hand this 8th day of August, 1989

William H. Young, Water Resources Director

By *Wayne J. Overcash*
WAYNE J. OVERCASH

RECEIVED
AUG 24 1989
WATER RESOURCES DEPT.
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 14th day of April, 1989, at 8 o'clock A.M.

Application No. R-69872

Permit No.

Application No. 69868

Permit No.

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

WATER RESOURCES DEPT.
SALEM, OREGON

I, Edward L. Garrett (Name of Applicant)

of HC 60 Box 4310 (Mailing Address), Lakeview (City)

State of Oregon, 97630 (Zip Code) Phone No. (503) 947-2940 do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is South Arm Reservoir and Hay Creek
....., a tributary of Drews Creek

2. The point of diversion is to be located 1580 ft. N (N. or S.) and 240 ft. W (E. or W.)
from the SE corner of Section 22 (Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

..... being within the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
Sec. 22 Tp. 40 S (N. or S.) R. 16 E (E. or W.), W. M., in the county of Lake

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
40 S	16 E	14	NW 1/4, SE 1/4	10.1
40 S	16 E	14	NE 1/4, SW 1/4	15.1
40 S	16 E	14	NW 1/4, SW 1/4	14.1
40 S	16 E	14	SW 1/4, SW 1/4	26.8
40 S	16 E	15	NE 1/4, SE 1/4	9.7
40 S	16 E	15	SE 1/4, SE 1/4	32.3
40 S	16 E	15	SW 1/4, SE 1/4	0.3 *
40 S	16 E	22	NE 1/4, NE 1/4	26.6 *
40 S	16 E	22	NW 1/4, NE 1/4	1.6 *
40 S	16 E	22	SE 1/4, NE 1/4	20.7

Form 690-1-0-1-77

* Denotes primary water rights being applied for this application

200
100
574
674

15
67.0

Additional Irrigated Areas for Edward L. Garrett Application

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List ¼ ¼ of Section	List use and/or number of acres to be irrigated
40 S	16 E	22	NE 1/4, SE 1/4	4.5
40 S	16 E	23	NW 1/4, NW 1/4	16.6 *
40 S	16 E	23	SW 1/4, NW 1/4	16.0
40 S	16 E	23	NW 1/4, SW 1/4	2.5

TOTAL 197.0

Form 690-1-0-1-77

Application No. 69868
 Permit No.

RECEIVED
 APR 1 1989
 WATER RESOURCES DEPT
 SALEM, OREGON

RECEIVED

AUG 24 1989

WATER RESOURCES DEPT.
 SALEM, OREGON

4. The amount of water which the applicant intends to apply to beneficial use is 4.93

cubic feet per second

(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Supplemental Irrigation

and (* Primary Irrigation)

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

The existing dam structure and diversion works will be inspected and any necessary improvements will be made in order to comply with Water Resources requirements.

See application for Permit to Construct a Reservoir # Distribution of water will be through existing ditches as shown on the supporting map.

Any construction necessary for repair to the dam or to existing supply ditches will be done according to the proposed schedule in items 7, 8, and 9.

If for domestic use state number of families to be supplied

7. Construction work will begin on or before July 1, 1989

8. Construction work will be completed on or before May 1, 1990

9. The water will be completely applied to the proposed use on or before September 30, 1990

Application No. 69868

Permit No.

Remarks:.....According to the records of Goose Lake Decree 5177, several areas
were not covered under surface water rights. Therefore, they are included in
this application for primary rights. All other areas covered by the Decree are
included for supplemental rights.

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Edward L. Garrett
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....correction and completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before ..November 6....., 19.89.....

WITNESS my hand this8th..... day of.....August....., 19.89.....

