Application for an Emergency Use Permit for Groundwater (Drought)



Oregon Water Resources Department 725 Summer Street NE, Suite A

Salem, Oregon 97301-1266 (503) 986-0900

www.oregon.gov/OWRD

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Emergency Use Permit Application Processing

Oregon Revised Statute (ORS) 536.700-780 and Oregon Administrative Rule (OAR) 690-019-0040(1) authorize the Director, after the Governor declares that a severe, continuing drought exists, to issue emergency-use permits to replace water not available under an existing right because of the drought. Each application must be for use in a designated drought area.

PLEASE NOTE: Due to widespread drought and decreasing groundwater levels, if a drought emergency is declared in Klamath County, it is unlikely that the Oregon Water Resources Department (Department) will issue Drought Emergency Use Permits for groundwater.

A portion of the application fees for Drought Emergency Use Permits is non-refundable. If the Department evaluates a drought permit application and determines that a permit cannot be issued, the recording fee is refunded, and the Department will retain the exam fee.

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-019-0040, OAR 690-019-0050, and OAR 690-019-0100 (www.oregon.gov/owrd/law). When an application does not contain all the information and supporting material required by the application form and these rules, the application will be declared incomplete, and the applicant notified. Additionally, the application may be returned with a request for additional information, and the applicant will have 30 days to complete the application. If the applicant fails to complete the application within 30 days, it will be rejected.

2. Public Notice

Public notice of receipt of emergency use applications and approval of such applications will be included in the Department's regular public notice of applications.

3. Final Order Issued

The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and OAR 690-310-0130.

Application for an Emergency Use Permit for Groundwater (Drought)



Oregon Water Resources Department

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information				
NAME				PHONE (HM)
PHONE (WK)	FAX			
ADDRESS				
CITY	STATE	ZIP	E-MAIL*	
Organization Information				
NAME BROKEN TOP FAMILY FARMS, LI	LC/MATT DERST	TINE	PHONE 541-915-5067	FAX
ADDRESS 7668 SW LASALLE LANE				CELL 541-915-5067
CITY Culver	STATE OR	ZIP 97734	E-MAIL* MATT@VALLEYHAY	COM
Agent Information The count is	therized to re-	cont the c-		
Agent Information – The agent is au AGENT / BUSINESS NAME Jim Newton, CWRE/Cascade Geoeng		esent the ap	PHONE 360-907-4162	FAX
ADDRESS 21145 Scottsdale DR				CELL 360-907-4162
TTY Bend	STATE	ZIP 97701	E-MAIL* newtonjim@hotmail.co	om
this application neither gua right may be obtained. If I get a permit, I must not If development of the wate The water use must be com	also be mailed.) that I understate cifically as described will be based on till the Water Repermit be issued trantees an emergrantees an emergrantees waste water. The use is not accompatible with local	and: ribed in this on information esources Dep I before beg gency use p rding to the	application. on provided in the application application of a permit inning construction of articles are will be issued nor interms of the permit, the insive land-use plans.	AUG 0 2 202 ation. OWRD The proposed well. Acceptance of indicates that a permanent water
I (we) affirm that the information	ation contained	att Devs h	ine Owner	7-22-24
Applicant fighature	Pri	nt Name <i>an</i>	d title if applicable	Date
Applicant Signature	Pri	nt Name an	d title if applicable	Date

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

Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances.

No

I have a recorded easement or written authorization permitting access.

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

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (attach additional sheets if necessary).

$(1/\log 1) \cdot (9/4) \cdot (2/3) \cdot (3/3) \cdot (3$

		IF LESS THAN 1 MILE:						
4002.400								
No. 1	Crooked River	4,700'	800'					

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

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SECTION 3: WELL DEVELOPMENT, CONTINUED
Source (aquifer), if known:
Total maximum rate requested: (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below)
Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

No. 1		×	JEFF51763				open 898' to 985'		745'	Broken Basalt	986'	785	118.86
	Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.												

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

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

ula.	PERIOD OF USE	
Irrigation	Irrigation Season	118.86*
		*Reflects volume to reach 2 ac-ft per acre for entire POU.

