

G6

FILE#: G 13686

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OR 97701

also: see atty. add. in file

Application No. G13686

Permit No. G12860

Certificate No.

Stream Index, Page No. 5

FEES PAID

Date	Amount	Receipt No.
5-16-94	350.	112142

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

Date filed

Priority

Action suspended until FPD

Return to applicant

Date of approval

CONSTRUCTION

Date for beginning OCT 10 1997

Date for completion OCT 01 1998

Extended to

Date for application of water OCT 01 1999

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed 10-1-97

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
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REMARKS

No Pump test as of 9/19/08

612860

RS

Rusty Spur Ranch, LLC

Jim and Luanne Hurl

55700 Highway 74 • P.O. Box 280

Heppner, Oregon 97836

Phone: (541) 676-5776 • Fax: (541) 676-5410

G-13626

July 5, 2006

Water Resources Department

Attn: Jimmie Brandt

725 Summer St. NE, Suite A

Salem, OR 97301

Dear Sirs and Madames:

Please change our address in your
files to:

Rusty Spur Ranch, LLC T-8350
55700 Hwy. 74 T-8636
P.O. Box 280 ↑
Heppner, OR 97836-0280

Phone 541-676-5776

Thank you so much.

Sincerely,
Jim & Luanne Hurl

RECEIVED

JUL 07 2006

WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

May 12, 2006

- 1-8350

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

Brian S. and Susan J. Thompson
55805 Hwy 74
Heppner, OR 97836

Reference: Water Right Permit Amendment Application T-8350

Dear Mr. and Mrs. Thompson:

The Department is currently reviewing Permit Amendment Application T-8350 which proposes to add two points of appropriation (wells) under Water Right Permit G-12063. We apologize that it has taken so long to process your permit amendment application, but there is a large number of pending water right transfer and permit amendment applications to examine. I am enclosing a copy of the permit amendment application and map for your review as it has been a significant time since you filed the request.

Unfortunately, there are some problems with the application that need to be resolved before further processing of this permit amendment request can take place. The items are as follows:

1. Assignment of the Permit Amendment Application T-8350

Permit Amendment Application T-8350 was originally submitted on October 25, 1999, by TKO, LLC. According to the Morrow County Assessor's Office, the current owners of record for the land presently authorized under Permit G-12063 are as follows: 1) Brian and Susan Thompson for Tax Lot 1203 within Section 7, Township 2 south, Range 26 east, W.M.; 2) Rusty Spur Ranch for Tax Lot 1200 within the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 7 and the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 8, Township 2 south, Range 26 east, W.M.; and 3) Bernard Damon for Tax 1500 located in the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 7, Township 2 south, Range 26 east, W.M.

In order for the Department to continue processing this permit amendment request, you (Brian S. and Susan J. Thompson) need to submit a partial assignment for Permit G-12063 and Permit Amendment T-8350 to assign your portion of the permit from TKO, LLC to yourselves. The "Request for Assignment" form, enclosed for your convenience, must be completed and submitted with the appropriate fee and a map identifying the portion of the permit to be assigned to you. If you have any questions regarding the assignment process, you may contact Jerry Sauter at (503) 986-0817.

2. Extension of Time for Permit G-12063

The last authorized date for complete application of water under Permit G-12063 is October 1, 2001. Unfortunately, the Department is unable to process a permit amendment request for which the permit completion date has expired. Therefore, because the date for complete application of water has expired, you must submit a Permit Extension of Time request for Permit G-12063 if you wish to pursue the proposed permit amendment T-8350. An "Application for Extension of Time" is enclosed for your use.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 1, 2008

HOWARD M DAY
65525 GERKING MARKET RD
BEND OR 97701

Subject: Water Right Permit Number G- 12860

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

Diana Durbin
Water Rights Certificate Staff

C: Permit File



690-217-0050

Qualifications for Conducting Pump Tests

Only pump tests conducted by the well owner, a full-time employee of the well owner who routinely works with and is familiar with wells and pumps, or a qualified individual authorized by the well owner shall be accepted by the Director. Individuals in the following groups will be considered qualified and authorized provided they have significant experience conducting pump tests:

- (1) Oregon licensed water well constructors.
- (2) Oregon registered professional geologists or certified engineering geologists.
- (3) Certified water rights examiners.
- (4) Oregon registered professional engineers.
- (5) Individuals whose primary occupation involves, wholly or in significant part, pump installation, service or testing.

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OREGON 97701

(541)389-2302

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

APPLICATION FILE NUMBER: G-13686

SOURCE OF WATER: ONE WELL IN DRY RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE (DUST CONTROL AND GRAVEL WASHING)

MAXIMUM RATE: 1.09 CUBIC FEET PER SECOND (CFS) BEING; 0.27 CFS FOR DUST CONTROL AND 0.82 CFS FOR GRAVEL WASHING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MAY 16, 1994

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 2, TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.; 1450 FEET NORTH AND 600 FEET WEST FROM SE CORNER SECTION 2

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4

SECTION 1

SE 1/4 NE 1/4
NE 1/4 SE 1/4

SECTION 2

ALL OF

SECTION 12

TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

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

Application G-13686 Water Resources Department

PERMIT G-12860

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

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

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

STANDARD CONDITIONS

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

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

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

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

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

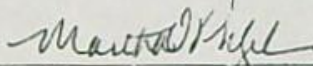
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

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

Issued October 10, 1996



Martha C. Pagel, Director
Water Resources Department

Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:

Name: _____
Address: _____
County: _____
City: _____ State: _____ Zip: _____
Original owner (from well log): _____

Well Location:

Township: _____ (N/S) Range: _____ (E/W)
Section: _____ $\frac{1}{4}$: _____ $\frac{1}{10}$: _____ $\frac{1}{64}$: _____
Well depth: _____ Date drilled: _____
Owners well no. (if any): _____
POD ID: _____

Water Right Information:

Application: _____ Permit: _____ Certificate: _____
Is this well listed on more than one water right? ☐ Yes If yes, list additional water rights below:
Application: _____ Permit: _____ Certificate: _____
Application: _____ Permit: _____ Certificate: _____

Pump Test:

Test Conducted by: _____ Well Owner? ☐ Yes
Company: _____
Address: _____ Date of Test: _____
City: _____ State: _____ Zip: _____
Daytime phone: _____

Method of discharge measurement (see our brochure for acceptable methods): _____
Method of water-level measurement (pick one or enter other method used): _____
Length of air line (if used): _____

Pump type (pick one or enter other method used): _____

Was the pump test conducted during normal use of the well? ☐ Yes Note: _____

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? ☐ Yes Note: _____

If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: _____

Is there a lake, stream or other surface water body within $\frac{1}{4}$ mile of the tested well? ☐ Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: _____ ft Approx. elevation difference: _____ ft

Well elevation is _____ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) _____

Measuring point distance _____ land surface _____ feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
_____	_____	_____
_____	_____	_____
_____	_____	_____

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Time pump turned on: _____ Date _____ Time _____
Time pump turned off: _____ Date _____ Time _____
Total pumping time: _____ hours _____ minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: _____

Oregon Water Resources Department

PUMP TEST DATA SHEET

Page _____ of _____

Application: _____ Permit: _____ Certificate: _____ Pod Id: _____

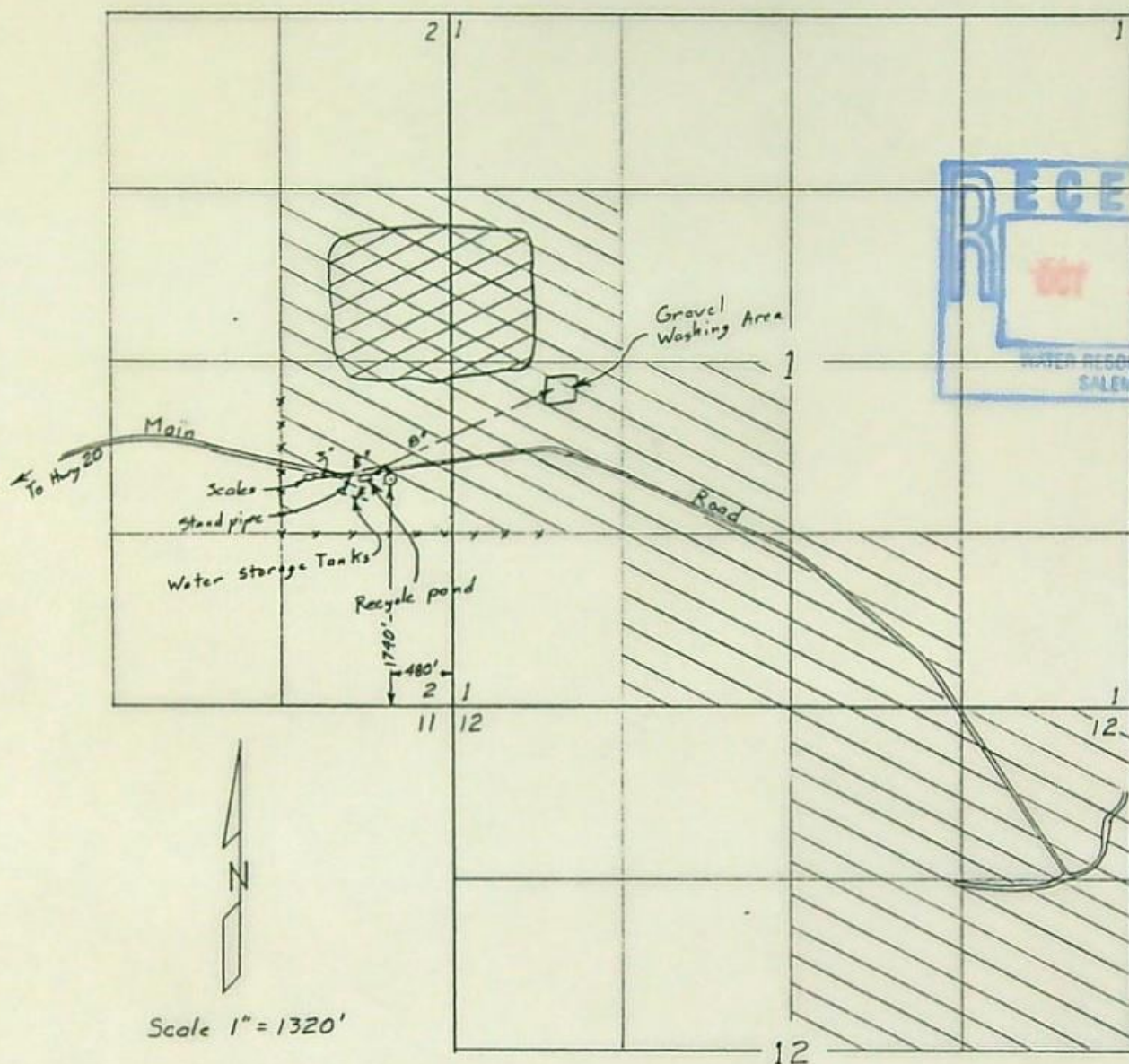
All water-level measurements must either be in feet and inches, or feet and decimal fractions.

Drawdown Data

Recovery Data

[illegible]

TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.



- ⊗ Mined Area
- ⊗ Area to be Mined

Surveyed September 21, 2000

Claim of Beneficial Use Map
for
HOWARD M. DAY
(Moon Mine)



ESTES SURVEYS

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593

60382 Arnold Rd
Bend, OR 97702
(541) 382-7391

App G-13686
Per G-12860

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date 10-16-95

FROM: Ken Lite

LL-158

SUBJECT: Groundwater Application G-13686

Applicant(s) seek 600 gpm (cfs) from 2 wells in the Deschutes basin
Dry River sub basin
 sub basin.

Pertinent 7 1/2 - minute quads

Horse RidgeWell 1 WRD# Desc 9126 T 19S R 14E S 2 QD ad County DeschutesLegal Description 1450' north and 600' west of the SE 1/2 corner of section 2Well is ~ 2700 ft from Dry River (river/stream)Well is ft from (river/stream)Well elevation ~ 3579 ft. River/stream elevation ~ 3580 ft.Well elevation - river/stream elevation -1'Well depth 1135 SWL 852 on 1/30/94Sealed to 55 Depth first water found 852Cased to 1007 Perforations/screens 870-970Lined to 1135 Perforations/screens 1045-1135Well tests and types bailer 50 gpm w/ 0' ddConfined or unconfined? unconfined Direct hydraulic connection? not at nearest reachPotential to cause substantial interference? NOWell WRD# T R S QD County Legal Description Well is ft from (river/stream)Well is ft from (river/stream)Well elevation ft. River/stream elevation ft.Well elevation - river/stream elevation Well depth SWL on Sealed to Depth first water found Cased to Perforations/screens Lined to Perforations/screens Well tests and types Confined or unconfined? Direct hydraulic connection? Potential to cause substantial interference? Conditioned water rights in area: NOOther nearby water rights of record: noneDensity of nearby wells: no nearby wells

Comments: Well 1 is constructed into layered lava flows of the Deschutes (?) Fm. Groundwater flow is probably towards the northwest, ultimately discharging to the Deschutes & Crooked Rivers, 235 miles to the north-northwest. Groundwater occurs at greater than 850' below land surface at this location. Recommend condition 7B.

References used: USGS/WRD groundwater data; Application file # G-13686; LL-158.

G-13686

TO: Water Rights Section

October 16, 1995

FROM: Groundwater/Hydrology Section K. Lite

LL-158

Reviewer's Name

SUBJECT: Application G- 13686

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Basin rules, one or more of the proposed POA's is/is not within feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. will, or have the potential for substantial interference with the nearest
 - b. will not surface water source, namely ; or
 - c. ☒ will if properly conditioned, adequately protect the surface water from interference:
 - i. ☒ The permit should contain condition #(s) 7B;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
 - d. will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

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

REMARKS:

(Well Construction Considerations on Reverse Side)

Water Resources Department

MEMO

October 16, 1995

LL- 158

TO Application G- 13686

FROM K. L. te

SUBJECT Scenic Waterway Finding

FINDING (Circle either 1 or 2 below. If you circle 2, fill in the table below):

1. At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

2. The Department finds that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION (To be filled out only if 2 above is circled):

Exercise of this permit is calculated to reduce monthly flows by the following amounts in _____ Scenic Waterway as measured in cfs:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
/	/	/	/	/	/	/	/	/	/	/	/

CONDITIONING:

☒ DO / DO NOT (Circle one) include condition 7J.