..William H. Young,..... Water Resources Director

By *Wayne J. Overcash*
WAYNE J. OVERCASH

RECEIVED

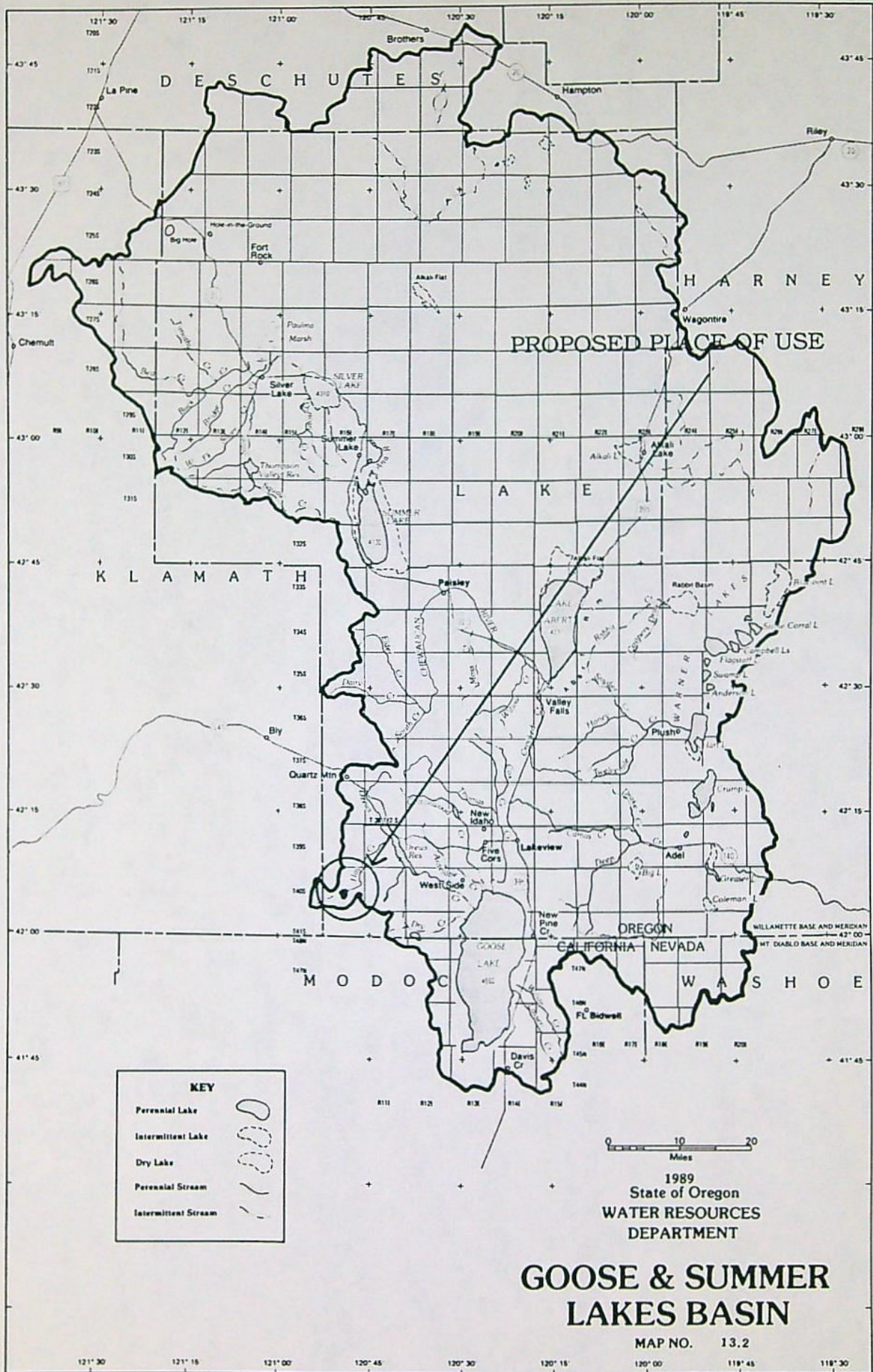
AUG 24 1989

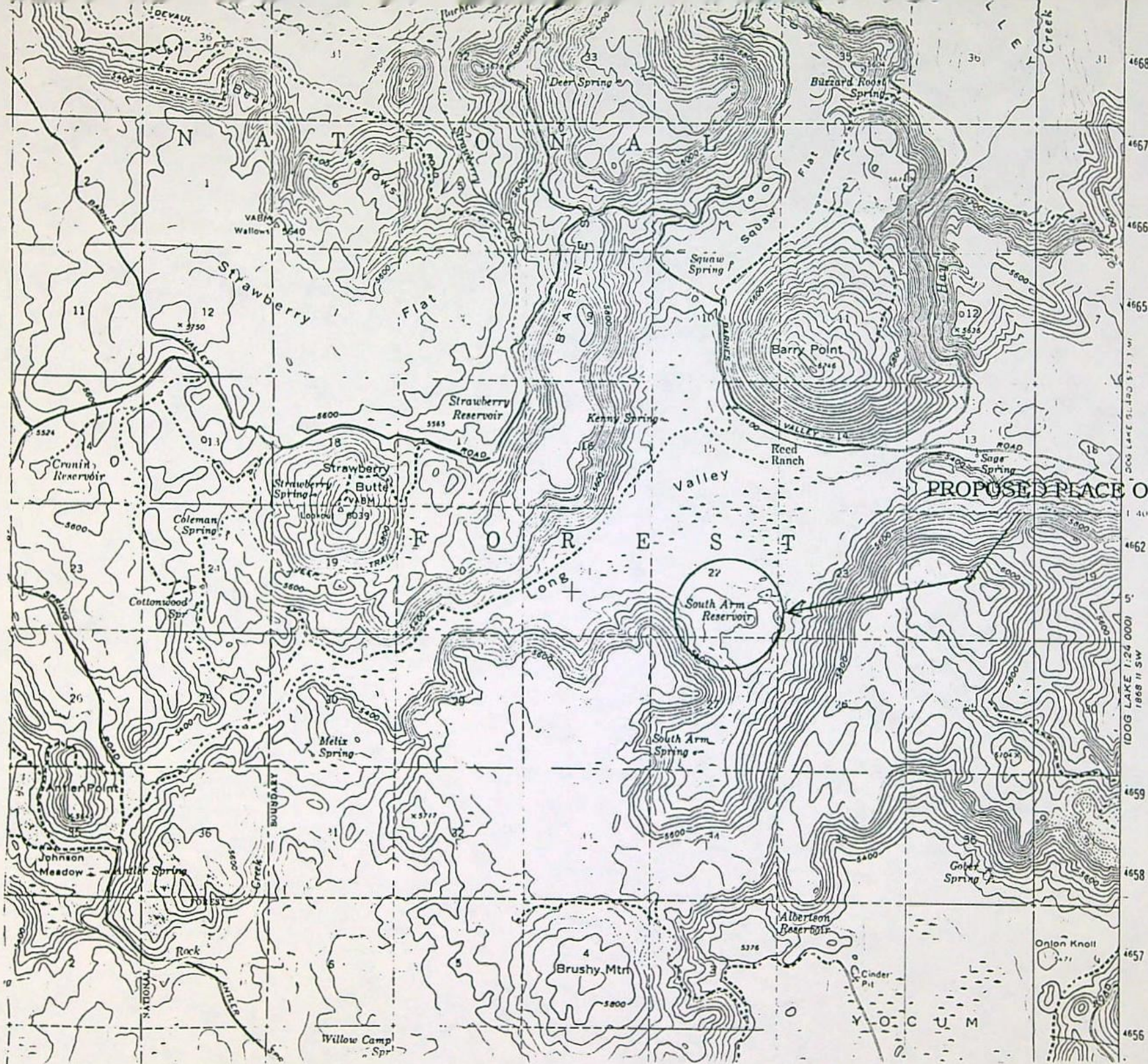
WATER RESOURCES DEPT.
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the
.....10th..... day ofApril....., 19.89....., at ...8..... o'clock
.....AM.

Application No.....69868.....

Permit No.....





PROPOSED PLACE OF USE

U.S. GEOLOGICAL SURVEY
 1:24,000
 DOG LAKE 1868 II SW

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO CONSTRUCT A RESERVOIR AND TO
STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EDWARD L. GARRETT
HC 60, BOX 4310
LAKEVIEW, OREGON 97630

503-947-2940

to construct SOUTH ARM RESERVOIR and store the waters of HAY CREEK, a tributary of DREWS CREEK, to be appropriated under Application 69868, Permit , for IRRIGATION.

This Permit to store waters is issued approving Reservoir Application R-69872. The date of priority is APRIL 14, 1989 for storage of 560.0 ACRE-FEET and AUGUST 24, 1989 for storage of 255.8 ACRE-FEET. The amount of water entitled to be stored each year is not more than 815.8 ACRE-FEET.

The dam will be located as follows:

NE 1/4 SE 1/4, SECTION 22, T 40 S, R 16 E, W.M.

The area submerged by the reservoir, when full, will be 128.6 acres and the maximum depth of water will be 14.0 feet.

The area to be submerged by the reservoir is located within

E 1/2 SE 1/4
SW 1/4 SE 1/4
SECTION 22

SW 1/4 SW 1/4
SECTION 23

NE 1/4
SECTION 27
TOWNSHIP 40 SOUTH, RANGE 16 EAST, W.M.

The permit is subject to the following conditions:

1. The structure shall be constructed, operated and maintained in accordance with the approved plans and specifications and with the design intent.
2. The repairs to the structure shall be constructed under the supervision of a registered engineer licensed in Oregon. No water shall be stored until this department receives written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, and written authorization for storage is received from this department.
3. The outlet gate shall be cycled at least once each year in order to assure smooth operation.
4. The embankment and spillway channel shall be kept clear of trees and brush and other debris.
5. The embankment shall be kept free of burrowing animals.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

This project was considered and approved by the Water Resources Commission on

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1991. The reservoir shall be filled, and complete application of the stored water to the use shall be made on or before October 1, 1992.

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.

The 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 storage of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, .

Water Resources Department
William H. Young
Director

STATE OF OREGON
COUNTY OF LAKE
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EDWARD L. GARRETT
HC 60, BOX 4310
LAKEVIEW, OREGON 97630

503-947-2940

to use the waters of HAY CREEK and SOUTH ARM RESERVOIR, to be constructed under Application R-69872, Permit R- , a tributary of DREWS CREEK, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 197.0 ACRES.

This Permit is issued approving Application 69868. The date of priority is APRIL 10, 1989 for use from South Arm Reservoir, and AUGUST 24, 1989 for use for Hay Creek. The use is limited to not more than 4.93 CUBIC FEET PER SECOND, being irrigation of 45.1 acres (Tract 1) from Hay Creek and South Arm Reservoir and supplemental irrigation of 151.9 acres (Tract 2) from South Arm Reservoir, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 22, T 40 S, R 16 E, W.M.; 1580 FEET NORTH AND 240 FEET WEST FROM SE CORNER, SECTION 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

A description of the proposed place of use under the Permit is as follows:

NE 1/4 SW 1/4	15.1 ACRES
NW 1/4 SW 1/4	14.1 ACRES
SW 1/4 SW 1/4	26.8 ACRES
NW 1/4 SE 1/4	10.1 ACRES
SECTION 14	

NE 1/4 SE 1/4	9.7 ACRES
SW 1/4 SE 1/4	0.3 ACRE
SE 1/4 SE 1/4	32.3 ACRES
SECTION 15	

NE 1/4 NE 1/4	26.6 ACRES
NW 1/4 NE 1/4	1.6 ACRES
SE 1/4 NE 1/4	20.7 ACRES
NE 1/4 SE 1/4	4.5 ACRES
SECTION 22	

NW 1/4 NW 1/4	16.6 ACRES
SW 1/4 NW 1/4	16.0 ACRES
NW 1/4 SW 1/4	2.6 ACRES
SECTION 23	

TOWNSHIP 40 SOUTH, RANGE 16 EAST, W.M.

PAGE TWO

This project was considered and approved by the Water Resources Commission on

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1991. Complete application of the water to the use shall be made on or before October 1, 1992.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, .

Water Resources Department
William H. Young
Director

Application No. 69868

Permit No.

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

APR 10 1989 WATER RESOURCES DEPT. SALEM, OREGON

I, Edward L. Garrett (Name of Applicant)

of HC 60 Box 4310 (Mailing Address), Lakeview (City)

State of Oregon, 97630 (Zip Code) Phone No. (503) 947-2940 do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is South Arm Reservoir and Hay Creek, a tributary of Drews Creek

2. The point of diversion is to be located 1580 ft N and 240 ft W from the SE corner of Section 22 (Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the NE 1/4 of the SE 1/4 of Sec. 22 Tp. 40 S R. 16 E, W. M., in the county of Lake

3. Location of area to be irrigated, or place of use if other than irrigation.

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Rows include various section combinations and acreages.

Form 690-1-0-1-77

* Denotes primary water rights being applied for this application

Handwritten calculations: 200.00, 100.00, 374.00, 674.00

Handwritten note: 45.1 primary

Handwritten note: 151.9 suff. 197.0

4. The amount of water which the applicant intends to apply to beneficial use is 4.93
cubic feet per second.....
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Supplemental Irrigation
and (* Primary Irrigation)

6. *DESCRIPTION OF WORKS*
Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

The existing dam structure and diversion works will be inspected and any
necessary improvements will be made in order to comply with Water Resources
requirements.

See application for Permit to Construct a Reservoir #
Distribution of water will be through existing ditches as shown on the
supporting map.

Any construction necessary for repair to the dam or to existing supply
ditches will be done according to the proposed schedule in items 7, 8, and 9.

If for domestic use state number of families to be supplied

7. Construction work will begin on or before July 1, 1989

8. Construction work will be completed on or before May 1, 1990

9. The water will be completely applied to the proposed use on or before September 30, 1990

Application No. 69868 Permit No.

Remarks: According to the records of Goose Lake Decree 5177, several areas were not covered under surface water rights. Therefore, they are included in this application for primary rights. All other areas covered by the Decree are included for supplemental rights.

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Edward Y. Garrett

Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before November 6, 1989

WITNESS my hand this 8th day of August, 1989

William H. Young, Water Resources Director

By Wayne J. Overcash

WAYNE J. OVERCASH

RECEIVED

AUG 24 1989

WATER RESOURCES DEPT. SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

10th day of April, 1989, at 8 o'clock

AM

Application No. 69868

Permit No.

Application No. 69868

Permit No.

28

Permit to appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 4.93 cubic feet per second measured at the point of diversion from the

stream, or its equivalent in case of rotation with other water users, from Hay Creek and

South Arm Reservoir to be constructed under

Application R-59872 Permit

The use to which this water is to be applied is irrigation and supplemental

irrigation of 1270 acres, being use ^{of water} from Hay Creek and

South Arm Reservoir for irrigation of 45.1 acres, and

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second

or its equivalent for each acre irrigated 2 1/2

use water from South Arm Reservoir for supplemental irrigation
of 151.9 acres (Tract 2)

(B)
ml

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is April 10, 1989 for use from South Arm Reservoir
August 27, 1989 for use from Hay Creek

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of 19.....