Rights affected by drought:
County in which use will occur:Jefferson
(if the right is located in Klamath Basin/County you must complete Section 8)
Please indicate the total number of acres to be irrigated (<i>must match map</i>): 140.12 acres 72279 & 93422 primary: 72281
List the Permit or Certificate number(s) of the water right(s) affected by drought: <u>supplemental; all surface water from NUIE</u> Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 280.24 acre-feet for
typical water use year; 118.86 requested under drought, 2024 allocation of 161.38 acre-feet

90	$\alpha \alpha$	W 25	200	43.80	A 402.00	460		er ye	300	26.30		Asia	5 9 gV	2896	296	1770	(200)	ĸ,
	4 13	15x2	(\$)		2.	ត្ត រ	, u 4,	18	15	· 38				3 .×	3.1			
£".	100		R	221.2	XX AT	Ю.,	فالمكارة	2.2.	8 J.	5. X.	بعاقباتي	وتبحفه	Sec. 10		3.00	Sec. 3.		ú

A.	Diversion	and Conveyance
м.	DIAGIZIOII	affu Coffveyaffice

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

H	e	ce	İ۷	e	d

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☑ Pump (give horsepower and type):	75 Hp Submersible well pump;
Other means (describe):	

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Well to pump into existing irrigation pond. Existing irrigation system to be used from existing irrigation pond to existing pivot.

B. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; and prevent the discharge of contaminated water to a surface stream.

The application is for irrigation, to be used when the primary irrigation water right from North Unit Irrigation District is unavailable due to drought conditions. The existing system is comprised of pressurized piping, and a pivot.

Check here if any of the water rights affected by drought are located within or served by an irrigation or other water district.								
Irrigation District Name North Unit Irrigation District	Address 2024 NW BEECH ST							
City MADRAS	State Oregon	Zip 97741						
Yes χ No Has the irrigation district transferred the primary irrigation water right to another place of use for this irrigation season?								
Projected irrigation season allotment, if known: 1.15 acre-feet per acre, for a total of 161.38 total for 140.12-acre POU								
organicano de la companya de la comp La companya de la companya de								

Explain how drought conditions have created an inability to obtain water under your existing right(s), and any other remarks to clarify any other information (attach additional sheets as necessary).

North Unit Irrigation District provides the primary irrigation water for the existing water right. North Unit irrigation water was severely limited during the 2021, 2022 and 2023 irrigation seasons due to drought conditions and the lack of available water. Note that on June 27, 2024, Oregon Governor Tina Kotek declared a drought emergency in Jefferson County, Oregon, and issued an executive order directing state agencies to prioritize assistance to the region.

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SECTION 8: KLAMATH BASIN/COUNTY WELL INFORMATION PLEASE NOTE: Due to the pervasive drought and rapidly declining groundwater levels in the Klamath Basin, the Oregon Water Resources Department is unlikely to issue Drought Emergency Use Permits for groundwater in the Klamath Basin.											
A functioning, totalizing flowmeter will be required for any drought permits issued. Is there currently a flowmeter installed on each of the PODs listed in the table in Section 3 of this application?											
*Please note that watermaster staff will visit the well to confirm flowmeter presence prior to issuance of an emergency drought groundwater permit. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements and these may be conditions of the permit.											
For each well, please p taken in the table belo	•	n of the flowmeter	r location, the seria	I number, the cu	rrent flowmeter	reading and the date the reading was					
V/A											