Condition 7J:

"Use of water under authority of this (permit or certificate) may be regulated if analysis of data available after the (permit or certificate) is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced. "

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE # G-13686

ROUTED TO: Russ Klassen

TOWNSHIP/

RANGE-SECTION: 19S/14E-2

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

note conditions

Reviewer: K. Lite

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files 12860 permit Date 10-16-95
 FROM: Ken Lite LL-158
 SUBJECT: Groundwater Application G-13686

Applicant(s) seek 600 gpm (cfs) from 2 wells in the Deschutes basin
Dry River sub basin
 sub basin.

Pertinent 7 1/2 - minute quads Horse Ridge

Well 1 WRD# Desc 9126 T 19S R 14E S 2 Q 0 dad County Deschutes
 Legal Description 1450' north and 600' west of the SE 1/2 corner of section 2
 Well is ~ 2700 ft from Dry River (river/stream)
 Well is ft from (river/stream)
 Well elevation ~ 3579 ft River/stream elevation ~ 3580 ft.
 Well elevation - river/stream elevation -1'
 Well depth 1135 SWL 852 on 1/30/94
 Sealed to 55 Depth first water found 852
 Cased to 1007 Perforations/screens 870-970
 Lined to 1135 Perforations/screens 1095-1135
 Well tests and types bailer 50 gpm w/ 0' dd
 Confined or unconfined? unconfined Direct hydraulic connection? not at nearest reach
 Potential to cause substantial interference? NO

Well WRD# T R S Q County
 Legal Description
 Well is ft from (river/stream)
 Well is ft from (river/stream)
 Well elevation ft. River/stream elevation ft.
 Well elevation - river/stream elevation
 Well depth SWL on
 Sealed to Depth first water found
 Cased to Perforations/screens
 Lined to Perforations/screens
 Well tests and types
 Confined or unconfined? Direct hydraulic connection?
 Potential to cause substantial interference?

Conditioned water rights in area: NO
 Other nearby water rights of record: none
 Density of nearby wells: no nearby wells

Comments Well is constructed into layered lava flows of the Deschutes (?) Fm. Groundwater flow is probably towards the northwest, ultimately discharging to the Deschutes & Crooked Rivers, >35 miles to the north-northwest. Groundwater occurs at greater than 850' below land surface at this location. Recommend condition 7B.

References used: USGS/WRD groundwater data; Application file # G-13686; LL-158.



Oregon

Theodore R. Kulongoski, Governor

App # G-13686

Water Resources Department

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

February 7, 2003

G 12860
HOWARD M. DAY
65525 GERKING MARKET RD
BEND, OR 97701

RE: Deschutes Ground Water Mitigation Rules, Division 505
Deschutes Basin Mitigation Bank and Mitigation Credit Rules, Division 521

Dear Water Right Permit Holder:

Our records indicate that you are the holder of a ground water permit issued by the Department after July 17, 1995, in the Deschutes Basin Ground Water Study Area (Study Area). Your permit (or subsequent certificate) was issued with a condition allowing for regulation of use if it was later determined that the use would "measurably reduce" scenic waterway flows in the Deschutes River.

As you may be aware, the Department has been working over the last several years to develop administrative rules that address the impact of ground water use in the Study Area upon surface water flows—specifically those flows designated for the Deschutes Scenic Waterway and Instream Water Rights. Recently, the Department finalized the Deschutes Ground Water Mitigation Rules and Deschutes Basin Mitigation Bank and Mitigation Credit Rules. The rules were adopted by the Water Resources Commission (WRC) on September 13, 2002, and were effective on September 27, 2002. Copies of the rules can be obtained from the Department's web page at:

<http://www.wrd.state.or.us/law/oar1999.shtml>

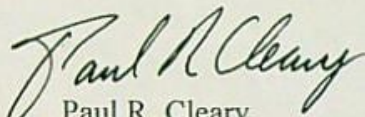
The primary purpose of the rules is to provide a mechanism for those with pending ground water use applications in the Study Area to mitigate for the impact of their proposed ground water use on surface water flows. The rules do not require those with existing conditioned ground water permits (or subsequent certificates) in the Study Area to mitigate for their ground water uses.

While only those requesting new ground water uses from the Department are required to provide mitigation, the rules provide an opportunity for holders of existing conditioned permits to provide mitigation. Holders of existing conditioned permits that provide mitigation will no longer be subject to future regulation for scenic waterway flows.

Department staff are presently working internally to develop the processes and structure to implement the new rules. While you are not required to mitigate for your ground water use, we will be sending you a letter, sometime within the next several months, letting you know what you would need to do if you choose to mitigate for your ground water use. You may also receive additional information updates from the Department in our effort to keep you informed.

If you have any questions about the new administrative rules for the Deschutes Basin and the mitigation opportunity described in the rules; or would like to request a copy of the new rules, please contact Laura Snedaker at (503) 378-8455, extension 331, or by e-mail at Laura.K.Snedaker@wrdd.state.or.us.

Sincerely,



Paul R. Cleary
Director

c: Kyle Gorman, South Central Region Manager
Jeremy Giffin, District 11 Watermaster
Deschutes Steering Committee Members

ESTES SURVEYS

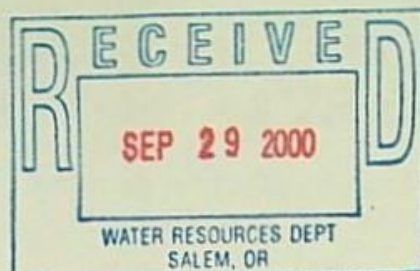
SURVEYS
CONSULTING

LAND & WATER RIGHTS

Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(541) 382-7391
FAX 382-7391

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593
FAX 585-7593



CLAIM OF BENEFICIAL USE AND SITE REPORT

Application G-13686 Permit G-12860

in the name of HOWARD M. DAY (Moon Mine)

INFORMATION: Went over the project with Jim Estes, caretaker.

SOURCE: A well in the Dry River Basin, drilled in February, 1994. The well is 1135' deep and has a 14" casing.

DIVERSION POINT: NE 1/4 SE 1/4 of Section 2, T 19 S, R 14 E, W.M.; 1740' North and 480' West from SE corner of Section 2.

USE: Industrial Use - gravel washing and dust control. Dust control includes sprinkler truck (full time) and truck spray near the scales. The well has an 8" McCrometer flow meter, serial # 92 8 1630R. The reading was 568.52 acre feet. Use has been made each year since 94.

CAPACITY: The well has a 450 HP Cat 3406 stationery 6 cylinder turbo charged diesel with a De'Ran angle gear drive 1:1 ratio rated at 300 HP. The serial number on the gear drive is B 409016. From the well log there is a static water level of 852', but no information about drawdown. The well pumps into three steel tanks 25' above the well head. Assuming a complete drawdown the capacity of the pump should be $7.04 \times 300 / 1135 + 25 = 1.82$ cfs (817 GPM). The delivery system has 8" buried pipe to the storage tanks, to the stand pipe to fill the sprinkler truck and to the gravel washing operation. There is a 20 HP booster pump at the gravel washing site with a Baldor motor DDC Berkeley 4"x3" pump. All the land is nearly flat from the well head except for the small hill where the storage tanks are located. The booster pump should be capable of $7.04 \times 20 / 116 - 25 = 1.55$ cfs at 50 psi. There is a 100 HP Marathon DDC PACO 8"x6" pump at the recycle pond which is basically a pump back system. The permit authorized 1.09 cfs (490 GPM) so that must be the maximum rate.

TIE: The well was tied to the SE corner of section 2.

REMARKS: This is a full time gravel operation with scale operator.

An inspection of the land under the terms of permit G-12860 was made by me September 21, 2000 and the facts contained in this report and accompanying map are correct to the best of my knowledge.



I, Howard M. Day, agree with Mr. Estes' findings and submit this site report and map as my Claim of Beneficial Use of the water as provided under the terms and conditions of permit G-12860 and hereby request a water right certificate be issued.

**ESTES
SURVEYS**

**SURVEYS
CONSULTING**

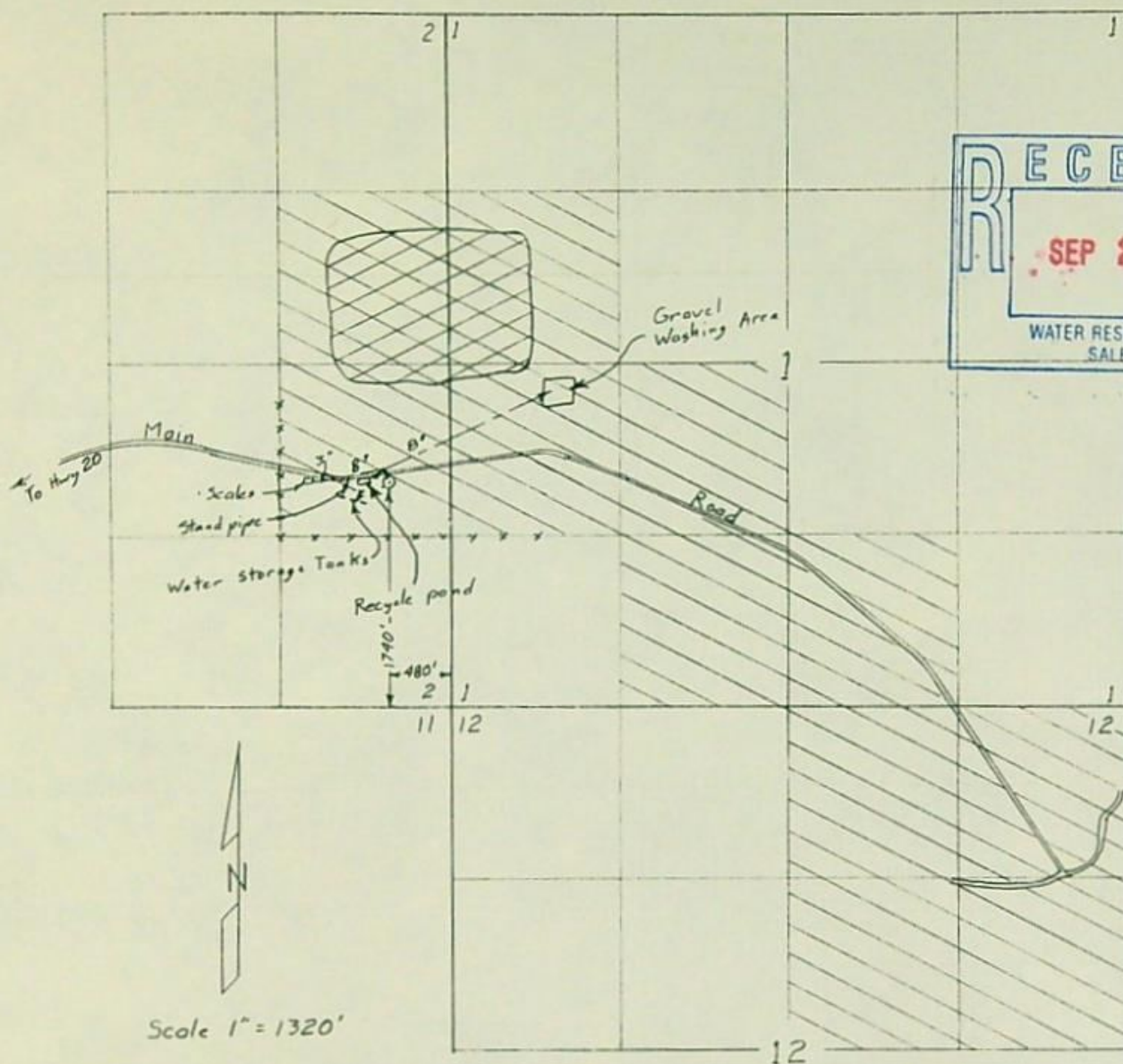
LAND & WATER RIGHTS

Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(503) 382-7391

6293 Sunnyview Rd. NE
Salem, OR 97305
(503) 585-7593
FAX 585-7593

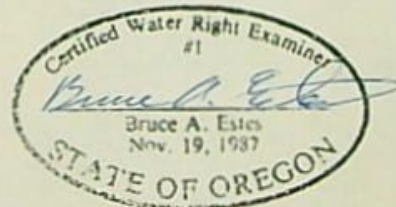
TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.



- ⊗ Mined Area
- ⊗ Area to be Mined

Surveyed September 21, 2000

Claim of Beneficial Use Map
for
HOWARD M. DAY
(Moon Mine)



App G-13686
Per G-12860

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS

PO Box 17519 60382 Arnold Rd
Salem, OR 97305-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OREGON 97701

(541) 389-2302

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

APPLICATION FILE NUMBER: G-13686

SOURCE OF WATER: ONE WELL IN DRY RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE (DUST CONTROL AND GRAVEL WASHING)

MAXIMUM RATE: 1.09 CUBIC FEET PER SECOND (CFS) BEING; 0.27 CFS FOR DUST CONTROL AND 0.82 CFS FOR GRAVEL WASHING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MAY 16, 1994

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 2, TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.; 1450 FEET NORTH AND 600 FEET WEST FROM SE CORNER SECTION 2

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4

SECTION 1

SE 1/4 NE 1/4
NE 1/4 SE 1/4

SECTION 2

ALL OF

SECTION 12

TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

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

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

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

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

STANDARD CONDITIONS

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

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

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

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

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

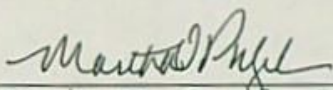
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

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

Issued October 10, 1996


Martha O. Pagel, Director
Water Resources Department



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

November 30, 1999

HOWARD DAY
65525 GERKING MARKET RD
BEND OR 97701-9081

REFERENCE: File G13345 & G13686
Permit G12385 & G12860

We have received your notice that complete application of water has been made under the above permit.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) 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, 2000**. A list of Certified Examiners is available upon request by calling the above number, extension 320.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

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.