RECEIVED

Additional Irrigated Areas for Edward L. Garrett Application

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List ¼ ¼ of Section	List use and/or number of acres to be irrigated
40 S	16 E	22	NE 1/4, SE 1/4	4.5
40 S	16 E	23	NW 1/4, NW 1/4	16.6 *
40 S	16 E	23	SW 1/4, NW 1/4	16.0
40 S	16 E	23	NW 1/4, SW 1/4	2.6

Form 690-1-0-1-77

TOTAL 197.0

Application No. 69868
 Permit No.

RECEIVED

APR 10 1989

WATER RESOURCES DEPT.
 SALEM, OREGON

RECEIVED

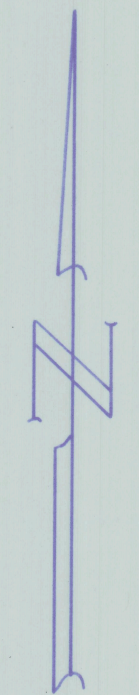
AUG 24 1989

WATER RESOURCES DEPT.
 SALEM, OREGON

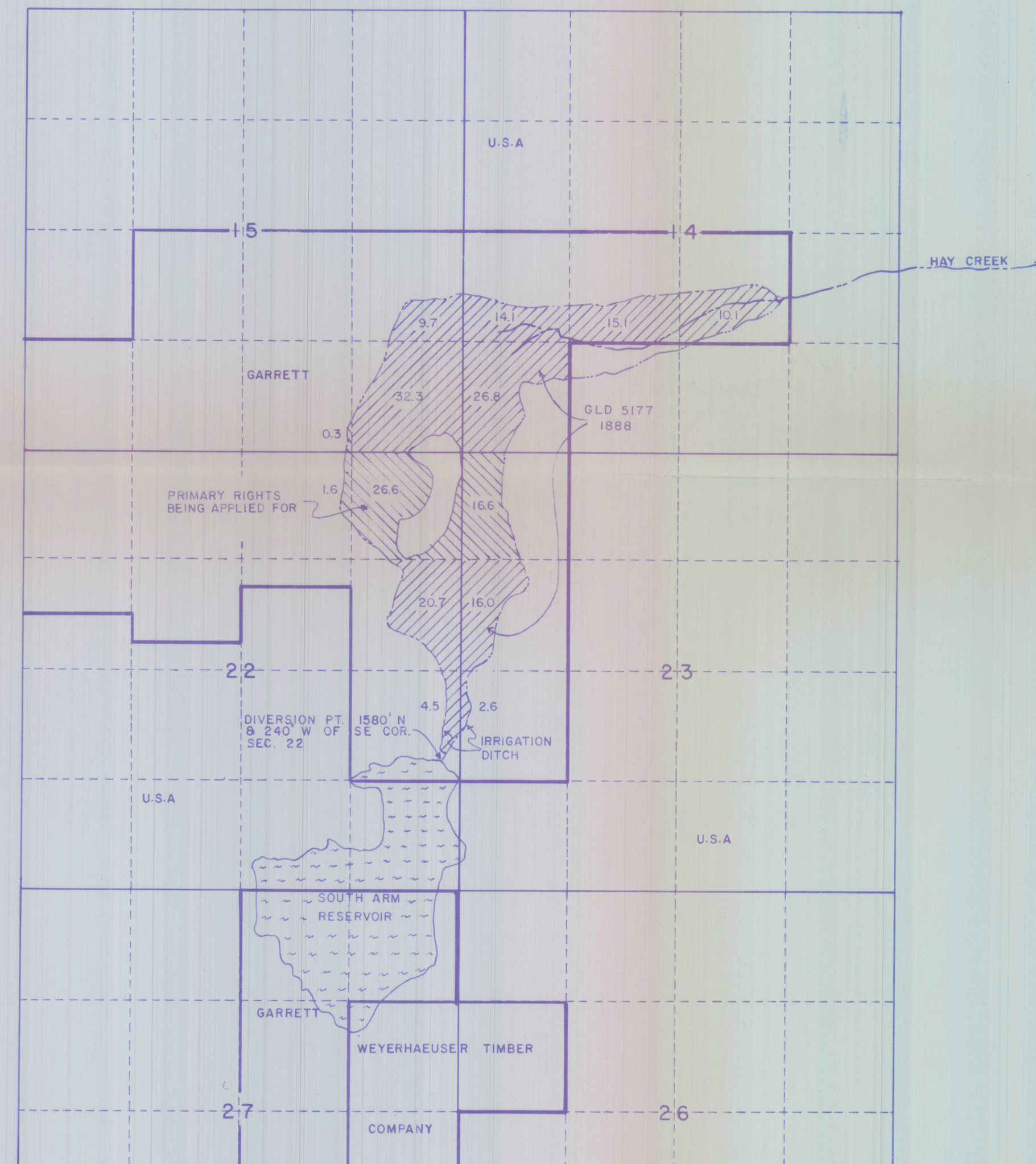
MAP TO ACCOMPANY APPLICATION FOR SUPPLEMENTAL & PRIMARY WATER RIGHTS

R 16 E

APPLICATION NO. 69868, R. 69872
 PERMIT NO. 50968, R. 11221



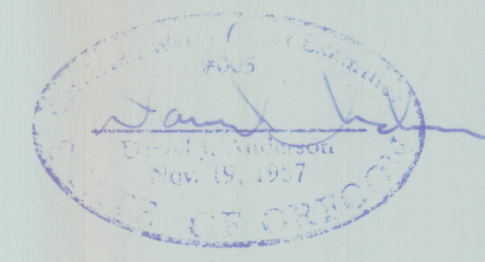
SCALE 1"=1320'



- LEGEND**
- IRRIGATION AREAS
 - EXISTING STREAMS & DITCHS
 - APPROX. OWNERSHIP LINE AS NOTED

GENERAL NOTES

1. PREPARATION OF THIS MAP IS FOR IDENTIFYING THE LOCATIONS OF PROPOSED SUPPLEMENTAL WATER RIGHTS AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY LINES.
2. USE OF WATER IS FOR IRRIGATION. SOURCE OF WATER IS SOUTH ARM RESERVOIR.



PREPARED FOR:
 ED GARRETT
 HC 60 BOX 4310
 LAKEVIEW, OR 97630

PREPARED BY:
 ANDERSON ENGINEERING & SURVEYING
 P.O. BOX 28
 LAKEVIEW, OR 97630
 (503) 947-4407
 FEBRUARY, 1989

Application No. 69868
Permit No.

TOWNSHIP 40 S . RANGE 16 E . W. M.

SECTION 14

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
								15'	14'	26'				10'		Goose Lake	5177	
Road Const. & Maint.																61813	49677	108
								15'	14'	26'				10'		Supplemental 69868		4

TOWNSHIP 40 S . RANGE 16 E . W. M.

SECTION 15

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
				30'	30'											Goose Lake	5180	
Road Const. & Maint.																61813	49677	108
												9'				32' Supplemental 69868		4
																69868		4

TOWNSHIP 40 S . RANGE 16 E . W. M.