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Date _____

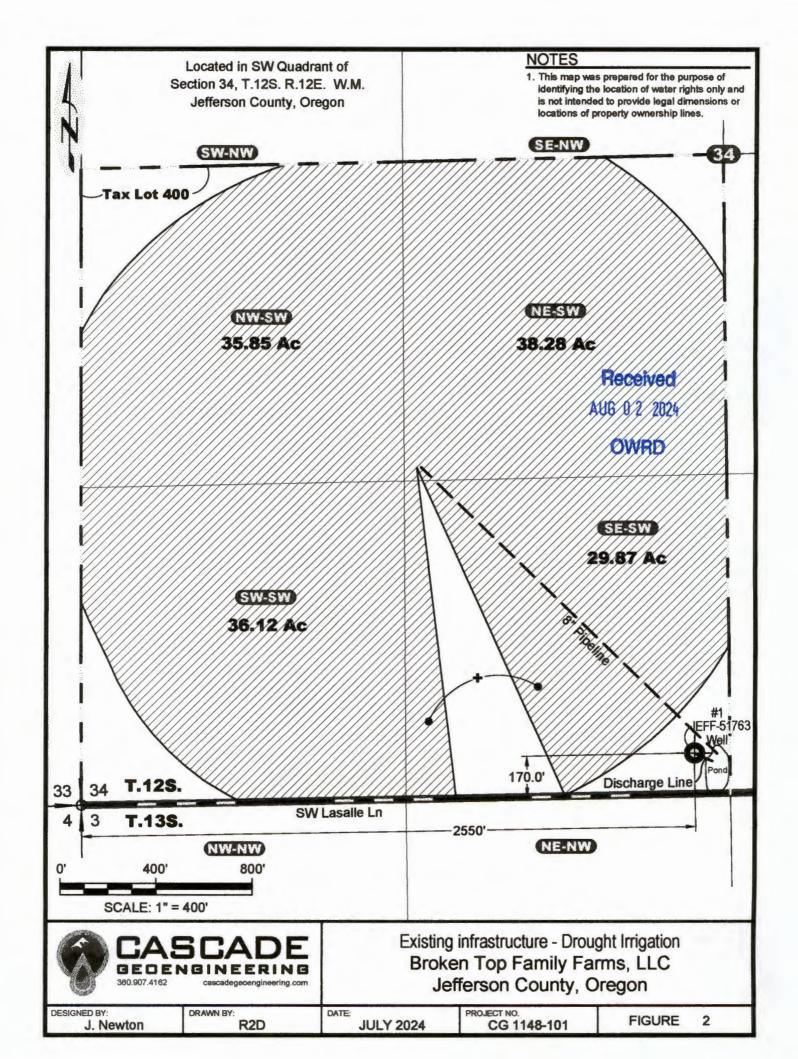


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Salem, Oregon 97301-1266 (503) 986-0900 www.oregon.gov/OWRD

(For staff use only)

RE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):						
SECTION 1:						
SECTION 2:						
SECTION 3:						
SECTION 4:						
SECTION 5:						
SECTION 6:						
SECTION 7: Received SECTION 8: AUG 0 2 2024						
SECTION 8: AUG 0 2 2024						
Fees OWRD						
Permanent quality and drawn in ink						
Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)						
North Directional Symbol						
Township, Range, Section, Quarter/Quarter, Tax Lots						
Reference corner on map						
Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.						
Indicate the area of use by Quarter/Quarter and tax lot clearly identified						
Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery						
Location of main canals, ditches, pipelines or flumes						
Other						



Land Use Information Form



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

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NAME BROKEN TOP FAMILY FARMS, LLC/MATT DERSTINE								HONE (HM) 41-915-5067				
PHONE (WK				CE	u				FAX			
541-				1-915-5067								
DDRESS	INEY DRIVE											
ITY CAI	INEY DRIVE			STATE		E-MAIL*						
				OR								
lease incl	ed), and/c	ollowing in	developed	. Applicants	for munici laries for th	pal use, or ne tax-lot in		es within	i its source), (rrigation dist below.	ricts may		
Township Range Section 16 16 To		Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5		Water to be:			Proposed Land Use:				
125	12E	34	SW	400	EFU		⊠ Diverted	⊠ Conve	yed 🔯 Used	Irrigation		
							☐ Diverted	☐ Conve	red 🗍 Used			
							Diverted	Conve	yed 🔲 Used			
							☐ Diverted	Conve	yed [] Used			
. Descrip	county otion of P plication to Use or St	roposed o be filed to ore Water	Use with the V	Vater Resou er Right Tran	rces Depar	tment:	yed, and/or u mit Amendmen nange of Wate	nt or Groun	veloped: dwater Registr	ation Modific		
Limited				☑ Groundwa			Water (name)					
Limited	Adres -						t per second		ner minute	acre-l		
ource of v	nun ntin.	fruntas	.eueu: 1.75		L.	7 conic 166	c per second	F Ranouz	het mainte	T acies		
ource of v	quantity o											
ource of v	se of wate	er: 🛛 Irrig		Comme	rcial Aunicipal	Industrea		Domestic Other	forhous	sehold(s)		