In addition, before the Water Right Certificate is issued, you are required to submit a well pump test. This test must be done according to the instructions in the brochure. Forms and brochures are available upon request.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Natural Resource Specialist 2

DM;jh

cc: Watermaster
CWRE
Ball Janik One Main Place 101 SW Main St Ste 1100 - Portland, OR 97204-3219



BALL JANIK LLP

A T T O R N E Y S

ONE MAIN PLACE
101 SOUTHWEST MAIN STREET, SUITE 1100
PORTLAND, OREGON 97204-3219

NANCY CRAVEN

TELEPHONE 503-228-2525
FACSIMILE 503-295-1058

ncraven@bjllp.com

October 1, 1999

BY TELECOPY

Water Resources Department
Commerce Building
158 12th Street, NE
Salem, OR 97310-0210

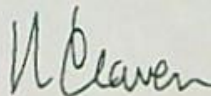
Re: File No. G-13686
Permit No. G-12860

Dear Sir or Madam:

Our office represents Howard M. Day in various legal matters. He has asked us to notify you that the construction and application of water in compliance with conditions in Permit No. G-12860 was completed by the October 1, 1999 beneficial use date specified in the permit. A certified water rights examiner has been hired to prepare and submit the final proof survey by the October 1, 2000 deadline.

Thank you.

Sincerely,



Nancy Craven

cc: Matt Day
James Bussard

BALL JANIK LLP

A T T O R N E Y S

ONE MAIN PLACE
101 SOUTHWEST MAIN STREET, SUITE 1100
PORTLAND, OREGON 97204-3219

TELEPHONE 503-228-2525
FACSIMILE 503-295-1058

TELECOPY TRANSMISSION FORM

SEND TO: Mr. Dallas Miller DATE:
COMPANY: Water Resources Department
FROM: Nancy Craven
CLIENT NO:
TELECOPY NO: (503) 378-6203
VERIFICATION NO: (503) 378-3739
OPERATOR:

NUMBER OF PAGES TRANSMITTED (INCLUDING COVER SHEET):

COMMENTS

ORIGINAL WILL:

BE SENT BY MAIL

BE SENT BY FEDEX/OVERNIGHT COURIER

BE SENT BY MESSENGER

✓ NOT BE SENT

CONFIDENTIALITY NOTICE

THIS COMMUNICATION MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND/OR CONFIDENTIAL. IT IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF YOU ARE NEITHER THE INTENDED RECIPIENT NOR AN AGENT OR EMPLOYEE RESPONSIBLE FOR DELIVERING THE DOCUMENT TO THE INTENDED RECIPIENT, YOU MAY NOT READ, DISSEMINATE, COPY OR DISTRIBUTE THIS INFORMATION. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY.

PLEASE CALL (503) 728-2525 IF THIS TRANSMITTAL IS INCOMPLETE OR UNREADABLE

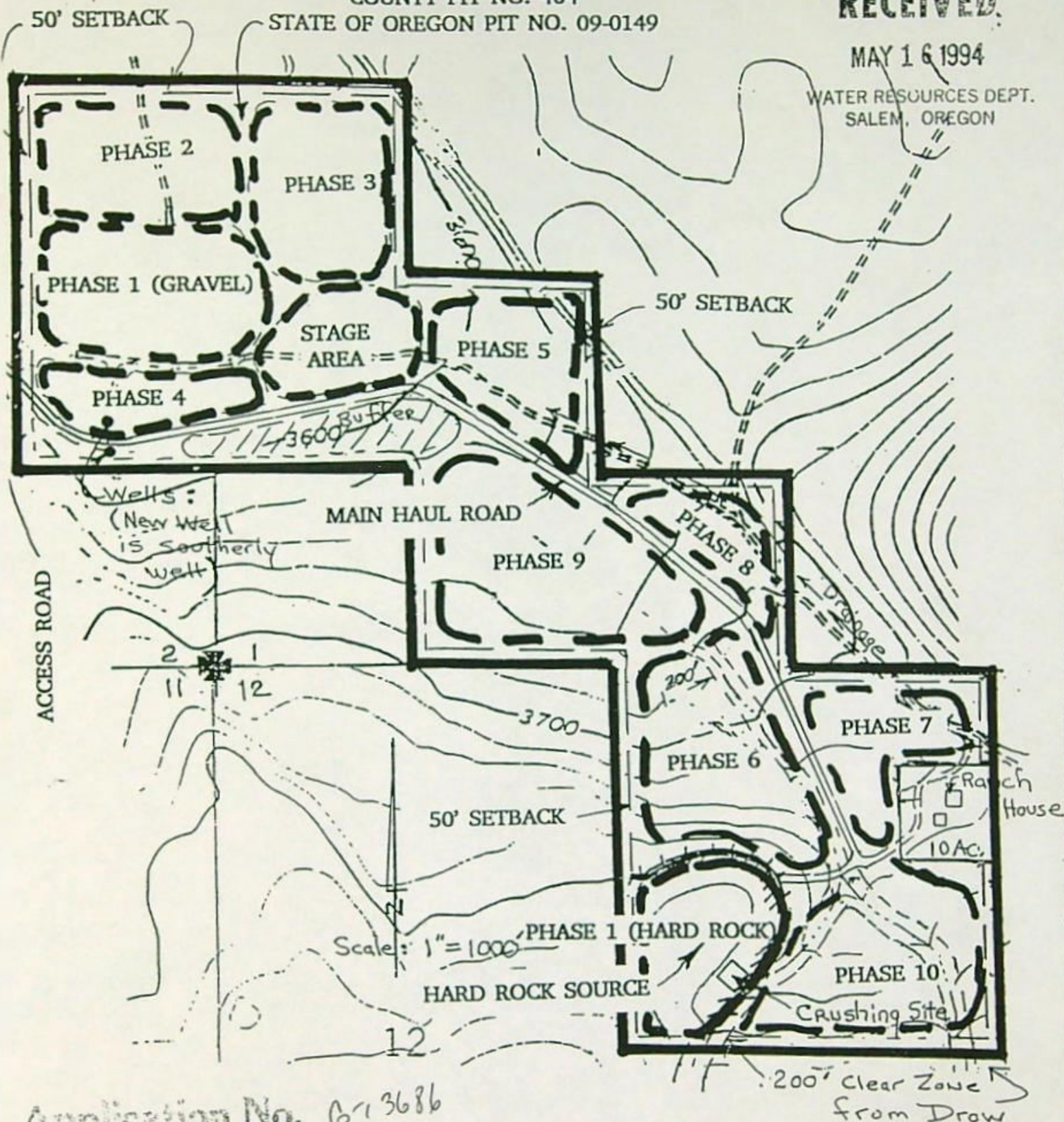
COUNTY PIT NO. 404

STATE OF OREGON PIT NO. 09-0149

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT.
SALEM, OREGON



Application No. 613686

Permit No. G12860

SITE PLAN

MOON MINING OPERATION

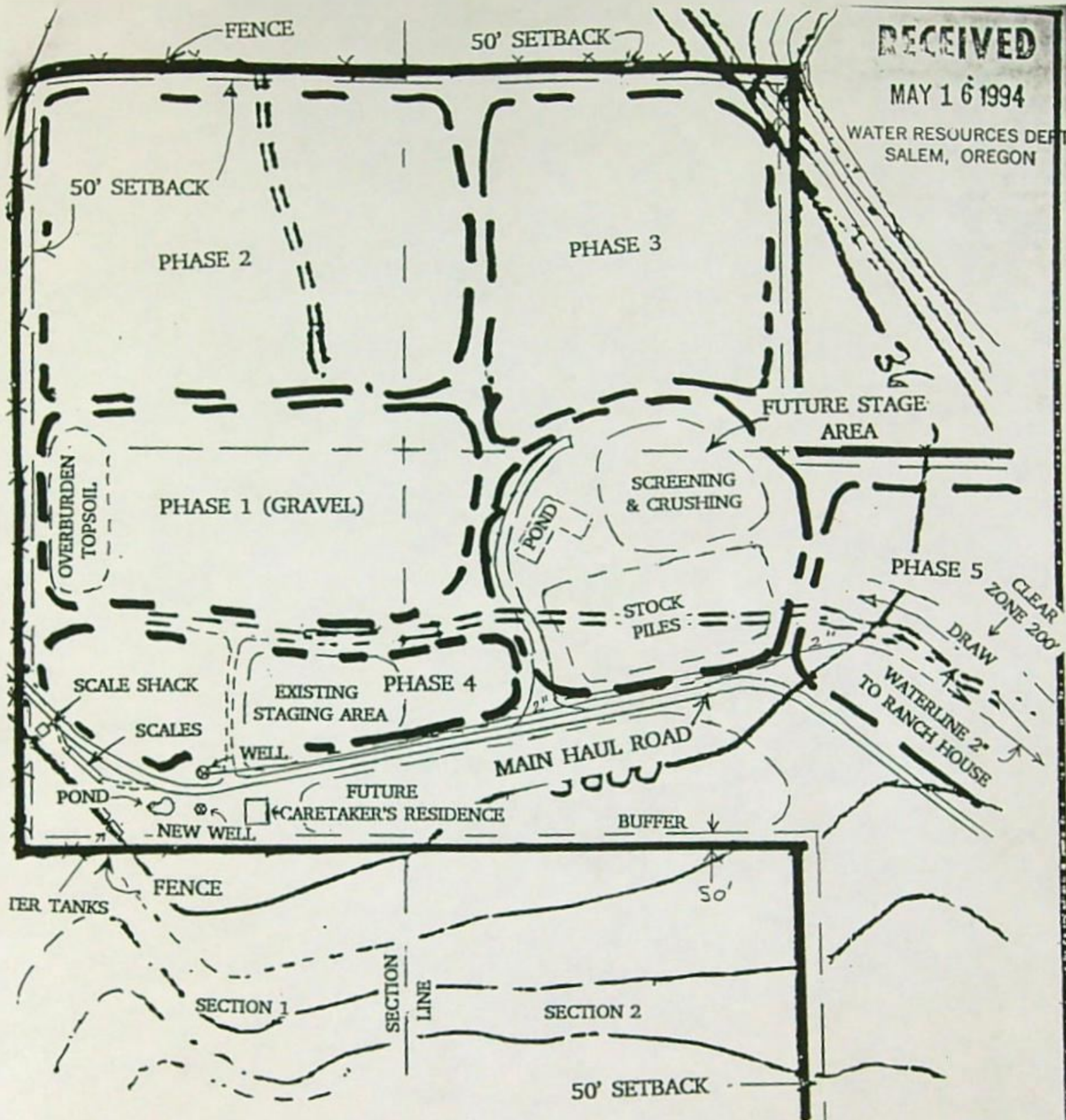
PORTION OF

SECTION 1, 2 & 12, T 19S, R 14E, W.M.
DESCHUTES COUNTY, OREGON

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT
SALEM, OREGON



Application No. G-13686

Permit No. G12860

STAGING AREA

MOON MINING OPERATION

PORTION OF

SECTION 1, 2 & 12, T 19S, R 14E, W.M.

DESCHUTES COUNTY, OREGON

(NOT TO SCALE)

IMPORTANT MESSAGE

FOR WRIG
DATE 9-16-99 TIME 9:34 (A.M.)
M Debbie Collard
OF _____

PHONE 503-228-2525
AREA CODE _____ NUMBER _____ EXTENSION _____

☐ FAX
☐ MOBILE
AREA CODE _____ NUMBER _____ TIME TO CALL _____

TELEPHONED		PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		FAX TO FOLLOW	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE Regards to P#G-12860
and G-13686

13317

SIGNED R.W. **URGENT** ☐

P Debbre
Collard

FAX

FAX 503-295-1058

Copies of 2 permits
& MAP

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13686

Final Order

Application History

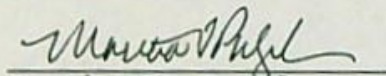
On May 16, 1994, HOWARD M DAY submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on July 30, 1996. The protest period closed September 13, 1996, and no protest was filed.

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

Order

Application G-13686 therefore is approved as proposed by the Proposed Final Order, and Permit G-12860 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED October 10, 1996


Martha O. Pagel
Director

Appeal Rights

Under the provisions of ORS 183.484, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.

STATE OF OREGON
COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OREGON 97701

(541)389-2302

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

APPLICATION FILE NUMBER: G-13686

SOURCE OF WATER: ONE WELL IN DRY RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE (DUST CONTROL AND GRAVEL WASHING)

MAXIMUM RATE: 1.09 CUBIC FEET PER SECOND (CFS) BEING; 0.27 CFS FOR DUST CONTROL AND 0.82 CFS FOR GRAVEL WASHING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MAY 16, 1994

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 2, TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.; 1450 FEET NORTH AND 600 FEET WEST FROM SE CORNER SECTION 2

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4

SECTION 1

SE 1/4 NE 1/4
NE 1/4 SE 1/4

SECTION 2

ALL OF

SECTION 12

TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

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

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.