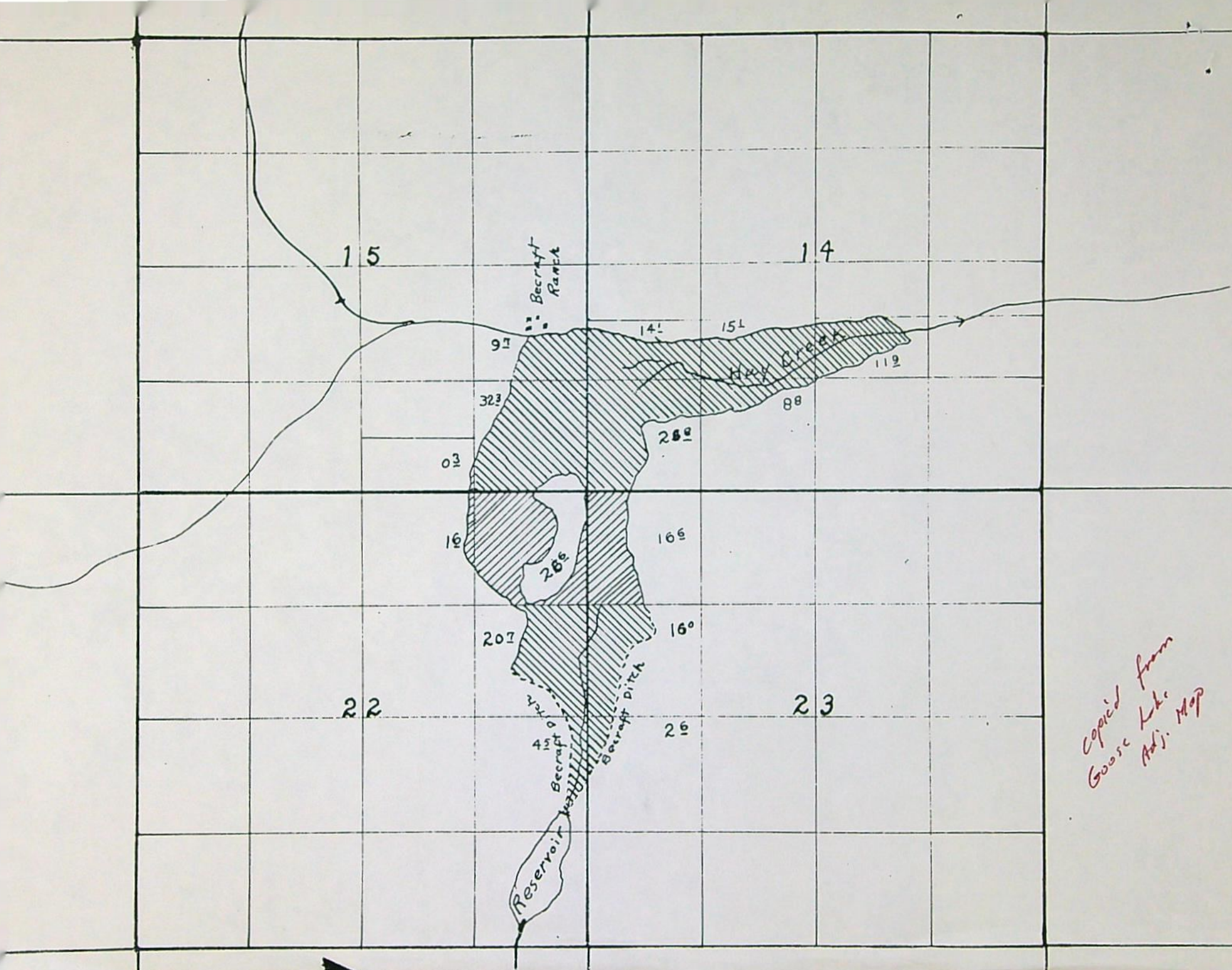
SECTION 22

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
			20'												4'	Goose Lake	5177	
Road Const. & Maint.																61813	49677	108
26'	16'															69868		4
			20'												4'	Supplemental 69868		4

TOWNSHIP 40 S . RANGE 16 E . W. M.

SECTION 23

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
						16'				26'						Goose Lake	5177	
Road Const. & Maint.																61813	49677	108
						16'										69868		4
						16'				26'						Supplemental 69868		4



*Copied from
Goose Lake
Adj. Map*

APPLICATION PROCESSING OUTLINE

Basin: GOOSE AND SUMMIT CREEKS

Application No.
Permit No.

69868

Sub-basin: _____
Fees paid: Examination fee: 200
Recording fees: _____
Total: _____

RATE AND DUTY _____ for irrigation

1. Check for minimum information (OAR 690-11-020)

- | yes | no | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Name and mailing address of the applicant. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Source of the water. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Quantity of water to be appropriated. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Location of point of diversion to 1/4 1/4 Section. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Nature and place of use. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Name and mailing address of all legal owners of the properties involved. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Signature of the applicant |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Examination fees. |

If minimum information not supplied, excepting legal owner information, then return to applicant with letter explaining deficiencies.

- | yes | no | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Water Resources Commission classification limits or restrictions -- If yes, note: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | State Engineer's withdrawals -- If yes, note: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative withdrawals -- If yes, note: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | If policy statement is unclear check with Resources Management Division. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Scenic Waterway: _____
on _____ up-stream _____ v/in 1/4 mile |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Notify Parks and Recreation Department |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Out-of-basin diversion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Need to route to Geology Section due to: |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | well within one mile of a stream |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | well within restricted surface water area |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | wells with request for greater than 5 cfs |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | well is for heating &/or cooling |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | well constructed by land owner |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | well is artesian |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | artificial ground water recharge project |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | ground water area under study |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Within Irrigation District: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Notify _____ Need excerpt from District |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Legal description of property |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ownership statement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Other parties to Notify: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Water Resources Commission review if: |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Request for greater than 5 cfs |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Dam height greater than 10 feet |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Storage of more than 9.2 acre-feet |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Out-of-basin diversion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | within or above a scenic waterway |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | conditional uses under basin programs |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | requests for larger rate or duty than allowed |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | ground water recharge project |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | other substantial public interest issues |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | requests for review by an agency or person |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Watermaster comment form sent with copy of application and map. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Watermaster comments received _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Hydrographic section comments requested _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Hydrographic section comments received _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | O.D.F.W. sent copy of application and map (except groundwater) requesting comment _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | O.D.F.W. comments received _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Report from D.E.Q. received _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Publish application information in weekly public notice. |
| <input type="checkbox"/> | <input type="checkbox"/> | Notify other owners of development |
| <input type="checkbox"/> | <input type="checkbox"/> | PROTESTED |
| <input type="checkbox"/> | <input type="checkbox"/> | filed _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | resolved _____ |

Application No. 69868
Permit No.

RECEIVED

APR 10 1989

WATER RESOURCES DEPT
SALEM, OREGON

387

MEMORANDUM OF LAND SALES CONTRACT

88080

DATE OF EXECUTION: September 28, 1988

M0050573

SELLER: FIRST INTERSTATE BANK OF OREGON, N.A. hereinafter referred to as "FIOR" and FARM CREDIT BANK OF SPOKANE, hereinafter referred to as "FCB" and collectively "Seller"

PURCHASER: EDWARD L. GARRETT and MILDRED V. GARRETT, husband and wife

PROPERTY: See attached Exhibits A and B

INTEREST CONTRACTED TO BE TRANSFERRED: Seller's entire interest

TRUE AND ACTUAL CONSIDERATION: \$738,300.00

ADDRESS FOR SENDING TAX STATEMENTS: HC 60, Box 4310
Lakeview, OR 97630

SELLER:

FIRST INTERSTATE BANK OF OREGON, N.A.

FARM CREDIT BANK OF SPOKANE

By: George A. Wilson
George A. Wilson, Assistant Vice President

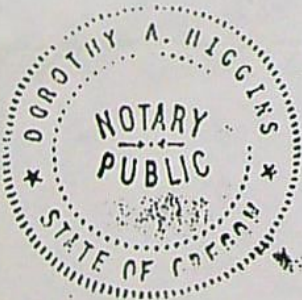
By: Andy E. Vauter
Title Regional Manager

By: W. M. Davidson, Sr.
W. M. Davidson, Sr. Vice President

STATE OF OREGON)
County of Multnomah) ss.

The foregoing instrument was acknowledged before me this 3 day of October, 1988 by George A. Wilson and W.M. Davidson, Assistant Vice President and Senior Vice President, respectively, of First Interstate Bank of Oregon, N.A., on behalf of the association.

Dorothy A. Higgins
Notary Public for Oregon
My Commission expires: 12/07/91



387

Application No. 69868
Permit No.

RECEIVED

APR 10 1989

WATER RESOURCES DEPT.
SALEM, OREGON

388

STATE OF OREGON)
) ss.
County of Deschutes)

M0050574

The foregoing instrument was acknowledged before me this 28
day of September, 1988 by Andy E. VanderPlaat
of the Farm Credit Bank of Spokane, on behalf of the corporation



Cheryl L. Scott
Notary Public for Oregon
My commission expires: 6-9-89

Pursuant to ORS 93.040: This instrument will not allow use of
the property described in this instrument in violation of
applicable land use laws and regulations. Before signing or
accepting this instrument, the person acquiring fee title to the
property should check with the appropriate city or county
planning department to verify approved uses.

Application No. 69868

Permit No.

RECEIVED

APR 10 1989

WATER RESOURCES DEPT.
SALEM, OREGON

Parcel No. 2:

M0050575

389

The following described property in the County of Lake, State of Oregon, to-wit:

Township 40 South, Range 16 East of the Willamette Meridian,

Section 13: W¹/₂NE¹/₄, S¹/₂NW¹/₄.

Section 14: N¹/₂SW¹/₄, SW¹/₄SW¹/₄, NW¹/₄SE¹/₄.

Section 15: NE¹/₄SW¹/₄, S¹/₂SW¹/₄, SE¹/₄.

Section 20: SE¹/₄SW¹/₄, SE¹/₄SE¹/₄.

Section 21: SE¹/₄NE¹/₄NE¹/₄, NE¹/₄SW¹/₄NE¹/₄, S¹/₂SW¹/₄NE¹/₄, N¹/₂SE¹/₄NE¹/₄, SW¹/₄SE¹/₄NE¹/₄, SE¹/₄SE¹/₄NW¹/₄, SW¹/₄, N¹/₂NW¹/₄SE¹/₄.

Section 22: N¹/₂NE¹/₄, N¹/₂N¹/₂SW¹/₄NE¹/₄, SE¹/₄NE¹/₄, N¹/₂NW¹/₄, N¹/₂SW¹/₄NW¹/₄, N¹/₂SE¹/₄NW¹/₄, N¹/₂S¹/₂SE¹/₄NW¹/₄, NE¹/₄SE¹/₄.

Section 23: W¹/₂NW¹/₄, NW¹/₄SW¹/₄.

Section 27: NE¹/₄NE¹/₄, W¹/₂NE¹/₄, W¹/₂SE¹/₄.

Section 28: N¹/₂NW¹/₄.

Section 29: NE¹/₄NE¹/₄, N¹/₂NW¹/₄.

Section 30: SE¹/₄NE¹/₄, Government Lots 1 and 2 (W¹/₂NW¹/₄), SE¹/₄NW¹/₄.

Section 36: SE¹/₄SE¹/₄.

Township 40 South, Range 17 East of the Willamette Meridian,

Section 1: NW¹/₄SW¹/₄, AND a tract of land situate in the SE¹/₄ of Section 1, Township 40 South, Range 17 East of the Willamette Meridian, and more particularly described as: Beginning at a point on the East line of said Section 1, said point also described as the point of intersection of the Northerly right of way of the U.S. Forest Service Road No. 4017, with the East line of said Section 1, said point further described as being Northerly along and upon the East line of said Section 1, a distance of 550 feet, more or less, from the Southeast corner of said Section 1, thence Northerly along and upon the East line of said Section 1, a distance of 900 feet; thence Westerly at right angles to the said East line of said Section 1, a distance of 330 feet; thence Southerly on a line parallel to said East line of said Section 1, a distance of 700 feet, more or less, to a point on the Northerly right of way of said Road No. 4017; thence Southeasterly along and upon said Northerly right of way a distance of 400 feet, more or less, to the point of beginning.