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)			Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:			
				Obtained Denied	☐ Being Pursued ☐ Not Being Pursued		
			Received	Obtained Denied	☐ Being Pursued ☐ Not Being Pursued		
			AUG 0 2 2024	Obtained Denied	Being Pursued Not Being Pursued		
			OWRD	Obtained Denied	☐ Being Pursued ☐ Not Being Pursued		
				Obtained Denied	Being Pursued Not Being Pursued		
	this propose	d use of water	below, or on a separate sheet.				
Lan	ya CI	outies		TITLE:	Junner		
IGNATURE UNIT	gr Cli	will	PHONE: 75-4462	DATE:	5/20/24		
WEST WEST ENGINE	Jef	ferson	County				
		stative: Please	complete this form or sign the recei	pt below and	return it to the ap		

Amended 8/14/2023 STATE OF OREGON WATER SUPPLY WELL REPORT

JEFF 51763

WELL LD. LABEL# L 151259

START CARD # 1060604

ORIGINAL LOG #

(as required by ORS 537.545 & 537.765 and OAR 690-205-0210)	6/23/2023	ORIG	INAL LOG	#		· · · · · · · · · · · · · · · · · · ·
(1) LAND OWNER Owner Well I D						
First Name MATT Last Name DERSTINE	(0)10	CATION OF W	ELL Geos	al descri	intion)	
Company					_	E E/W WA
Address 31121 CARTNEY DR		EFFERSON Twp 1				
City HARRISBURG State OR Zip 97446	Tou Man	SE 1/4 o	of the 3w	1/4	Tax Lot 40	N
2) IIIE OF WORK	version Tax Map	Number	ne 44 49041	000	Lot	DMS of DD
Alteration (complete 2a & 10) Abandonment(complete 2a & 10)		0 1	or 121 290	04000		DWS of DD
(2a) PRE-ALTERATION	Long	Street address of	well (Negreet a	ddress	DMS of DD
Casing: To Gauge Stl Plste Wld Thrd		LASALLE LN	мен О	140th Cat to	uu css	
Material From To Amt sacks/lbs	1700034	LABALLE LIV				
Seal:						
(3) DRILL METHOD	(10) ST	ATIC WATER	LEVEL			
X Rotary Air Rotary Mud Cable Auger Cable Mud	F	W 9 / P A 1		Date S1	WL(psi) +	SWL(ft)
Reverse Rotary Other		ing Well / Pre-Altera				
(A) PROPOSED VISE DO S			6/23/20 g Artesian?		y Hole?	745
(4) PROPOSED USE Domestic X Irrigation Community			-	_	-	745.00
Industrial/ Commercial Livestock Dewatering		EARING ZONES	_			
Thermal Injection X Other TEST HOLE	SWLD	ate From	То	Est Flow	SWL(psi)	+ SWL(ft)
(5) BORE HOLE CONSTRUCTION Special Standard	(Attach copy) 6/8/202	23 745	985	200		745
Depth of Completed Well 985.00 ft.						
BORE HOLE SEAL	sacks/					
Dia From To Material From To						
15.5 0 71 Bentonite 0 61 12 71 898 Calculated 0						
10 898 985 Cement 61 71	2 6				V. V.	
Calculated	(11) WE	LL LOG	Ground Eleva	ation		
How was seal placed: Method A B XC D	E	Material			From	То
Other POURED DRY		ND GRAVEL			0	21
Backfill placed from ft. to ft. Material		CONGLOMERATE			21	52
Filter pack from ft. to ft. Material Size	GRAY B		,		52 196	196
Explosives used: Yes Type Amount	BROWN	CONGLOMERATE			206	237
(5a) ABANDONMENT USING UNHYDRATED BENTONI		RCULATION			237	242
Proposed Amount Actual Amount		CONGLOMERATE			242	252
(6) CASING/LINER	BROWN	CONGLOMERATE	,		252	361
Casing Liner Dia + From To Gauge Sti Plstc	wid into	BASALT			361	390
	CONGLO	OMERATE	CED ACTO		390	455
	W/B SNI	STONE CONGLON KEN BASALT	MERATE		455 825	825 862
		WN CONGLOMER	ATE		862	884
		KEN BASALT			884	893
		WN CONGLOMER	RATE		893	910
Shoe Inside Outside Other Location of shoe(s)		KEN BASALT			910	935
Temp casing Yes Dia From + To		OWN CONGLOME	RATE		935	978
(7) PERFORATIONS/SCREENS	W/B BRC	KEN BASALT			978	985
Perforations Method						<u> </u>
Screens Type Material Perf/ Casing/ Screen Scrn/slot Slot # of		rted4/11/2023	Co	mpleted	6/8/2023	
0		ed) Water Well Con	structor Cer	tification		
Seriou Sun Itom Ito William Store	I certify	that the work I perf	ormed on the	construct	tion, deepeni	ng, alteration, or
		nent of this well i				
		on standards. Mater f my knowledge and		informati	ion reported	above are true to
				Deta		
	License P	lumber 1852		Date 6	/23/2023	
8) WELL TESTS: Minimum testing time is 1 hour	Signed	JEB ABBAS (E-file	(be			
Pump Bailer	Artesian					
Yield gal/min Drawdown Drill stem/Pump depth Duration (,	Water Well Constr				
200 985 1		esponsibility for the				
		ormed on this well d				
т		on standards. This re				
Temperature 51 °F Lab analysis Yes By					_	
Water quality concerns? Yes (describe below) TDS amount 92 From To Description Amount	Units License N	umber 1720		Date 6/2	5/2023	Received
		JACK ABBAS (E-fi	iled)			
		fo (optional) JACK			AU	0 0 2 2024