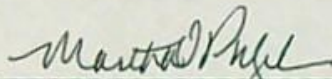
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The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

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

Issued October 10, 1996



Martha O. Pagel, Director
Water Resources Department

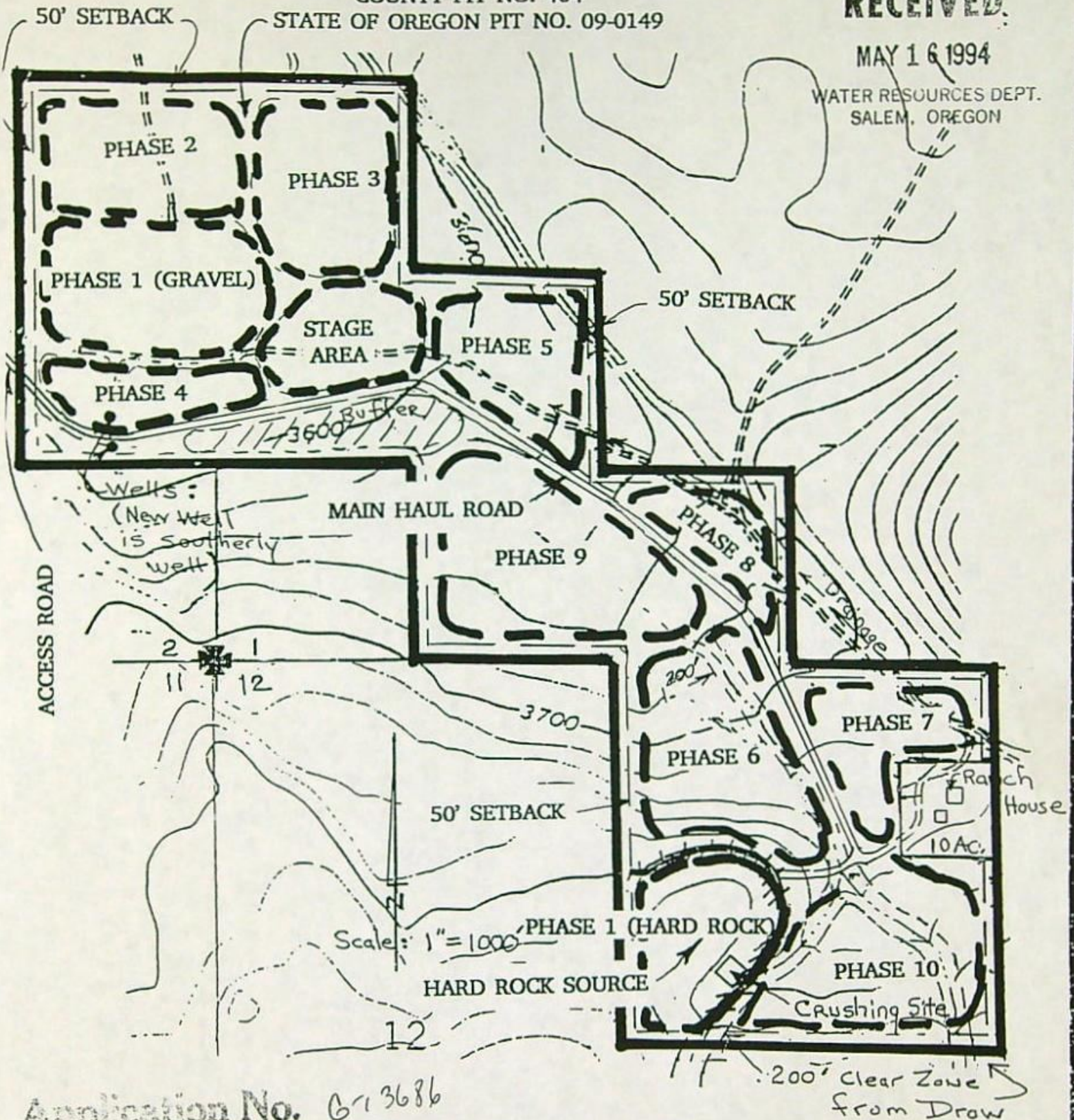
COUNTY PIT NO. 404

STATE OF OREGON PIT NO. 09-0149

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT.
SALEM, OREGON

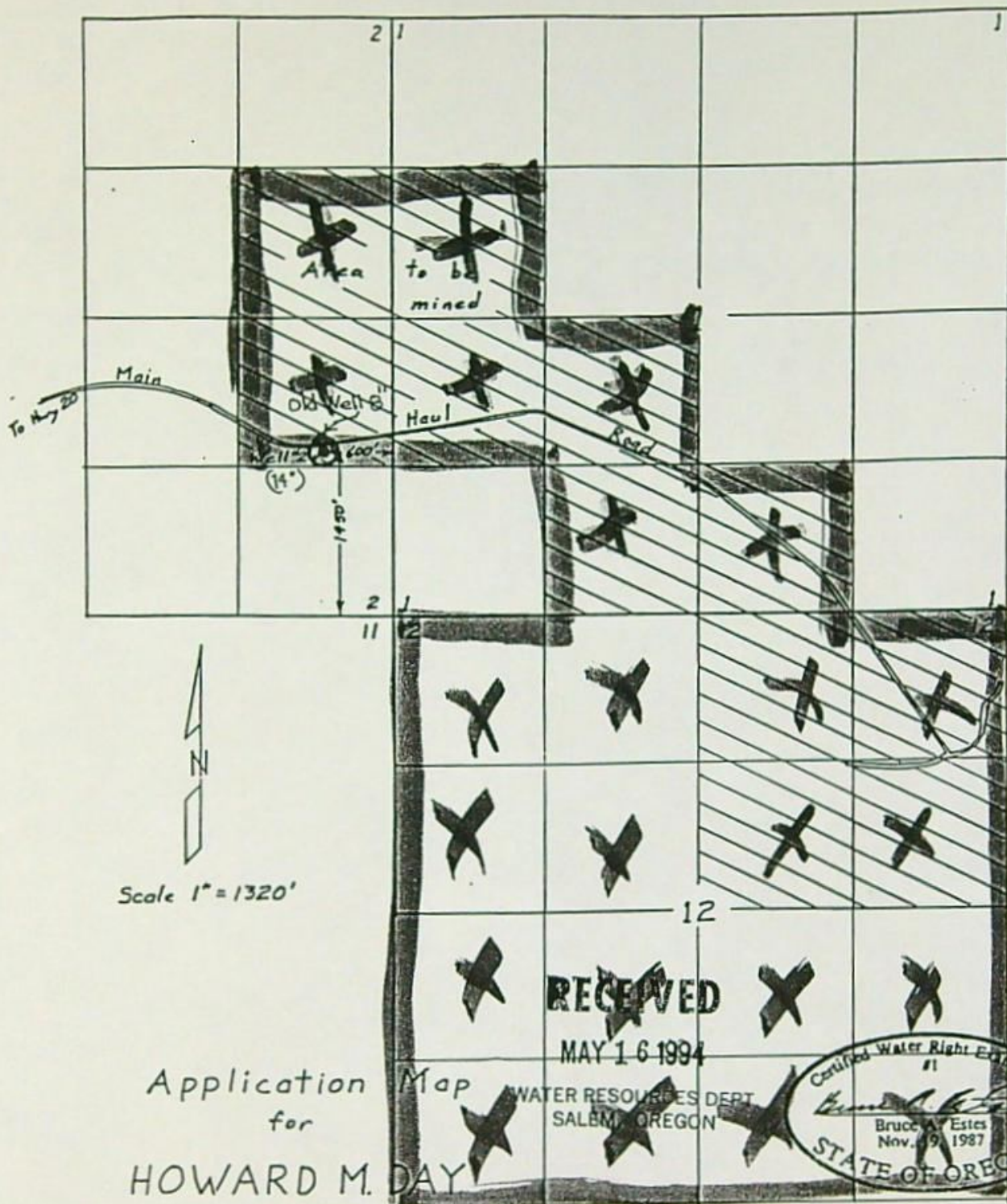


Application No. G13686
Permit No. G12860

SITE PLAN
MOON MINING OPERATION
PORTION OF
SECTION 1, 2 & 12, T 19S, R 14E, W.M.
DESCHUTES COUNTY, OREGON

TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.

copy



Scale 1" = 1320'

Application Map
for
HOWARD M. DAY
(Moon Mine)

RECEIVED
MAY 16 1994

WATER RESOURCES DEPT.
SALEM, OREGON



Application No. G-13686
Permit No.

This map is for the purpose of locating a water right only and has no intent to provide the location of property, lines or legal dimensions.

Route Slip

Date 10-25-96

TO:	Name	Division/Section	Initial	Date
1.	WATER RIGHTS SECTION			
2.	File G-13686			
3.	OCT 28 1996			
4.	WATER RESOURCES DEPT.			
5.	SALEM, OREGON			

☐	as requested	☐	investigate	☐	per conversation
☐	approval	☐	justify	☐	prepare reply
☐	comment	☐	necessary action	☐	return with more detail
☐	confer	☐	initial and return	☐	review and circulate
☐	for your information	☐	note and file	☐	signature

FYT — file G-13686 / P. G-12860
MAPS SENT W/PERMIT SHOWS NE $\frac{1}{4}$
ONLY IN SECTION 12, T.19S, R.14E.
IS THERE ANOTHER MAP? IF SO,
PLEASE SEND COPY. THANKS.

FROM: SCR/WDH 11	Phone No.
------------------	-----------

STATE OF OREGON
COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OREGON 97701

(541) 389-2302

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

APPLICATION FILE NUMBER: G-13686

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PURPOSE OR USE: INDUSTRIAL USE (DUST CONTROL AND GRAVEL WASHING)

MAXIMUM RATE: 1.09 CUBIC FEET PER SECOND (CFS) BEING; 0.27 CFS FOR DUST CONTROL AND 0.82 CFS FOR GRAVEL WASHING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MAY 16, 1994

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 2, TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.; 1450 FEET NORTH AND 600 FEET WEST FROM SE CORNER SECTION 2

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4
SECTION 1/
SE 1/4 NE 1/4
NE 1/4 SE 1/4

REQUESTED ADDITIONAL
MAP 10-25-96.

SECTION 2

~~ALL OF~~ NE 1/4

SECTION 12

TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.

RECEIVED

OCT 28 1996

WA. RESOURCES DEPT.
SALEM, OREGON

Measurement, recording and reporting conditions:

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

Application G-13686

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # G-13686

WATERMASTER # 11

REGIONAL MANAGER: South Central Region

ODF&W - Deschutes County:

CWRE (if agent): Bruce A Estes #001

DEQ

OTHER STATE AGENCY IF NECESSARY:

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

POWER BUILDER UPDATER; FRONT COUNTER

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

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

CASEWORKER : JKS-007



FILE # G 13686**FO CHECKLIST**

REVIEW DATE: 9/18/96

WEEK # 53

PFO TO FO CONVERSION

INITIALS: JWG

In preparing the FO, you should check the following:

1. Y / N Were comments or protests received in response to the PFO?
2. If #1 = "Y", from whom were the comments received and when?
3. / Verify names and addresses on the PFO CC list. **ALL** commentors (regardless of comment date), **affected landowners (were they notified?)**, and those who paid the \$10 fee should be listed.
4. / Verify payment of recording fees (circle the appropriate option)
(1) / Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO
(2) Issue FO w/o permit if fees are lacking
5. Y / N Is the file lacking a signed oath of accuracy for the application?
6. Y / N Has ODFW asked for self certification on screening condition?
7. Y / N Is water use prohibited for one or more months of the normal use period?
8. Y / N If # 7 = "Y", is short season letter on file? Note: If short season letter is lacking prepare FO with Draft permit giving applicant 60 days to submit letter.
9. Y / N Is further processing possible? If not state reason:
10. Notify applicant of additional information or fees required prior to permit issuance (**SEND CERTIFIED LETTER** & use standard wording from M:\T\FO\TOOLS if possible)
11. Assign permit numbers to files with oath, fees, and no protests or other issues

DENIAL	FO w/o PERMIT	Route to: (circle one)	
LARRY	JERRY	<u>FO & PERMIT</u>	COMMENTS
		JEREMY	DOUG

Initials JTB

Modify FO as needed to:

12. / Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
13. / Include or exclude permit conditions and management codes
14. / Correct PFO errors (such as POD or POU location (verify from map), Permit format)

Once FO document is completed:

15. / Save WordPerfect document in M:\T\FO\WEEK 53 & delete duplicates
16. / Print final draft of document and submit to team leader for review
17. Y / N Team leader review completed

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13686

Proposed Final Order

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

Application History

On May 16, 1994, Howard M Day submitted an application to the Department for the following water use permit:

- Amount of Water: 600.0 gallons per minute, being 120.0 gpm for Dust control, 370.0 gpm for Gravel washing, 100.0 gpm for Domestic houses and 10.0 gpm for Wildlife
- Use of Water: Industrial water to provide Dust control and Gravel washing (water to be retained in pond and recycled at gravel operation on Moon Ranch), Domestic, and Wildlife
- Source of Water: One well in Dry River Basin
- Area of Proposed Use: Deschutes County within Sections 1,2 and 12, Township 19 South, Range 14 East, W.M.

On October 23, 1995, the Department mailed the applicant notice of its Initial Review, determining that the use of up to 15,000 gallons per day from a well for Domestic use is exempt from the water rights process. The use of 1.09 cfs, being 0.27 cfs for Dust control and 0.82 cfs for Gravel washing, from a well for year round use may be allowed. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On November 7, 1995, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available

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

Findings of Fact

The Deschutes Basin Program allows the following uses: Dust Control, and Gravel washing.

Senior water rights exist on one well in Dry River Basin or on downstream waters.

One well in Dry River Basin is above a State Scenic Waterway.

Water is available for further appropriation (at an 80 percent exceedance probability) for the period year round.

The Department finds that no more than 1.09 cfs being 0.27 cfs for Dust control and 0.82 cfs for Gravel washing would be necessary for the proposed use. The amount of water requested, 0.27 cfs (120.0 gpm) for Dust control, and 0.82 cfs (370 gpm) for Gravel washing, is allowable.

This well is not within a designated critical ground water area.

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

The Groundwater Section finds that there is NOT a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Conclusions of Law

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

The proposed use requested in this application is allowed in the Deschutes Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

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

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

For these reasons, the required presumption has been established.

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

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

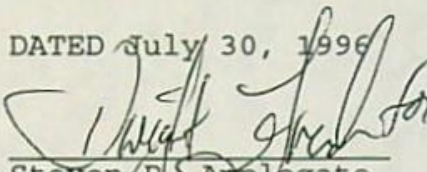
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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

Recommendation

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

DATED July 30, 1996


Steven P. Applegate
Administrator
Water Rights and Adjudications Division

Protest Rights

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

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050.
- If you are the applicant, a statement of whether or not you are requesting that a contested case hearing be held. If you do not request a hearing, the Department will presume that you do not wish for a hearing to be held.

Your protest must be received in the Water Resources Department no later than September 13, 1996.