Township 40 South, Range 19 East of the Willamette Meridian,

Section 1: N¹/₂NE¹/₄NE¹/₄, N¹/₂N¹/₂NW¹/₄NE¹/₄, S¹/₂NW¹/₄NE¹/₄, N¹/₂N¹/₂SW¹/₄NE¹/₄, N¹/₂S¹/₂SW¹/₄NE¹/₄, N¹/₂N¹/₂NE¹/₄NW¹/₄, S¹/₂S¹/₂NE¹/₄NW¹/₄, S¹/₂S¹/₂SE¹/₄NW¹/₄, N¹/₂N¹/₂NE¹/₄SW¹/₄, N¹/₂S¹/₂NE¹/₄SW¹/₄, N¹/₂N¹/₂NE¹/₄SE¹/₄, S¹/₂NE¹/₄SE¹/₄, S¹/₂S¹/₂NW¹/₄SE¹/₄, N¹/₂N¹/₂SW¹/₄SE¹/₄, S¹/₂S¹/₂SW¹/₄SE¹/₄.

Section 2: E¹/₂SW¹/₄SW¹/₄, E¹/₂W¹/₂SW¹/₄SW¹/₄, SE¹/₄SW¹/₄, AND the following described property: Beginning at a point on the North Section line of said Section 2, which point is 30 feet East of the Northwest corner of said Section 2; thence continuing East along said North section line, 1290 feet; thence South 0°30'20" East 797.91 feet; thence West 1320 feet along a line parallel to the North section line of said Section 2 to a point which is 30 feet East of the East section line of said Section 2; thence North 797.91 feet along a line parallel to the East section line of said Section 2 to the point of beginning.

Section 3: S¹/₂N¹/₂NE¹/₄NE¹/₄, S¹/₂S¹/₂NE¹/₄NE¹/₄, N¹/₂N¹/₂SE¹/₄NE¹/₄, S¹/₂SE¹/₄NE¹/₄, N¹/₂N¹/₂NE¹/₄SE¹/₄.

Section 11: N¹/₂N¹/₂NE¹/₄NE¹/₄, N¹/₂S¹/₂NW¹/₄NE¹/₄, S¹/₂S¹/₂SW¹/₄NE¹/₄, N¹/₂N¹/₂NE¹/₄NW¹/₄, S¹/₂NE¹/₄NW¹/₄, NW¹/₄NW¹/₄, S¹/₂N¹/₂SE¹/₄NW¹/₄, S¹/₂SE¹/₄NW¹/₄.

Section 11: An undivided one half interest in N¹/₂S¹/₂NE¹/₄NE¹/₄.

Section 12: N¹/₂S¹/₂NE¹/₄NE¹/₄, N¹/₂S¹/₂SE¹/₄NE¹/₄, N¹/₂S¹/₂NE¹/₄NW¹/₄, N¹/₂N¹/₂SE¹/₄NW¹/₄, S¹/₂S¹/₂SE¹/₄NW¹/₄.

Township 40 South, Range 20 East of the Willamette Meridian,

Section 6: W¹/₂W¹/₂.

Application No. 69868

Permit No.

RECEIVED

APR 10 1989

WATER RESOURCES

390

M0050576

Parcel No. 1:

The following described property in the County of Lake, State of Oregon, to-wit:

Township 39 South, Range 19 East of the Willamette Meridian, Section 35: S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Township 40 South, Range 16 East of the Willamette Meridian, Section 10: S $\frac{1}{2}$ SW $\frac{1}{4}$.
Section 15: N $\frac{1}{2}$ NW $\frac{1}{4}$.

Township 40 South, Range 19 East of the Willamette Meridian, Section 1: S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 2: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ EXCEPTING THEREFROM the following described parcel of land: Beginning at a point on the North Section line of said Section 2, which point is 30 feet East of the Northwest corner of said Section 2; thence continuing East along said North section line 1,290 feet; thence South 0°30'20" East 797.91 feet; thence West 1,320 feet along a line parallel to the North Section line of said Section 2, to a point which is 30 feet East of the East Section line of said Section 2; thence North 797.91 feet along a line parallel to the East Section line of said Section 2 to the point of beginning.
N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 3: N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 11: S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 12: N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

State of Oregon }
County of Lake } ss. Reel 5
File 573

I hereby certify that the within instrument was received and filed for record on the 6 day of October 1988 at 3:55 o'clock P M. and recorded on Page 387 in book 210 Record of Deeds of said County

Karen Cannon
County Clerk
By Beverly Cannon Deputy

390

RECEIVED

JUL 18 1989

REPORT TO ACCOMPANY DRAWINGS FOR
SOUTH ARM RESERVOIR
OWNER: ED GARRETT
HC 60 BOX 4310
LAKEVIEW, OREGON 97630

WATER RESOURCES DEPT.
SALEM, OREGON

This reservoir is located in Sections 22, 23 and 27 of Township 40 South, Range 16 East, Willamette Meridian. This is an existing reservoir and provides irrigation water to meadow and pasture land located in Long Valley directly north of the dam. The owner has applied for water rights on the reservoir with the Oregon Water Resources Department. Please refer to applications R-69872 and 69868 for filing information on this project.

South Arm Reservoir and Dam is approximately 40 to 45 years old. It is an earth fill dam-type with the reservoir capacity of 940 acre feet. The main dam impounding the water consists of an earth fill dam 20 feet in height and approximately 170 feet long. Please refer to the drawings for topography and cross sections of the main dam structure. There are many logs and debris on the face of the dam. Some appear to have been placed for rip-rap protection while others are just drift debris. A 12 inch corrugated metal pipe outlet conduit is placed through the dam. At the date of inspection water levels in the reservoir were approximately at elevation 5564. Therefore, the upstream outlet works of the conduit could not be inspected. From looking at the downstream of the conduit, it appears to be an untreated conduit. Some leakage was observed coming out of the conduit of approximately 40 gpm. The control stem wheel for the outlet works was locked on top of the dam. The outlet works appears to be a standard type oil filled tube with a hand wheel at the top of the dam anchored to approximately a 3' x 3' x 3' concrete block. The oil tube running down the face of the dam is covered with concrete down to the water level. Although in need of some maintenance, the outlet works appeared to be functional.

The downstream toe of the main dam showed some seepage areas approximately 5' above the base of the dam. These areas are well sodded in with grass and appear damp with some ponds of water. No visible flow was detected and the water was clear, indicating no erosion was coming from the dam.

To the west of the main dam is located a small dike which is approximately 4' high and approximately 300' long. This dike serves to impound more water in the reservoir that could escape through a natural swale. This dike also has a 12" outlet pipe in it to discharge water from the reservoir into the meadows below. The spillway for the reservoir is located on the east side of this dike. Currently the spillway is full of logs, brush and debris. The spillway is very small. Water runs around the east end of the dike and into a small ditch next to a roadway. There is no evidence of overtopping at this dike or of the main dam, which indicates that only a small amount of water has spilled from the reservoir. The dike is constructed of natural native soils. However, several trees are growing in the dike at this time and there are several rotten stumps within the dike that are rotting

and creating voids in the dike. There are also some large holes near the top of the dike directly above the outlet conduit. No evidence of leakage was detected on the downstream side of this dike.

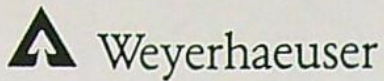
The drainage area or watershed for this reservoir is about 5.2 square miles. This is very small, indicating that most of the water in the reservoir is spring fed from the springs directly south of the reservoir. This small drainage area is the reason there has never been any overtopping problems in the main dam or the small dike. Projecting a 100-year flood, using data from the Fremont National Forest on this watershed, results in a projected flow of 180 cfs. A 50-year storm is projected at 156 cfs. Considering the very small watershed area with a good percentage of this watershed flat area with some potholes, these figures are probably high. The small watershed, the age of the dam and no evidence of overtopping indicates that large flows were not present. Therefore, for spillway analysis we used the 50-year storm figure of 156 cfs.

SUGGESTED RECOMMENDED IMPROVEMENTS

To begin to bring the dam into compliance with current regulations and standards on structures of this type, the following items are recommended:

1. Remove trees and stumps from the small dike. Refill the voids with select material and compact to 95% density.
2. Inspect both outlet conduits at low water. Note any items for repair and maintenance and fix accordingly. Make sure that both control gates are in good working order and the conduits do not require any major maintenance.
3. Remove dead logs and brush from spillway. Construct spillway to allow for 156 cfs 50-year storm. Construct spillway as indicated on the drawings.
4. Monitor the seepage at the base of the main dam at least twice yearly at full reservoir levels. If any indication of piping or erosion becomes evident, a toe drain will need to be installed at the base of the dam.
5. Remove dead logs and debris on main face. Inspect erosion protection on dam face. Install acceptable erosion protection, if none is present.