Map of Hole

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STATE OF OREGON WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Selem OR 97301 (503)986-0900



Well Label: 151259

Printed: June 23, 2023

DISCLAMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor

LOCATION OF WELL

Latitude: 44.48041000 Datum: WGS84

Longitude: -121.28094000

Township/Range/Section/Quarter-Quarter Section:

WM12.00S12.00E34SESW

Address of Well:

7668 SW LASALLE LN



Subject: Water Allotment Increase

Date: Tuesday, June 11, 2024 at 12:56:20 PM Pacific Daylight Time

From: North Unit Irrigation District

To: Matt Derstine

View this email in your browser



Water Allotment Increase

On June 11, 2024, The NUID Board of Directors increased the patron allotment for Deschutes Water Rights to 1.15 and Crooked River Water Rights to .58. This increase will go into effect at 5 PM on June 11, 2024, and will be available to order on June 12, 2024. As always, NUID staff will continue to monitor conditions and make recommendations to the Board of Directors accordingly.

Make it a great day!

Sincerely, NUID Received AUG 0 2 2024

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Copyright © 2024 North Unit Irrigation District, All rights reserved. You are receiving this email because you opted in via our website.

Our mailing address is:

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050, ORS 537.615 & OAR 690-019-0040)

Include this checklist with the application

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

\boxtimes	SECTION 1: APPLICANT INFORMATION AND SIGNATURE	
\boxtimes	SECTION 2: PROPERTY OWNERSHIP	
\boxtimes	SECTION 3: WELL DEVELOPMENT	
\boxtimes	SECTION 4: WATER USE	
\boxtimes	SECTION 5: WATER MANAGEMENT	
\boxtimes	SECTION 6: WITHIN A DISTRICT	
\boxtimes	SECTION 7: DROUGHT INFORMATION	
	SECTION 8: KLAMATH BASIN WELL INFORMATION	
	Attachments:	
\boxtimes	Fees - Amount enclosed: \$ 700.00	
	\$200 - Examination fee	
	\$400 - Recording fee for the first cubic foot per second (CFS) or fraction thereof, and \$100 for each additional CFS or fraction thereof	
	* one CFS equals 448.831 gallons per minute	
	Provide a map and check that each of the following items is included:	
\boxtimes	Permanent quality and drawn in ink	
\boxtimes	Even map scale not less than 4" = 1 mile (example: 1" = 400 ft. 1" = 1320 ft. etc.)	
\boxtimes	North Directional Symbol AUG 0 2 2024	
\boxtimes	Township, Range, Section, Quarter/Quarter, Tax Lots	
X	Reference corner on map	
×	Location of each well, and/or dam if applicable, by reference to a recognized public land survey corne (distances north/south and east/west). Each well must be identified by a unique name and/or number	
X	Indicate the area of use by Quarter/Quarter and tax lot clearly identified	
\boxtimes	Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery	n
\boxtimes	Location of main canals, ditches, pipelines or flumes	
	Other: Received	
	AUG 0 2 230.4	
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