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

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

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF DESCHUTES

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OREGON 97701

(541)389-2302

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

APPLICATION FILE NUMBER: G-13686

SOURCE OF WATER: ONE WELL IN DRY RIVER BASIN WITHIN THE DESCHUTES BASIN

PURPOSE OR USE: DUST CONTROL, AND GRAVEL WASHING

MAXIMUM RATE: 1.09 CFS BEING 0.27 CFS FOR DUST CONTROL AND 0.82 CFS FOR GRAVEL WASHING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MAY 16, 1994

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 2, TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.; 1450 FEET NORTH AND 600 FEET WEST FROM SE CORNER SECTION 2

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4

NE 1/4 SW 1/4

NW 1/4 SW 1/4

SE 1/4 SW 1/4

SW 1/4 SE 1/4

SECTION 1

SE 1/4 NE 1/4

NE 1/4 SE 1/4

SECTION 2

NE 1/4 NE 1/4

NW 1/4 NE 1/4

SW 1/4 NE 1/4

SE 1/4 NE 1/4

SECTION 12

TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

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

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

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued _____, 199_

DRAFT - THIS IS NOT A PERMIT

Water Resources Department
Director

Application G-13686 Water Resources Department
Basin Deschutes Volume 1A Dry River & Misc.
JKS-007 MGMT.CODE

PERMIT DRAFT
District 11

PFO CHECKLIST

Application #: _____

Basin: 5

WAB: _____

Township 19S Range 14E Section 12, 12 1/4 1/4 _____☒ A1. Public Interest Screen Criteria

- ☒ 1. Is the file complete by the Completeness Checklist?
- ☒ 2. Fees or other shortcomings (items needed before a permit and/or FO can be issued)
- ☒ 3. Check file for indicators that the process should not continue until a later date (ie - protest, letter to file indicating hold, or other)
- ☒ 4. A groundwater review has been evaluated for substantial interference with surface water (convert old gw conditions to the 7 series and add to the PFO, if necessary)
- ☒ a. Is second groundwater review necessary? (objection)
- ☒ b. Is HB 1033 review complete?
- ☒ 5. Is the source withdrawn or limited? - State Engineer, Legislative (ORS 538), etc.
- ☒ 6. Is the Proposed Use located in or above a Scenic Waterway? - DESCRIBES
- ☒ 7. Is the proposed use located in a TMDL Basin? (Tualatin, Yamhill, Pudding)
- ☒ 8. Is the use allowed or limited by the Basin Program?
- ☒ 9. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POD)
- ☒ 10. Water Availability Data has been verified (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
- ☒ 11. Rate _____ Duty _____ Irrigation Season _____
- ☒ 12. Period of Allowed Use YEAR ROUND
- ☒ 13. Is use from a B.O.R. project and if so, is a signed contract in the file?
- ☒ 14. Division 33 has been addressed - if applicable (Above Bonn after July 17, 1992 & Below Bonn after April 8, 1994 or June 3, 1994)
- ☒ 15. Have conflicts been identified, verified and/or addressed?
- ☒ 16. Is the use Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or Large (≥ 1.5 cfs, ≥ 100 AF)? _____
- ☒ 17. Check TR/IR for permit conditions not included in the Draft Permit attached to the PFO
- ☒ 18. Fill out Accuracy Checklist
- ☒ 19. Spell Check
- ☒ 20. Documents used in determination are attached and highlighted
- ☒ 21. Fill out PFO CC List (a.k.a. the Check-Off Sheet) - don't forget to check for other property owners.
- ☒ a. Does Ken Stahr need to be on the CC list (Rate, Duty and Period of Allowed Use changes)
- ☒ 22. Final PFO report hard copy check (format, margins, etc.)
- ☒ 23. Final PFO has been saved to m:\t\pfo\done\week#\application #

Name: _____ Date: JULY 23, 1996 JKS-007

I.R.
OCT. 23, 1995
NOV. 7, 1995

19S14E2
BASIN 5

PFO CHECK SHEET

APP. NO. 6-13686

DATE OF APP. 5-16-1994

RATE & DUTY:

SCENIC: Y

TMDL: N

USE: DEBT CONTROL & GRAVEL WASHING - INDUSTRIAL

CONVENTIONAL - OBTAINING

AMOUNT: 1.09 CFS BEING 0.27 CFS DEBT CONTROL & 0.82 CFS GRAVEL WASHING

SEASON: YEAR ROUND

ODFW COMMENTS:

WM: 11 RM: SOUTH CENTRAL REGION

M & R: H

CWRE IF AGENT: BRUCE A. ESTES #1001

AREA SUBMERGED:

DEPTH OF WATER:

HEIGHT OF DAM:

CC LIST:

MACROS: 78, 75

CONDITIONS:

JKS C:\WP51

Will if Properly Conditioned

Vol 1A Dry River & Disc.

Application No. G-13686

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Groundwater



Applicant(s) HOWARD M. DAY

(Please print or type - use dark ink)

Mailing Address: 65525 GERKING MARKET ROAD
BEND OREGON 97701 503/389-2302
City State Zip Daytime Phone No.

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

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): One well, located in the NE 1/4 of the SE 1/4, Section 2, T 19 S, R 14 E, W.M., Deschutes County, Oregon.

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

Distance from development to stream: N/A

Elevation difference between streambed and development: _____

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

Diameter of well: 14" Depth in feet: 1135
Type and size of well casing: 14" Steel, 12", 10" No. of feet: 1007, 1048, 1135
Estimated depth to water: 852' (see well log)

Type of access port or measuring device: 2" inspection port

Wells to be drilled by: STACO WELL SERVICES, INC.

Address: 220 ACADEMY STREET, MT ANGEL, OREGON 97362

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: _____ cubic feet per second, OR 600 gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: _____

3. **INTENDED USE(s) OF WATER:** Industrial water to provide dust control and gravel washing which water would be retained in pond and recycled at gravel operation on Moon Ranch.

If for more than one use, give the quantity of water from each source for each use:

Dust control 120 gpm, gravel washing 370 gpm, domestic houses 100 gpm, wildlife 10 gpm

If for DOMESTIC use, state the number of households to be supplied; Two: Ranch house and caretaker's residence.

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

N/A

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

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

Irrigation N/A

Other (describe) _____

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

Well pump - to be determined. See supplemental information, site plans and staging area map.

5. **PROJECT SCHEDULE:** *(List month and year)*

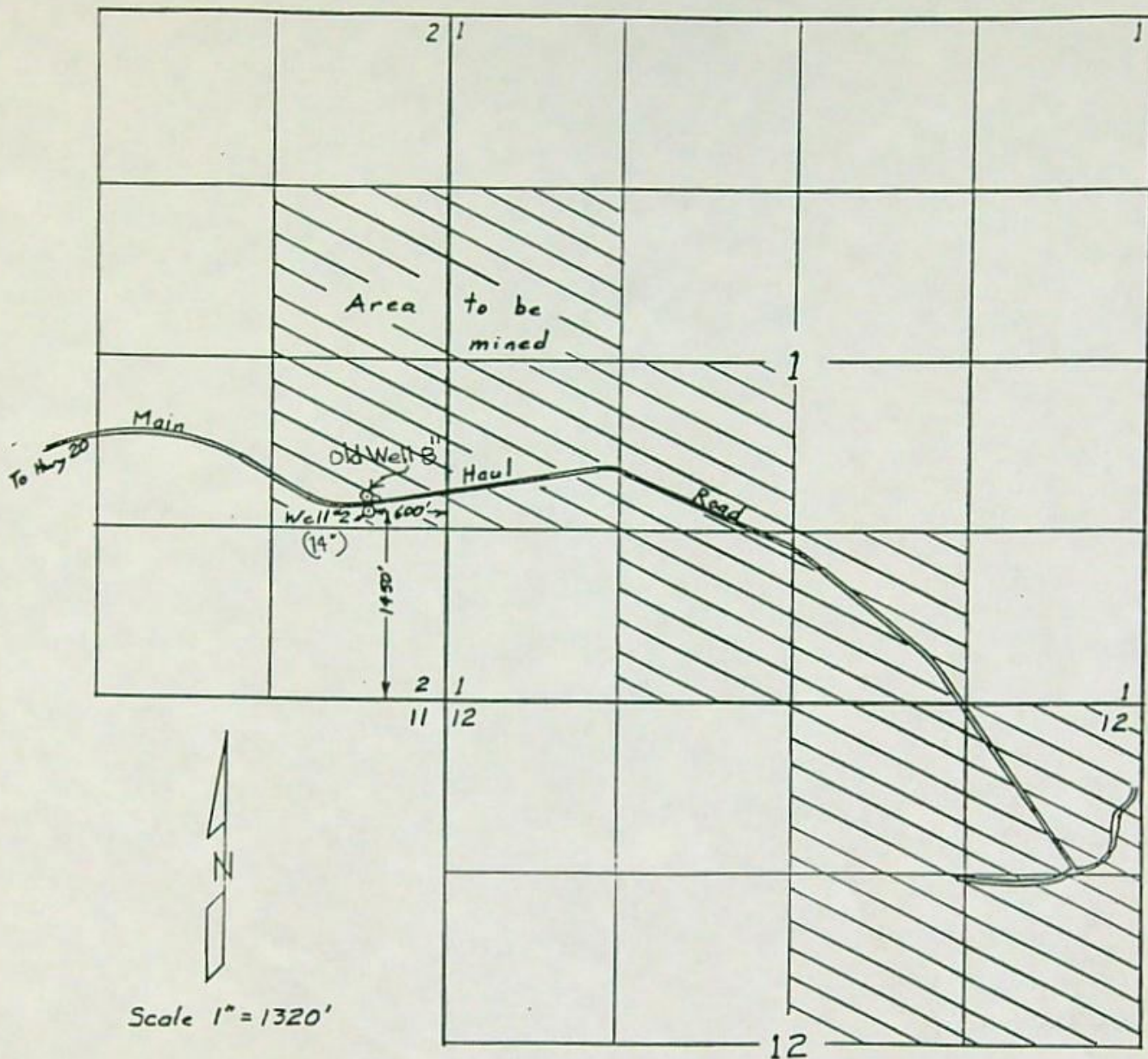
Proposed date construction work will begin well completed

Proposed date construction work will be completed May 1, 1994

Proposed date water use will be completed October 1, 1996

NOTE: Prior to the issuance of a permit it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. The legal description may be copied from your deed, title insurance policy, or land sales contract.

TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.



Scale 1" = 1320'

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Application Map
for

HOWARD M. DAY
(Moon Mine)



Application No. C-13686
Permit No.

This map is for the purpose of locating a water right only and has no intent to provide the location of property, lines or legal dimensions.

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

 Applicant X CWRE Other (Identify in REMARKS section)

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

 X Applicant X CWRE Other (Identify in REMARKS section)

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

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

REMARKS: _____

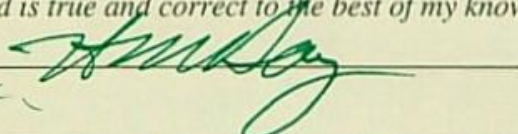
I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Signature

Signature

Date

Date



April 29, 1994

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 16th day of May, 1994, at 8:00 o'clock, A M.

APPLICATION NO: G-13686

file

Oregon

October 23, 1995

WATER
RESOURCES
DEPARTMENT

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OREGON 97701

Reference: File G-13686

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water for DUST CONTROL, GRAVEL WASHING, DOMESTIC USE IN TWO HOUSES, AND WILDLIFE is allowed under OAR 505, the Deschutes Basin Program.
4. The use of 0.27 cubic foot per second (cfs) (120.0 gpm) for DUST CONTROL, and 0.82 cfs (370.0 GPM) for GRAVEL WASHING from a Well is likely available year round.
5. The use of 15,000 gallons per day from a Well for Domestic use is exempt from the water right process.
6. The Department needs more information from the applicant about use of groundwater for Wildlife.

Summary of Initial Determinations

The use of 1.09 cfs, being 0.27 cfs for Dust Control and 0.82 cfs for Gravel Washing, from a Well for year round use may be allowed.



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

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

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

To Proceed With Your Application:

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **November 6, 1995**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1. You may be required to measure the amount of water used and report that use annually.
3. You will be required to comply with state and federal water quality standards.
4. The priority date for this application is May 16, 1994.
5. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

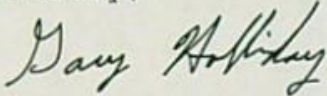
G-13686
October 23, 1995
Page 3

6. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 454 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Gary Holliday
Initial Reviewer

cc: Regional Manager, Watermaster, Water Availability
Section, Steve Schneider
enclosures: Flow Chart of Water Right Process
Stop Processing Form

DESC
9126

RECEIVED

MAR 15 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Hooker Creek Ranch
65525 Gerking Market Rd
Bend, OR 97702

Start Card #
58111

(12) WELL LOG

MATERIAL	FROM	TO
Pumice brown	0	4
Clay sand gravel	4	12
Lava rock black	12	42
Basalt	42	46
Lava rock red	46	64
Broken lava rock	64	70
Lava black	70	75
Red lava	75	91
Cinders	91	95
Lava rock hard	95	100
Lava rock broken	100	110
Lava rock black	110	125
Lava rock brown	125	135
Black lava and red cinders	135	148
Basalt gray	148	163
Lava rock black and red layers	163	182
Cinders red and black layers	182	202
Lava rock black	202	208
Lava rock brown	208	237
Andesite basalt	237	247
Lava and basalt layers black	247	277
Red lava	277	285
Lava brown pumice layers	285	305
Lava red	305	330
Gray tuffstone	330	355
Gray basalt soft	355	374
Red cinders and lava rock	374	385
Pumice	385	390
Red gray lava layers with cinders	390	429
Andesite basalt	429	440
Red lava	440	487
Basalt gray hard	487	501
Lava rock brown	501	528
Red basalt	528	536
Weathered rock yellow	536	565

APR 15 1994

DESC
9126

RECEIVED

MAR 15 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Hooker Creek Ranch
Well Log
Page 2

Gray basalt	565	612	
Pumice	612	615	
Black basalt	615	634	
Gray basalt	634	732	
Basalt with lava layers	732	865	
Lava broken red	865	882	
Lava rock solid	882	898	
Lava pourous	898	935	852
Lava broken	935	945	
Layers of pumice brown clay with red fibers	945	990	
Weathered rock yellow	990	1010	
Gray basalt	1010	1075	
Lava red black	1075	1090	
Pourous lava rock	1090	1105	852
Red lava rock	1105	1115	
Pourous lava	1115	1128	852
Gray basalt	1128	1135	