Anderson Engineering & Surveying
618 South 1st Street
P.O. Box 28
Lakeview, OR 97630
(503) 947-4407



P.O. Box 9
Klamath Falls, Oregon 97601
Tel (503) 884 2241

September 12, 1989

RECEIVED

SEP 15 1989

WATER RESOURCES DEPT.
SALEM, OREGON

Anderson Engineering
Professional Engineers
& Land Surveyors
P.O. Box 28
Lakeview, OR 97630

RE: Garret Watco Storage

Gentlemen:

In reference to your memo dated August 24, 1989, I have researched our files and find that water has been historically stored on a portion of our property as outlined on your application map. As such, we have no disagreement with future storage providing it does not expand beyond historic average high water lines.

Should you have questions, please do not hesitate to contact me.

Sincerely yours,

WEYERHAEUSER COMPANY
Klamath Falls Operations

A handwritten signature in cursive script, appearing to read "John D. Monfore".

John D. Monfore
Land Use Manager

JDM:db



Anderson Engineering & Surveying

Professional Engineers & Land Surveyors

RECEIVED

AUG 24 1989

August 22, 1989

**WATER RESOURCES DEPT
SALEM, OREGON**

Wayne Overcash
Water Resources Department
3850 Portland Road NE
Salem, OR 97310

RE: Files R-69872 and 69868

Dear Wayne:

I am enclosing the revised applications, sepia prints of the South Arm Reservoir plans, and copies of the letters to the adjoining landowners.

You referred to the Goose and Summer Lake Basin Program in your letter of August 8th in conjunction with the development of a reservoir. Since South Arm Reservoir has been in existence for over 40 years these items are not too applicable.

Alternative sizing of the project to achieve reasonable economic development of the site was not considered. Basically, the owner is just filing on a previously constructed reservoir.

Secondly, the potential for multiple use for the stored and released water was also not considered to the extent of a new reservoir. The reservoir is too small to be used for a major recreational site; although fishing and wildlife habitat are definitely beneficial uses of the reservoir. The water is basically stored for irrigational use and released for the same purpose. Any water not used by the owner, of course, flows downstream in Hay Creek and eventually empties into Drews Reservoir, which is then used by the Lakeview Water Users.

I discussed with the Watermaster the third item concerning the maintenance of natural flow downstream from the reservoir at levels sufficient to meet in stream and out of stream needs. Historically, the Lakeview Water Users have required release of some of the water stored in this reservoir when water levels appear below normal and the storage of water in Drews Reservoir is also below normal. He also indicated that a level should be established at South Arm Reservoir at which the water could be drained to at the request of the Lakeview Water Users. This level should be established as it will eliminate confusion in the future. This should be investigated further since the Lakeview Water Users are the major downstream user.

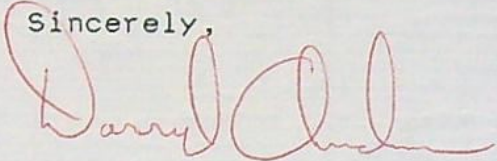
• PO BOX 28

LAKEVIEW, OR. 97630
(503) 947-4407

Page 2

Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in red ink, appearing to read "Darryl Anderson". The signature is fluid and cursive, with the first name "Darryl" being more prominent than the last name "Anderson".

Darryl Anderson, P.E.

cc: Ed Garrett

Enclosures



Anderson Engineering & Surveying

Professional Engineers & Land Surveyors

RECEIVED

AUG 24 1989

August 22, 1989

WATER RESOURCES DEPT.
SALEM, OREGON

Weyerhaeuser Company
Ashland Highway
Klamath Falls, OR 97601

Dear Sir/Madam:

My firm is handling the reservoir application and the water storage application for the Water Resources Department filed by Mr. Ed Garrett for the South Arm Reservoir.

When this reservoir is full it covers a portion of property owned by Weyerhaeuser Company. More specifically the property referred to is in the SE 1/4 of the NE 1/4 of Section 27, Township 40 South, Range 16 East, Lake County, Oregon. I am enclosing a map showing the location of the reservoir.

Mr. Garrett is requesting notification from Weyerhaeuser showing that the company is aware of the reservoir water on their land and giving permission to continue to store this water at this location as has been the case for the last 40 years.

Please send the information to me so I can proceed with the processing of Mr. Garrett's applications.

Your help in this matter is appreciated; and if you have any questions, please give me a call.

Sincerely,

Darryl Anderson
P.E., P.L.S.

cc. Ed Garrett
Wayne Overcash, Water Resources Department

Enclosure



Anderson Engineering & Surveying

Professional Engineers & Land Surveyors

RECEIVED

AUG 24 1989

August 22, 1989

WATER RESOURCES DEPT.
SALEM, OREGON

Sherm Radtke
Fremont National Forest
524 North G Street
Lakeview, Oregon 97630

Dear Sherm:

Following up on our telephone conversation of last week concerning the South Arm Reservoir applications for Ed Garrett, I am requesting the following information.

The Water Resources Department would like notification from the Forest Service that they are aware of the reservoir covering portions of their land and they give permission for this water to continue to be stored at this location. As the South Arm Reservoir has been in existence for over 40 years there will not be any major changes in the topography, wildlife habitats or environmental concerns.

The property referred to is more specifically located in the SW 1/4, SE 1/4 and the SE 1/4 SE 1/4 of Section 22, and the SW 1/4, SW 1/4 of Section 23, Township 40 South, Range 16 East, Lake County, Oregon. I am enclosing a map showing the property location.

Please send the notification to me so I can proceed with the processing of Mr. Garrett's water applications.

Your help in this matter is appreciated; and if you have any questions, please give me a call.

Sincerely,

Darryl Anderson
P.E., P.L.S.

cc: Ed Garrett
Wayne Overcash, Water Resources Department

• PO BOX 28

LAKEVIEW, OR. 97630
(503) 947-4407



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

August 8, 1989

Darryl J. Anderson
Anderson Engineering & Surveying
P.O. Box 28
Lakeview, OR 97630

REFERENCE: Files R-69872 and 69868

The plans and reports you submitted last month to support Edward L. Garrett's Applications R-69872 and 69868 have been reviewed.

Before the applications can be considered for approval, it will be necessary to make certain amendments to the applications, submit additional supporting documents and additional fees will be needed. The applications will also need to be placed on an agenda to be reviewed by the Water Resources Commission.

Since the dam for the reservoir is located downstream from the South Arm Spring, the source for filling the reservoir needs to be identified as the stream in Item 1 of the Reservoir Application rather than the spring. If the stream is known as Hay Creek in the vicinity of the dam, "Hay Creek a tributary of Drews Creek " needs to be noted as the source.

Unless the runoff water mentioned in Item 2 of the Reservoir Application is conveyed to the reservoir via man-made facilities, the statement: "Runoff water also contributes" needs to be deleted from Item 2. A permit issued for the storage of water from the stream (Hay Creek) would provide for the storage of waters naturally flowing into the reservoir area above the dam site.

The balance of the items on the Reservoir Application will need to be properly completed or amended and be in agreement with the plans submitted. We will also need a sepia print of the plans.

If there will be water available in the stream during the irrigation season for irrigation of lands listed under primary irrigation, the stream (Hay Creek) could be included in Item 1 of the Secondary Application 69868 as a source of water for the lands to receive the primary supply. Item 1 will then need to be further completed by noting that the sources are tributaries to Drews Creek.

Since the reservoir area is under three ownerships, it will be necessary to show by documentary evidence that an agreement has been entered into with the owners of the reservoir for a permanent and sufficient interest in the reservoir to impound enough water for the purpose set forth in the Secondary Application 69868. This is as required by law (ORS 537.400).

Darryl J. Anderson
Anderson Engineering & Surveying
August 8, 1989
Page 2

The Goose and Summer Lakes Basin Program adopted in August of 1988, by the Water Resources Commission requires that any person proposing the development of a reservoir in the area involved shall give due consideration to:

- A) alternative sizing of the project to achieve a reasonable economic development of the proposed site;
- B) the potential for use of the reservoir, and any water which is stored and released, for multiple beneficial uses; and
- C) the maintenance of natural flows downstream from the reservoir at levels sufficient to meet instream and out-of-stream needs.

Evidence that the aforementioned three matters have been considered will need to be submitted.

In addition to the \$200 Examination fees presently credited to each file, each application will require Permit Recording fees. The Reservoir Application based upon the 815.8 acre-feet to be stored as noted on the plans will need Permit Recording fees in the amount of \$291.50. The Secondary based upon the 197.0 acres to be irrigated will need Permit Recording fees in the amount of \$474. Therefore, an additional \$765.50 will be needed. However, we will not need these additional fees until the after the applications are in satisfactory form and have been reviewed by the Water Resources Commission.

I am returning both of the applications to you for correction and completion. The applications are endorsed so that in order to retain their priority dates, they must be received in this office on or before November 6, 1989.

Sincerely,

WAYNE J. OVERCASH
Water Rights Specialist

Enclosures

WJO

cc: Edward L. Garrett



Weyerhaeuser Timber Company
 Fremont National Forest
 Notice Sent To: Lakeview Water Users, Inc.
 James C. Lynch, Attorney

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 503-378-3066

NOTICE OF FILING APPLICATION FOR A PERMIT TO APPROPRIATE WATER

FILE No. 69868

NAME Edward L. Garrett

ADDRESS HC 60, Box 4310, Lakeview, OR 97630

WATER SOURCE South Arm Reservoir, tr. Hay Creek

USE irrigation of 45.1 acres and supplemental irrigation of 151.9 acres

POINT OF DIVERSION NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 40S, R. 16E, W.M., Lake Co.