INITIAL REVIEW CHECKLIST

APPLICATION # G 13686
BASIN 5
WAB # 010344100
POU-WAB 010344100

1. ☒ ITEMS NOTED AS MISSING BY COMPLETENESS TEAM ARE NOW IN FILE
 2. ☒ GW - A, B, OR C (IF B OR C THEN 3b,d;4;5;6;8 DO NOT APPLY)
 3. DETERMINATION OF WHETHER USE IS OR IS NOT ALLOWED BY...
 - a. ☒ BASIN PLAN
 - b. N/A LEGISLATIVE WITHDRAWAL (ORS 538)
 - c. ☒ RULES
 - d. N/A SCENIC WATERWAY (OTHER THAN WA ORS 390.826)
 - e. ☐ OTHER _____
 4. N/A WATER AVAILABILITY(WA) CFS _____ MONTHS _____
50 % BEFORE JULY 17, 1992; 80 % LIVE FLOW 50 % STORAGE AFTER
JULY 17, 1992
 5. N/A INSTREAM WATER RIGHT EXEMPTIONS ARE DOCUMENTED ON WATER
AVAILABILITY SHEETS
 6. N/A USE IS NOT FROM A BOR PROJECT OR A SIGNED CONTRACT IS IN
THE FILE
 7. ☒ GROUND WATER REVIEW HAS BEEN EVALUATED (USE WA DATABASE IF GW A)
REQUIRED CONDITIONS (GENERIC 7B) 7B, 75
 8. DIVISION 33 HAS BEEN ADDRESSED...
 - a. ☐ SEASON FOR DIRECT FLOW (ABOVE BONN ONLY) _____
 - b. N/A WATER QUALITY PARAGRAPH
 - c. N/A EFFICIENCY DESCRIPTION (BELOW BONN AND MORE THAN 1 CFS)
 9. ☒ PLAT CARDS HAVE BEEN CHECKED AND A COPY OF THE MAP IS ATTACHED
SHOWING THE CONFLICT WITH _____
STORAGE
 10. N/A IRRIGATION SEASON _____ (DECREE, BASIN PLAN, PERMIT,
GENERIC)
 11. N/A RATE & DUTY _____ (DECREE, BASIN PLAN, PERMIT, GENERIC)
GROUND WATER ALWAYS GENERIC FOR RATE AND DUTY
OF ACRES PRI _____ SUPP _____ NOT SURE _____
 12. ☒ ALL DOCUMENTS USED IN EVALUATION ARE ATTACHED AND HIGHLIGHTED
AND PACKET IS STAPLED TOGETHER
 13. None ISSUES HINDERING PROCESS _____
 14. ☒ WATERMASTER # 11
 15. ☒ REGNL MANGER - SEND COPY (SW, SC, E) DO NOT SEND COPY TO (NW, NC)
 16. ☒ BASIN # AND WAB # ARE ADDED & SPELL ✓ HAS BEEN COMPLETED
 17. N/A LETTER WAS SAVED FROM M:\T\IR\WORK TO M:\T\IR\SENT
- NAME H. H. DATE 10-20-95

OREGON ADMINISTRATIVE RULES
WATER RESOURCES DEPARTMENT
CHAPTER 690
DIVISION 500
BASIN PROGRAMS

Basin Programs Preamble

690-500-010

(1) The Water Resources Commission is responsible for the establishment of policy and procedures for the use and control of the state's water resources. In executing this responsibility, the Commission develops, adopts and periodically modifies programs for the state's major drainage basins as shown in Figure 1.

(2) Basin programs are administrative rules which establish water management policies and objectives and which govern the appropriation and use of the surface and ground water within each of the respective basins. The rules classify surface and ground waters according to the uses which are permitted, may establish preferences among uses, may withdraw surface and ground waters from further appropriation, may reserve waters for specified future uses, and may establish minimum perennial streamflows. These rules are in addition to rules with statewide applicability which govern the allocation and use of water.

(3) The Commission has adopted programs for the following basins:

- (a) North Coast Basin (Division 501)
- (b) Willamette Basin (Division 502)
- (c) Sandy Basin (Included in Division 502)
- (d) Hood Basin (Division 504)
- (e) Deschutes Basin (Division 505)
- (f) John Day Basin (Division 506)
- (g) Umatilla Basin (Division 507)
- (h) Grand Ronde Basin (Division 508)
- (i) Powder Basin (Division 509)
- (j) Malheur - Owyhee Basins (Division 510)
- (k) Goose and Summer Lakes Basin (Division 513)
- (l) Rogue Basin (Division 515)
- (m) Umpqua Basin (Division 516)
- (n) South Coast Basin (Division 517)
- (o) Mid Coast Basin (Division 518)
- (p) Columbia River (Division 519)
- (q) Middle Snake River Basin (Division 520)

(4) Although the Commission has not adopted a comprehensive basin program for the waters of the Malheur Lake Basin, minimum perennial streamflows have been adopted for specified streams in the basin. These minimum perennial streamflows are in Division 512. Allocation and use of the waters of the basin also are subject to administrative rules with statewide applicability.

(5) The Commission has not adopted a comprehensive basin program for the waters of the Klamath Basin. Allocation and use of the waters of the basin are subject to administrative rules with statewide applicability and to the provisions of the Klamath River Basin Compact (ORS 542.62)

{adopted 9-23-88 and renumbered from 690-80-000}

Definitions

690-500-020 Unless otherwise defined in a basin program, the following definitions apply in OAR Chapter 690, Divisions 501, 504-512, and 515-520 to any classification adopted prior to January 1, 1993:

- (1) "Domestic use" means the use of water for domestic water use, group domestic water use, commercial water use of less than 5,000 gallons per day, or human consumption as defined in OAR 690-11-010.
- (2) "Fish culture or fish life use" means the use of water for aquatic life water uses as defined in OAR 690-11-010 and public uses related to fish culture or fish life water uses as defined in OAR 690-77-010.
- (3) "Industrial use" means the use of water for commercial water use or industrial water use as defined in OAR 690-11-010.
- (4) "Irrigation use" means the use of water for agricultural water use, cranberry use, irrigation, nursery operations use, or temperature control as defined in OAR 690-11-010.
- (5) "Livestock use" means the use of water for stockwater use as defined in OAR 690-11-010.
- (6) "Mining use" means the use of water for mining water use or placer mining as defined in OAR 690-11-010.
- (7) "Municipal use" means the use of water for commercial water use, municipal water uses, or quasi-municipal water uses as defined on OAR 690-11-010.
- (8) "Pollution abatement use" means the use of water for pollution abatement or prevention water use as defined in OAR 690-11-010 and public uses related to pollution abatement as defined in OAR 690-77-010.
- (9) "Power or power development use" means the use of water for power development water use as defined in OAR 690-11-010.
- (10) "Recreation use" means the use of water for recreation water use as defined in OAR 690-11-010 and public uses related to recreation uses as defined in OAR 690-77-010.
- (11) "Wildlife use" means the use of water for wildlife use as defined in OAR 690-11-010 and public uses related to wildlife uses as defined in OAR 690-77-010.

{adopted 10-1-93}

(A) OAR 690-505-006, Lower Main Stem Deschutes River, adopted April 3, 1964, as modified by the Water Policy Review Board.

(B) The waters of Boulder Lake in Hood River and Wasco Counties are classified only for domestic and livestock uses; power development not to exceed 7-1/2 theoretical horsepower; recreation, wildlife and fish life uses; and irrigation not to exceed 100 acre-feet annually from water stored in the lake.

(C) The maximum economic development of this state, the attainment of the highest and best use of the waters of the other natural lakes of the Lower Deschutes River Basin, and the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7-1/2 theoretical horsepower, recreation, wildlife, and fish life uses and the waters of the natural lakes of the Lower Deschutes River Basin are hereby so classified.

(b) Applications for the use of the waters of the Lower Deschutes River Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.

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

(2) Minimum Perennial Streamflows

For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, no appropriations of water except for domestic or livestock uses shall be made or granted by any state agency or public corporation of the state for the waters of the White River or its tributaries above the confluence of White River with the Deschutes River for flows of the White River below the specified flows in Table 2, except that this limitation shall not apply to waters legally stored or legally released from storage.

(3) Water Quality

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

Upper Crooked River Basin

690-505-004

(1) Classifications

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Deschutes - Upper Crooked River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the Deschutes - Upper Crooked River Basin are hereby so classified.

(b) Applications for the use of the waters of the Deschutes - Upper Crooked River Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.

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

(2) Water Quality

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

Lower Crooked River Basin

690-505-005

(1) Classifications

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

(A) OAR 690-505-006, Lower Main Stem Deschutes River, adopted April 3, 1964, as modified by the Water Policy Review Board.

(B) No further appropriations of water except for domestic or livestock uses shall be made or granted by any state agency for the waters of Ochoco Creek and its tributaries.

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13686

ROUTED TO: Russ Klassen

TOWNSHIP/

RANGE-SECTION: 19S/14E-2

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

note conditions

Reviewer: K. Lite

TO: Water Rights Section

October 16, 1995

FROM: Groundwater/Hydrology Section K. Lite

LL-158

Reviewer's Name

SUBJECT: Application G-13686

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Basin rules, one or more of the proposed POA's is/is not within feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. will, or have the potential for substantial interference with the nearest
 - b. will not surface water source, namely ; or
 - c. ☒ will if properly conditioned, adequately protect the surface water from interference:
 - i. ☒ The permit should contain condition #(s) 7B;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
 - d. will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

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

REMARKS: _____

(Well Construction Considerations on Reverse Side)

Water Resources Department

MEMO

October 16, 1995

LL- 158

TO Application G- 13686

FROM K. Lite

SUBJECT Scenic Waterway Finding

FINDING (Circle either 1 or 2 below. If you circle 2, fill in the table below):

1. At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

2. The Department finds that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION (To be filled out only if 2 above is circled):

Exercise of this permit is calculated to reduce monthly flows by the following amounts in _____ Scenic Waterway as measured in cfs:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
/	/	/	/	/	/	/	/	/	/	/	/

CONDITIONING:

☒ DO / ☐ DO NOT (Circle one) include condition 7J.

Condition 7J:

"Use of water under authority of this (permit or certificate) may be regulated if analysis of data available after the (permit or certificate) is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced."

COMPLETENESS DETERMINATION CHECKLIST

Application #	Review Date	Reviewer
G - 13686	9/15/95	CORY

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

- ☐ 1. Examination fees. *OK; NEED ADDL \$100 Rec.*
- ☐ 2. Name and address of the applicant, and title if applicable.
- ☐ 3. Source of water.
- ☐ 4. Use of water.
- ☐ 5. Amount of water.
- ☐ 6. Description of delivery system.
- ☐ 7. A statement of **whether** the applicant has written authorization or easements permitting access to lands owned by others.
- ☐ 8. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
- ☐ 9. Proposed dates of beginning and completion of construction, and complete application of water.
- ☐ 10. If for **municipal use**, the present population to be served and expected future water requirements.
- ☐ 11. If for **mining use**, the type of mines and methods of supplying & utilizing the water.
- ☐ 12. If for a **reservoir**:
 - ☐ a. The height of the dam.
 - ☐ b. The storage capacity.
 - ☐ c. The area submerged.
 - ☐ d. The maximum depth.
 - ☐ e. The construction method (earthfill, concrete, flashboard, etc.).
 - ☐ f. A description of the outlet conduit.
 - ☐ g. A description of the spillway.
- ☐ 13. If for **groundwater**, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
- ☐ 14. If the application was made under **HB 2107**:
 - ☐ a. Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
 - ☐ b. A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
 - ☐ c. The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
- ☐ 15. An oath that the application information is true and correct.
- ☐ 16. The signature of the applicant(s).
- ☐ 17. A satisfactory map of the proposed POD & POU.
- ☒ 18. A Land Use Information Form or receipt.
- ☒ 19. A legal description of the property where water will be used.

Ø DOM (EXEMPT)
 100 1ST CFS IND.
 50 2ND CFS IND.
 100 1ST CFS IND.
 250
(w/initials)

September 18, 1995

HOWARD M DAY
65525 GERKING MARKET RD
BEND OREGON 97701

RE: Application File # G-13686

Dear Mr. Day,

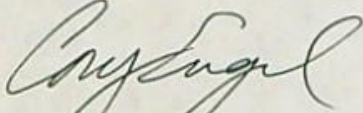
The Water Resources Department is currently reviewing your application for water use. Preliminary review indicates the following items were not included with your application:

- ▶ A legal (metes and bounds) description of the property where water is to be used, such as that found on your deed or title insurance contract.

In order to expedite the processing of your application, we request that you submit these items by **October 5, 1995**. I have enclosed a stamped envelope for your use.

Should you have any questions regarding your application or the required materials listed above, please call me personally at 1-800-624-3199 extension 306.

Sincerely,



Mr. Cory Engel
Completeness Team

Enclosures



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



James E. Bussard
Consulting Engineer

IR
RECEIVED

OCT - 4 1995
WATER RESOURCES DEPT.
SALEM, OREGON

September 30, 1995

Mr. Cory Engel Completeness Team
Oregon Department of Water Resources
158 12th Street NE
Salem, Oregon 97310-0210

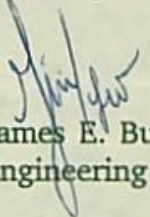
Re: Moon Ranch - Application File N^oG-13686
Request for Legal Description

Dear Mr. Engel:

Enclosed is the legal description and map of the property where water will be utilized for the above referenced groundwater application, N^o G-13686. This property is owned by Howard M. Day, applicant for said water right application.

The legal description is submitted pursuant to your request, dated September 18, 1995. If you need additional information, please call my office at (503) 389-4656.

Best Regards,


James E. Bussard, P.E.
Engineering Consultant

cc: Howard M. Day
Nancy Craven, Attorney

RECEIVED

OCT - 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Property Description
Howard M. Day Ranch

A 440 acre parcel, more or less, situated in Township 19 South, Range 14 East, Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

- Section 1: Southwest One-Quarter of the Northwest One-Quarter; and the North One-Half of the Southwest One-Quarter; and the Southeast One-Quarter of the Southwest One-Quarter; and the Southwest One-Quarter of the Southeast One-Quarter
- Section 2: Southeast One-Quarter of the Northeast One-Quarter ; and the Northeast One-Quarter of the Southeast One-Quarter
- Section 12: Northeast One-Quarter

REGISTERED
PROFESSIONAL
LAND SURVEYOR

James E. Bussard

OREGON
JULY 12, 1963
JAMES E. BUSSARD
599

REnews 12-31-95

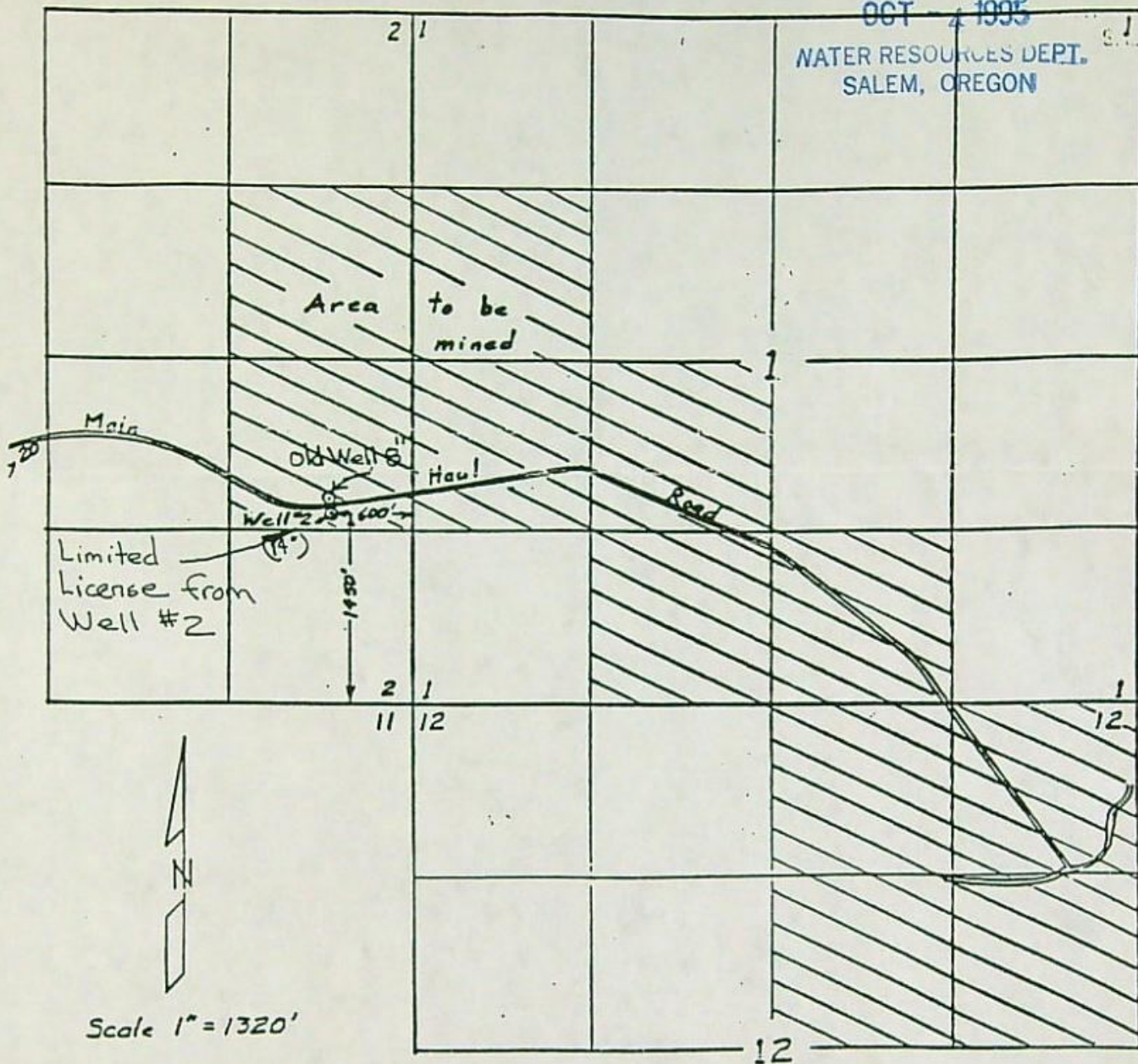
TOWNSHIP 19 SOUTH, RANGE 14 EAST, W.M.

RECEIVED

SEP 12 1994

OCT 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON



Application Map
for
HOWARD M. DAY
(Moon Mine)



This map is for the purpose of locating a water right only and has no intent to provide the location of property lines or real dimensions.

RECEIVED Oregon

OCT - 4 1995

WATER RESOURCES DEPT. WATER
SALEM, OREGON

RESOURCES
DEPARTMENT

September 18, 1995

HOWARD M DAY
65525 GERKING MARKET RD
BEND OREGON 97701

RE: Application File # G-13686

Dear Mr. Day,

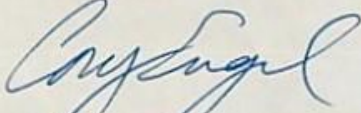
The Water Resources Department is currently reviewing your application for water use. Preliminary review indicates the following items were not included with your application:

- ▶ A legal (metes and bounds) description of the property where water is to be used, such as that found on your deed or title insurance contract.

In order to expedite the processing of your application, we request that you submit these items by October 5, 1995. I have enclosed a stamped envelope for your use.

Should you have any questions regarding your application or the required materials listed above, please call me personally at 1-800-624-3199 extension 306.

Sincerely,



Mr. Cory Engel
Completeness Team

Enclosures



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

* * * IRRIGATION WATER BILLING * * *

Tumalo Irrigation District
64697 Cook Avenue
Bend, OR 97701
(503)382-3053

received
1-27-95

RECEIVED

OCT - 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Day, Matt & Lesley
Hooker Creek Ranch
65525 Gerking Mkt. Rd.
BEND, OR 97701-9081

CUST #: DAYM65

01/25/95

IRRIGATION WATER CHARGES FOR:

LEGAL DESCRIPTION	ACRES
16-11-13-SE/SE-01400	24.50
16-11-13-SW/SE-01300	5.10
16-11-24-NE/NE-00100	14.20
16-11-24-NE/NE-00101	18.10
16-11-24-NW/NE-00100	2.30
16-11-24-NW/NE-00200	4.10
16-11-24-SE/NE-00101	15.60
16-11-24-SE/NE-00102	15.30
16-11-24-SE/NW-00700	2.40
16-11-24-SE/NW-00800	2.60
16-11-24-SW/NE-01100	7.70
16-11-24-SW/NE-01102	0.50
16-12-09-SW/SW-01000	4.30
TOTAL ACRES	116.70

27/ae.
MUNCIE
WHITE ROCK

CURRENT CHARGES:

BUREAU OF RECLAMATION	160.00
DELIVERY CHARGE	80.00
RESTRICTED FUNDS	10.30
OPERATION & MAINTENANCE - ADJUDICATED	2549.03
OPERATION & MAINTENANCE - PERMIT	330.85

*** TOTAL AMOUNT DUE ===> 3130.18

First Half DUE March 1, 1995 1565.09

Second Half DUE July 1, 1995 1565.09

PAID

for 3809 2/27/95

IF NOT PAID WITHIN 30 DAYS OF DUE DATES, INTEREST WILL BE CHARGED
BASED ON THE AVERAGE OF THE PRIME RATES CHARGED BY ALL BANKS IN
OREGON ON MARCH 1, 1995 PLUS TWO PERCENT PER ANNUM.

MEMORANDUM

TO: DWIGHT FRENCH
FROM: Danielle Clair
RE: Correspondence Contact # 227

Today's date: 9-6

Draft due: 9-16

Request for review of correspondence to addressed to:

Governor Roberts

Martha Pagel

Anne Squier

Please prepare a draft response to the attached correspondence to go out under

- ☐ The Governor's signature.
☒ Martha's signature.
☐ Anne's signature.

D: Is there really anything to say other than their app will be processed in order? What if the WRC On Thursday, after hearing Fred's report on GW conditions in the Deschutes Basin, tells us to stop processing? (ash!) I just hate letters like this.

Particulars for signature blocks--

Martha O. Pagel
Director

Barbara Roberts
OR Governor

MOP: (your initials) (letter id #)

BR: (your initials) (letter id #)

OR

Anne W. Squier
Senior Policy Advisor
Natural Resources

AWS: (your initials) (letter ID#)"

And as per usual, letters addressed to the Governor for Anne's or Martha's response should begin, "On behalf of the Governor..."

DWIGHT-
CHECK FILE + Location
Advise writer of status
w/ tr for mop's sig.

CHECK w/ FRED + REED?
What is our position.

Dele TO: Mike M
16w/tele
cc file: y/n



Board of Commissioners

August 30, 1994

SEP 2 - 1994

WATER RESOURCES
SALEM, OREGON

1130 N.W. Harriman, Bend, Oregon 97701
(503) 388-6570 • Fax (503) 388-4752

Nancy Pope Schlangen
Barry Slaughter
Tom Throop

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

RE: Water Right Approval - File G-13686

Dear Martha:

The subject water right request has been submitted to your office for approval. We would appreciate the expeditious approval of that request.

The right is for a well in conjunction with a gravel operation and possible future landfill site. It is important to get approval from your department to meet conditions we have set as well as those of DEQ, DOGAMI, and BLM.

I would appreciate any special help you can give us. Many thanks.

Sincerely,

DESCHUTES COUNTY BOARD OF COMMISSIONERS

Barry H. Slaughter, Commissioner

BHS:am

cc: Jim Bussard
Matt Day

WaterWatch

O F O R E G O N

RECEIVED

JUN 22 1994

WATER RESOURCES DEPT.
SALEM, OREGON

June 21, 1994

Water Resources Department
158 12th St. N. E.
Salem, OR 97310

RE: Application for Permit #G13686, Howard Day
Dry River Basin, Deschutes Co., Industrial Use

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions and concerns:

Is there unappropriated water available for this proposed use? How will the Department determine water availability for this proposed use? What will be the cumulative effect of this proposed use, in combination with other, already existing uses of the aquifer?

Is the groundwater source in question in hydraulic connection with surrounding surface waters? If so, what is the amount of surface water depletion and what effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation and a health aquatic system? We oppose any application which in any way reduces surface water flows needed for the public uses that are served by any instream water right.

Given the importance of this groundwater resource, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources in Oregon for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5)

Will this proposed use be compatible with Goal 5 elements in the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR 690-410-060(1) Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical review of this application.

Sincerely,

bc:

Jim Myron

May 23, 1994

HOWARD M DAY

65525 GERKING MARKET RD
BEND, OR 97701

REFERENCE: File(s) G-13686

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Even though your application has been received, filed and assigned an application reference number, no authorization has been granted to develop your water use. The filing of an application does not create a water right. Water may not be used without a water right permit.

After an application has been accepted for filing, public notification of the application is made, followed by the mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. Applications are processed in the order in which they are received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo a specialized analysis called a technical review and a public interest review. There is no way to determine at this time whether your particular proposed water use will be recommended for a permit.



REFERENCE: File(s) - G-13686

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review. In most cases no objections are received and the application processing can proceed without further conflict resolution, protest, or hearing.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, and the demands of prior right holders, and other conditions to conform the water use to particular standards.

Please contact the Water Rights Section of the Water Resources Department if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

cc:CWRE



James E. Bussard
Consulting Engineer

Application No. 6-13686
Permit No.

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT.
SALEM, OREGON

May 10, 1994

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

RE: Application for Permit to Appropriate Ground Water - Moon Ranch Well

Gentlemen:

Enclosed is the signed Deschutes County Land Use Information sheet and the Application for Permit to Appropriate Ground Water, along with supplemental information and maps for the Moon Ranch Well. The intended use of the water is for industrial use to provide dust control and gravel washing at the Moon gravel operation on the Moon Ranch, located 18 miles east of Bend, Oregon. The Moon Ranch was served by an uncased eight-inch well which produced about 50 gallons per minute, inadequate to meet county and DEQ requirements for dust control at the gravel operation. A copy of this well log is attached for your review.

Supplemental Information

A new well was drilled in the winter of 1994 to a depth of 1,135 feet. This well was cased for the first 1,007 feet with a 14" diameter casing; from 1,000 feet to 1,048 feet with a 12" casing; and from a 1,048 to 1,135 feet with a 10" casing. A pump test was estimated to cost \$25,000, so the landowner has elected to install a pump that would produce approximately 600 gallons per minute at this depth. The well is now equipped with a right-angle gear drive with the anticipation to install a diesel engine that would be approximately 250 - 300 horsepower (there is no electric or telephone service to this remote site surrounded by BLM property). It is anticipated that this installation would be made in the summer of 1994. We have no way of knowing what the well will produce until the pump has been connected and tested. The well log for the new well has been enclosed with this application. A pump test will be completed and forwarded to you.

The DEQ requires that dust be controlled on site. The BLM also requires that water be applied to the one mile of gravel road accessing the project during the summer months. Water is pumped from the well to two steel tanks (30,000 gallons storage) which is then piped into water trucks that spread the water on the roads. There is a four-inch line that leads from the well to the staging area to supply water for gravel washing during those months when crushing and screening processing is utilized. The DEQ also requires that all stockpiles and operational areas be controlled for dust.

Oregon Department of Water Resources
April 28, 1994
Page Two

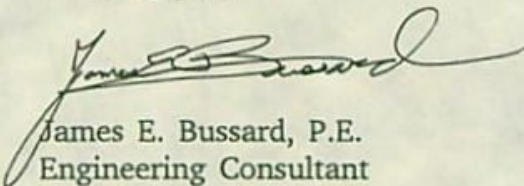
RECEIVED
MAY 16 1994
WATER RESOURCES DEPT.
SALEM, OREGON

The well is also intended to supply water to the existing ranch house which is located in Section 12, approximately one mile to the southeast. The ranch house is connected with a two inch PVC line that has been in operation for ten or fifteen years. This pipeline has also served to provide water in the past to several stock ponds. The applicant has agreed to provide some water for wildlife purposes in an agreement with the Oregon Department of Fish and Wildlife. The site plan of the project is enclosed, along with the staging area which shows the future caretaker's residence, well location and the pond which would be used to recycle screening water. All on-site drainage is to be controlled into this pond, recycled for dust and gravel washing purposes.

The old eight-inch diameter well is not lined and is inadequate (and unreliable) for the Moon Ranch operations. This well will be used as a backup when the diesel engine/right angle gear drive or pump are in need of repair. Cattle have been removed from the ranch and some pond water will be maintained for wildlife.

We would appreciate your review of the application at your earliest convenience. Thank you.

Best Regards,



James E. Bussard, P.E.
Engineering Consultant

Enclosures

cc: Mr. Howard M. Day

Application No. 6-13686 Description of Water Use

Planning Official Initials: _____

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

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

Applicant Name: Howard M. Day
 Address: 65525 Gerking Mkt Rd.
Bend, OR 97701
 Phone: 389-2302

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

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

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>600</u> Gallons per minute. _____ Acre-Feet
☐ Reservoir or pond	
☒ Ground Water	

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Applicant's Name: Howard M. Day
Address: 6525 Gerking Mkt. Rd.
City: Bend State: OR Zip: 97701 Day Phone: 389-2302

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

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4 Sec 1		✓	✓	✓
NE 1/4 & NE 1/4 SE 1/4 Sec 2			✓	✓
NE 1/4 Sec 12, all in T 19 S, R 14 E, W 17			✓	✓

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. Co.