AMOUNT OF WATER 4.93 cubic feet per second

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp	Rng	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
SEE	ATTACHED	SHEET	FOR LISTING															

The above described application will NOT be considered for approval for at least thirty days from the date of this notice to allow opportunity for any interested person to seek intervention in the processing of the application.

Any person desiring to protest approval of the application shall file a written protest in the office of the Water Resources Department, Salem, Oregon 97310, together with proof of service of a copy of the protest on the application and payment of the \$25 protest filing fee. Protest and proof of service forms and a copy of the administrative rules pertaining to the filling of a protest will be supplied free upon request.

Dated at Salem, Oregon, this 15th day of June, 19 89.

William H. Young
 Water Resources Director



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

June 12, 1989

Darryl J. Anderson, CWRE
HC 60, Box 730
Lakeview, OR 97630

Dear Mr. Anderson:

REFERENCE: Files R-69872 and 69868

We received the Reservoir Application you submitted for Edward L. Garrett on April 14, 1989, describing the construction of South Arm Reservoir and proposed storage of 560.0 acre-feet of water from South Arm Spring for irrigation.

We also received the secondary application you submitted for Edward L. Garrett on April 10, 1989, describing the proposed use of 4.93 cubic feet per second of water from South Arm Reservoir for irrigation of 45.1 acres and supplemental irrigation of 151.9 acres.

Supporting data, map and fees were also received. Our Receipts-57702 and 57666 are enclosed. The applications have been filed, assigned numbers R-69872 and 69868 and will be reviewed in detail as time allows.

The applicant will be required to hire a Certified Water Right Examiner to survey the extent of use of water perfected under the terms of the permits that may be issued approving the applications. Within one year of application of water to beneficial use or the date to make complete application of water allowed in your permits, he will need to submit a map of the survey prepared by the Certified Water Right Examiner.

If the applications are approved, the use of water will be subject to the Water Resources Commission's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

Incidentally, if the dam for the South Arm Reservoir is located downstream from South Arm Spring, the stream needs to be identified as the source for filling the reservoir instead of the spring as presently noted in Item 1 of the reservoir application.

Darryl J. Anderson, CWRE
June 12, 1989
Page two

We will hold action on these applications for a reasonable length of time pending receipt of the required engineering data to complete the Reservoir Applications.

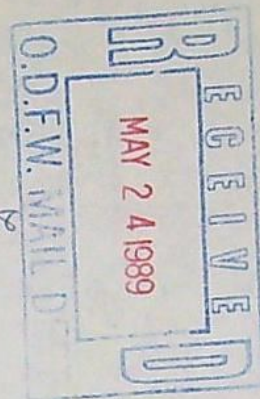
Sincerely,

Wayne J. Overcash
Water Rights Specialist
Application/Permit Section

Enclosures

cc: Edward L. Garrett

OREGON DEPARTMENT OF FISH AND WILDLIFE FIELD REPORT
FOR WATER RIGHT APPLICATIONS



TO: G. Anderson - Lakeview

Investigation by:

FROM: Robert - HCD

File No. & Amount of water: 69868
4.93 cfs

DATE: 4/19/89

APPLICANT: (name and address) Edward L. Garrett
HC 60, Box 4310
Lakeview, OR 97630

Water source:

RECEIVED

MAY 25 1989

WATER RESOURCES DEPT.
SALEM, OREGON

Point of Diversion:

Purpose:

Intake type: (screening needs)

Dam construction: (passage needs)

COMMENTS:

No Comment (This water right is not damaging to fish and wildlife habitat)

A. Fish involved (species, size, age & number - specify anadromous and/or resident fish):

NO. 1765
B. Type of habitat (spawning, rearing or migration route):

RECEIVED
MAY 15 1963
WATER RESOURCES DEPT.
SALEM, OREGON
C. Problems this water diversion will impose (include impact on angler use):

D. Recommendations for limiting, restricting, mitigating, conditioning this permit are: for example, season of use, flow adjustment, metering requirements, erosion, control instream habitat improvement, etc.):

E. Describe stream or watershed or fish habitat enhancement projects completed or currently in progress.

F. Particular significance of this stream or this system?
- Fish species?

- Recreation days?

Route Slip

Date 4-24-89

TO:	Name	Division/Section	Initial	Date
1.	<i>Jake Szramet</i>			
2.				
3.				
4.				
5.				

<input checked="" type="checkbox"/>	as requested	investigate	per conversation
	approval	justify	prepare reply
	comment	necessary action	return with more detail
	confer	initial and return	review and circulate
<input checked="" type="checkbox"/>	for your information	note and file	signature

FROM: *Dennis P. Glendon, Dist #12*

Phone No.

Central Stores 97677

 See Other SideRecycled
Paper

Wm #12

WATER AVAILABILITY-SURFACE WATER APPLICATIONS

Name of Applicant Edward L. Garrett Application Number 69868

1. Is there a gaging station at or nearby the point of diversion for this application that gives a record of water supply?

Yes _____ No X

If yes, how long is the record? _____ years, from 19 _____ through 19 _____.

Does the record include any extremely low flows years?

Yes _____ No _____

If yes, list low flow years.

*D.R. Wood
4-24-1989*

2. Have any miscellaneous measurements been made at or near the point of diversion?

Yes _____ No X

If yes, list measured flows and dates.

RECEIVED

APR 25 1989

WATER RESOURCES DEPT.
SALEM, OREGON

3. Has the stream or basin that is the source for this application ever been regulated for prior rights or minimum streamflows?

Yes X No _____

If yes, explain by giving dates and rights involved. *RES. Already EXISTS, has for many years. Released stored water 1988 cause to Down Stream Prior Storage rights. Posted.*

4. Do you observe this stream system in your routine, regular field work?

Yes _____ No X

If yes, list number of years of observation.

5. Based on routine observation, do you think there would be enough water available in the quantity and at time needed to supply this application and do you think use may be made without harming vested and inchoate rights?

Yes X No _____

If yes, what would you recommend for conditions for this permit. *Provide a direct delivery ditch on EAST side to Hog Creek to insure downstream users direct delivery of water during distribution periods.*

**ANDERSON
ENGINEERING & SURVEYING**

618 South 1st Street
P.O. Box 28
LAKEVIEW, OREGON 97630

(503) 947-4407

RECEIVED

LETTER OF TRANSMITTAL

APR 10 1989

WATER RESOURCES DEPT.
SALEM, OREGON

DATE	April 7, 1989	JOB NO.	8905P
ATTENTION			
RE:	Edward Garrett		
Application No. 69868			
Permit No.			

TO Water Resources Department
3850 Portland Road NE
Salem, OR 97310

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order See below

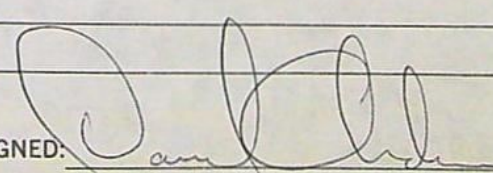
COPIES	DATE	NO.	DESCRIPTION
1			Garrett Reservoir Construction Application
1			Garrett Surface Water Application
1			Ownership Statement
1			Mylar to Accompany Application
1			Check #10047 (Examination Fee)
1			Deed

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO _____

SIGNED: 



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

September 18, 1989

Darryl J. Anderson
Anderson Engineering & Surveying
P.O. Box 28
Lakeview, OR 97630

REFERENCE: Files R-69872 and 69868

This is to acknowledge the amended Applications R-69872 and 69868 you resubmitted for Edward L. Garrett. The letter addressed to you from Weyerhaeuser Company was also received.

The Reservoir Application now describes the construction of South Arm Reservoir and storage of 815.8 acre-feet of water from Hay Creek. And, the Secondary Application now describes the proposed use of 4.93 cubic foot per second from South Arm Reservoir and Hay Creek for irrigation of 45.1 acres and supplemental irrigation of 151.9 acres.

The request for additional storage of 255.8 acre-feet of water from Hay Creek added to the Reservoir Application and Hay Creek, as a source of water, being added to the Secondary Application have received a date of priority of August 24, 1989, being the date the amended applications were received.

After the applications have been reviewed by the Water Resources Commission, we will advise you of any other matters that may need attention.

Sincerely,

WAYNE J. OVERCASH
Water Rights Specialist

WJO

cc: Edward L. Garrett

Application No. 69868

Permit No.

OWNERSHIP STATEMENT

All irrigated lands are under the ownership of Edward Garrett. With the exception of the Easterly irrigation ditch passing over Fremont Forest Land in the SE $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 14, all means of conveying water occur on land under the ownership of Edward Garrett. Portions of the existing reservoir occupy Fremont National Forest and Weyerhaeuser Timber Company lands. See application map for clarity.

Fremont National Forest
524 North G Street
Lakeview, OR 97630

Weyerhaeuser Timber Company
Ashland Highway
Klamath Falls, OR 97601

RECEIVED
APR 10 1980
WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EDWARD L. GARRETT
 HC 60, BOX 4310
 LAKEVIEW, OREGON 97630

503-947-2940

to use the waters of HAY CREEK and SOUTH ARM RESERVOIR, to be constructed under Application R-69872, Permit R-11221, a tributary of DREWS CREEK, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 197.0 ACRES.

This Permit is issued approving Application 69868. The dates of priority are APRIL 10, 1989 FOR USE FROM SOUTH ARM RESERVOIR, AND AUGUST 24, 1989 FOR USE FROM HAY CREEK. The use is limited to not more than 4.93 CUBIC FEET PER SECOND, BEING IRRIGATION OF 45.1 ACRES (TRACT 1) FROM HAY CREEK AND SOUTH ARM RESERVOIR AND SUPPLEMENTAL IRRIGATION OF 151.9 ACRES (TRACT 2) FROM SOUTH ARM RESERVOIR, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 22, T 40 S, R 16 E, W.M.; 1580 FEET NORTH AND 240 FEET WEST FROM SE CORNER, SECTION 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.

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

A description of the proposed place of use under the Permit is as follows:

TRACT 2 - SUPPLEMENTAL	TRACT 1 - PRIMARY
NE 1/4 SW 1/4 15.1 ACRES	
NW 1/4 SW 1/4 14.1 ACRES	
SW 1/4 SW 1/4 26.8 ACRES	
NW 1/4 SE 1/4 10.1 ACRES	
SECTION 14	
NE 1/4 SE 1/4 9.7 ACRES	
SW 1/4 SE 1/4	0.3 ACRE
SE 1/4 SE 1/4 32.3 ACRES	
SECTION 15	
NE 1/4 NE 1/4	26.6 ACRES
NW 1/4 NE 1/4	1.6 ACRES
SE 1/4 NE 1/4 20.7 ACRES	
NE 1/4 SE 1/4 4.5 ACRES	
SECTION 22	
NW 1/4 NW 1/4	16.6 ACRES
SW 1/4 NW 1/4 16.0 ACRES	
NW 1/4 SW 1/4 2.6 ACRES	
SECTION 23	
TOWNSHIP 40 SOUTH, RANGE 16 EAST, W.M.	

This project was considered and approved by the Water Resources Commission on March 30, 1990.

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water to the use shall be made on or before October 1, 1993.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, APRIL 30, 1990.

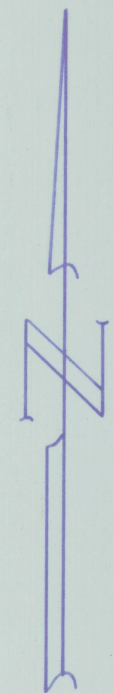
/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

MAP TO ACCOMPANY APPLICATION FOR SUPPLEMENTAL & PRIMARY WATER RIGHTS

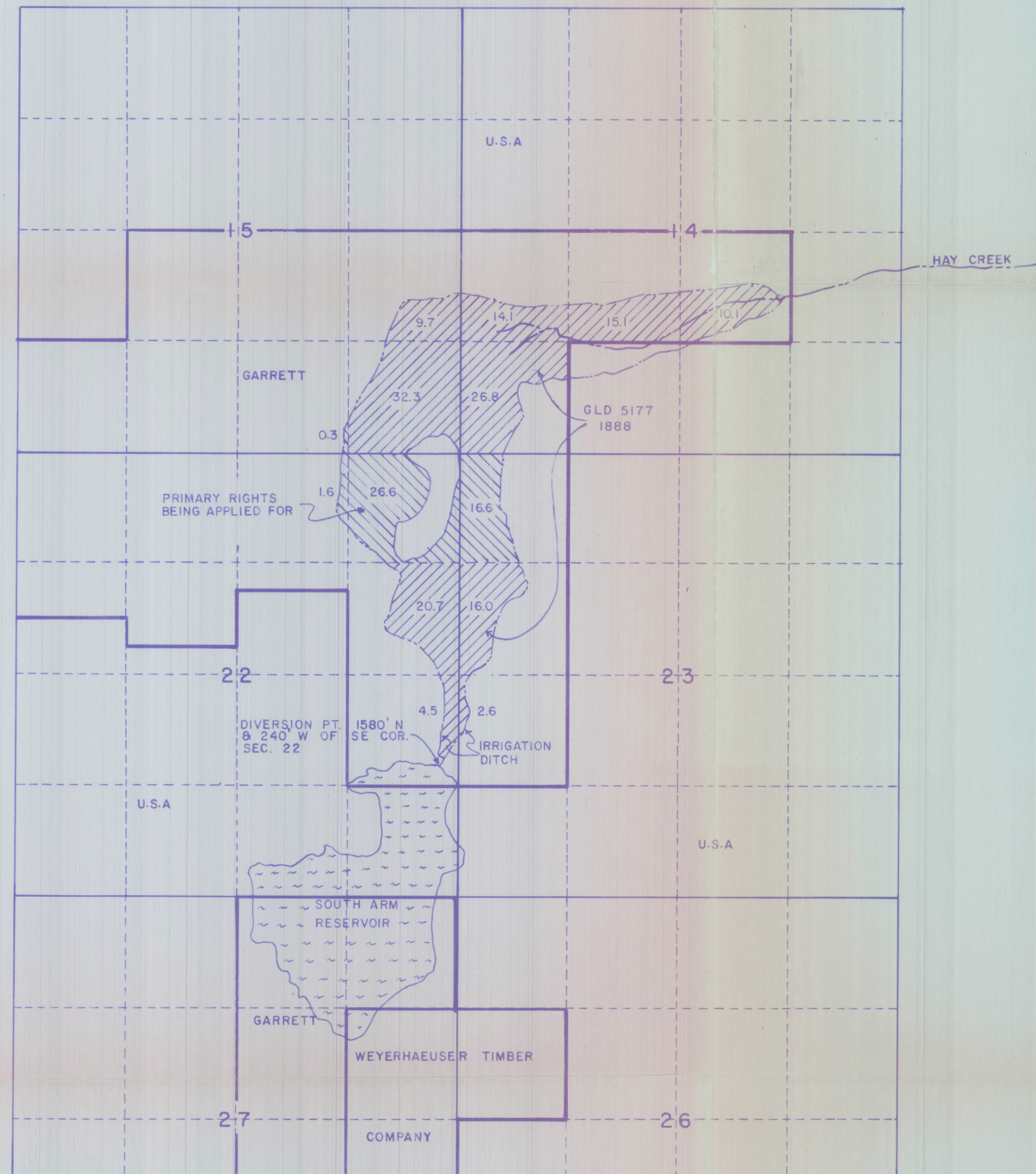
R 16 E

APPLICATION NO. 69868, R.69872
 PERMIT NO. 50968, R.11221



SCALE 1"=1320'

T 40 S

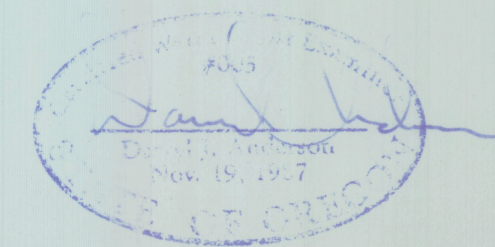


LEGEND

- IRRIGATION AREAS
- EXISTING STREAMS & DITCHES
- APPROX. OWNERSHIP LINE AS NOTED

GENERAL NOTES

1. PREPARATION OF THIS MAP IS FOR IDENTIFYING THE LOCATIONS OF PROPOSED SUPPLEMENTAL WATER RIGHTS AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY LINES.
2. USE OF WATER IS FOR IRRIGATION. SOURCE OF WATER IS SOUTH ARM RESERVOIR.



PREPARED FOR:
 ED GARRETT
 HC 60 BOX 4310
 LAKEVIEW, OR 97630

PREPARED BY:
 ANDERSON ENGINEERING & SURVEYING
 P.O. BOX 28
 LAKEVIEW, OR 97630
 (503) 947-4407
 FEBRUARY, 1989

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 # **111627**

INVOICE # _____

RECEIVED FROM: Northwest Farm Credit Services
 BY: _____

APPLICATION	5-69868
PERMIT	
TRANSFER	

CASH: CHECK:# 7301781 OTHER: (IDENTIFY)

TOTAL REC'D \$ **85.00**

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 \$ **4611**
 0410 RESEARCH FEES \$
 0408 MISC REVENUE: (IDENTIFY) \$ **85.00**
 TC162 DEPOSIT LIAB. (IDENTIFY) \$
 0240 EXTENSION OF TIME \$

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$
 0210 MONITORING WELLS \$
 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: **111627** DATED: 4.4.14 BY: BW Williamson

**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 # **112789**

INVOICE # _____

RECEIVED FROM: Moulton Vandenberg LLC

APPLICATION	<u>5-69868</u>
PERMIT	
TRANSFER	

BY: _____

CASH: CHECK:# 1055 OTHER: (IDENTIFY)

TOTAL REC'D \$ 85.00

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 <u>4/6/11</u>	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) <u>Assignment</u>	\$ <u>85.00</u>
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

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

WELL CONSTRUCTION

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

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: **112789**

DATED: 7/18/14

BY: CHUNGSTE

S-69868

RICHARD E MORGAN

19230 HOOKER CREEK RD

COTTONWOOD CA 96022

S-69868

RICHARD E MORGAN

19230 HOOKER CREEK RD

COTTONWOOD CA 96022

S-69868

RICHARD E MORGAN

19230 HOOKER CREEK RD

COTTONWOOD CA 96022

S-69868

RICHARD E MORGAN

19230 HOOKER CREEK RD

COTTONWOOD CA 96022

APPLICATION
CHECK-OFF LIST

~~RECEIPT POSTED~~
~~CONTENTS MARKED/STAMPED~~
~~FILE FOLDER TYPED~~
~~CALENDAR CARD TYPED~~
~~KARDEX TYPED~~
~~MAPS COPIED (5 COPIES)~~
~~APPLICATION COPIED (2)~~
~~STREAM INDEXED & STREAM CODED~~
~~ENTERED INTO WRIS~~
ENTERED INTO REFLEX
~~ACK LETTER TYPED~~