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

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form cannot be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

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

- ☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____. Go to section b) on reverse side.
- ☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily
Zone Change ZC-88-5	County Code Sect. 18.52	✓		
Site Plan SP-88-56	" " " "	✓		
Conditional Use Permit				✓

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: DAVID B. LESLIE
Title: ASSOCIATE PLANNER

Date: 5-4-94
Phone: 308-6575

Signature: David B. Leslie

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

(This area contains horizontal lines for additional comments.)

(START CARD) # 58111

Well Number:

Stufe	Die
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
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11	11
12	12
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96	96
97	97
98	98
99	99
100	100

$$\overline{\text{Zin}}^{(1770)}$$

WAGNER, J. A.

ATTENTION:

C 73686

Jen

Bussard

Hooker Creek Ranch
65525 Gerking Market Rd
Bend, OR 97702

t Card #
...11

(12) WELL LOG

MATERIAL	FROM	TO
Pumice brown	0	4
Clay sand gravel	4	12
Lava rock black	12	42
Basalt	42	46
Lava rock red	46	64
Broken lava rock	64	70
Lava black	70	75
Red lava	75	91
Cinders	91	95
Lava rock hard	95	100
Lava rock broken	100	110
Lava rock black	110	125
Lava rock brown	125	135
Black lava and red cinders	135	148
Basalt gray	148	163
Lava rock black and red layers	163	182
Cinders red and black layers	182	202
Lava rock black	202	208
Lava rock brown	208	237
Andesite basalt	237	247
Lava and basalt layers black	247	277
Red lava	277	285
Lava brown pumice layers	285	305
Lava red	305	330
Gray tuffstone	330	355
Gray basalt soft	355	374
Red cinders and lava rock	374	385
Pumice	385	390
Red gray lava layers with cinders	390	429
Andesite basalt	429	440
Red lava	440	487
Basalt gray hard	487	501
Lava rock brown	501	528
Red basalt	528	536
Weathered rock yellow	536	565

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SALEM, OREGON

Hooker Creek Ranch

Well Log

Page 2

Gray basalt	565	612	
Pumice	612	615	
Black basalt	615	634	
Gray basalt	634	732	
Basalt with lava layers	732	865	
Lava broken red	865	882	
Lava rock solid	882	898	
Lava pourous	898	935	852
Lava broken	935	945	
Layers of pumice brown clay with red fibers	945	990	
Weathered rock yellow	990	1010	
Gray basalt	1010	1075	
Lava red black	1075	1090	
Pourous lava rock	1090	1105	852
Red lava rock	1105	1115	
Pourous lava	1115	1128	852
Gray basalt	1128	1135	

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.785)

DEC 24 1986

Tax 11.84
19-14-00-7200

673686

19-14-00-7200

OLD MOON WELL

OWNER: on tax roll 418
Eugene Moon
Address 5952 (P.O. Box) 5952
Bend State Oregon Zip 97708

TYPE OF WORK:

New Well ☐ Deepen ☐ Recondition ☐ Abandon

DRILL METHOD:

Rotary Air ☐ Rotary Mud ☐ Cable ☐ Other

PROPOSED USE:

Domestic ☐ Community ☐ Industrial ☐ Irrigation

Thermal ☐ Injection ☐ Other

BORE HOLE CONSTRUCTION:

Depth of Completed Well 915 ft.

Special Standards date of approval

HOLE	SEAL	Amount
diameter From To	Material From To	sacks or pounds
0 19 1/2	Bentonite	16 sacks

Was seal placed? Method ☐ A ☐ B ☐ C ☐ D ☐ E

Other Poured down dry

Gravel placed from _____ ft. to _____ ft. Material _____

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
8"	+1 1/2	19 1/2	.250	☒	☐	☐	☐

Location of shoe(s)

PERFORATIONS/SCREENS:

☐ Perforations Method _____

☐ Screens Type _____ Material _____

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

WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☒ Bailer ☐ Air ☐ Flowing Artesian

Flow gal/min 10 Pumping level 905 Drill stem at 905 Time 1 hr

Flow 0 905 1 hr

Temperature of water 62.8 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom no

Do any strata contain water not suitable for intended use? ☐ Too little no

Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Notes _____

LOCATION OF WELL by legal description:

County Deschutes Latitude _____ Longitude _____
Township 19S N or S, Range 14E E or W, WM.
Section 2 _____
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 26300 Bend-Burns Hwy.
Star Rte. 97701

STATIC WATER LEVEL:

850 ft. below land surface. Date 12-20-86

Artesian pressure _____ lb. per square inch. Date _____

WELL LOG: Ground elevation unknown

Material	From	To	WB?	SWL
Sand	0	8		
Broken Lava	8	10		
Hard Grey Lava	10	25		
Broken Lava	25	29		
Mild Lava	29	55		
Mild Lava	55	58		
Broken Lava	58	87		
Cinders	87	95		
Broken Lava	95	105		
Hard Red Lava	105	122		
Broken Red Lava	122	128		
Mild Brown Lava	128	153		
Hard Grey Lava	153	168		
Broken Lava	168	185		
Hard Brown Lava	185	215		
Hard Grey Lava	215	225		
Broken Red Lava	225	228		
Mild Red Lava	228	241		
Broken Red Lava	241	246		
Hard Red Lava	246	253		
Broken Red Lava	253	256		
Mild Red Lava	256	267		
Red Conglomerate	267	273		
Mild Brown Lava	273	305		
Hard Grey Clay	305	308		
Broken Red Lava	308	315		
Hard Grey Lava	315	361		
Red Broken Lava	361	373		
Mild Red Lava	373	385		
Mild Grey Lava	385	396		
Broken Red Lava	396	402		

Date started Oct. 10-86 Completed Dec. 20-86

(unbonded) Water Well Constructor Certification:

I constructed this well in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed Vince Mackey Date 12-22-86

(bonded) Water Well Constructor Certification:

I accept responsibility for construction of this well and its compliance with all Oregon water well standards. This report is true to the best of my knowledge and belief.

Signed _____ Date 12-22-86

Orvail Buckner Well Drilling Inc.

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 637.765)

DEC 24 1986

195/14C-2

OWNER: Eugen Moon
ADDRESS: P.O. Box 5952
CITY: Bend STATE: Oregon ZIP: 97708
WATER RESOURCES DEPT.
SALEM, OREGON

1) TYPE OF WORK:

New Well ☐ Deepen ☐ Recondition ☐ Abandon

2) DRILL METHOD:

Rotary Air ☐ Rotary Mud ☐ Cable ☐ Other

PROPOSED USE:

Domestic ☐ Community ☐ Industrial ☐ Irrigation ☐
Thermal ☐ Injection ☐ Other

3) BORE HOLE CONSTRUCTION:

Depth of Completed Well _____ ft.

Special Standards date of approval _____

HOLE	SEAL	Amount
Diameter From To	Material From To	sacks or pounds
12" 0 19 1/2	Bentonite	16 sacks

How was seal placed? Method ☐ A ☐ B ☐ C ☐ D ☐ E

Other Poured down dry

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
8"	+1 1/2	19 1/2	250	☒	☐	☐	☐

Location of shoe(s) _____

4) PERFORATIONS/SCREENS:

☐ Perforations Method _____
☐ Screens Type _____ Material _____

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

5) WELL TESTS: Minimum testing time is 1 hour

Pump	Bailer	Air	Flowing	Artesian
☐	☒	☐	☐	☐
Yield gal/min	Pumping level	Drill stem at	Time	
10		905	1/2 hr	
10		905	1 hr	
0		905		

Temperature of water _____ Depth Artesian Flow Found _____

Has a water analysis been done? ☐ Yes By whom _____

Do any strata contain water not suitable for intended use? ☐ Too little

Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata _____

(9) LOCATION OF WELL by legal description:

County Deschutes Latitude _____ Longitude _____
Township 19S N or S, Range 14E E or W, WM.
Section 2 1/4 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 26300 Bend-Burns Hwy.
Star Rte. 97701....

(10) STATIC WATER LEVEL:

850 ft. below land surface. Date 12-20-86

Artesian pressure _____ lb. per square inch. Date _____

(11) WELL LOG:

Ground elevation unknown

Material	From	To	WB?	SWL
Mild Brown Lava	402	412		
Hard Grey Lava	412	429		
Broken Red Lava	429	432		
Broken Red Lava	432	445		
Broken Sandstone	445	515		
Broken Grey Lava	515	535		
Broken Red Lava	535	570		
Broken Grey Lava	570	680		
Hard Grey Lava	680	722		
Mild Broken Lava	722	735		
Hard Grey Lava	735	745		
Broken Lava	745	753		
Hard Grey Lava	753	769		
Broken Lava	769	771		
Hard Grey Lava	771	883		
Red Cinder Conglomerate	883	893		
Hard Black Lava	893	905		
W/B Red Cinder Gravels	905	913		
Mild Red Lava	913	920		
Red Cinder Gravels W/B	920	931		

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SALEM, OREGON

Date started Oct. 10-86 Completed Dec. 20-86

(unbonded) Water Well Constructor Certification:

I constructed this well in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed [Signature] Date 12-22-86

(bonded) Water Well Constructor Certification:

I accept responsibility for construction of this well and its compliance with all Oregon water well standards. This report is true to the best of my knowledge and belief.

Signed [Signature] Date 12-22-86

Company Orvail Buckner Well Drilling Inc.

DATE

INITIALS

MINIMUM REQUIREMENTS TO FILE

G13686

Name and mailing address
 Source of water
 Quantity of water
 Location of project
 Use of water
 Signature of applicant
 Allowable use by policy
 State Engineer withdrawal
 Legislative withdrawal
 Land use approved _____ pending _____

FIELD OPERATIONS

Application date stamped per money receipt date
 Stream Indexed
 Stream Code _____
 Scenic Waterway _____

Findings:

- 1) Concluded - Scenic-Reg Ack letter
- 2) Under Study - Scenic-Ack letter
- 3) Basin 2 - Willamette-Ack letter

Plat Carded and copy made
 Conflicts (well _____ surface _____) YES NO
 Prior ISWR # _____
 Within Irrigation District _____ (name)
 Notified
 District excerpt received
 Entered in Paradax
 Prepare six copies of Draft Permit
 Send one copy to Data Center

SUPPORT SERVICES

Stamp contents with application number
 Mail/Provide copies of draft permits to DEQ, ODFW,
 PARKS, AND WATERMASTER
 Mail ack letter (provided by Data Center) with
 receipt to applicant, cc to CWRE and file
 Place label on file and card
 If dam is over 10 feet or storage exceeds 9.2 AC-FT,
 route file to Dam Safety Section
 Notify Irrigation District

FIELD OPERATIONS

	YES	NO
Ownership Statement	_____	_____
Name and address of all owners	_____	_____
Other landowners notified	_____	_____
Legal Description	_____	_____
Need Commission review	_____	_____
Requests greater than 5.0 cfs	_____	_____
Dam height greater than 20 feet	_____	_____
Storage greater than 100 acre-feet	_____	_____
Out of Basin diversion	_____	_____
Groundwater recharge project	_____	_____
Other substantial public interest	_____	_____
GW comments received	resolved _____	
ODFW comments received	resolved _____	
DEQ comments received	resolved _____	
Interest groups	_____	
Water availability reviewed	_____	
Objections received	resolved _____	
Protest received	resolved _____	
Nonpoint source	_____	

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WATER RESOURCES DEPT.
SALEM, OREGON

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application # G13686, G13687, G13688, G13691, G13689, G13690

Send to:

Steve Schneider
21881 River Rd NE
St. Paul, OR 97137

Please include specific comments or concerns. Use additional sheets if necessary.

Return to:

Oregon Water Resources Department
158 12th ST NE
Salem, Oregon 97310

This Comment corresponds to the MAY/25/1994 Public Notice.

RECEIPT # 112142

STATE OF OREGON
WATER RESOURCES DEPARTMENT158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

RECEIVED FROM:

Hooker Creek Ranch

BY:

A. D. CO

APPLICATION

13686

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐☒

24 22

☐

TOTAL REC'D

\$ 350

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 FEES

\$

880.109 MISC REVENUE: (IDENTIFY)

\$

520.000 OTHER (P-6) (IDENTIFY)

\$

WATER RIGHTS:

842.001 SURFACE WATER

EXAM FEE

\$

RECORD FEE

\$

842.003 GROUND WATER

\$

842.002

\$

842.005 TRANSFER

\$

842.004

\$

WELL CONSTRUCTION

EXAM FEE

\$

LICENSE FEE

\$

842.022 WELL DRILL CONSTRUCTOR

842.023

\$

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

LIC NUMBER

842.011 POWER LICENSE FEE (FW/WRD)

\$

842.115 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

RECEIPT # 112142

DATED:

5-16-94

BY:

D. Bushnell



96614

NUMBER _____

Check 350⁰⁰ NO _____ Cash _____

____ Surface Application

____ Reservoir Application

X Ground Water Application 200
15

____ Transfer Application

____ Power Claim

____ Hydroelectric Examination

____ Hydroelectric License

____ Copying

____ Assignment

____ Extension of Time

____ Other

____ P-6

____ Quadrangle

____ Basin

____ Protest

____ Constructors Examination

____ Constructors License

____ Adjudication

Data Center

FRD

Application No. **G13686**
Permit No. **G12860**

Name .. HOWARD M DAY
Address 65525 GERKING MARKET RD
BEND, OR 97701

Assigned

Address

Beginning construction **OCT 10 1997**

Completion of construction **OCT 01 1998**

Extended to

Complete application of water **OCT 01 1999**

Extended to

9-26-95 DB

Application No. LH158

Permit No.

Name

Howard Day

Address

Assigned

Address

Beginning construction

Completion of construction

Extended to

Complete application of water

Extended to

FILE#: G 13686

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OR 97701

FILE#: G 13686

HOWARD M DAY
65525 GERKING MARKET RD
BEND, OR 97701